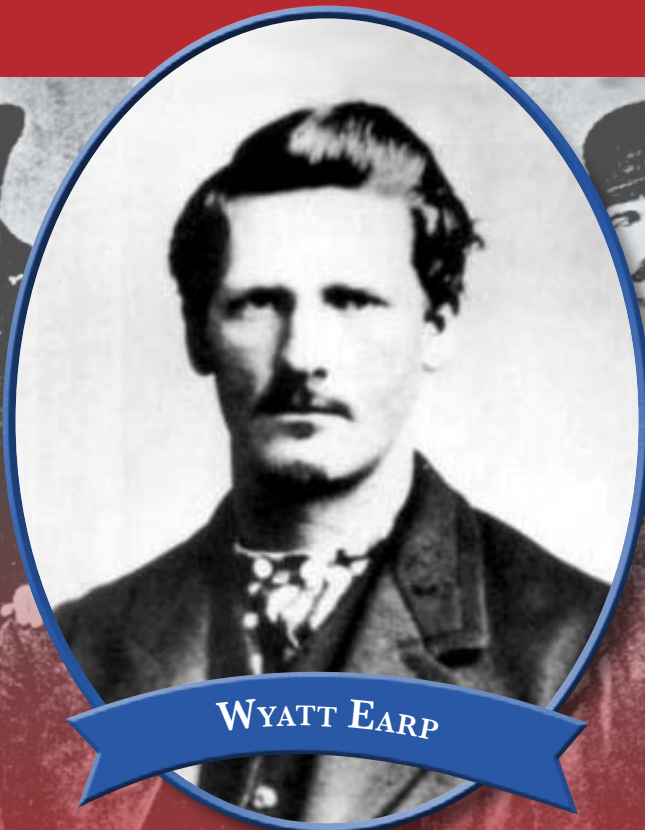


# Who Was Wyatt Earp?

BY ALLEN BARRA



WYATT EARP



## CONTENTS

Who Was Wyatt Earp? <small>ARTICLE</small> .....	1	1886 fire insurance map of Tombstone, Ariz., <small>IMAGE</small> .....	13
OK Corral inquest transcript found in Arizona jailhouse store room <small>DOCUMENT</small> .....	8	Sign near Tombstone, Arizona. Boot Hill graveyard <small>IMAGE</small> .....	14
Cochise County Case no. 48. Coroner's transmittal page to the Clerk of the District Court Cochise County <small>DOCUMENT</small> .....	9	The Law of the West: Dodge City [Kans.] Peace Commissioners <small>IMAGE</small> .....	15
List of Coroner's Jurors, Testimony of John H. Behan and clerk's cover and file sheet <small>DOCUMENT</small> .....	10	Josephine and Wyatt Earp <small>DOCUMENT</small> .....	17
Behan Transcript in PDF format <small>IMAGE</small> .....	11	Cowboys off the Trail <small>IMAGE</small> .....	18

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# Who Was Wyatt Earp?

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BY ALLEN BARRA

Late in his life Henry Fonda, at dinner with a producer named Melvin Shestack, recalled meeting an old man who said he had firsthand knowledge of a memorable Fonda character, Wyatt Earp, the legendary frontier lawman of John Ford's classic *My Darling Clementine*. The man said he "had met the old marshal several times as a child at the turn of the century, at his family's Passover seders in San Francisco." Fonda thought the man was putting him on until years later he read a newspaper story which confirmed that Wyatt Earp was indeed married to a Jewish woman. "I wish now," Fonda told Shestack, "that I'd talked to the man a bit longer."

What Fonda might have found out was that Wyatt Earp's ashes lie next to those of his common-law wife of forty-seven years in the Halls of Eternity Memorial Park, in Colma, California. In October of 1957, when Earp's fame was at its peak with *Gunfight at the O.K. Corral* riding high on the box office and *The Life and Legend of Wyatt Earp* in the top five on television, some teenagers stole the headstone. Its recovery caused journalists and historians to speculate on whether Wyatt Earp had himself converted to Judaism. ("Hero of the O.K. Corral?" asked one columnist.) After all, Jewish cemeteries do not often admit Gentiles. What was the story?



Wyatt Earp's childhood home in Pella, Iowa.

The story was Josephine Sarah ("Sadie") Marcus, Tombstone's Helen of Troy, the most glamorous figure in the American West's most enduring drama, who had always managed to keep her name out of Hollywood's versions of the Earp story. She was born in 1859 to German Jewish parents who had emigrated to New York in the early 1850s. Sometime in the late 1860s her father, Hyman Marcus, moved his family to San Francisco. The Marcuses were well enough off to live, she said, "in a tall dark house with big windows, narrow hallways and staircases, fussy designs in the wooden balustrades and around the cornices." It was to be the last house with fussy designs that Josephine would ever call her own; she knew at an early age that she was an adventuress, and for the next seven decades she lived in hotel rooms, mining shacks, tents, and cottages, "among persons who gladly dropped the pleasures of urban life for the hardship and the adventures of prospecting, or the excitement of boom mining camps."

The San Francisco of Josephine's girlhood was a sophisticated theater-going town, and when she was eighteen, the city went, in her words, "Pinafore crazy." When a friend urged her to join a traveling Gilbert and Sullivan troupe, she signed on with scarcely a second thought. She began a journey that took her to Los Angeles, San Bernardino, and finally Prescott, Arizona, before she ended up in the mining camp near the Mexican border known as Tombstone.

Tombstone was one of the most spectacular boomtowns of the West, nothing like the dusty hellholes of old Hollywood Westerns. It got its name when a prospector discovered silver there in 1877, after soldiers from a nearby post scoffed that "all you'll find there is your own tombstone." But wells were dug, and once the desert area became inhabitable, people

began to notice its beauty and agreeable climate; the elevation made it much cooler than most of the surrounding territory. By 1881 Tombstone was one of the largest settlements between Kansas City and San Francisco, with perhaps ten thousand residents, French restaurants, Chinese opium dens, a bowling alley, and an ice cream parlor.

Sometime in 1880, probably when the Pinafore troupe played Prescott, Josephine met a charming, glad-handing minor politico named John Behan. Behan

Josephine Sarah  
Marcus knew  
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in life and what  
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in a man.

would become sheriff of the newly formed Cochise County, which contained Tombstone, and Josie became his mistress, a fact that she successfully kept from her friends and family. In the fall of 1880 she was traveling by stage to Tombstone when she noticed a strikingly handsome young man who was serving as shotgun guard. "That," whispered a friend, "is Morgan Earp, one of the Earp brothers. They all look so much alike you can hardly tell them apart." Josephine was intrigued.

She knew what she wanted in life and what she wanted in a man. "I liked the traveling sort of man," she is quoted as saying in a disputed version of memoirs, *I Married Wyatt Earp*, "better than the kind that sat back in one town all his life and wrote down little rows of figures all day or hustled dry goods or groceries and that sort of thing. . . . My blood demanded excitement, variety and change." Whether

# Who Was Wyatt Earp?

— CONTINUED —

or not the words were actually Josephine's, those sentiments certainly fit.

Josephine Marcus didn't just seek excitement, she caused it. Bat Masterson described her as the "belle of the honkytonks, the prettiest dame in three hundred or so of her kind." Allie Earp, the widow of Wyatt's older brother Virgil, disliked her intensely. Allie's biographer, Frank Waters, quotes her as describing Josephine as "full-fleshed" with a "small, trim body and a meneo [shake] of the hips that kept her full, flounced skirts bouncing. Certainly her strange accent, brought with her from New York to San Francisco, carried a music new to the ears of a Western gambler and gunman."

By gambler and gunman, Allie would have meant her brother-in-law Wyatt, whom she also disliked. Wyatt Berry Stapp Earp was born in Monmouth, Illinois, in 1848, of Scotch-Irish stock. His father, Nicholas Porter Earp, was a commanding figure, a sometimes frontier judge, whose other occupations included farmer, storekeeper, barrel maker, and still operator. Nick's temperament was an odd mix of Unionist principles and loyalty to the Southern sympathies of his Virginian ancestors; his boys were all Union men: James, the eldest, Virgil, and their half-brother, Newton, all fought for the North, and Wyatt tried to enlist. Politically the Earp boys remained Lincoln Republicans all their lives, as did most of the great peace officers of the cattle-town era, including Wild Bill Hickok and the Masterson brothers, Bat, Ed, and Jim.

