

H. F. Sills, Mystery Man of the O. K. Corral Shootout

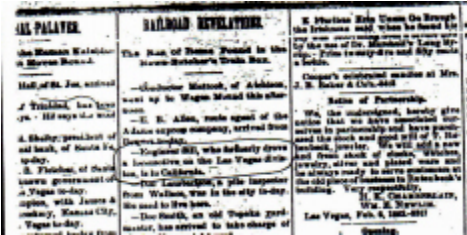
By Jane Matson Lee and Mark Dworkin

"Engineer Sill, who formerly drove a locomotive on the Las Vegas division, is in California."

Las Vegas Optic, Railroad Revelations Column, Las Vegas, N. M. T., Feb. 9, 1882

(Last known public notice of H. F. Sills)

An otherwise obscure railway worker named H. F. Sills is remembered for one appearance on the stage of history, his sensational testimony at the Spicer Hearing in Tombstone, A.T. in November of 1882, a hearing that followed what is no doubt the most famous gunfight in Old West history. Judge Wells Spicer's courtroom was the site of this month-long, bitter hearing, held in the aftermath of the streetfight near the O. K. Corral, where, as the *Tombstone Epitaph* memorably put it in its headline, there were "Three Men Hurlled Into Eternity In the Duration of a Moment." Sills' testimony was pivotal in



the decision of presiding Judge Spicer not to send the three Earp brothers and Doc Holliday to trial for the killing of three cow-boys, brothers Frank and Tom McLaury, and Billy Clanton, and to release the officers. He stated in his decision, "I do not believe that any trial jury that could be got together would, on all the evidence taken before me, ...find the defendants guilty of any offense." Little is known of Sills, either before his few moments of public notice, or

after. Like many others in the huge American West, he disappears off the pages of history following his moment in the spotlight. This article is the result of nearly three years of historical and genealogical research, and typically as for so many obscure figures, it answers some questions but raises others.

The Spicer Hearing, also commonly called the O. K. Corral Inquest, saw a parade of contradictory witnesses, not unexpected for a highly factionalized town like Tombstone. Many of those testifying accused town marshal Virgil Earp and his deputized brothers, Wyatt and Morgan Earp, and Doc Holliday, of the premeditated murder of three unoffending cow-boys. Others testified the law officers were enforcing the law, were provoked, had 'no duty to retreat', and their actions were properly in accordance with those expected of lawmen threatened and under fire. Although the hearing ended in the exoneration of the Tombstone lawmen by Judge Spicer, the controversy over his decision and over the truthfulness of railway worker Sills' testimony continues to this day.



The most accessible surviving report of all of the daily testimony is found in the book, *The O. K. Corral Inquest*, edited by Alford E. Turner. This rendering of the testimony, commonly called the *Turner* version, is a summary of what early Wyatt Earp biographer Stuart Lake called "a partially accurate transcript of the court records relevant to the so-called Earp-Clanton feud."ⁱ According to Lake in his 1931 biography, *Wyatt Earp, Frontier Marshal*, the surviving source of the major portion of the contents of the court record was a "sheaf of original handwritten documents rescued from oblivion..."ⁱⁱ The same story is recounted by Allen Barra in his recent study of the lawman, *Inventing Wyatt Earp: His Life and Many Legends*, with the added observation that Lake missed an opportunity to

copy down original transcripts found in the old adobe courthouse in Tombstone, about which no less than Wyatt Earp himself had tipped Lake off, when Lake turned the originals back to the Superior Court

of Cochise County.ⁱⁱⁱ The originals later came into the possession of Hal “Pat” Hayhurst, referred to by Lake as an “itinerant newspaper reporter, minor political job-holder, and occasional political press agent of questionable ability, habit and integrity,” who proceeded to mutilate the original text by making deletions and extensive notations.^{iv} Hayhurst was working for FDR’s federal writers project and for reasons not clear, seemed to have an antipathy toward Wyatt Earp. Barra speculates it was because Hayhurst had a friendship with Albert Behan, Earp’s Tombstone nemesis Johnny Behan’s son. This Hayhurst version, minus his editing, is what appears in *Turner*, with what Turner deems to be his own scholarly footnotes. Because of these problems with the widely used Turner version, the entire available and hard to find *Epitaph* testimony is reprinted here and is compared for differences with the *Nugget*^v and Turner versions of H. F. Sills’ testimony (there are missing days from the two papers).

