

## **Showdown: Wyatt Earp vs. Curly Bill**

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Many who knew him well said his name was really William Brocius Graham and that he was a wanted man from Texas. Curly Bill always claimed that his name was William Brocius and that he came from the Animas Valley in New Mexico.

All those claims aside, there is some evidence (1) that back in 1861 Curly Bill was just plain William Brocius, a poor dirt farmer just outside Crawfordsville, Indiana, with a wife and three children that he barely managed to feed. The children were named Jacob, Lizzie, and Ellie.

Tired of the eternal struggle to master all of his responsibilities, Brocius accepted \$500.00 from a wealthy man, who had been drafted into the Union Army. This money was payment to Brocius to go to war in the man's place.

So it was that Brocius went off to war, leaving his wife and three children to take of the farm themselves. After all, \$500.00 was a fortune to a poor farmer back then.

When the war ended in 1865, veterans began returning home, but not Brocius. By the year 1868, he had still not returned. There had been no word of him, or from him. Believing him dead, his wife married a war veteran, Charles Comer in 1868. A child, named Jennie, was born to them in 1869.

Late that same year, Brocius showed up back in Crawfordsville. He was extremely upset to find his wife married to another man, and already the mother of the other man's child. Brocius explained to his wife that he had been discharged in the deep South and had no other option but to work on farms along the way to raise enough funds to get home.

Apparently, no one in the family believed this explanation. At the end of the war, many soldiers were given a small amount of money, discharged, and then had to make their own way back to their families. But, in four years' time, "Brocius could have crawled home." The family believed that most likely he had been getting "rehabilitated" by living with some "southern belle." Soon, Brocius left Crawfordsville in anger. His family never saw him again. But they were to hear about him when he turned up in Arizona Territory in a town called Tombstone.

Family legend has it that Curly Bill was "the world's worst pistol shot." But, he was reportedly very adept with the quick draw, twirling the gun, and alot of other fancy tricks. Glenn Mears says that the family had been told that members of the outlaw gang were reluctant to go on raids with Brocius if he carried a handgun~~they feared he might shoot them!

Brocius has been described as heavy set, dark skinned, with black eyes and curly black hair. Crafty as a lobo wolf, he was strong, agile, and unrestricted by any conscience whatsoever.

By the time Curly Bill arrived in Tombstone, it was a wild and woolly boomtown. Allen Street had already become “whiskey row” and was a constant riot of noise and bedlam, filled with hundreds of new-comers. Six-guns roared up and down “whiskey row” on the night of October 27, 1880. The Clanton gang had “treed” the town. Firing their weapons recklessly in any and all directions, the gunmen who led the violence were Curly Bill, Tom and Frank McLaurry, Ike and Billy Clanton, Frank Patterson, and Pony Deal.

Fred White, 32 years old, had been elected Tombstone’s first marshal on January 6, 1880. The wild shooting spree had been going on for two days and nights. Marshal White, a fine lawman, knew that he had to make an example of one of the troublemakers, and then disarm the bunch of them. He encountered Curly Bill on the lot where the Birdcage Theatre now stands. When White ordered Brocius to surrender his weapon, he presented the weapon to the lawman, barrel first. White grasped the barrel and a tongue of flame stabbed through he night followed by the dull roar of a .45. White fell, shot through the abdomen, writhing in agony.

Curly Bill had just pulled the trigger on the first shot in the Earp-Cowboy war. Echoes of that shot had not diminished before then-Deputy Sheriff Wyatt Earp laid a gun barrel over curly Bill’s head, knocking him cold. Wyatt then placed Bill under arrest. Brocius never forgave Wyatt Earp for that brutal and humiliating pistol whipping.

Marshal White lingered for a few days then died. Before his death he disclosed that the shooting had been an accident, that the pistol had discharged when he had tried to take it from it’s owner. Bill Brocius went before Judge Neugass in Tucson and testified that the gun had fired when White jerked it from his hand. As Marshal White made a similar statement just before his death, Curly Bill was acquitted. But, there is more to this episode. White probably died thinking he had been killed in an accident. Consider this: The Cowboys were busily shooting up the town, yet isn’t it strange that Brocius was standing in a vacant lot with a pistol that was loaded with six live rounds ~~ not even the customary empty shell for the hammer to rest on. If he was not shooting up the town with his erstwhile friends, what was he doing?