Nick was always restless, and he passed along the trait to his boys. Wyatt, by the time he was twenty, had lived in Illinois, Iowa, Missouri, and California and had worked as a stage driver and freight hauler, as a railroad spotter, and as a boxing referee. He married in his early twenties in Lamar, Missouri, and also wore his first badge there, with the title of constable. Then, without warning, his young wife,

Uriiia, died, probably in childbirth. There followed a period of dissolution during which he left Missouri owing money to several people and became involved in a horse-stealing incident.

Earp never spoke to anyone of his wife's death, but his character seemed to change dramatically afterward. His demeanor began to take on a dour, forbidding aspect (as Jack Crabb says of Earp in Thomas Berger's great novel *Little Big Man*, ". . . when he looked at you as if you was garbage, you might not have agreed with him, but you had sufficient doubt to stay your gun hand a minute. . ."). For a year he supported himself as a buffalo hunter, and in the process he

But he undeniably regarded himself as a "city marshal"; he often padded his résumé with the title.

met Bat Masterson, Bill Tilghman, Neal Brown, and other men with whom he would later become colleagues on the celebrated Dodge City police force. After a brief stint as a deputy marshal in Wichita, he found his calling as a peace officer during Dodge City's glory years.

In two dozen movies and in a long-running television series, Wyatt Earp was always depicted as the marshal of Dodge City or Tombstone, the archetypal frontier lawman. In a way he was the archetypal frontier lawman, but technically he was never the town marshal or county sheriff of anywhere. In Tombstone he served as a deputy county sheriff, deputy town marshal under his brother Virgil, and deputy U.S. marshal; in Dodge City, where town marshal was largely an administrative

position, he was a highly effective street cop. But he undeniably regarded himself as a "city marshal"; he often padded his résumé with the title.

Earp was a new kind of Western cop, one who planned ahead and took no unnecessary chances. (He and Bat Masterson would plant shotguns at key buildings in town in case they were forced to make strategic retreats.) This meant working as part of a team and with other levels of law enforcement, such as the county sheriff's office.

Dodge City began as a buffalo hunter's camp and soon developed a ferocious reputation as a man-killing town. Things got only slightly better when the emphasis changed to cattle, particularly when swarms of tired, thirsty cowhands hit the end of the trail. For the most part the cowhands were rough, good-natured Southern youths letting off steam, but as the Greek proverb says, the boys throw stones in jest but the frogs die in earnest; a bullet through a bedroom window could kill as surely as a bullet aimed at a human.

The authorities first responded to the problem by hiring "shootists" or "pistoleters" such as Wild Bill Hickok, but this quickly turned sour after a few killings (on one memorable occasion Wild Bill even shot and killed a fellow officer). Since most of the cattle drivers were Texans, and many of them ex-Confederates, it seemed only a matter of time before the pre-Civil War memories of "Bloody Kansas" would be relived in the streets of Dodge City. Because the cowhands were the town's economic lifeblood, the trick, from the city fathers' perspective, was to keep them in line without chasing them away. The answer was policemen such as Wyatt Earp.

By the time tales of Wyatt's Dodge City exploits saw print, they had been embellished and exaggerated to the level of folklore, but what inspired people in his own time was not his prowess as a gunfighter but his ability to keep order

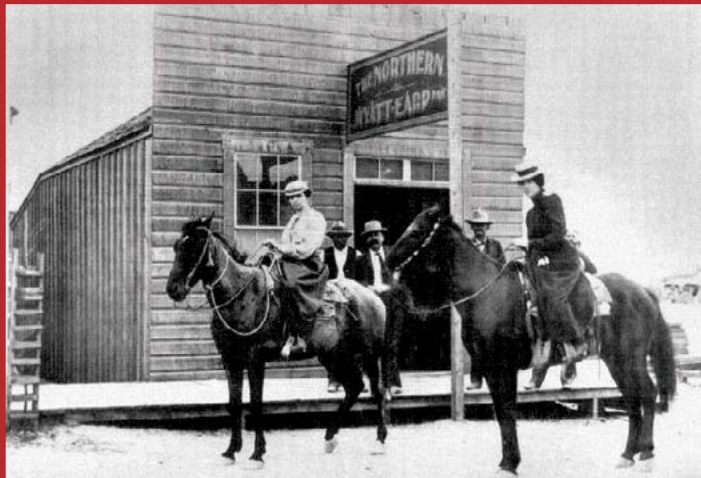
# Who Was Wyatt Earp?

— CONTINUED —

without firing a gun. In fact, the most famous gunfighter of the American West killed only one man in Dodge City, a rowdy Texan named George Hoyt who took some potshots at him in front of a music hall where the comedian Eddie Foy was playing. The real function of the long-barreled Colts carried by Earp and the other Kansas officers wasn't duels but "buffaloing," a relatively humane action that consisted of cracking the barrel of the revolver over the head of an offender and dragging him off to jail, where the arresting officer might be rewarded with as much as \$2.50.

By 1878 Dodge had been, compared with its 1875 and 1876 standards, pretty much tamed. Still, the decline in street violence didn't save Bat's younger brother Ed, then the city marshal, from being shot to death by a drunken cowhand in April of that year. That event helped sour Earp on the dirty, dangerous profession of "lawing."

This was the background of the budding legend who arrived in Tombstone in 1879 with three of his brothers, James, Virgil, and Morgan. They probably came with little or no intention of getting back into law enforcement. Wyatt wanted to start a passenger and freight-hauling business, but finding two stage lines already operating, he switched to real estate, mine speculation, and gambling, this last occupation still being generally regarded as one of the frontier's more respectable professions. In her memoirs Josephine told a story of how Dr. Endicott Peabody, future mentor to Franklin D. Roosevelt at the Groton School, came to the Oriental Saloon seeking funds for the first Protestant church in Tombstone. Earp had been winning at cards and put a stack of bills from his pile in front of the minister. "Here's my contribution, Mr. Peabody," he said. Then he told the other players, "Now each of you



Wyatt Earp's saloon in Tonopah, Nevada in 1902.

has to give the same." Peabody's St. Paul's Church stands in Tombstone to this day.

Almost immediately upon their arrival in Tombstone, the Earps found themselves pulled back into the only steady work they were good at. They were drawn partly by their connections with Wells, Fargo & Company, whose shipments were preyed on by local bandits, but also by their temperament: Wyatt had con men for friends his entire life, and he may have been involved in some of their schemes, but on duty he, like all the Earps, was a straight arrow. Wyatt once received public praise from a man who was carried drunk to a Wichita jail and awoke the next morning to find he still had his five-hundred-dollar roll. Virgil was such a stickler for law and order he once arrested Wyatt for disturbing the peace, and on another occasion he fined his own boss, Mayor Clum, for driving his horses too fast on the city streets.

As the only real law in southeast Arizona, the Earps repeatedly clashed with the local criminal element, a loose confederacy of perhaps fifty to sixty mostly former Texans, known collectively as the Cowboys, a

term that denoted a degree of rascality. The Cowboys had no designated leader, but a local rancher and Confederate veteran, Newman Haynes "Old Man" Clanton, seemed to hold a position of authority. Later, after Clanton was killed in a cattle-stealing raid by Mexican soldiers, Curly Bill Brocius and the brooding and enigmatic John Ringo, described by one Tombstone chronicler as "a Hamlet among outlaws," were held in especially high

esteem by fellow cattle thieves. Clanton's three sons, Ike, Phinn, and Billy, and the McLaury brothers, Frank and Tom, had ranches. Their chief occupation wasn't ranching, though, but stealing from the cattle-rich haciendas just across the border in Sonora and selling cheaply to small ranchers around Tombstone. In the eyes of Arizona's Anglo ranchers, most of whom were contemptuous of Mexicans, the Cowboys held the same high status as the James and Younger brothers held among hill folks in Missouri. Prosecution of them was virtually impossible because the U.S. government refused the Army permission to police the border with Mexico, and the

Virgil was such a stickler for law and order he once arrested Wyatt for disturbing the peace.

county law, represented by Josephine's new love John Behan, was in league with Brocius, the Clantons, and their friends (the Cowboys were useful as strong-arm men in town lot disputes and in rigging elections for the Democratic party, much the way New York street gangs served Tammany Hall). Behan looked the other way at Cowboy atrocities; some suspected stage robbers

# Who Was Wyatt Earp?

— CONTINUED —

(such as his own deputy, Frank Stilwell) weren't convicted, and others escaped from jail with impunity.