Sills As ‘Star’ Witness

H. F. Sills, in Tombstone just for a short time, was the proverbial dream witness at the Spicer Hearing. His testimony for the defense of Wyatt Earp and Doc Holliday began on the fifteenth day of the hearing, which opened on November 1, 1881. Unlike all other witnesses, Sills was not a Cochise County resident, nor could he be identified with either faction in the bitterly divided town. On one side were the cow-boys, widely suspected of rustling and fencing stolen cattle, supported by many in the town. On the other side were the law officers and their supporters.^{vi} Sills claimed to not even know who the Earps were as he witnessed the buildup to the gunfight and the shooting itself. According to his testimony under cross-examination by prosecutors, he was in town on layoff from the Atchison, Topeka, and Santa Fe Railroad and had stayed in a lodging house for nine or ten days when he first came to town. He then entered a hospital where he had been staying for more than two weeks before his appearance at the hearing. With his credibility enhanced by his non-involvement in the town’s trouble, and his very favorable testimony to the Earp’s cause, Sills was given a tough and skeptical grilling--but clearly his credibility survived in the eyes of the judge. Spicer’s decision favoring the Earps cited Sills’ testimony twice, referring to it as coming from one “who had arrived in town only the day before and totally unacquainted with any person in town, or the state of affairs existing here.”



Sills verified virtually all aspects of the lawmen’s side of the story as he recounted how, while standing in front of the O. K. Corral on October 26, 1881, he heard threats against the lives of the Earps. After finding out who Marshal Virgil Earp was, he then warned the marshal of threats made upon his life. He then testified as to how he witnessed the confrontation itself. Virgil Earp had raised his cane and asked the cow-boys to throw down their arms, but the cow-boys refused to heed the order. Sills further corroborated Wyatt Earp’s testimony that he, Wyatt, and cow-boy Billy Clanton shot first, virtually simultaneously.

Because of Sills’ perceived neutrality, this testimony was perhaps the key factor in absolving the Earps and Holliday at the Spicer Hearing, and, therefore, has been central for students of the subject. Partisans of the Earp version of events have defended his veracity; opponents of the Earps have attempted to discredit him. One recent Wyatt Earp biographer, Allen Barra, begins his Earp biography with a flash-forward

to Sills' actions on the day of the gunfight and calls him the only truly non-partisan witness at the Spicer hearing.^{vii} Another current writer on the subject, John Behan biographer Bob Alexander, presents a withering critique of Sills' credibility and actions.^{viii} Alexander's hypothesis will be examined below.

Following his testimony, H. F. Sills disappears into the mists of history. No trace of him can be found in subsequent census records, either in the United States or his stated birthplace of British North America. His post-Spicer trail appears to be lost, save for the one short newspaper notice that begins this article. Was H. F. Sills who he purported to be, a genuinely neutral witness who just happened into town and observed key events on a historic day? Or was he a bogus witness, part of a conspiracy to discredit the cow-boy side of the story?^{ix} That Judge Spicer found Sills a believable witness and took him at his word can be shown by the following, which appeared in his written decision:

At this time Virgil Earp was informed by one H.F. Sills, engineer from the A.T. & S.F.R.R., then absent from duty on a layoff furlough, and who had arrived in town only the day before and totally unacquainted with any person in town or the state of affairs existing here, that he (Sills) had overheard armed parties, just then passing through the O.K. Corral, say, in effect, that they would make sure to kill Earp the marshal, and would kill all the Earps.

