

## Wells W Spicer

Wells W Spicer was born about 1831 in Chemung, Tioga, New York. He was the fifth of six children of William Spicer and Seba Shaw. The family relocated to Tipton, Cedar, Iowa when he was about 9 years old.<sup>1</sup>

As a young man, Spicer worked as a clerk for William H. Tuthill, a respected lawyer, banker, and storekeeper. Under Tuthill's tutelage, Spicer was admitted to the Iowa bar in 1853.<sup>2</sup> That same year, Spicer and some associates began publishing the *Cedar County Advertiser*.<sup>3</sup> Spicer became the sole publisher and editor the following year, and sold his successful newspaper four years later.<sup>4</sup> After unsuccessfully running as a Democrat for county prosecutor in 1854, Spicer became a Republican and won the race for county judge in 1856.<sup>5</sup>

Wells was clerk, living in Center, Cedar, Iowa in 1850.<sup>6</sup> He was a lawyer and a militia volunteer, living with his mother and youngest sister, in 1856 in Center, Cedar, Iowa.<sup>7</sup> It was that year that he married Abby Jane Gilbert. In 1860, Wells and Abby were living near his brother George in Tipton, Cedar, Iowa, where Wells was an attorney.<sup>8</sup> In 1863, Wells is on the list of Civil War draft registrations from Tipton, Cedar, Iowa.<sup>9</sup> This was also the year that their only child was born, a son name Earnest.

In 1865, Wells was on the committee of men sent to St Louis regarding the Tipton Railroad, and wrote a report in the *Tipton Advertiser*.<sup>10</sup> After living in Onandaege City, Colorado, briefly, Wells left his family in Tipton and settled in Corinne City, Box Elder, Utah Territory, with his former fellow publisher, Charles Swetland, in 1869.<sup>11</sup> Wells was admitted to the Utah bar and specialized in mining suits and claims. He also started a hotel in Corrine City. He was joined by Abbie and Earnest soon after that.<sup>12</sup>

In 1870, Wells was a lawyer, living with his wife and child in Corinne, Box Elder, Utah.<sup>13</sup> Spicer and his family moved to Ophir City in 1871 and worked as a lawyer, as well as prospecting and starting a tunneling company.<sup>14</sup> Spicer continued his journalistic efforts, contributing to the Salt Lake *Daily Tribune* and *Utah Mining Gazette*.<sup>15</sup> In 1872, the

---

<sup>1</sup> A Tale of the "Unkilled": The Life, Times, and Writings of Wells W. Spicer, by Lynn R Bailey, 1999, p. 11.

<sup>2</sup> Ibid, p. 12.

<sup>3</sup> Ibid; *Knoxville Journal* [Iowa], 1 October 1855, p. 4.

<sup>4</sup> A Tale of the "Unkilled": The Life, Times, and Writings of Wells W. Spicer, by Lynn R Bailey, 1999, p. 14.

<sup>5</sup> Ibid, p. 13.

<sup>6</sup> United States Census, 1850.

<sup>7</sup> Iowa State Census, 1856.

<sup>8</sup> United States Census, 1860.

<sup>9</sup> US Civil War Draft Registrations Records, 1863-1865.

<sup>10</sup> *The Davenport Daily Gazette* [Iowa], 9 November 1865, p. 4.

<sup>11</sup> A Tale of the "Unkilled": The Life, Times, and Writings of Wells W. Spicer, by Lynn R Bailey, 1999, pp. 15-16.

<sup>12</sup> Ibid, p. 21.

<sup>13</sup> United States Census, 1870.

<sup>14</sup> A Tale of the "Unkilled": The Life, Times, and Writings of Wells W. Spicer, by Lynn R Bailey, 1999, p. 21.