When Josephine Marcus got off the stagecoach in Tombstone, she had no idea of the maelstrom of violence that was approaching. The town itself was quiet enough, largely because Virgil Earp and his brothers had imposed a strict and unpopular gun-control law within its limits. But on the border the Cowboys were massacring Mexican nationals and being cut down in reprisals (one of which resulted in the death of Old Man Clanton). As the Mexican government beefed up its Sonoran garrisons, the Cowboys turned to prey on the few big ranchers on the American side and, finally, on Wells, Fargo silver shipments.

By 1881 the forces on each side were lined up for a major confrontation. Behan and the Cowboys had the backing of the Democratic, anti-Earp Daily Nugget; the Earps had behind them the Tombstone Epitaph and another, less respectable ally, a Philadelphia dental-college graduate turned gambler named John Henry (“Doc”) Holliday. The blacksheep son of a former Confederate officer, Holliday had a lurid, if somewhat undeserved, reputation as a killer. In fact, he had behaved himself in Dodge City and, despite several embarrassing scrapes, had killed no one in Tombstone. Next to his irascible temper, Holliday's most distinguishing characteristic was his fierce and unfathomable loyalty to Wyatt Earp.

In the fall of 1881, Earp's homelife disintegrated. He had come to Tombstone with a woman named Celia Ann Blaylock, of whom we know almost nothing. Eighty years later the publication of Allie Earp's alleged memoirs, *The Earp Brothers of Tombstone*, would create the image of Josephine Marcus as a flirtatious home wrecker; but in all likelihood Wyatt, by the time he met her, had very little home left to wreck. Josephine, for her part, had

become disillusioned with Behan, and after catching him in bed with the wife of a friend of theirs, she moved out.

In 1881 Josephine's father sent her a letter, urging her to return to San Francisco. She stayed on till, probably, the early spring of 1882, most likely because of Wyatt Earp. We don't know when or under what circumstances she first encountered him; the Allie of Earp Brothers recalls Wyatt “polishin’ his boots so he could prance into a fancy restaurant with Sadie,” but there's no record of Wyatt and Josephine's ever being seen together in Tombstone. The town was huge for a mining camp, but not big enough for Wyatt Earp to be

*A good bet is that  
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sit at home at night,  
as did most other  
frontier women.*

out with a beautiful young woman without anyone's noticing.

A good bet is that the high-spirited Josephine didn't sit at home at night, as did most other frontier women, but that she frequented the same bars, gambling halls, music rooms, and theaters as John Behan. So did Wyatt, and whatever brief moments he and Josie had together they made good use of; a bond that would last nearly half a century was established.

But in the summer of 1881, Wyatt couldn't have had much time for any kind of personal life. Stage robberies were increasing, and in one a driver was murdered in cold blood. A rumor surfaced, started by the Nugget, connecting

Holliday with the robbery, although there is no evidence that he was ever involved in anything worse than a saloon brawl.

Wyatt resolved to catch the stage robbers, partly to clear Holliday's name and also to get himself publicity for a sheriff's election against Behan. He went to Ike Clanton with a deal: Wells, Fargo would pay thirty-six hundred dollars (or twelve hundred apiece) for the three stage robbers known to ride with the Clantons. According to Earp, Ike accepted the offer. What went wrong from there we'll never know, but on the night of October 25 and the morning of the twenty-sixth Ike, apparently terrified that word of the deal was going to get to his Cowboy friends, wandered around Tombstone threatening the lives of Doc Holliday and anyone named Earp. At one point Virgil Earp clubbed him, brought him into court, and fined him. Later Tom McLaury showed up, had words with Wyatt, and got himself clubbed.

Most people in the cowboys' places would have taken this as a good time to leave town, but when Frank McLaury (who Wyatt later said was in on the deal to turn over the stage robbers) and Billy Clanton showed up, the Clantons and McLaurys dawdled around town, making threats against the Earps, carrying guns in defiance of the local ordinance, and, finally, loitering in an empty lot in back of the O.K. Corral, next to Fly's Photography Studio.

Which is where the most famous gunfight of the Old West took place. The Earps, a block and a half away, waited until it was obvious that they had to do something or “show the white feather”—retreat. Sheriff Behan apparently tried to disarm the Cowboys but was told by Frank McLaury that he wouldn't give up his gun unless the Earps—the city police, after all—gave up theirs. At about 2:45 on the afternoon of October 26, the Earps and Holliday began their fateful walk to the lot, a scene that

# Who Was Wyatt Earp?

— CONTINUED —

Hollywood would replicate some two dozen times.

A minute later the four swung to the left and entered the lot. Nine men and two horses were suddenly gathered in a space perhaps eighteen feet wide.

“You sons of bitches,” somebody in the Earp party said, “you have been looking for a fight and you can have it!” That, at any rate, is what witnesses friendly to the Cowboys later testified. More than likely this was fiction, as none of the participants had heard such a remark. But everyone heard Virgil’s order: “Throw up your hands.”

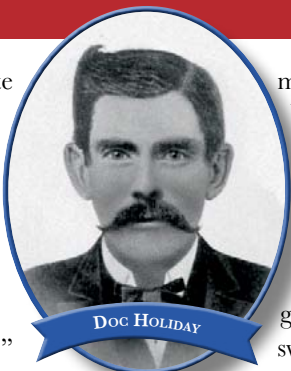
Nobody did. Instead there were two quick clicks—probably Frank McLaury and Billy Clanton pulling back the hammers on their single-action Colts—and Wyatt Earp, the most famous gunfighter in the Old West, drew his gun in a fight for the first and only time in his life.

Most witnesses say two shots were fired almost simultaneously, and then the fight became general. Almost thirty seconds later, Frank McLaury, a bullet in his stomach, staggered forward onto Fremont Street, aimed his pistol at Doc Holliday, and grunted, “I have you now, you son of a bitch.”

“Blaze away,” called Holliday. “You’re a daisy if you do.”

McLaury pulled his trigger, the bullet grazed Holliday’s hip, and Morgan and Doc returned the fire. Both shots hit McLaury; either one would have killed him.

It was over. Three men lay dead—the McLaury brothers and Billy Clanton—and three others had been wounded—Virgil and Morgan Earp and Holliday. Only Ike Clanton, who ran, and Wyatt Earp, who had told Ike to “get to fighting or get away,” were unscathed. Who fired first? In the inquest that followed, Behan, Ike Clanton, and their friends said the Earp faction did; the Earps said the Cowboys did. The testimony of nonpartisan witnesses



mostly agreed with Virgil and Wyatt; Judge Wells Spicer paid particular attention to them and ruled for the Earps.

In *I Married Wyatt Earp*, Josephine runs down to the lot as the echoes from the gunshots are fading. “I almost swooned,” she writes, “when I saw Wyatt’s tall figure very much alive, starting up Fremont Street with Doc and Fred Dodge [a friend of Earp’s and an agent for Wells, Fargo] on the opposite side of the street. He spotted me, and all three came across the street. Like a feather-brained girl my only thought was, ‘My God, I haven’t got a bonnet on. What will they think?’ But you can imagine my real relief at seeing my love alive. I was simply a little hysterical.” She had good reason to be. In the few months she would remain in Tombstone, the violence would only worsen.

Until recently Hollywood made the gunfight at the O.K. Corral the climax of the movie; in real life the street fight in Tombstone, as it was called for many years, was merely the first battle in a war that would claim many more lives. In December, Virgil Earp was shotgunned from ambush and lost the use of his left arm forever. Three months later Morgan was shot in the back while playing pool and died in Wyatt’s arms. Then began the truly controversial period of Wyatt Earp’s career as a lawman. He asked for and received Virgil’s deputy U.S. marshal’s badge, and surrounding himself with Doc Holliday and a handful of other trusted associates, he hunted down the men suspected of killing his brother.

At the train depot in Tucson, where Morgan’s body was being shipped to the family in California, Wyatt encountered Behan’s former deputy Frank Stilwell, one of the prime suspects. Stilwell’s bullet-and buckshot-riddled body was discovered

the next day. If Josephine had had anxious moments after the gunfight, then Wyatt’s Vendetta Ride, as it came to be known, must have been agony for her. For weeks his posse scoured the hills, looking for Cowboys implicated in Morgan’s murder. All the major papers in the West carried reports on Earp’s whereabouts; more than one reported him dead. In San Francisco, Josephine and her parents could read about every fresh outbreak of violence in the Examiner and other local papers.