What was so devastating to the prosecution from Sills' testimony? What was it that he testified to under oath that made him, in the eyes of both sides, if for different reasons, the critical witness at the Spicer Hearing? Here are some relevant excerpts from the *Tombstone Epitaph* text that demonstrate its crucial nature:

While testifying under defense questioning:

I saw four or five men standing in front of the O. K. Corral on October 26th, about two o'clock in the afternoon, talking of some trouble they had had with Virgil Earp, and they made threats at the time that on meeting him they would kill him on sight.

... one of the party spoke up at the time and said: "That they would kill the whole party of Earps when they met them.

One of the men that made the threats had a bandage around his head at the time, and the day of the funeral he was pointed out to me as Isaac Clanton.

The marshal had a cane in his right hand at the time. He threw up his hand and spoke. I did not hear the words though. By that time Billy Clanton and Wyatt Earp had fired their guns off.

...afterward saw Billy Clanton, when he was dead, and recognized him as the one who had fired at the same time with Wyatt Earp.

Under Cross-Examination by the Prosecution:

When I told Virgil Earp of the threats I had heard, I told him it was a party of armed men I had seen standing on the street, because I did not know them at the time. The party consisted of four men. I can't say that they were all armed, because they were not so standing that I could see their arms. I saw that some were armed. They had pistols plainly in sight. I was within four or five steps of the party when I heard the threats.

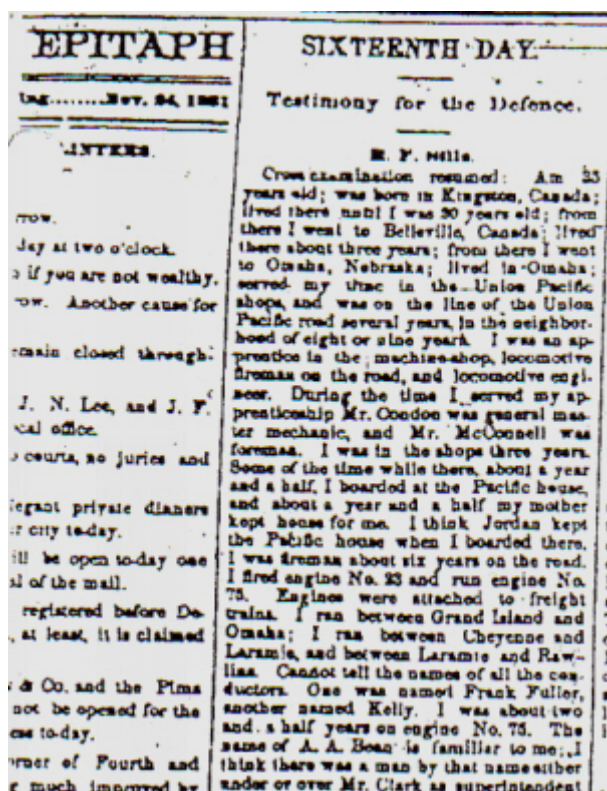
Judge Sills had earlier forbid any testimony as to the origins of the gunfight. After Sills' testimony cast doubt upon the cow-boy version--that the Earps shot down men in the process of putting their hands in the air and surrendering--the judge decided such ultimately decisive testimony would have to be allowed.

