

Virgil Earp

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Virgil Walter Earp (July 18, 1843–October 19, 1905) fought in the Civil War. He was U.S. Deputy Marshal for south-eastern Arizona and Tombstone City Marshal at the time of the Gunfight at the O.K. Corral in the Arizona Territory. Two months after the shootout in Tombstone, outlaw Cowboys ambushed Virgil on the streets of Tombstone, shattering his left arm, leaving him maimed for life. His brother Morgan Earp was assassinated in March and Virgil left Tombstone for Colton, California to live with his parents and recuperate. When 16 years old, Virgil was married in Pella, Iowa. While Earp served in the Union Army during the American Civil War, his wife received a false report that he had died and, so, moved to Oregon with her parents. Virgil did not see her or his daughter again for 37 years. He married two more times.

Virgil held a variety of jobs throughout his life, though he primarily worked in law enforcement. His younger brother Wyatt, who spent most of his life as a gambler, became better known as a lawman because of writer Stuart N. Lake's fictionalized 1931 biography *Wyatt Earp: Frontier Marshal* and later portrayals of him in movies and fiction as Old West's "toughest and deadliest gunmen of his day."^{[1][2]}

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Early life

Main article: Earp family

Virgil Walter Earp



Virgil Walter Earp

Born	July 18, 1843 Hartford, Kentucky
Died	October 19, 1905 (aged 62) Goldfield, Nevada
Nationality	United States
Occupation	Union soldier, Constable, Deputy U.S. Marshal for the Arizona Territory, Marshal, farmer, rail construction, stagecoach driver, sawyer, mailman, prospector, saloon-keeper
Known for	Deputy U.S. Marshal, Tombstone, Arizona, and the Gunfight at the O.K. Corral
Spouse	Magdalena Rysdam Rosella Dragoo Alvira "Allie" Earp (common-law wife)
Children	Nellie
Parents	Nicholas Earp, Virginia Ann Cooksey

Virgil Earp was born in Hartford, Kentucky, the second son of Nicholas Earp and Virginia Ann Cooksey. In February 1860, while living in Pella, Iowa, 16 year-old Virgil eloped with 18 year-old Dutch immigrant Magdalena C. "Ellen" Rysdam (born November 25, 1842 in Utrecht, Netherlands – died May 3, 1910 in Cornelius, Oregon). They remained together for a year in spite of her parents' (Gerrit Rysdam and Magdalena Catrina Van Velzen) disapproval. Virgil and Ellen had a daughter, Nellie Jane Earp (January 7, 1862–June 17, 1930). When Virgil left to serve in the Civil War, his daughter was two weeks old.

On September 21, 1861, 18-year-old Virgil enlisted in the Union Army, serving with the 83rd Illinois Infantry from July 26, 1862 to June 24, 1865. Virgil's older brother James had previously enlisted, but returned home in late 1861 after he was badly wounded during a battle near Fredericktown, Missouri. Virgil's older half-brother Newton also enlisted with the Union and served throughout the war.

In the summer of 1863, Ellen was told by her parents *and* by the Earps that Virgil had died in Tennessee and she left Pella with her parents and daughter for the Oregon Territory. She married John Van Rossem, who died shortly afterward, and married once again in 1867 to Thomas Eaton in Walla Walla, Washington Territory. Virgil was reconnected with Ellen and their daughter 37 years later.

In 1868, Nicholas Earp took his family east again, eventually settling in Lamar, Missouri. Virgil worked the farm and help operate a grocery store. Earp was discharged from the military on June 26, 1865 and returned to Iowa. Finding his wife and family had disappeared, he left Pella and headed to California to join the rest of the Earp family. He married Rosella Dragoo (born in France in 1853) on August 28, 1870 in Lamar, Missouri. His father was justice of the peace, but there are no further records of Rosella.^[3]

Virgil later met Alvira "Allie" Sullivan from Florence, Nebraska in 1874. They established a common-law relationship that lasted the remainder of his life. During his life Virgil worked at many jobs. Farming, rail construction in Wyoming, stagecoach driver, a sawmill sawyer in Prescott, Arizona Territory, mailman, and later in life, prospector. A tight-knit family, the Earps generally kept close contact with one another, and often trailed along together to different living locations.