On March 24, in the hills outside Tombstone, Earp’s party encountered several Cowboys led by Curly Bill Brocius. Wyatt would swear to his dying day that he singled out Brocius and cut him nearly in two with shots from a Wells, Fargo model

The O.K. Corral fight was merely the first battle in a war that would claim many lives.



shotgun. Cowboys adherents still claim that Brocius was never at the fight; he had reformed and moved away. But no one who wasn’t closely connected with the Cowboys ever claimed to see Brocius again.

Satisfied that Morgan’s death was avenged, and with a murder warrant on him for the killing of Stilwell, Earp rode out of Arizona, leaving friends and enemies to debate forever the question of federal versus local authority, of frontier justice versus the law. Wyatt himself engaged in no such discussions; he felt he had killed first in self-defense and then in revenge for his brothers, and he excused himself for the former and accepted the blame for the latter. He let it go at that; his supporters and detractors would not.

# Who Was Wyatt Earp?

— CONTINUED —

John Behan pursued his own vendetta. He tried to extradite Wyatt Earp and Doc Holliday from Colorado to Arizona only to be rebuffed publicly by the governors of both states. He may have been motivated partly by personal enmity. He made a trip to San Francisco early in 1882, probably to try to win Josephine back.

The territorial Democrats deserted Behan, and he failed to be re-elected sheriff. He later surfaced as warden of the Pima County prison, and he never saw Josephine Marcus again.

A few months after leaving Arizona, Earp was in San Francisco with Josephine. One can imagine the reaction of her parents, having read for a year about the violence in and around Tombstone and now finding their daughter attached to the man at the center of it all. Early in 1883 the couple left the Bay Area to embark on an odyssey of the mining camps and boomtowns of the West. In 1887 Earp had a meeting with Doc Holliday in Denver. Holliday, ravaged by tuberculosis, had only a short time to live. As they parted he threw his arm over Earp's shoulder. "Good-bye, old friend," he said. "It will be a long time before we meet again." Josie said Wyatt cried, the only recorded instance of his doing so.

Wyatt and Josie went to San Diego in its boom years in the mid-1880s, back to San Francisco in the 1890s, then to Alaska during its gold rush, where they kept company with Jack London, Rex Beach (who wrote the most famous novel of the gold-rush era, *The Spoilers*), the playwright Wilson Mizner, Jack Dempsey's future promoter Tex Rickard, and a young mining engineer who hung out at Wyatt's saloon, Herbert Hoover.

The pair went through several small fortunes and finally settled in Los Angeles, where they lived in genteel poverty. Earp

never escaped the memory of the Cochise County war; no matter where he went in the West, every few years a national magazine, Harper's Weekly, Police Gazette, or Scribner's, or a newspaper in New York, Los Angeles, Denver, or San Francisco would resurrect the story of the shootout in Tombstone, usually mangling the facts beyond recognition.

He craved privacy while continuing to attract attention. Like other former Arizonans in California, he enjoyed meeting actors who were playing scrubbed-up versions of men like him. He became friends with an aspiring young director named John Ford, who would one day make the most pristine of Earp pictures, *My Darling Clementine*, and he did some advisory work for Tom Mix and William S. Hart.

Meanwhile, a Chicago-based journalist named Walter Noble

in Tombstone.

The two books made Earp more famous than ever—and also made him furious. In 1928 Stuart Lake, a former press secretary for Theodore Roosevelt and a newspaper colleague of Bat Masterson in New York, contacted him about a possible biography. Earp was ready, but as it turned out, he had less than a year to live. He died in 1929. Wyatt and Josie had been together for forty seven years; there is no record that they were ever married.

Wyatt's death didn't stop Lake; he proceeded to write most of the book in Earp's voice. Lake's problem wasn't the absence of Earp but the presence of Josephine, who wanted, she told him, a nice, clean story, meaning one with minimal violence and nothing about her involvement with Behan or about the woman who had been with Earp when he arrived in Tombstone. Despite those restrictions, Lake plowed ahead, producing *Wyatt Earp: Frontier Marshal* in 1931. Perhaps a third of the book was exaggerated, and another third was simply invented, but its tone was respectful enough to please Josephine, and it became a huge bestseller. More than that, it became the basis for a Stuart Lake Earp empire, which included the John Ford movie and the highly successful television series *The Life and Legend of Wyatt Earp*, which starred Hugh O'Brian and ran from 1955 to 1961, and which put Earp's name on cap pistols, comic books, and lunch boxes.

Josephine still wanted to impose her version of events on the public, and she began work on an autobiography. "Such tributes to Wyatt," she wrote, probably in the late 1930s, "are a tremendous compensation for the many lies that have been told of him, and I intend to continue to refute those stories in whatever way I can until I die or until they are quieted for all time." But the Tombstone chapter became a huge stumbling block, and she died in 1944 without having provided a finished



One can imagine  
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Burns, who had made himself famous with his 1925 biography *The Saga of Billy the Kid*, wrote *Tombstone: An Iliad of the Southwest*, the first bestseller with Earp as its hero. The following year one of Behan's old deputies, Billy Breakenridge, published *Hell'dorado*, a self-serving combination of lies and halftruths that attempted to debunk the Earp legend while nonetheless putting Wyatt at the center of the action

# Who Was Wyatt Earp?

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manuscript. Stuart Lake became full-time caretaker of the Earp legend.

Not everyone was happy with that fact. Virgil's widow, Allie, for instance, was jealous that Wyatt and not Virgil (who was, after all, the marshal of Tombstone) had become world-famous. She also harbored an intense dislike for Josephine that may have been tinged with anti-Semitism. Frank Waters, a Hollywood screenwriter, interviewed Allie during the 1930s and began writing what would become the foremost among Earp debunking books, *The Earp Brothers of Tombstone*. No one named Earp was pleased with Waters's efforts. Josephine threatened to sue Allie when she found out about it; she needn't have bothered. Allie and her family rejected the project too. Frank Waters saw all the Earps, not just Wyatt, as reflections of the predatory spirit of modern, capitalistic America—Wyatt was a servant of the despoilers of the West, the mining companies and Wells, Fargo—and this view soon became popular in leftist circles among writers looking to take down the most popular law-and-order symbol of the Cold War era. *The Earp Brothers of Tombstone* was not published until 1960, long after anyone who could stop it was dead.

The book started an anti-Earp reaction. John Ford felt betrayed by its revelations; when he made *Cheyenne Autumn* in 1964, he had James Stewart portray Earp as a puffed-up, whitesuited bully. John Sturges, who had directed *Gunfight at the O.K. Corral* in 1957, made a 1967 follow-up film, *Hour of the Gun*, in which James Garner played Earp not as the principled lawman Burt Lancaster had been but as a self-styled avenger who used his badge to murder his brother's assassins. The most extreme of the anti-Earp films was Frank Perry's *Doc* (1971), with Harris Yulin as Earp and Stacy Keach as Doc Holliday. Its script, by Pete Hamill, portrayed Wyatt as a sadistic

homosexual secretly longing for Holliday. The film was a Vietnam allegory: The Earps and Doc Holliday bring superior firepower to the O.K. Corral—shotguns—and blow the Clantons away, but the people rise against the evil Earps at the next election and send them packing.

From here things could only get better for Wyatt. *Tombstone* (1993), with Kurt Russell, and Wyatt Earp (1994), with Kevin Costner, finally took balanced views and they were the first films to feature Josephine.

In recent years *The Earp Brothers of Tombstone* has come to look like dubious history in which Waters imposed his own views on Allie. His tape-recorded

The most extreme anti-Earp film was *Doc*, which portrayed him as a sadistic homosexual.

interviews with her, if they ever existed, are in the hands of shadowy Earp collectors, and no one is quite sure where Waters's notes and various drafts are. *Josephine's I Married Wyatt Earp*, edited by Glen G. Boyer and published in 1976 by the University of Arizona Press, is now dismissed by many historians as fraudulent.

Boyer, in his own words, found that Josephine's own unfinished manuscript (which is well documented) "lacked the necessary detail on Tombstone, so it was essential to couple it with [an] earlier, more frank manuscript before a complete narrative could be achieved." But that

earlier manuscript, supposedly containing a Tombstone chapter and shocking revelations, such as the gunfight's having been started by Doc Holliday and Morgan Earp, is now thought by nearly all Western historians to be a fiction. At various times Boyer has ascribed his added material to a combination of Josephine Marcus and Jack London, Rex Beach, and even Dashiell Hammett, and for years he has insisted that he has the documents on file to prove that I Married Wyatt Earp is solid history. But last July he told the Tucson Star that many key documents were lost years ago in a "messy" divorce settlement.