UGGET.		THE EARP EXAMINATION.	
EMER 21, 1901.		TWENTIETH DAY.	
Date of Ben- in west of Ben- p. m. W. Name transacted	Testimony for the Defense--Wyatt Earp and Doc Holliday Admitted to Hall--Cross-Examination of H. F. Sills.		
Exchange Broker's Par. 25 cts. 15 cts.	Court met at 9 a. m. Cross-examination of H. F. Sills resumed: Q. Where were you born? How old are you? A. I am 35 years old. I was born in Kingston, Canada. Q. How long did you live there? A. Until I was 20 years old. Q. Where did you go from there? A. To Belleville, Canada. Q. How long did you live there? A. I lived there about three years. Q. Where did you go to from there? A. To Omaha, Nebraska. I lived and served my time in the Union Pacific shops; I was in Omaha and on the line of the road between 8 and 9 years. Q. What business were you engaged in during that 8 or 9 years? A. I was an ap- prentice in the machine shop, a locomotive fireman on the road, and locomotive engineer. Q. During the time you were serving your apprenticeship, name the person or persons who had charge of the machine shop. A. Mr. Congdon was general man- ner mechanic, and Mr. McConnell was foreman. Q. About how long of that 8 or 9 years		
TABLE 6 a. m. every day 2 a. m. second day 3 a. m. third day 8 p. m. third day 21 a. m. sixth day 1 p. m. sixth day 1 a. m. eighth day 6 p. m. every day 20 a. m. third day 11 a. m. sixth day 25 p. m. sixth day 20 p. m. sixth day 7 p. m. seventh day 1 p. m. eighth day 22000. Arrive 1:25 a. m. Arrive 1:41 p. m. Line, Fourth street,			

If in fact Sills really happened to be an innocent bystander witnessing these events, his shock and chagrin would be understandable when he learned the intended victims of the cow-boys included the town marshal. Earp partisans point out that Sills should not be seen as a dream witness of overwhelming virtue. Rather he should be viewed as doing what any good citizen should do when overhearing assassination talk--report murder threats to the targeted officers, and later agree to testify at a hearing held to determine if murder charges against those officers were warranted. His testimony, Sills must have understood, would vindicate the law officers, showing them as acting with proper precaution as they approached men whom they had been told had been threatening their lives.

Critics of Sills

Due to the central role of Sills in Judge Spicer's decision,^x those who condemn the actions of the Earps and Holliday must discredit either his testimony or his identity. To this point only the former has been ventured, as very little is known about Sills beyond his own testimony. Amongst recent writers for example, Paula Mitchell Marks in her 1989 book, *And Die in the West*, expresses skepticism over Sills reporting the assassination threats to none other than Jim Earp, the Earp brother in Tombstone not involved in the gunfight.^{xi} She implies this is just too coincidental for someone supposedly neutral.



Johnny Behan biographer Bob Alexander goes much further than Marks, expressing suspicion about numerous aspects of Sills' evidence, including what he sees as the witness' attempts to make his place of residence and occupation insignificant and confusing. Alexander also questions the seeming miracle of Sills' testimony dovetailing perfectly with precisely "those elements which the defense set out to prove in their three-pronged trial strategy." The author concludes that Sills' testimony was "obviously a concocted recital," and "Sills was a party to committing perjury."

Alexander wonders incredulously how one can accept that Sills "gently floated into Tombstone exactly on time, landing precisely on the specific ground required for hearing the McLaurys' 'death threats,' and by unexplained mere chance, makes keen observations which had been denied to other --prosecution and defense witnesses alike." Alexander points out that Sills' opening testimony somehow just happened to contain all the "necessary precursors for the defendant's case," and with critical attention to detail--but that Sills is unable to answer simple

questions about details of his arrival into Tombstone. Alexander writes, "Sills' ability to vividly recall detail is quite remarkable, on others, although an oversight, he was not properly pre-programmed." The author also posits, "Logical analysis would question, if Sills was indeed almost 200 feet from the shooting," and "human eyesight is not quick enough to detail accurately the lightning actions, how could the gifted Mr. Sills methodically note Virgil (Earp) changing something as small as a cane from his right hand, and categorically deny observing the panicked gyrations of the horse at the other end of Frank McLaury's reins....The Achilles heel of Sill's sworn testimony is elementary; he was tutored incompletely, placing him in an untenable position."^{xii}

Alexander concludes with the case against Sills:

Credibility is strained inordinately past the legal standard of reasonableness in accepting the illogical deposition of Sills; just happening to be on furlough from his employment; residing in New Mexico; with no business in Tombstone; coincidentally arriving in "the town too tough to die: the day before the infamous "difficulty"; not able to identify the men he arrived with; witnessing threats heard by one else; basing the description of the conspirators on their appearance in death; seeking information from the unknown man; warning Virgil in secret; seeing what others failed to see; failing to see what others saw; testifying behind (after) Wyatt and Virgil; having only knowledge of the strategic defense points, discussing it all with the defendants' brother before testifying; and taking an oath before he said it.