Virgil Earp was appointed by the mayor and city council (2) to fill out the remainder of Fred White’s term. Virgil already carried the commission of a deputy U.S. Marshal, bestowed upon him by Territorial Marshal Crawley P. Dake on November 27, 1879. (3)

Curly Bill and his outlaw cronies had two favorite hangouts ~~ Galeyville on the eastern slopes of the Chiricahua Mountains, and Charleston on the San Pedro River. Charleston, a mill town, had about 800 residents and the only law was “Justice Jim” Burnett. This worthy normally ran his office strictly for personal profit and seldom concerned himself with the Cowboys.

One Sunday, Reverend John Addison came down from Tombstone to hold services in Charleston. Ike Clanton, Curly Bill, and a few others of their ilk decided they were in dire need of some religion and showed up at the service. The moment those gun-slung desperadoes appeared most of the congregation decided that they had urgent business elsewhere. Bravely, the sky-pilot continued his sermon, omitting no detail of the awesome punishment reserved in Hell for thieves and murderers. At the end, Curly Bill brandished his weapon and demanded a hymn.(4) The serenade was well appreciated by the gunmen and they kept him singing for over an hour. Then, those same badmen filled the collection plate to overflowing with money and solemnly and quietly departed. Reverend Addison never returned to Charleston again.

The next morning, Curly Bill sat “sleeping the sleep of the innocent” in an easy chair on the porch of Tarbell’s Eagle Hotel, when a double barrel shotgun poked him in the ear. That impressive weapon was wielded by none other than “Justice Jim” , the total law enforcement agency of Charleston at the time. The worthy justice cocked both barrels of his shotgun and loudly declared his court in session. Finding the defendant guilty of unlawfully interrupting religious services, he levied a fine of \$50.00 on the spot and forced the astounded outlaw to pay up. Brocius used to tell the story about the time a “court of law” tried him and gave him what he deserved. Then he would laugh uproariously.

Galeyville, the other outlaw hangout, had begun as a silver camp up in Turkey Creek Canyon. The silver did not last. It became a ghost town by the end of 1882, inhabited, for the most part, by outlaws.

San Simon, a tiny railroad stop, lay some 20 miles north of Galeyville. It’s total population numbered 35 souls including men, women, and children, and 10 railroad section hands that were Chinese. Robert H. ‘Bob’ Paul, running against Charlie Shibell for the office of Pima County Sheriff, made it a red hot election. The outlaws in Cochise County did not want Bob Paul as Sheriff, as he had made things very uncomfortable for them while a shotgun guard for Wells Fargo. Even worse, he was a close friend of Wyatt Earp. On election day they brought in Ike Clanton and some of his cronies into San Simon to run the election. John Ringo was the election judge. Curly Bill took over the ballot box. They gathered all of the men, women, children, and the Chinese, and forced them to vote for Shibell. Feeling that was not adequate, Brocius named all the dogs, burros, and poultry in town, then cast their vote.

With about 10 legally registered voters, the San Simon precinct turned out an amazing 104 votes, 103 of them for Shibell. The election commissioners threw the whole precinct out, but it still took the courts to eventually decide the election in Bob Paul’s favor.

Robert H. "Bob" Paul, an Earp ally, was nearly defrauded out of the 1880 election for sheriff of Pima County, when Curly Bill, John Ringo

and others "stuffed the ballott box."

Curly Bill learned from an informant below the border that a pack mule train of silver smugglers would be starting up from Mexico in July, 1881. The vaqueros would be moving through Skeleton Canyon, winding through the wild and desolate Peloncillo Mountains. They would come through San Luis Pass into the Animas range, across the Animas valley to San Simon, to the San Pedro, and over into the Santa Cruz Valley. In Tucson the smugglers would exchange their 'dobe dollars for contraband merchandise to take back to Mexico. "Skeleton Canyon" was so called because of the many men and animals who had been killed there, and their bones left to bleach in the sun.