Virgil spent some time in Dodge City, Kansas in 1877 with his younger brother Wyatt, though it is not certain if Virgil ever held any law enforcement position there. From Dodge City, Virgil and his wife moved to Prescott in July 1877, then the capital of Arizona Territory.^[4] There, in October 1877, Virgil Earp was deputized by Yavapai County, Arizona Sheriff Ed Bowers during a street gunfight. During the fight, Virgil killed one of the robbers, shooting him twice through the head with a Winchester rifle. In 1878, Virgil served in Prescott as a village night watchman for a couple of months, and was later elected as a constable in Prescott.

Tombstone

While in Prescott, Arizona, Virgil was appointed Deputy U.S. Marshal for the eastern portion of Pima County on November 27, 1879 by U.S. Marshall Crawley Dake. He was asked by Dake to move to Tombstone to help resolve ongoing problems with lawless Cowboys. In an interview after he left Tombstone, Virgil noted that "The first stage that went out of Prescott toward Tombstone was robbed. Robberies were frequent and became expensive."^[4] Virgil joined his brothers Wyatt and Jim in Tombstone in December 1879.

On October 30, 1880, after town marshal Fred White was shot and killed by outlaw and gunman "Curly Bill" Brocius, Virgil was also appointed acting town marshal of Tombstone. Virgil now held both the local town marshal position and a federal law enforcement. But less than two weeks later Ben Sippy beat Virgil for the town marshal job in a special election. When Tombstone was incorporated as a city on February 1, 1881, Virgil chose not to run against Sippy.

However, Sippy was known to be in financial trouble. He requested a two-week leave of absence on June 6, 1881, and the city council once again appointed Virgil as temporary city marshal. On June 22, the center section of Tombstone was devastated by a fire. Virgil kept looting under control and chased off lot jumpers who tried to take over property. On June 28, it was learned that Sippy had left about \$3,000 in bad debt and financial improprieties in his office. Virgil was appointed by Tombstone Mayor John Clum as the permanent city marshal and paid \$150.00 per month.^[5]

Conflict with Cowboys

For more details on this topic, see Cochise County in the Old West.

To reduce crime in Tombstone, the City Council enacted an ordinance in April 1881 that prohibited anyone from carrying a deadly weapon. Anyone entering town was required to deposit their weapons at a livery or saloon soon after entering town. The ordinance led directly to a confrontation that resulted in a shoot out with local Cowboys.^[6]

On October 26, 1881, Virgil learned that several Cowboys who had been threatening the Earps for several months were in town and armed in violation of the ordinance. Assisted by his deputy Morgan Earp and temporary deputies Wyatt Earp and John "Doc" Holliday, Virgil went to disarm Frank and Tom McLaury, Ike and Billy Clanton, and Billy Claiborne. That confrontation turned into a shoot out that is now known world-wide as the Gunfight at the O.K. Corral.

Gunfight at the O.K. Corral

Main article: Gunfight at the O.K. Corral

The gunfight and later media portrayals made Wyatt Earp a legend. He is often depicted as the central lawman, but he was only Virgil's temporary assistant. Wyatt had acted as city marshal the week prior when Virgil was out of town. Virgil was the city marshal and Deputy U.S. Marshal. Although Wyatt had previously served in Wichita, Kansas and Dodge City as a lawman, Virgil had three years of Civil War service which had given him more combat and shooting experience. He had also served as a lawman off and on since the war.

Before the Gunfight at the O.K. Corral, Wyatt had been in only one shootout and Morgan had never been in any gun battles. Billy Claiborne had been in one gunfight prior to the shootout and was the only member of the Cowboy faction that had prior gunfighting experience (not counting the Skeleton Canyon massacre, in which the McLaurys and Clantons took part). Doc Holliday, despite his reputation, had no documented gunfights to his credit, other than a couple of drunken brawls, and only his own tales of fights with unnamed men he claimed to have shot.^[7]

During the gunfight, Virgil Earp was shot through the calf (he thought by Billy Clanton). Three days after the O.K. Corral gunfight, the city council suspended Virgil as City Marshall pending outcome of the preliminary hearing. Virgil was eventually exonerated of wrongdoing, but his reputation suffered thereafter.