The author conjectures that Sills may have had a Las Vegas, New Mexico connection to Wyatt Earp or Holliday, or mutual acquaintances, and that the connections between the so-called "Dodge City Gang" in Las Vegas and the Santa Fe R. R., Sills' employer, may be fruitful ground for research. Alexander, whose background is in law enforcement and criminal justice, sums up the case against Sills, discrediting his testimony by citing what he sees as contradictory and implausible evidence, although the author has no incriminating new evidence about the identity of the Canadian-born railway man.

Does the picture of Sills as a coached defense witness stand up to reasoned analysis? Would the Earps and Holliday, with their lives were in the balance, risk a perjured witness, and would they do so at the preliminary hearing, where there would be plenty of time for the prosecution to discover the conspiracy? It seems highly unlikely that defense lawyers would countenance perjury, at the risk to their reputations and their licenses. There can be little doubt that the prosecution, including the determined and talented Will McLaury, brother of Frank and Tom, checked out the numerous details of Sills' testimony, especially of his employment history. Tombstone was a telegraph wire away from contact with railway and other authorities in Omaha and elsewhere. No suggestion was made then, or in subsequent months, that Sills was lying about his identity.

H. F. Sills- Origins and Fate

Does Sills' testimony about his identity hold up under genealogical scrutiny? Several years of research into this question has given truth to the adage that the more you learn, the more you realize you don't know. There have been some new findings about Sills by the authors of this article--as one associate has put it, no smoking gun but smoke--but these findings raise at least as many questions as they answer. Investigations into Sills' origins and fate are ongoing, and thorough genealogical research by co-author Jane Matson Lee has opened up interesting possibilities. But much about this railway man, who had his Warhol-like fifteen minutes of fame, remains a mystery.

It should be pointed out that disappearance from the public record is not an unusual case in the history of this period. Indeed, the fates of several other Tombstoners from the town's halcyon days, some who played important roles in the saga of that legendary mining camp, are unknown. To cite one example, Tombstone city marshal Ben Sippy, who defeated Virgil Earp in the November 1880 election, took a leave of absence in June of 1881, and was never heard from again.^{xiii} Extensive research into Sippy's fate has yet to turn up irrefutable evidence about Sippy's post-Tombstone days.

The proverbial "smoking gun" ending all questions about Sills has not been found by the authors of this article. Sills' death record has not been located. Nor has a birth record been found in or near his stated birthplace of Kingston, Canada, in what was then the British colony of Canada West.

A search of Canadian records for the 1840s, the decade of Sills' birth in Canada, according to his testimony, shows no evidence of an H. F. Sills--although there are some birth records with

approximations of this name. All this assumes that the Tombstone court recorder whose words ended up in the Hayhurst transcription, and the *Epitaph* reporter covering the hearing, were not the same person (and there may be reason to believe from small differences in their versions, that they were not the same person), and that they transcribed Sills' first initials and age correctly. After all, a single error, a smudged letter, a sloppily written number, could call his name and/or his age into question. The closest match found in Canadian birth records during the 1840s is H. N. Sills, born 1848, full name Hiram Nathan Sills, who married Eliza Jane Sharp (born 1858 in Canada), on May 24th 1879 in South Fredericksburgh, Lennox, Addington County, Ontario, Canada. This couple produced a girl, born in 1880 in Canada. H. F. Sills claimed at the Spicer hearing to be 36 years old, placing his birth year in either late 1844 or in 1845. Neither H. N. Sills' birth year nor his whereabouts in or around 1879 match H. F. Sills' testimony, unless we accept the possibility that Sills' age was recorded incorrectly and/or he went back home to near Kingston to marry, and then returned to the American West. The evidence is simply lacking that H. F. Sills of Tombstone was this Hiram Nathan Sills.