Josephine outlived Wyatt by fifteen years. The money she received from Frontier Marshal, and a little later from films loosely based on it, alleviated the state of genteel poverty she had lived in with Wyatt in his last years. In her seventies she fought to become the guardian of his legend, storming movie lots and trying to halt productions of the first Earp movie, *Law and Order* (1932), starring Walter Huston, and, later, *Frontier Marshal* (1936), starring Randolph Scott. She relented on both films but still felt they put too much emphasis on the few violent moments in Earp's life. He would no doubt have concurred. She died content that she had kept herself from becoming a character in a Hollywood movie about Wyatt Earp.

A newspaperman in *The Man Who Shot Liberty Valance* says, "This is the West, sir. When the past becomes legend, print the legend." Probably the reality of Wyatt Earp and the shootout can never be finally disentangled from the legend. Now even the story of the woman who was at the center of the West's most enduring legend seems to have quickly been absorbed, and overcome, by legend. Someday an enterprising university press will put her actual memoirs into print, and Josephine will finally have her day. ★



# Who Was Wyatt Earp?

## OK CORRAL INQUEST TRANSCRIPT FOUND IN ARIZONA JAILHOUSE STORE ROOM

<http://www.azlibrary.gov/about/AnnualReports/2010/documents/pdf/10inquesttrans.pdf>

By ANITA SINGH

Two court clerks stumbled upon the original transcript from the 1881 coroner's inquest while reorganising files in a jail storage room in Bisbee, Arizona.

In vivid detail, it describes the fateful day that tensions between Wyatt Earp, the local lawman, and a gang of outlaws ended in bloodshed. The gun battle in the frontier town of Tombstone left three men dead and ensured Earp's place in Wild West folklore.

The 1957 film, *Gunfight at the OK Corral*, starring Burt Lancaster as Earp and Kirk Douglas as his sidekick, John 'Doc' Holliday, presented the two men as heroes. To this day, however, debate rages over who drew their guns first.

Born in 1848, Earp worked in several professions – saloon keeper, farmer, boxing referee – and moved around the Old West before settling in the silver-mining town of Tombstone in 1879, where he established himself as a tough-talking lawman.

Holliday was a once-respectable dentist who gave up his profession after being diagnosed with tuberculosis, and who turned to drink and gambling. According to legend, he met Earp in Dodge City and

saved him from a gunman. That act cemented a lifelong friendship.

One of the eyewitnesses was Mrs MJ King, a landlady who was on her way to the butcher's when she sensed trouble. "I saw quite a group of men standing on the sidewalk with two horses, near the market," she told the inquest.

"I inquired what was the matter, and they said there was going to be a fuss between the Earp boys and cowboys."

The Earp boys were Wyatt and his brothers, Virgil and Morgan, who acted as deputy marshals. The "cowboys" – a name given to suspected cattle rustlers – included brothers Ike and Billy Clanton, and Frank and Tom McLaury.

Mrs King said: "I heard the man on the outside kind of stop or looked at Holliday. And said, 'Let them have it'.

Holliday said, 'All right'. Then I thought there would be shooting, from what these parties said, and ran for the back of the shop, but before I reached the middle of the shop I heard shots."

According to the testimony of Ike Clanton, the Earps and Doc Holliday were the antagonists.

He claimed: "I stepped out and met Wyatt Earp; he stuck his six shooter at me and said, 'Throw up your hands!'

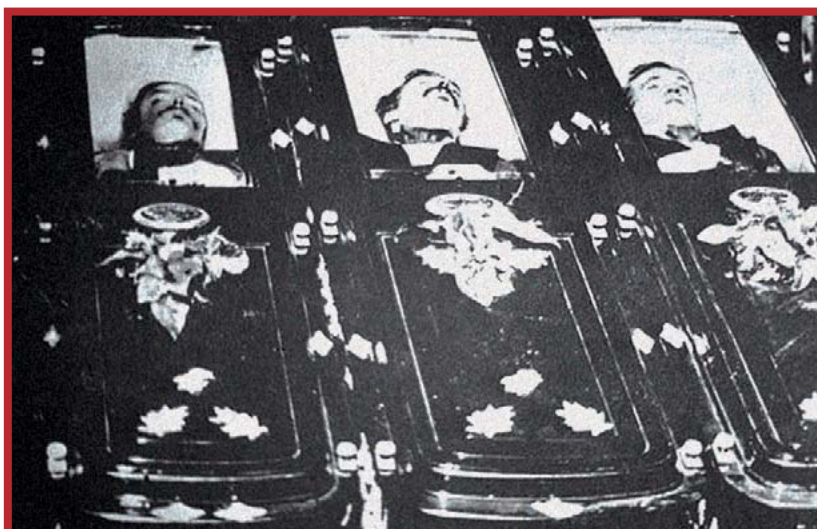
The marshal also told the other boys to throw up their hands; Frank McLowry [sic] and Billy Clanton threw up;

Tom McLowry [sic] threw open his coat and said he had nothing.

"They said, 'you's s---- of b----- came here to make a fight'; at the same instant Doc Holliday and Morgan Earp shot."

Barely 30 seconds later, Billy Clanton and the McLaury brothers lay dead. The inquest took place later that same day, on October 30, 1881. Earp and Holliday were cleared of wrongdoing by a judge but their reputations never recovered.

The transcript, discovered stuffed inside a modern manila envelope marked "keep", has been turned over to state archivists, who have begun the painstaking process of restoring the faded pages, said to be "as brittle as potato crisps". To GladysAnn Wells, Arizona State Librarian, the pages are a priceless piece of history. "They were handled by the people of that moment," she said. ★



Tom McLaury, Frank McLaury and Billy Clanton  
(left to right) lie dead after the gunfight.

# Who Was Wyatt Earp?

## COCHISE COUNTY CASE NO. 48. CORONER'S TRANSMITTAL PAGE TO THE CLERK OF THE DISTRICT COURT COCHISE COUNTY

<http://azmemory.azlibrary.gov/cdm/singleitem/collection/ccolch/id/158/rec/1>

#48 Tombstone A.T. #48  
 Dec 1<sup>st</sup> 1891.  
 The Clerk of the Dist. Court  
 Cochise County A.T.

Sir:

I have the honor  
 to transmit the  
 evidence taken before me, in the  
 inquest on the bodies of John  
 Clanton, Frank and Tom McEnany  
 killed in Tombstone A.T. on the 26<sup>th</sup>  
 of October 1891.  
 It has not been transmitted  
 to you, is due to the fact that it  
 has been in use before the  
 Magistrate in the case  
 of the McEnany.

Very Respectfully  
 Wm. H. H. H. H.  
 Coroner Cochise Co.  
 A.T.

Coroner's transmittal page to the clerk of the District Court Cochise County.

# Who Was Wyatt Earp?

## TESTIMONY OF JOHN H. BEHAN AND CLERK'S COVER AND FILE SHEET, 1881

[http://azmemory.azlibrary.gov/cdm/compound  
object/collection/ccolch/id/92/rec/3](http://azmemory.azlibrary.gov/cdm/compound/object/collection/ccolch/id/92/rec/3)

TERRITORY OF ARIZONA

COUNTY OF COCHISE

In the Matter of Inquest on the boddies of Wm. Clanton, T. McLowery and F. McLowery.

List of Jurors.

T. F. Hudson

Jno. C. Davis

D. Calisher

Thos. Moses

M. Garrett

Harry Walker

S. B. Comstook

C. D. Reppy

J. W. Connell

R. F. Hafford

M. S. Goodrich

George H. Hadkill

Territory of Arizona

County of Cochise

J. H. Behan being duly sworn deposes and says that his name is John H. Behan and that he resides in the City of Tombstone, County of Cochise, A.T. and is Sheriff of Cochise Coulkty A.T.

Q. Where you present of Fremont Street when

a. I was anser.