Assassination attempt

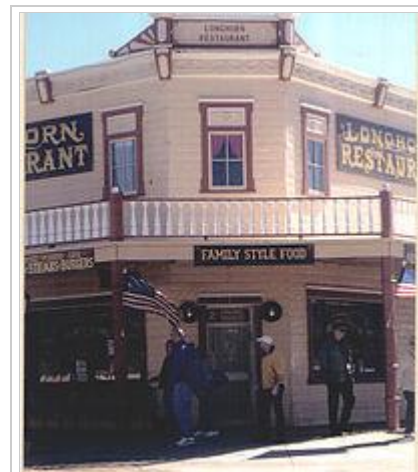
For more details on this topic, see Earp Vendetta Ride.

After the Gunfight at the O.K. Corral the Earps relocated their families to the Cosmopolitan Hotel for mutual support and protection.^[8] At about 11:30 p.m. on December 28, 1881, three men hidden in the upper storey of

an unfinished building across Allen street from the hotel ambushed Virgil from behind as he walked from the Oriental Saloon to his room. Virgil was hit in the back and left arm by three loads of double-barreled buckshot from about 60 feet (18 m).^[9] The Crystal Palace Saloon and the Eagle Brewery beyond Virgil were struck by nineteen shots, three passed through the window and one about a foot over the heads of some men standing by a faro-table.^{[10][11]:317} George Parsons wrote that he heard "four shots in quick succession." Seriously wounded, Virgil staggered into the hotel. Wyatt, assuming that Virgil was dying, telegraphed U.S. Marshal Crawley P. Dake.^[12]

Tombstone, Arizona Territory, December 29, 1881

Virgil Earp was shot by concealed assassins last night. His wounds are fatal. Telegraph me appointment with power to appoint deputies. Local authorities are doing nothing. The lives of other citizens are threatened. Wyatt Earp^[12]



Bucket of Blood Saloon where the shooting of Virgil Earp happened from the roof (now the Longhorn Restaurant) as it looks today

Dr. George Emory Goodfellow removed 5.5 inches (140 mm) of shattered humerus bone from Virgil's left arm, leaving his arm permanently crippled. While the doctors worked on his arm, Virgil told his wife Allie, "Never mind, I've got one arm left to hug you with."^[8]

Commenting on the telegram received by Dake from Wyatt Earp, the *Weekly Arizona Miner* wrote about the repeated threats received by the Earps and others. "For some time, the Earps, Doc Holliday, Tom Fitch and others who upheld and defended the Earps in their late trial have received, almost daily, anonymous letters, warning them to leave town or suffer death, supposed to have been written by friends of the Clanton and McLowry boys, three of whom the Earps and Holliday killed and little attention was paid to them as they were believed to be idle boasts but the shooting of Virgil Earp last night shows that the men were in earnest."^[13]

The suspected shooters were later identified as Phin Clanton, Ike Clanton, Johnny Barnes, Johnny Ringo, Hank Swilling and Pete Spence.^[14] Although Ike Clanton's hat was found near the shooting, the evidence was circumstantial, and the men were acquitted.^[14] On January 31, Ike and Phin were brought before Judge William H. Stilwell on suspicion of shooting Virgil. The district attorney asked that bail be set at \$5,000, but the judge released both men on \$1,500 bond, indicating he thought the prosecution's case was weak.^{[15]:241}

On February 2, 1882, Clanton's attorney brought in seven witnesses who testified that Clanton was in Charleston at the time of Virgil's shooting. Ike was acquitted and released.^{[16]:242}

Departs for California

After his shooting, Virgil spent the next three months recuperating in bed. He was just starting to get back on his feet when on Saturday, March 18, 1882, Virgil's younger brother Morgan Earp was killed in another ambush. On March 19, Wyatt's 34th birthday,^[17] he and James accompanied Morgan's body to Benson, where it was loaded aboard a freight train for California, watched over by James and two or three friends. They took Morgan to the Earp family home in Colton, California. It was not practical given Virgil's injuries to transport him and his wife Allie out of Tombstone at the same time as Morgan.^[12]

On Monday, March 20, Virgil and Allie left Tombstone for California under heavy guard. They were escorted by Wyatt and deputies Warren Earp, Doc Holliday, Sherman McMasters, and "Turkey Creek" Jack Johnson.

