

FIRST DRAFT

SAVED BY THE CELL



The OK Corral in Tombstone, Arizona, as it appeared following a fire in 1882, nearly a year after the famous gunfight there.

Doc Holliday’s arrest in Pueblo case may have kept him from hands of Arizona lynch mob

When Marshal Henry Jameson of Pueblo filed larceny charges against John H. (Doc) Holliday in late May 1882, he probably saved Holliday’s life. The Pueblo warrant meant Doc couldn’t be immediately extradited to Arizona, where many people feared he would be lynched.

Holliday was in Colorado with his friend, Bat Masterson, who helped arrange the Pueblo warrant. Another friend, Wyatt Earp, was keeping a low profile in Gunnison.

It had been seven months since the notorious gunfight at the OK Corral in Tombstone, Arizona. Wyatt’s brother, Virgil Earp was a deputy U.S. Marshal in Arizona then, and he had deputized his brothers and Holliday to disarm some troublemakers.

Those troublemakers included cattleman Ike Clanton and a group known as the Cow-Boys. During the shootout, Ike’s brother, Billy, as well as Tom and Frank McLaury were killed. Holliday, Virgil and Morgan Earp were wounded.

In the aftermath of the gunfight, William McLaury of Texas, brother of the two dead men, arrived in Tombstone demanding justice. When a coroner’s inquest failed to indict anyone, it was rumored that he arranged to find justice outside the law.

In December 1881, Virgil Earp received a shotgun blast to his arm that crippled him. But it was the assassination of Morgan Earp on March 18, 1882, that set Wyatt and Holliday on their own path of vengeance.

Wyatt Earp assumed Virgil’s role as deputy U.S. marshal. With Holliday and several other loyal companions, he set out to find and kill the men he held responsible for Morgan’s death. Over the next few weeks, they killed four men, including a man named Frank Stilwell, who was shot at the Tucson train depot as he and Ike Clanton waited to ambush the Earp group.

The Earp Gang weren’t the only ones shooting up southern Arizona. Cochise County Sheriff John Behan deputized many of the Cow-Boys, who went in search of Earp’s posse. They found and ambushed the Earp group. Although bullets whizzed around Wyatt Earp and the others, shredding Wyatt’s coat and saddle and killing one horse, none of the Earp group was wounded. But Wyatt shot and killed Cow-Boy Curly Bill Brocius.

A few days later, the son of a

Tombstone judge was murdered by the Cow-Boys. Tombstone lawyer George Parsons called the ongoing carnage “an epidemic of murder.” There were 14 killings in 10 days.

Newspapers in Arizona took opposite sides in the turmoil, either blaming the Cow-Boys or the Earp/Holliday group for the bloodshed.

Because Frank Stillwell had been killed in Tucson, Arizona, not Tombstone, a warrant for the arrest of Wyatt Earp, Doc Holliday and three others was issued from Pima County rather than Tombstone’s Cochise County. But by the time Pima County Sheriff Bob Paul arrived in Tombstone to serve the arrest warrants, Wyatt, Doc and their companions had left.

Holliday and Wyatt Earp decamped for Colorado, where they believed they would be safer. Holliday remained on the Front Range, spending time gambling in Pueblo, Trinidad and Denver, and trying to recover from tuberculosis. Wyatt headed to Gunnison where he worked in a saloon.

In early May, a man named Perry Mallen (or Mallon), who claimed to be a deputy sheriff from Los Angeles, appeared in Denver. With the assistance of two Denver deputies, he surprised Holliday and arrested him for the Frank Stillwell killing.

Holliday was taken to the Denver County Jail, where he was held while awaiting extradition to Arizona.

As had been the case in Arizona, newspapers in Colorado were divided over Holliday’s guilt.

The Rocky Mountain News called Holliday “leader of the infamous Earp gang of thugs, murderers and desperadoes ... who have committed murders by the dozen.”

However, the Pueblo Chieftain, said “Holliday is not so black as he is painted ... he is simply being persecuted and run down in order that he may be placed in the power of the cow-boys of Arizona, who hate him and desire his death.”

Mallen, meanwhile, told a complicated yarn about how he had tracked Holliday for seven years after Holliday allegedly killed Mallen’s partner in Utah. He also claimed that he’d narrowly avoided being killed by the notorious dentist during those years.

There is no evidence Holliday had ever been in Utah or that he had killed any of the many people Mallen claimed he murdered. But there was a Tucson warrant for Doc’s involvement in Stillwell’s death. So, he was held in Denver.