Exhaustive searches of Ontario archives, interviews with those with the Sills surname in the Kingston area today, and searches of Sills family histories, have been unrewarding.^{xiv} Readings of the five Kingston newspapers for 1881-2 and following years reveal no visit home by Sills, nor any comment of a local boy making national news, as the O. K. Corral fight did. There are no Sills mentions at other times Wyatt Earp made national news, such as following the Sharkey-Fitzsimmons fight in 1896, his death in 1929, or the publication of Lake's *Frontier Marshal* in 1931. Attempts are on-going to link Sills to other Sillses in Iowa who originated in the Kingston area, and if this bears fruit, it will be published in a follow-up article in the future.

The image shows a handwritten document from the Office of Clerk of the Circuit Court, State of Iowa, Adair County. It is a 'RETURN OF MARRIAGE LICENSE' for Henry F. Sills and Eunice P. Parrish, dated March 8, 1878, in Stuart, Iowa. The document includes a signature of J. D. Hutchinson, Clerk of the Circuit Court, and a date of March 10, 1878.

Genealogical records uncovered by co-author Jane Matson Lee show a Henry F. Sills married Eunice Parrish in May of 1878 in Guthrie County, Iowa.^{xv} A son, William, was born to the couple, in Iowa, in September of 1879. In the 1880 census, in Stuart, Iowa, County of Guthrie, there can be found an H. F. Cills^{xvi} (sic), married to Unice (sic), born in Iowa, along with a nine month old son, William...born in Iowa. This H. F. was born in Canada, and his occupation is listed as a 'Railroad Fireman'. These items correlate with Sills' testimony regarding railroad occupations he performed. On the census his year of birth is given by the enumerator as 1855, making him appear to be ten years younger than he testified to at Spicer, but to read a "3" as a "2" is a common error by census takers. If Sills gave his age as 35, and if the

number was smudged, the age discrepancy of Sills in the 1880 census as compared to his O.K. Corral testimony is explained. Sills said he served his time in the Union Pacific shops for three years, then went on the road as a locomotive engineer. He moved around the country, and while none of the places he names are in Iowa, it is possible he met his bride elsewhere and went to her home to be married.

What happened to Sills after his testimony is a mystery, but recent findings lead to some informed speculation. Eunice Parrish Sills apparently went back to Iowa with her young son William. Was this to stay out of danger from what were incensed cow-boys, men who had proven capable of threats of violence, and even violence itself, against the Earps and their allies? Whatever caused her to return to

Iowa, Eunice Sills married George S. Edward on May 4, 1882, again in Guthrie County, Iowa. Author Lee has found a George E. Edmunds, a day operator for the trains in Stuart, Iowa. Was this George S. Edward?

If the remarried Eunice Edward is the former wife of H. Sills, were the Sillses divorced? Certainly divorce was common enough occurrence on the frontier, and this one may well have happened for any number of good reasons. Railway men are absent from home for long periods. Did he have an affair? Did she? Is William even the son of H. F.? The possibilities are endless. Since Eunice was not with her husband in Tombstone, and he did not testify to being married, was Sills already divorced by the time of the hearing? A search the various Iowa clerk's offices and other likely locations has not been successful.

Or was Sills dead by the time his Eunice remarried? Was his illness in Tombstone serious enough to kill him? Sills testifies that he is going to go back on the AT & SF Railroad line "on the tenth of next month." This may indicate a lengthy layoff, one imposed by the railway, indicating perhaps a serious illness. Sills apparently did not go to Tombstone to seek medical care, as in his testimony he says about his arrival in the mining town, "I had no business there." One might reasonably conclude from this comment that he had no plans to seek medical care--although in fairness, a narrow interpretation of the word "business" may not preclude his going to Tombstone to seek medical care. When he took ill with whatever ailed him, he was referred to Doc Goodfellow, who told him to go to the hospital close by (he said he walked to the court from there). Yet speculation about a terminal illness must take into account that he was mobile enough the day of the gunfight, showing no apparent debilitation, appearing in various places at different times.