Smugglers led a line of small Andalusian mules through the canyon, never thinking that death lay in wait. Without warning, hidden rifles spouted flame and death from the rocks. The Mexicans had no chance. Heavily loaded though they were, the tiny mules stampeded. The killers raced after them and shot them down. Nine dead Mexicans were left lying at the so-called "Devil's Kitchen" area of Skeleton Canyon. The ambushers gathered at Cave Creek and divided \$4,000 in Mexican silver. Most of it was spent on women and whiskey in a saloons of Galeyville and Charleston. John Ringo and Joe Hill won the rest playing poker. The Mexican government lodged a formal protest to the United States concerning the nine dead Mexican citizens and the theft of goods and money, but no action was taken. John Ringo said he was present at the ambush along with the Clantons; "Old Man", Ike and Billy; Frank and Tom McLaury, Jim Hughes; Rattlesnake Bill; Joe Hill; Charlie Snow; Jake Guage; and Charlie Thomas.

When on the afternoon of March 22, 1882, Wyatt Earp and his posse rode away from South Pass, leaving Florentino Cruz riddled with lead, he had a definite objective in mind. He had received a report that Curly Bill and several of his men had been seen in the vicinity of Iron Springs, which was about 30 miles northwest of Tombstone in a little valley at the edge of the Whetstone Mountains. This location was all the way across the San Pedro Valley.

Wyatt, Doc Holliday, "Turkey Creek" Jack Johnson, "Texas Jack" Vermillion, and Sherman McMasters, were riding along the edge of a deep wash near Iron Springs. Wyatt was slightly in the lead. Suddenly, nine men rose up from the wash, guns spitting lead. Curly Bill was the front man, brandishing a shotgun. With the exception of Vermillion, whose horse was down, Wyatt's posse fell back under fire. Wyatt slid from his horse unlimbering his double-barreled shotgun. Scarcely had his feet touched the ground when he let loose, point blank, at Curly Bill. Both charges struck the rustler square in the chest, literally blowing him apart and hurling him against the opposing bank of the wash. Throwing aside the empty shotgun, Wyatt drew his rifle from his saddle, and using his plunging horse as a shield, continued to fight with the now leaderless outlaws. They had retreated, taking cover in the brush above the wash. Wyatt sprayed the brush with rifle fire.(5) Since all the gunfire was directed at him, Wyatt began a careful withdrawal before the murderous onslaught.(6) Wyatt retreated out of gun range and rejoined his companions. Vermillion expose himself needlessly, trying to retrieve the saddle from his

dead horse. None of the Earp party had been hit, but Vermilion's horse had been killed in the first volley. Doc Holliday had gone back to pick him up. Wyatt had several bullet holes through his hat, coat, trouser legs, saddlehorn, and his boot-heel, but suffered not a scratch himself.

The whole countryside was divided on the question of whether Curly Bill was dead or not. Wyatt and those with him maintained that he had killed the outlaw. The Cowboys insisted that he had not. The body was never seen. However, the story leaked out that the Cowboys had buried it on a nearby ranch and carefully concealed the grave.

The Tombstone Epitaph, managed by John Clum, was a staunch supporter of the Earps, and, as to be expected, accepted the Earp party's version of the killing of Curly Bill Brocius. The Tombstone Nugget, run by Behan's under-Sheriff, Harry woods, naturally sided with the Cowboy version that Curly Bill was not dead. The Nugget offered a \$1,000.00 reward for anyone who could produce Curly Bill's dead body. The Epitaph countered by offering \$2,000.00 to any acceptable charity, "in the name of anyone", who could produce the outlaw alive.(7) Many legendary tales abound concerning the disappearance of Curly Bill Brocius; that he rode down into Mexico, married a Mexican woman and raised a hacienda full of kids; that he rode up to Wyoming to start again; that he went back to Texas; and numerous others.

It is not logical that Curly bill would vacate Arizona just when things were seemingly going his way. The Earps and Doc Holliday were riding out, leaving him in complete control with no enemies. There is no way he would not take one last swipe at Wyatt Earp and the Epitaph by making them pay the \$2000.00 reward by showing up alive and well-- if he were!

Probably the most accurate telling of Curly Bill's fate can be obtained from letters written on the late 1920's by Fred J. Dodge, undercover man for Wells Fargo. Some exerpts read:(8)

"You will recollect that J.B. Ayers kept the saloon in Charleston that was headquarters for all the outlaw and rustler element. This man, Ayers, for personal reasons that would take too long to tell, supplied me with reliable information. Thru him I got in touch with several others. Johnny Barnes, who you will recollect was in the fight at Iron Springs, gave me much information, not only of that, but of many other things before he was killed. Afterwards, all that they said with reference to Curly Bill was corroborated by Ike Clanton himself. It was my report to Mr. Valentine with reference to Curley (sic) Bill that brought John Thacker out there."