Enter Bat Masterson, who had worked with Holliday in Dodge City, Kansas, and during the Colorado Railroad War of 1878. At the time of Holliday’s Denver arrest, Masterson was town marshal in Trinidad.



DALE SHRULL/The Daily Sentinel

The gravesite of Doc Holliday are in a the Linwood Cemetery in Glenwood Springs.

It was his idea to get Pueblo Marshal Jameson to file larceny charges against Holliday, alleging that Holliday had run a confidence game in Pueblo. Colorado law stipulated that if there were outstanding criminal charges in this state, they had to be dealt with before a defendant could be extradited to another state.

Bob Paul, the Pima County sheriff, arrived in Colorado in late May to take Holliday to Arizona. But all of his paperwork wasn’t in order, according to Colorado Gov. Frederick Pitkin, who on May 29 declined to approve the extradition.

In the meantime, Masterson, acting as a deputy on Jameson’s behalf, arrested Doc Holliday and took him to Pueblo. There, on May 31, 1882, John “Doc” Holliday was arraigned “on charges of obtaining \$115 from one Charles White, late of Pennsylvania, on false pretenses,” according to the Rocky Mountain News. He posted \$300 bond and was released.

Two days later, the News carried a long story about Perry Mallen, making it clear the News no longer found him credible.

“Mallen held himself before the public as an injured innocent,” the article said. “But the many capers which he committed just before leaving this city, and which have only recently come to light, show his true character.”

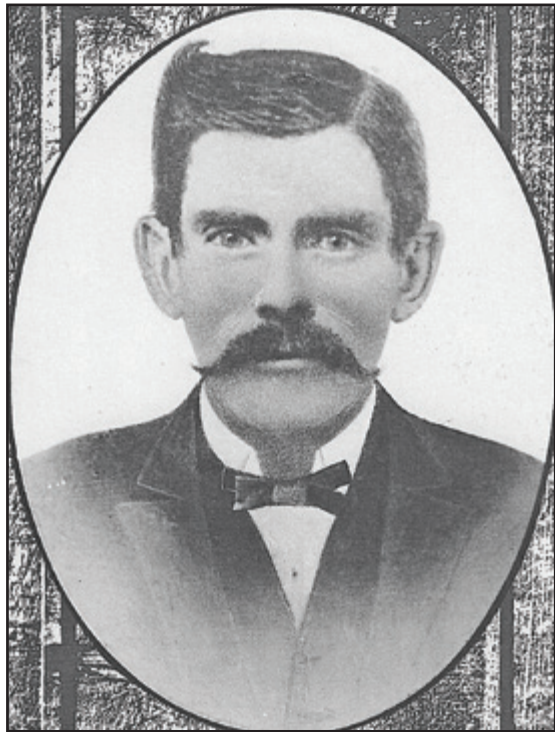
Mallen had left Denver after borrowing money from a Denver hotel clerk, promising to arrest a man in Kansas City who had absconded with money from the hotel. Instead, Mallen disappeared. He was later arrested in Ohio for assaulting his new wife.

After his release, Holliday left Pueblo to visit Wyatt Earp in Gunnison. But he returned to Pueblo in July to plead not guilty to the defrauding charge. The case ended in 1883, when Doc failed to show up for another court hearing, and his bond was forfeited.

By then Doc Holliday was living in Leadville, working as a faro dealer at several saloons, and suffering immensely in the high altitude. In 1884, an argument over a \$5 debt led to Doc wounding a man who had made repeated death threats against him. When the case went to trial in 1885, Doc was acquitted for acting in self-defense.

Holliday remained in Leadville until 1887, with his tuberculosis steadily worsening. That spring, he took the stage to Glenwood Springs. He died in Glenwood on Nov. 8, 1887.

Sources: “Doc Holliday: The Life and Legend,” by Gary L. Roberts; “Doc Holliday, Bat Masterson & Wyatt Earp: Their Colorado Careers,” by E. Richard Churchill; historic newspaper articles through Colorado Historic Newspapers Collection, www.coloradohistoricnewspapers.org.
Bob Silbernagel’s email is bobsilbernagel@gmail.com.



LEFT: John H. “Doc” Holliday, the Georgia dentist turned Western gunfighter. This photo, from an early postcard, was cleaned up to make it appear clearer than the original. **RIGHT:** Frank Stilwell, a member of the Arizona gang called the Cow-Boys, was believed to be the man who pulled the trigger in the assassination of Morgan Earp in March, 1882. He was shot and killed by Wyatt Earp a few weeks later in Tucson. Because Doc Holliday was present when Stilwell was killed, he was arrested in Denver in May, 1882.



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