<sup>15</sup> Ibid, p. 22.

family moved to Salt Lake City, where Wells was appointed US Commissioner by the Supreme Court, hearing cases mostly in Bingham.<sup>16</sup> In 1874, Wells leased the Rollins Mine, a defunct lead mine near Beaver. A profitable vein of lead and gold was struck, and the area was revitalized.<sup>17</sup> It was here that Wells became involved in the 1875 trial for John D. Lee and the Mountain Meadows massacre. More information about his involvement can be found in the book *A Tale of the "Unkilled": The Life, Times, and Writings of Wells W. Spicer*, by Lynn R Bailey, 1999, pages 54-98.

Abbie and Wells separated in 1876, although Wells considered himself still married years later.<sup>18</sup> He was renamed US Commissioner for Utah Territory by the Supreme Court in 1876; remaining in Utah until the end of his commission in 1878. Discouraged by the recent turn of events, Spicer left for southeastern Arizona Territory when he learned of a silver strike in Tombstone, Arizona.<sup>19</sup> On the 1880 census, Wells is living alone in Tombstone Village, Pima, Arizona.<sup>20</sup>

Wells was a partner in a Tombstone tobacco and stationery shop with Marshall Williams.<sup>21</sup> He furnished the capital for a daily newspaper in Don Cabezaz, Arizona.<sup>22</sup> He was appointed as a special correspondent for the newspaper *Arizona Daily Star* in January 1880, though earlier articles dealing with mining and bearing the names of "Utah" and "W.S." may well have been his. He resumed mining, prospecting and practicing mining law. He was named a justice of the First District Court in June 1880.<sup>23</sup> He was appointed a Commissioner of Deed for the state of Utah, to reside at Tombstone.<sup>24</sup> He was named first Master of King Solomon Masonic Lodge #5 in 1881.<sup>25</sup>

It was here that Wells became involved in another historic adventure – the gunfight at the O.K. Corral, in October 1881. A preliminary hearing, later nicknamed the "Spicer Hearing", began in November, presided over by Justice of the Peace Spicer.<sup>26</sup> More information about his involvement can be found in the book *A Tale of the "Unkilled": The Life, Times, and Writings of Wells W. Spicer*, by Lynn R Bailey, 1999. Another resource is *The Last Gunfight: The Real Story of the Shootout at the O.K. Corral-And How It Changed the American West*, by Jeff Guinn, 2012.

---

<sup>16</sup> *A Tale of the "Unkilled": The Life, Times, and Writings of Wells W. Spicer*, by Lynn R Bailey, 1999, p. 37.

<sup>17</sup> *Ibid*, p. 51-52.

<sup>18</sup> *Ibid*, p. 132.

<sup>19</sup> *Ibid*, p. 99.

<sup>20</sup> United States Census, 1880.

<sup>21</sup> *The Last Gunfight: The Real Story of the Shootout at the O.K. Corral-And How It Changed the American West*, by Jeff Guinn, 2012, p. 241.

<sup>22</sup> *The Salt Lake Herald*, 18 November 1881, p. 4.

<sup>23</sup> *A Tale of the "Unkilled": The Life, Times, and Writings of Wells W. Spicer*, by Lynn R Bailey, 1999, pp. 101-109.

<sup>24</sup> *The Record-Union* [Sacramento], 19 February 1880, p. 3.

<sup>25</sup> "A Brief History of Our Lodge". King Solomon Territorial Lodge No. 5.

<sup>26</sup> *A Tale of the "Unkilled": The Life, Times, and Writings of Wells W. Spicer*, by Lynn R Bailey, 1999, p. 131.