A. I do I know all of them

(Statement) I slept late the day of the shooting got up about 1 or 4 past one o'clock I went to the Barber shop to get shaved while I was being shaved someone said their is to be trouble between Clanton and the Earp boys their was a good deal of conversation going on in the barber shop about the trouble that happened in the morning I asked the barber who was shaving to hurry up I wanted to get out and disarm the partied-I meant all of them everybody who had arms except the officers. After I had got through in the barber shop I went out and across the

# Who Was Wyatt Earp?

## TESTIMONY OF JOHN H. BEHAN AND CLERK'S COVER AND FILE SHEET, 1881

— CONTINUED —

street to Mr. Haf ford's corner-I asked the marshall Earp what was the excitement. he said their was a lot of I think S-B who wanted to make a fight. I saia to him he had better disarm them he said he would not do it if they wanted to fight he would give them a chance-I said to;him it is your duty as a peace officer to stop this thing and I want you to do it I am going to try - I said I am going down to arrest and disarm the cowboys meaning McLowery and any of them that was armed and showing a disposition to make trouble. I left Earp and came on down to the corner of 4th and Fremont there I met Frank McLowery standing in the street holding a horse l told him I wanted him to give up his arms he said he would not without those other people were disarmed-I suppose he meant the browed Holliday Earp and others he said he had done nothing and did not want to make any fight I looked down Fremont street and saw the Clanton brothers and Tom McLowery and I said to Frank Come on down with me we went along down to where the boys were standing-two of the parties who were killed and Ike Clanton I said to them I would have to arrest them all I want you to go up into the sherikrs office and lay off your arms. Frank McLowery rather demurred from going \*up, and gave as his reason that he wanted the other party, the Earp party disarmed as well . About that time I saw Marshall Earp Doc Holliday Wyatt and Morgan Earp acoing down the street expeting that their would be some trouble if they met I walked up the street toward them and ordered them back, told them not to go down that I was their for the purpose of disarming this party they paid no attention to what I said. I appealed to them several times not to go any farther they passed me said something I forget what it was but it was to the effect they would not go back. When they go ;to the party of cowboys they drew their guns and sa said you sons-of-bitches you have been looking for a fight and you can have it. Someone of the party I think Marshall Earp said throw up your hands we are going to disarm you. Instantaniously with that the fight commenced they fought around there and their was from 25 to 30 shots fired all the time before the shots were fired I was talking to the Earps and all the parties say-ing put up your guns not to shoot I

# Who Was Wyatt Earp?

## TESTIMONY OF JOHN H. BEHAN AND CLERK'S COVER AND FILE SHEET, 1881

— CONTINUED —

heard Billy Clanton say don't shoot me I don't want to 'fight or soething to that effect I afterwards saw Billy Clanton shooting whilst he was on the ground he was lying on the ground with his leg crossed and his pistol resting on his knww. Tom McLowery waid I have got nothing and threw his coat back to show that he was not armed this was instantly with the shooting almost at the same time the order to throw up their hands and this remark < and the shoting were almost simultaneous after the fight was over Wyatt Earp said to me you threw me off my guard you have deceived me you told me that you had disarmed them. I said I did nothing of the kind and I repeated to him what I had said to their party when I went down to disarm them. Questions. A. I put my hand around Ike Claaton and found he had no arms I simply looked a t Tom McLowery he showed me that he had nothing on him. A. Ike Clanton said that they were just gettin go out of town. A. Frank McLowery and Billy Clanton were armed they were the only two of the party who I know were armed A. Frank McLowery had ding him down their I think Billy Clanton had his horse with him, am not positive. A. Their was six of us standing around including myself. I said how many is their of you and they said four Claybourn said he was not in the party A. I can't say who fired the first shot it appears to me that it was fired from a nickle plated pistol their was two shots very close together I know the nickle plated pistol was on the side of the Earps. I won't say which one of the Earp crowd fired it. A. The only thing saw when the order to throw up your hands was given was Tom McLowery throwing open his coat taking hold of the lappels of his coat and holding it back A. There was a shot gun in the Earp party Holliday had it he was putting it under his coat so as to get it effectually concealed-that was when they were coming down the street. A. I can't say that I saw the shot gun go off their was a scramble-I don't know whether the shot gun was fired or not I think it was but did not see it. A. I saw Billy Clanton fall first and then I saw Frank McLowery fall on the north side of Fremont Street almost or exactly opposite ~ l' sy Place-after the fight commenced A. I did not Bee T. McLowery fall I did not see Tom until the fight was over I then saw him on the ground

# Who Was Wyatt Earp?

## TESTIMONY OF JOHN H. BEHAN AND CLERK'S COVER AND FILE SHEET, 1881

— CONTINUED —

after A. The fight commenced on a vacant lot on space between Fly's Photograph Gallery and a little board house below it on the sough side of Fremont Street near the corner of Third Street. This was in Tombstone, Cochise County, Arizona Territory. A. It was at the spot where I met Tom McLowery and Ike and Billy Clanton when I went down with Frank. A. I am satisfied that two of the parties were not armed I mean Ike Clanton and JTom McLowery. A. When I went to disarm the McLowerys and Clantons I under-stood there was likely to be a row between the Earp brothers, Holliday and the Clanton Crowed and that is my reason for goinn to disarm them A. No one refused to give up their arms except Frank Mc- Lowery he said that he came on business and did not want any row he never refused to go to my office. A. When I met the Earp party I did not tell them that I had disarmed the other party I did not tell them that their would be trouble i f they went down I told them I did not want any trouble and would not allow it if I could help it and not to go down. A. Frank McLowery did not have his pistol drawn when Marshall Earp told thim to throw up his hands. A. At the time I left the McLowerys and Clantons and met the Earps I considered the Clanton party under arrest but i don't know whether they considered themselves under arrest or not after I turned to meet the other party. A. I left them for the purpose of stopping the earp party A. Nothing was said to me to lead me to believe that they were asking in an offical capacity. After the fight was over Wyatt Earp said we went their to dis-arm that party I think I heard Virg say the same thing. The horses, were saddled but Frank McLowery Billy Clanton and ofd man Frink had just come into town. During ray conversation with them Ike Clanton said we are going out of town but Frank McLowery said I am not I am here on business.

Is/ J.H. Behan

Filed Dec 1, 1881

M. A. Seamans Clerk

E.W. Carr Deputy ★

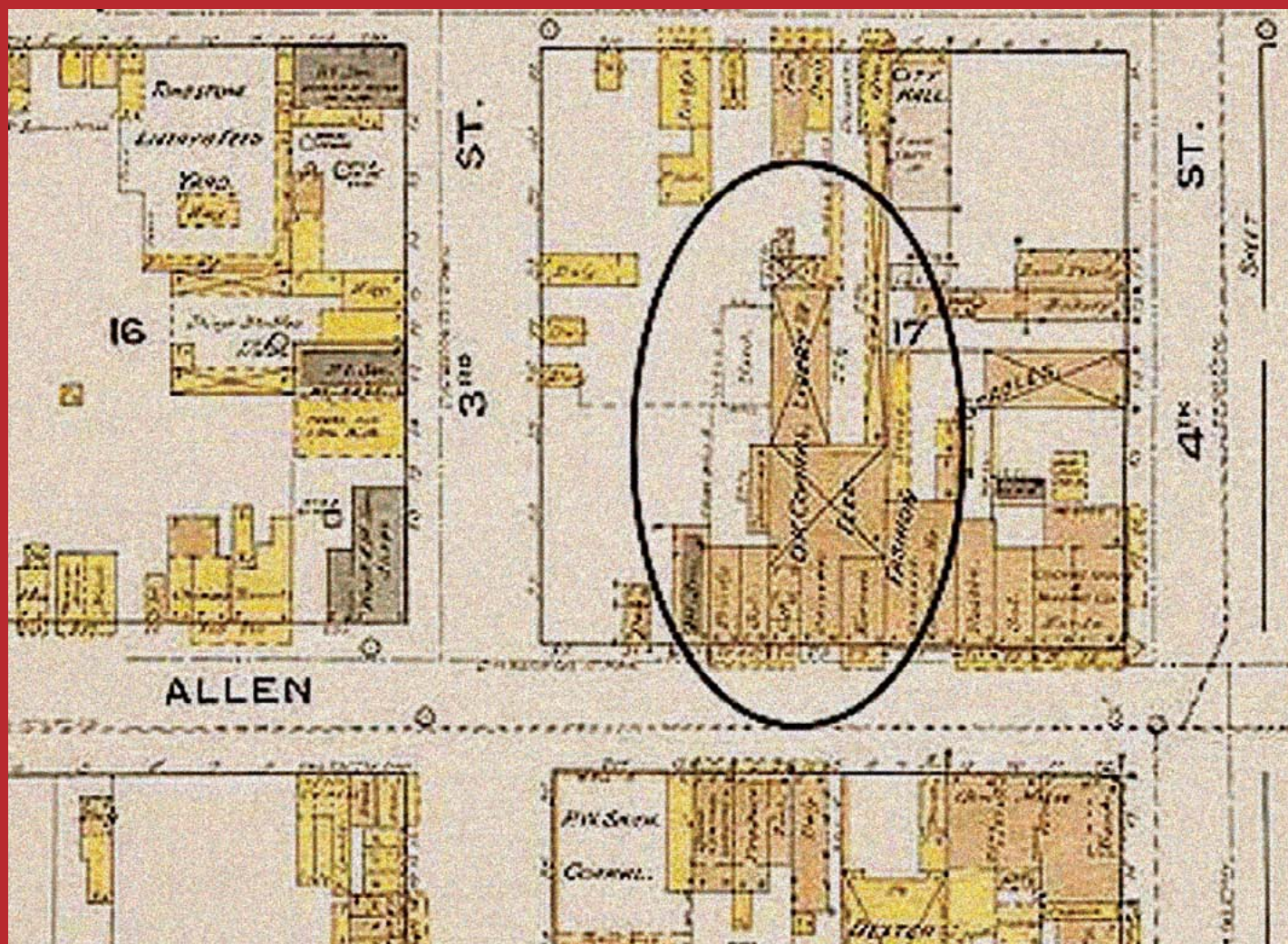
# Who Was Wyatt Earp?