Or was he a "lunger," like the better-known tuberculosis sufferer Doc Holliday, and was this what brought him to the Southwest in the first place, as researcher Woody Campbell has suggested? Did he disappear to die young and anonymously in some sanitarium? In the end, no evidence of Sills' consumption has been uncovered, so this must be classified, as so much else with Sills, as speculation.

Still other areas of speculation present themselves. Was Sills accosted and killed by vengeful cow-boy supporters who had already ambushed their enemies and committed murder? What happened to Sills' son? Attempts to find H. F. and Eunice's son William have failed. Perhaps his new stepfather adopted him and his name was changed. But subsequent efforts to find him in later census records have not been successful. And searches of the Spanish-American War records, when William would have been of prime cannon fodder age, have produced no results.

In the end one can be frustrated even further by asking whether Sills changed his name after the Spicer hearing to protect himself from the fate of Morgan Earp, assassinated by vengeful cow-boys? Did he change to Edwards, or Edmunds, or something else?

Verifiable Aspects Of Sills' Testimony



F. a in

Does telling the truth in some aspects of testimony indicate a pattern of truth-telling, thereby leaning toward confirmation of other aspects of the subject's testimony otherwise unverifiable? The authors have verified that Sills told the truth about two men he spoke about in his testimony:

I went to Omaha, Nebraska; lived in Omaha; served my time in the Union Pacific shops, and was on the line of the Union Pacific^{xvii} road several years, in the neighborhood of eight or nine years. I was an apprentice in the machine shop, locomotive fireman on the road, and locomotive engineer. During the time I served my apprenticeship Mr. Congden was general mechanic, and Mr. McConnell was foreman.

Although Sills himself is not listed in the Omaha directories for that period--possibly due to his itinerant duties or his sharing a room in a railway hotel--both Congden and McConnel are listed, performing precisely the jobs Sills reported:

1870
Isaac H. Congden
General Master Mechanic
Union Pacific
Resides St. Charles Hotel

1880
Isaac H. Congden
General Master Mechanic
Union Pacific
Resides at 1911 Chicago

1870
J. H. McConnell (note different spelling than in Turner)
Foreman, Machine Shop
Union Pacific
Resides 608 14th Street

In Sills' testimony, he indicates he stayed at the Pacific Hotel. One naturally assumes from the context that this hotel was in Omaha, Nebraska. However, the trainline or road went into Missouri. The Pacific Hotel chain was based in St. Joseph, Missouri, and was run by James Butler Kitchen, of the well-known Kitchen brothers, developers of hotels for railroad workers. Research into this hotel house needs to be undertaken to see if a man named Jordan, cited by Sills, in some way kept the hotel.



Further verifiable examples of Sills' veracity are available. In response to a question, Sills replied, "I think there was a white horse and one bob-tailed horse in the team between Benson and Charleston." A contemporary photo of just such a team exists, and is reprinted here.^{xviii} One cannot help but wonder about the identities of the men on top of the stage.

Conclusion



xix

The O. K. Corral gunfight grew in American lore over the years, and it seems like everybody and their uncle who was there had something to say. Even those who were not there, like Billy King, or infants of six months at the time, like Jack Ganzhorn, pretended to be, and claimed first-hand memories of it. While it may seem likely

that if Sills survived any length of time he would have written about it, or related it to someone who would have recognized its import, such lack of latter-day evidence is not unusual. Any number of Tombstoners present that momentous day continued to write for many years after, Clara Brown to cite an example, and apparently didn't write about the single most famous gunfight in the history of the American West. No real conclusions can be drawn from the lack of such reminiscences, and Sills may have lived out a full span of years past the final January 1882 sighting. But other signs point to at least a possibility of an early death, either from disease or violence. And the remarriage of a woman who may have been his wife is intriguing.