Wyatt reported later that he received word in Contention that Ike Clanton, Frank Stilwell, Hank Swilling, and another cowboy were watching the passenger trains in Tucson with the aim to kill Virgil. The group drove two wagons to the New Mexico and Arizona Railroad terminal 25 miles (40 km) away in Benson and boarded the train to Tucson. Virgil was so weak he had to be carried up the steps of the train.^[12]

Wyatt and his deputies had initially planned to travel only as far as Benson, but when they learned that Stilwell and others were looking for Virgil, they remained with Virgil and Allie through to Tucson. The men were well armed with pistols, rifles and shotguns. McMaster wore two cartridge belts. Allie wore Virgil's pistol belt during the journey so it would be handy.^[18]^[*citation needed*] Virgil told the *San Francisco Examiner* two months later that upon getting off the train in Tucson, "Almost the first men we met on the platform there were Stilwell and his friends, armed to the teeth." "They fell back into the crowd as soon as they saw I had an escort, and the boys took me to the hotel to supper."^[19] Guarded by his brothers and the deputies, Virgil and Allie had dinner at Porter's Hotel in Tucson. Their guards helped them board the train for California, and once they were safely seated, kept a watch for the Cowboys.^[12]

As Virgil's train was pulling out of Tucson on its way to California, gunfire was heard. Witnesses gave contradictory accounts about the number of men seen near the tracks and numbers of shots fires. Some said the Earps were armed after leaving Porter's Hotel and others said they were not. Witnesses saw men running with weapons but could not identify anyone in the dark.^[11] Wyatt said later that he and his deputies spotted Frank Stilwell and another man he believed to be Ike Clanton armed with shotguns lying on a flatcar.

Wyatt, quoted in the *Denver Republican*, said "I ran straight for Stilwell. It was he who killed my brother. What a coward he was! He couldn't shoot when I came near him. He stood there helpless and trembling for his life. As I rushed upon him he put out his hands and clutched at my shotgun. I let go both barrels, and he tumbled down dead and mangled at my feet."^[20]

When Wyatt and his men approached, the two men ran. Stilwell may have stumbled or been wounded, allowing Wyatt to reach him. Wyatt later said he shot Stilwell as Stilwell attempted to push the barrel of Earp's shotgun away. He said Stilwell cried "Morg!" before he was killed. Stilwell's body, riddled with buckshot from two shotgun rounds, one in his leg and the second in his chest with powder burns, and four other bullet wounds, was found the next morning near the tracks.^[12]^[21] Ike Clanton got away. When the Tucson sheriff learned who was responsible for Stilwell's death, he issued warrants for the lawmen's arrest.

Clanton gave an interview afterward to the newspapers in which he claimed that he and Stilwell had been in Tucson to respond to a federal charges about interfering with a U.S. mail carrier, stemming from his alleged involvement in robbing the Sandy Bob line of the Bisbee stage on September 8, 1881.^[22]^[23] Clanton said that they had heard that the Earps were coming via the train and they had plans to kill Stilwell. According to Clanton, Stilwell disappeared from the hotel before he was found several blocks away, shot dead by the tracks.

Later life and death

After receiving his injuries in Tombstone, Virgil spent the next two years recovering from his injuries, primarily at his parent's home in Colton, California. He sought treatment for his wounds in San Francisco and was interviewed on the Southern Pacific train by a reporter whose story was printed in the *San Francisco Examiner* on May 27, 1882. The reporter described Virgil's appearance:

“ His face, voice and manner were prepossessing. He is close to six feet in height, of medium build, chestnut hair, sandy mustache, light eyebrows, quiet, blue eyes and frank expression. He wore a wide-brimmed, slate-colored slouch hat, pants of a brown and white stripe, and a blue diagonal coat and vest, both the latter with bullet holes in them, bearing testimony of a recent fight when he was shot in the back, the bullet coming out of the front of his vest. His left arm was carried in a sling, also a memento of his last fight, when he received a bullet in his arm, since causing the loss of about six inches of bone which crippled him for life. The wounded arm is the cause of his visit to this city, where he seeks surgical aid in hope of so far recovering its use that he may be able to dress himself unaided.c ”