1866 FIRE INSURANCE MAP OF TOMBSTONE, ARIZ.,

SHOWS THE O.K. CORRAL (CIRCLES) AND SURROUNDING STREETS

THE LOCATION OF THE NOTORIOUS 1881 GUNFIGHT  
BETWEEN THE EARP BROTHERS AND CLANTON GANG

<http://www.loc.gov/loc/lcib/9712/map.html>



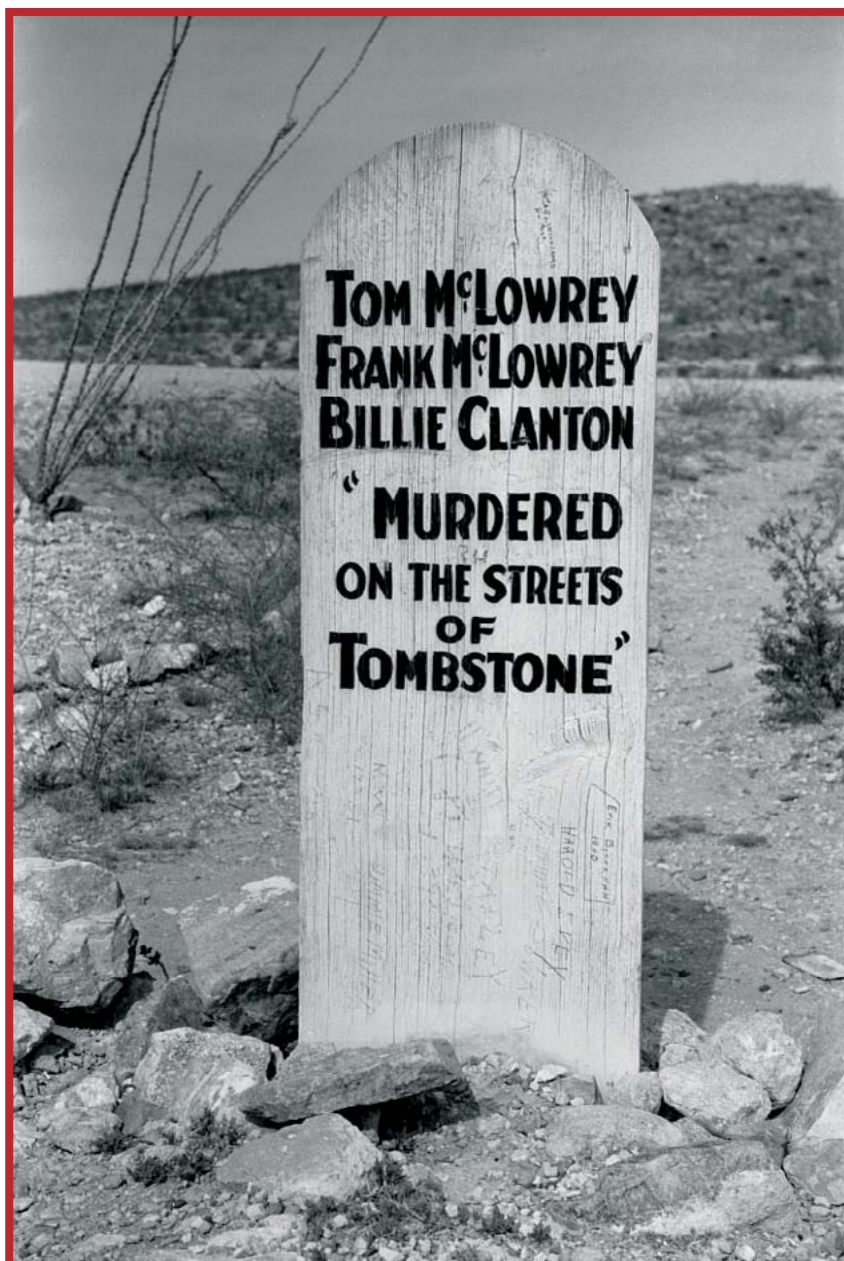
1866 fire insurance map of Tombstone, Ariz., shows the O.K. Corral (circled) and surrounding streets.

# Who Was Wyatt Earp?

SIGN NEAR TOMBSTONE, ARIZONA. BOOT HILL GRAVEYARD

BY DOROTHEA LANGE

<http://www.loc.gov/search/?q=boot+hill>



Tombstone in Boot Hill Cemetery, Tombstone, Arizona. In the 1880s Tombstone had a reputation for lawlessness.

LIBRARY OF CONGRESS



# Who Was Wyatt Earp?

## DODGE CITY [KANS.] PEACE COMMISSIONERS

CAMILLUS S. FLY, 1890

<http://www.archives.gov/research/american-west/>



Dodge City Peace Commission, early June, 1883.

Left to Right: Chas. Bassett, W. H. Harris, Wyatt Earp, Luke Short, L. McLean, Bat Masterson, Neal Brown.

# Who Was Wyatt Earp?

## JEWISH PIONEERS (EXCERPT)

BY LAURA WOLFF SCANLAN

<http://www.neh.gov/humanities/2010/january-february/statement/jewish-pioneers>

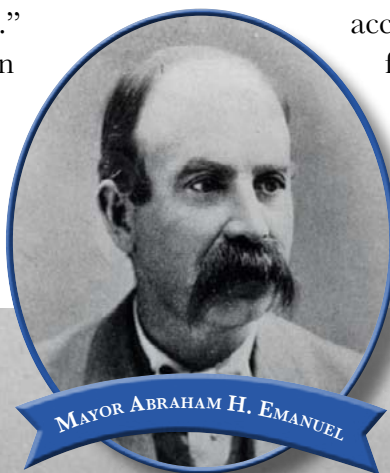


A lesser-known fact about the O.K. Corral was that the town had a Jewish mayor. Wyatt Earp's common-law wife was also Jewish, and so were the first non-Indian chief of the Acoma tribe, a surgeon who stormed the Alamo, as well as merchants, miners, gunfighters, cattle punchers, doctors, and lawmen.

"So successful were the Jewish pioneers that by 1900, there wasn't a single settlement west of the Mississippi of any significance which had not had a Jewish mayor," says historian Kenneth Libo. "This includes Deadwood, Dodge City, and Tombstone."