"Referring to your letter of Sept. 14 you ask for information about the death of Curley Bill. By reason of my connection with Wells Fargo and Co. and also because of my association with Wyatt Earp and others of his party, I had full information concerning the fight at Iron Springs in which Wyatt Earp and party were ambushed by Curley Bill and party.(9)"

“Immediately after this fight I interested myself in ascertaining the true facts about the death of Curley Bill. J.B. Ayers, a saloonkeeper of Charleston where the outlaws and rustlers headquartered, told me that the men who were in the fight told him that Wyatt Earp killed Curley Bill and that they took the body away that night and that they buried him on Patterson’s ranch on the Babocomari. Johnny Barnes, who was in the fight and was badly wounded(10), and was one of the Curley Bill party, told me that they opened up on the Earp party just as Wyatt Earp swung off his horse to the ground and they thought they had hit Wyatt, but it was the horn of his saddle that was struck. That Wyatt Earp throwed down on Curley Bill right across his horse and killed him. That the Earp party made it so fast and hot that all of the Curley Bill party that could, got away. I made this report direct to John J. Valentine, President of Wells Fargo and Co. and in substance it was the same as above. Mr. Valentine sent Thacker out there, and he, as you know, made a full investigation. Some time after this Ike Clanton himself told me that Wyatt Earp killed Curley Bill.)”(11)

“When John Thacker got to Tombstone, I got in his way so that he would come to me, and I personally gave him the names of the men to go to. They all talked to him, but Ike Clanton would have nothing to do with him, but he got all the information that he required and was thougherly (sic) and completely satisfied (sic) beyond a doubt that Wyatt had killed Curley Bill and that Bill was buried on the Patterson ranch.”(12)

“The night that Virgil was shot in Tombstone, Johnny Barnes and Pony Deal were there; and Johnny Barnes was the man who fired the shot that tore up Virg’s arm. I don’t know who Wyatt attributed that shot to, but Johnny Barnes was the man. As I said, Johnny never recovered from his wounds, and finally died from them in Charleston where he was being cared for by Ayers.(13)

Regardless of any such information, facts or otherwise, after the gun battle at Iron Springs, Curly Bill went on no more cattle raids, hijacked no more smugglers, and, was seen in his favorite hangouts no more. He vanished completely and was never seen again!

It is like Doc Holliday (14) and Wyatt Earp told it: Wyatt snuffed out Curly Bill’s life with a twin blast from a double barrel shotgun. And he threw in Johnny Barnes for good measure.

#### Footnotes:

1. Letter in Traywick Collection from Glenn Mears. Information is from his great aunt Lizzie Brocius Chesterton.
2. Minutes Book N. 1 Common Council Village of Tombstone, October 28, 1880, page 9-10.
3. Copy of Virgil Earp’s commission in the Traywick collection.
4. Parsons’ Journal by George W. Parsons May 13, 1881.
5. Real West Magazine June, 1984 ed., Curly Bill Has Been Killed At Last by Glenn G. Boyer.

6. Tombstone Epitaph March 25, 1882 ed., Tombstone Epitaph March 26, 1882 ed., Tombstone Epitaph March 27, 1882 ed.
7. Tombstone Epitaph April 4, 1882 ed.
8. Fred J. Dodge letter to Wyatt S. Earp dated September 8, 1928.
9. Most likely this party included Curly Bill, Johnny Barnes, Pony Deal, Hank Swilling, Ike Clanton, John Ringo, Zwing Hunt, Billy Grounds, and Jim Hughes.
10. Johnny Barnes, hiding in the brush, was hit by gunfire when Wyatt Earp sprayed the area with his rifle.
11. Fred J. Dodge letter to Stuart N. Lake dated October 8, 1928.
12. Fred J. Dodge letter to Stuart N. Lake dated September 15, 1929.
13. Fred J. Dodge letter to Stuart N. Lake dated September 30, 1929.
14. Denver Republican May 26, 1882 ed.