Despite the use of only one arm, Virgil was hired by the Southern Pacific Railroad to guard its tracks in Colton's famous "battle of the crossing". Virgil joined in the frog war as the Southern Pacific attempted to stop the California Southern Railroad, a subsidiary of the Atchison, Topeka and Santa Fe Railway, from installing a crossing over the Southern Pacific tracks in Colton to gain access to California. Governor Waterman deputized a posse from San Bernardino, California and came down in person to enforce construction of the crossing, ending the Southern Pacific's railroad monopoly in Southern California.^[3]

In 1884 Virgil's father, Nicholas Porter Earp was elected justice of the peace. Two years later, Virgil Earp opened a private detective agency, which by all accounts was abandoned in 1886, when he was elected village constable in July.

When Colton was incorporated as a city, Virgil was elected as Colton's first City Marshal on July 11, 1887. He was paid \$75 a month and was re-elected to another term in 1888. Among other duties, he was reported to have cleared blocked sewers and kept track of the electric light bulbs.^[24] Virgil and Allie's Colton home still stands at 528 West "H" Street.

In 1888 Virgil resigned as city marshal and he and Allie left Colton for San Bernardino. Five years later, in 1893, he and his wife moved to the short-lived mining town Vanderbilt, California. According to his wife, he owned and operated the only two story building in town, Earp Hall, a saloon and meeting hall used for public gatherings and even the town's church services. His business success in Vanderbilt did not match his success in politics, and he lost the election for town constable in 1894.

In 1895, Virgil and Allie traveled to Colorado where they met Virgil's brother Wyatt. They stayed briefly and soon moved back to Prescott in Yavapai County, Arizona where Virgil became involved in mining. They moved south after that and began ranching in the Kirkland Valley. Virgil was nominated as a candidate for Yavapai County, Arizona Sheriff in 1900, but pulled out of the election for health reasons.

Reunites with first wife

In 1898 Virgil received a startling letter from a Mrs. Levi Law. After returning from the Civil War as a young man, his wife Ellen and daughter Nellie had disappeared, having been told that Virgil had been killed in the war. Mrs. Levi Law was Virgil's daughter. The next year, encouraged by his wife, Virgil traveled to Portland, Oregon where he was reunited with Ellen and Nellie Jane Law.^[3] On April 22, 1898, The Oregonian reported that Virgil "...is now enjoying a very pleasant visit with her and his two grandchildren at her home, which is near that of Mrs. Eaton, in North Portland." He also met three grandchildren he never knew existed.^[25] Nellie Jane visited her father and Allie in Arizona the next year.^[3] Later that year, according to her letter to The Oregonian, Nellie Jane visited Virgil and Allie Earp at their home in Arizona.^[3]

Death in Nevada

Before 1904, Earp returned to Colton where city records show that he along with three others unsuccessfully petitioned the city leaders to repeal a temperance law that only allowed one saloon in town. In 1904, he left California for the last time and joined Wyatt in the boom town of Goldfield, Nevada, where he became a deputy sheriff for Esmeralda County, Nevada. After suffering from pneumonia for six months, Virgil died on October 19, 1905,^[3] leaving his brother Wyatt as the last surviving participant of the Gunfight at the O.K. Corral.

At the request of his daughter Nellie Jane Bohn, Allie allowed his remains to be sent to Portland, Oregon and buried in the River View Cemetery. After the death of her husband, Allie (Alvira "Allie" Packingham Sullivan Earp) moved back to California to be near Virgil's family, where she lived for 42 years. She died at the age of 99 in 1947. She was buried in San Bernardino, California.^[3]

See also

- Wyatt Earp's family

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External links

- Before the O.K. Corral - How the Civil War Brought Virgil Earp to Portland (<http://oregonmag.com/Wyatt808.html>)
- Lawman Virgil Earp (<http://www.historynet.com/frontier-lawman-virgil-earp.Frontier>)
- A page concerning his life, family, marriages and grave (<http://dannieldridge.com/virgil.html>)
- A genealogical profile of him (<http://homepages.rootsweb.com/~gormleym/earp/b53.htm#P53>)
- Original Document of Civil War Pension Index Card for Virgil Earp (<http://www.footnote.com/page/386/civil-war-pension-index-cards-of-newton-earp,-james-earp,-and-virgil-earp./>)

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Gunmen of the American Old West

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