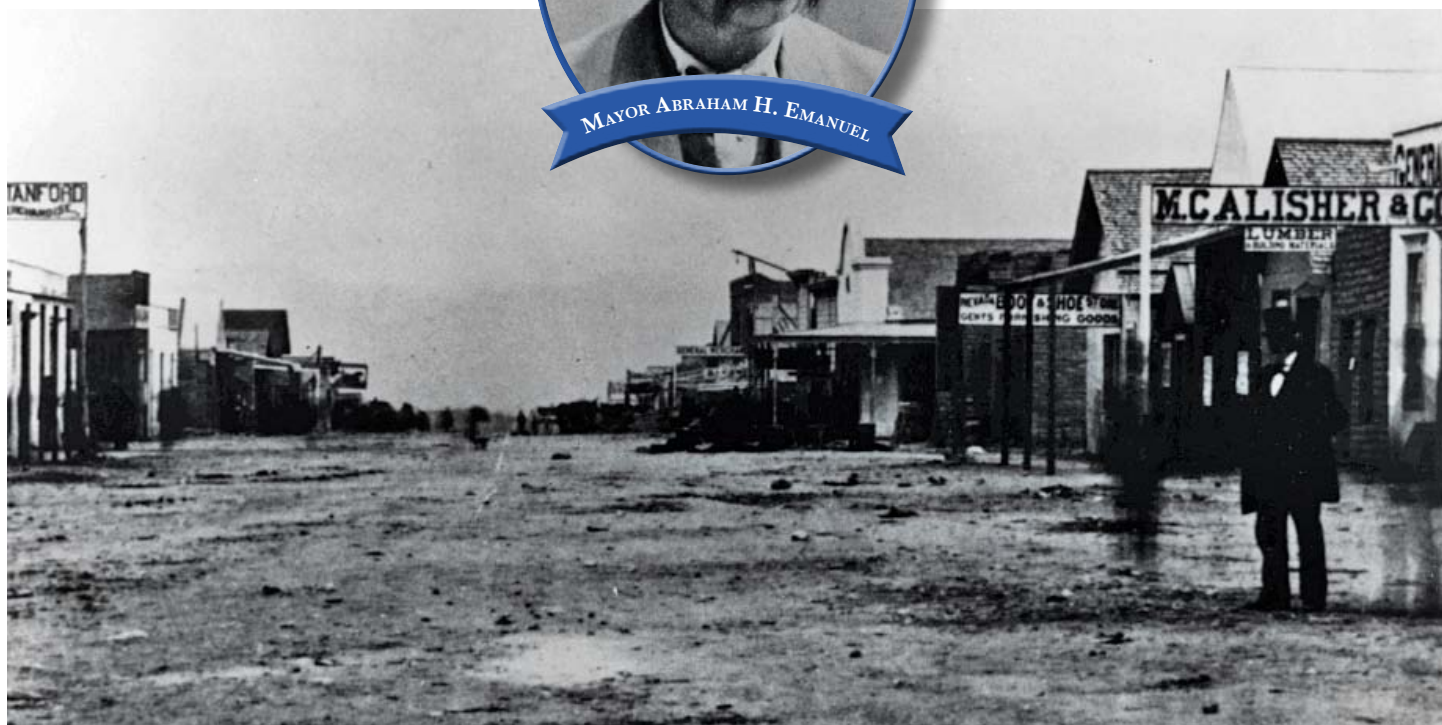
Between 1840 and 1880, the European Jewish population in America increased from 15,000 to around 250,000. Most migrated for familiar reasons—to escape religious persecution, political upheaval, and poverty. "What is clear,

even at this early stage, is the complex nature of the collective Jewish experience in America," writes Libo in his 1985 book *We Lived There Too*, coauthored with the late Irving Howe. "For already there are those who stay east and those who go west, those who come with special privileges and those who suffer discrimination, those who care about the faith of their fathers and those who do not, those who remain uprooted and those who transplant themselves." Jewish settlers encountered little prejudice in the West, according to Libo. "They were looked upon as fellow settlers." ★



MAYOR ABRAHAM H. EMANUEL

*Jewish pioneer Abraham H. Emanuel arrived in Tombstone, AZ in 1880 where he was later elected mayor and served for three terms, left. Tombstone in the 1880s, below.*



JEWISH MUSEUM OF THE AMERICAN WEST, LEFT AND ABOVE CENTER

# Who Was Wyatt Earp?

## JOSEPHINE AND WYATT EARP

BY MARGARET MELLOU GUZIAK

<http://www.thefencepost.com/article/20100211/NEWS/100209925>

The only one who called her “Sadie” was Wyatt. It was his pet name for her. Josephine Sarah Marcus and Wyatt Earp came from entirely different backgrounds. She was born around 1861, the sheltered, beautiful daughter of wealthy, German-Jewish immigrant parents. She lived in the elegant big city of San Francisco, Calif., and planned to be an actress.

Wyatt’s ancestors were English and Scottish who arrived in America in the early 1700s. They settled in Pella, Iowa. In 1864, his father, Nicholas Earp, headed up a wagon train of 40 wagons destined for California’s San Bernardino Valley. Sixteen-year old, Wyatt, drove one of his father’s wagons. Nicholas became one of the founding fathers of San Bernardino.

Wyatt and Josephine met in Tombstone, Arizona Territory. Some authors reported that Josie was part of a traveling Gilbert and Sullivan acting troupe, who toured throughout the Arizona Territory, delighting some of the mining towns who longed for some “big city culture.” Other historians claim that Josephine Marcus was an actress but had settled down in Tombstone with Johnny Behan, a local politician. She sang and danced at the Oriental Saloon and Gambling Hall where she met and fell in love with Wyatt.

Wyatt was just over 6-feet tall, considered handsome with a stylish, droopy mustache, and dressed completely in black except for his white dress shirt. He wore his black Stetson pushed back on his head. The Buntline gun, especially designed for him that he always wore, enhanced his power and prestige.

In some non-fiction history books, there is a photograph of a beautiful, dark-haired woman, dressed in a gauzy, low-necked, black dress that was taken in Fry’s Photo Gallery on Fremont Street in Tombstone.

There is some dispute whether the picture is actually Josephine or not.

We do know that she was a singer and a dancer and was 20 years old on Oct. 26, 1881, the date of the infamous Gunfight at the O.K. Corral. After the shootout, Wyatt was concerned for her safety and sent her back to her parents in San Francisco, telling her he would come for her there.

Before he left Tombstone, he told the sheriff that he, his brothers and friends, including Doc Holliday, were leaving for Gunnison, Colo. This was affirmed in Colorado history books.

Josephine wrote her memoirs but they were not published until after her death. They were edited and annotated by Glenn Boyer in his book. In the book, she mentioned Wyatt’s brother, Morgan. She wrote, “While Morg possessed the intelligence and courage of his older brother, he was more quick to anger.” In another passage, Josephine mentioned Doc Holliday “who was good company to his friends. He had a sense of humor and a sense of fun as well. I liked to be around him and we saw a lot of him after we left Tombstone.”

The couple enjoyed their early married years together. They claimed to be married but historians have not been able to confirm this.

They prospected together in what are now Nome, Alaska, Tonopah, Nev., and along the Colorado River in Arizona, near the town of Parker. She especially loved their days in San Diego, Calif. Wyatt dealt cards in old San Diego near McGurk’s Saloon. (The restored downtown area, named “the Gaslight District” brags about Wyatt’s presence there).

She respected Wyatt and his closeness with his family. So, it was easy for Wyatt to accept and understand her own familial ties when, for a time, they moved to San Francisco where her parents resided.

As a former actress, Josie especially enjoyed their years in the Los Angeles area where Wyatt was hired by movie companies to be an adviser on the early Western sound stages. It involved Hollywood parties and brushing shoulders with “newly discovered” movie actors and actresses. As a couple, they were immediately transformed into what was considered “America’s royalty” through the magic of celluloid film images shown in darkened, newly constructed, ornate movie theaters.

Wyatt died at age 80 in 1929. Among his pallbearers were Tom Mix and William S. Hart. They say that Josie was too grief stricken to attend the funeral. After his cremation, his beloved “Sadie” traveled alone by train, carrying his ashes in a suitcase to San Francisco. He was interred in the family plot of the Jewish cemetery, “Hills of Eternity Memorial Park” in Coloma, Calif.

Josephine lived to be 84 years old. Dying in 1944, her ashes were taken to the same cemetery outside San Francisco, where they rest beside Wyatt. Josephine Sarah

Marcus Earp lived in the most remarkable era of America’s history, spanning the time from the gold rush days to almost the end of WWII. But she lived and was loved by one of the most infamous men of our time, Wyatt Berry Stapp Earp. ★

*Josephine and Wyatt Earp’s grave, Hills of Eternity Memorial Park, Coloma, CA, above.*



# Who Was Wyatt Earp?

## COWBOYS OFF THE TRAIL

BY C. L. WATSON

<http://www.loc.gov/pictures/item/2005677973/>



Cowboys Off the Trail, statuary after painting by Frederic Remington.