For those who speculate Sills was a phony witness, no real evidence has ever been presented, and such a scenario defies logic. Neither Fred Dodge in his memoirs nor Wyatt Earp in his 1926 Lotta Crabtree deposition--both of whom by then were coming in from the cold and relating the Wells Fargo undercover part of their story--indicated Sills as an associate. Would lawyers of high reputation like Thomas Fitch risk their licenses by countenancing perjured testimony? Were they, too, in the dark? Conspiracy theorists would say the lack of evidence doesn't mean anything, but the historian must have evidence.

And if telling the truth in some instances indicates overall veracity--a debatable proposition--Sills, where his testimony can be verified, told the truth.

The key questions remain unanswered: what was the ultimate fate of H. F. Sills, and what can such knowledge tell us about Tombstone following the Spicer hearing, including acts of cow-boy vengeance? Recent discoveries have simply served to make H. F. Sills even more of a mystery man than he was in 1881, but finding his ultimate fate may cause a re-examination of previous assumptions about the Tombstone story.

Acknowledgements

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ⁱ Lake's Introduction to Turner

ⁱⁱ Lake, *Frontier Marshal*, pp. 236-7

ⁱⁱⁱ Barra, *Inventing Wyatt Earp*, pp. 191-2

^{iv} Lake's Introduction to Turner

^v Only the *Nugget* cross-examination survives.

^{vi} For an interesting and controversial approach to understanding the divisions in the town, see Richard Maxwell Brown's, *No Duty to Retreat*, where the author describes the Earps as "violent point-men for the incorporating social and economic values represented by urban, industrial, Northern, capitalistic Tombstone, while the Clantons and the McLaurys (supported by their criminal allies John Ringo, Curly Bill Brocius, and others) were equally violent protagonists of the resistant rural, pastoral, Southern cow-boy coalition of Cochise County." Brown, p. 71.

^{vii} Barra, Preface, pp. 1-3.

^{viii} Alexander, pp. 163-8.

^{ix} For examples of this point of view, see Barra, Fattig, Shillingberg, and Tefertiller.

^x The other two officers present at the streetfight, Virgil and Morgan Earp, were recovering from wounds suffered in the gunfight and were not served at that time with murder charges.

^{xi} Marks, p. 283.

^{xii} Alexander, pp. 164-6.

^{xiii} See Troy Kelley's article on Sippy, *Tombstone's Unknown Marshal*, in the Winter, 2003, *WOLA Journal*, Vo. XI, Vol. 4.

^{xiv} This includes records from the town of Sillsville, which only begin in the twentieth century. According to Sills family historians, most North American Sillses can trace their origin to the Kingston, Ontario area.

^{xv} 1880 census for Iowa, township Stuart, County Guthrie. ...image number 158 A on film T9-0342.

^{xvi} While the late researcher Earl Chafin insisted Cills was the correct spelling, there are no records whatsoever of the name Cills in Canadian records from the period, but a veritable myriad of Sills entries.

^{xvii} The *Nugget* omits the name "Union Pacific."

^{xviii} This fascinating photo with exactly the team of horses in front described by Sills, is found at the Arizona Historical Society, sourced to the Tombstone Courthouse Museum. Although one Cochise County researcher has come to the conclusion that there was no such thing as the Modoc stage, it is described there as follows: *The famous Modoc coach at the Fairbank Restaurant. The Modoc was built in Concord, New Hampshire, and shipped around the Horn to California, where it was used for thirty years. "Sandy Bob" Crouch brought it to Tombstone in 1880. It had been held up "more times than any other stage that ever ran in the West," and was attacked several times after reaching Arizona. Bud Philpot, substituting for Bob Paul, was shot on the driver's seat of the Modoc in 1881. With four seats inside and three atop, the Modoc sometimes carried over thirty passengers. It was sent to storage in 1903 and was taken out thereafter only for ceremonial occasions.*

^{xix} *Las Vegas Optic* article discovered and provided by Bob Palmquist and Jeff Morey.