When his term as a territorial district judge expired in 1882,<sup>27</sup> Wells returned to prospecting, first in Arizona and then Mexico. He spent three months in Sonora, Mexico, visiting places of interest.<sup>28</sup> Wells put all of his resources into a mine in the Quijotoa Mountains<sup>29</sup> near Tucson, Arizona, and there he lost everything.<sup>30</sup>

There is no true documentation of his death, but there are several legends. One mentions his drowning in 1881,<sup>31</sup> which is impossible because we know he was alive in 1882. Another states he committed suicide near Quijotoa.<sup>32</sup> It was widely believed that in his destitution, Wells wandered into the Sonoran Desert in Arizona in January 1887 and died of thirst or starvation.<sup>33</sup>

In 1887, the *Arizona Daily Star*<sup>34</sup> reported Wells as disappeared: "About three months ago Judge Spicer left Quijotoa for Covered Wells. While there he visited Bill Haynes's cabin and made two attempts to commit suicide but was prevented by Haynes. He told Haynes there were other ways to kill himself, and leaving the cabin struck out for the mountains. Haynes offered a him grub stake to take with him, but he refused to take any. Since that time nothing has been heard of him in any of the surrounding camps and the supposition is that he has perished from exposure."<sup>35</sup> Supposedly, these two attempts to commit suicide were prevented by Bill Haynes.<sup>36</sup>

One theory suggests that Spicer, who had a history of evading creditors, planned his "suicide" by pretending to be despondent while at Haynes' cabin and then quietly made his way to Mexico (possibly Ures) where he spent the rest of his days.<sup>37</sup> Another historian reports that Wells' body was found in Ajo, Arizona in 1885.<sup>38</sup>

-----

An after note: In 1932, the Arizona Historical Society brought a truckload of old documents, maps, letters, pictures, and newspapers, from Tombstone to the office. One map was of the Bronkow Mine, beautifully done in colors by Wells Spicer.<sup>39</sup>

---

<sup>27</sup> *The Last Gunfight: The Real Story of the Shootout at the O.K. Corral-And How It Changed the American West*, by Jeff Guinn, 2012, p. 297.

<sup>28</sup> *Arizona Weekly Citizen*, 5 November 1882, p. 2

<sup>29</sup> *Arizona Weekly Citizen*, 23 February 1884, p. 3; 3 May 1884, p. 3.

<sup>30</sup> *The Last Gunfight: The Real Story of the Shootout at the O.K. Corral-And How It Changed the American West*, by Jeff Guinn, 2012, p. 297.

<sup>31</sup> *Images of America: Tombstone*, by Jane Eppinga, 2003, p. 59.

<sup>32</sup> *The Arizona Champion*, 23 April 1887, p. 2; *Tombstone Daily Epitaph*, 14 April 1887, p. 1.

<sup>33</sup> *Murder in Tombstone: The Forgotten Trial of Wyatt Earp*, by Steven Lubet, 2006, p. 219.

<sup>34</sup> Quoted in the *Arizona Weekly Citizen*, 16 April 1887, p. 2.

<sup>35</sup> *San Francisco Chronicle*, 16 April 1887, p. 6.

<sup>36</sup> *Images of America: Tombstone*, by Jane Eppinga, 2003, p. 59.

<sup>37</sup> *A Tale of the "Unkilled": The Life, Times, and Writings of Wells W. Spicer*, by Lynn R Bailey, 1999, pp. 132-136.

<sup>38</sup> Weiser, Kathy. "Old West Lawmen"; *Murder in Tombstone: The Forgotten Trial of Wyatt Earp*, by Steven Lubet, 2006, p. 219.

<sup>39</sup> *Arizona Historical Review*, Vol 5, No 4, January 1933, p. 345.



Judge Wells W. Spicer (Image from Wikimedia Commons)

Judge Wells Spicer one of the old timers of Tombstone committed suicide near Quijotoa a few days since.

(Excerpt from the *Tombstone Daily Epitaph*, 14 April 1887, p. 1)

The Star notes the mysterious disappearance of Judge Wells Spicer from the Quijotoas, and expresses the belief that he has committed suicide or else has wandered away during a mental aberration and perished through exposure. He has not been heard from for several months,

(Excerpt from the *Arizona Weekly Citizen*, 16 April 1887, p. 2)