

# ARIZONA'S SIX-GUN CLASSIC

By CON P. CRONIN

**A Vivid Personal Narrative of the Historic Duel Between Pete Gabriel and Joe Phy, Famous Old-time Peace Officers**

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For forty years now, whenever two or more old-time Arizonans met and the conversation touched the topic of personal encounter, just so surely was the epic of he-man gun fights, the classic encounter between Pete Gabriel and Joe Phy, recounted. In all the annals of that chivalrous period of the eighties, producing such gun fighters as the Earp boys, the Clantons, Doc Holliday, Billie Breakenridge, Henry Garfias and the horde of lesser luminaries who blazed for one brief period, no single encounter achieved the perfection of technic of combat as this encounter in Jack Keating's Tunnel Saloon in the quiet old town of Florence on the soft spring evening of May, '88.

I have heard this tale oft-told many times by "old-timers" who were not even in the territory at the time of its enactment, each time in the first person, but always different. I have heard the fight vividly described by Jack Keating, the lone eye witness to the beginning of the encounter, have listened to Dave Gibson's account of his entrance and exit in the drama, and have heard the tale by camp-fire and home fireside, always lacking in the one great essential—the cause—the soul—of the encounter.

While visiting in the city of Globe recently I listened with absorbing interest to a recital by Judge Hinson Thomas of the details and side lights of this celebrated duel that occurred in May, 1888. His story of that outstanding classic of six-gun fights in the days when each man's grievance was his own to settle in the manner ordained by the code, throws full light on the causes leading thereto. Judge Thomas, who is now U. S. Commissioner and City Judge of Globe, was County Recorder of Pinal County, of which Florence was the county seat, at the time Gabriel was sheriff; was a friend of both men, but particularly of Pete Gabriel, whom he classified as the bravest and most fearless man he had ever known. The victor in many desperate encounters, he was always in the right, his friends claimed, and that his victims would be his victors but for Gabriel's quick eye and steady trigger-finger. On two occasions he had been known, single-handed, to hold off a mob desperately intent in taking

from him the man in his custody. Pete Gabriel was a native of Alsace-Lorraine, coming to this country with his parents when a very small child. Both parents died within a week from some pestilential fever while crossing the plains in the early fifties, near Plattsville, Wisconsin; Pete being cared for and carried to California by an emigrant party.

Joe Phy had been a minor peace officer and known gunman, but was driving the sprinkling wagon in Tucson at the time he and Gabriel first met. Gabriel, who was then Sheriff of Pinal County, offered Phy a job as his deputy and took him with him on his return to Florence. Phy always claimed that Gabriel promised that he would make him (Phy) sheriff when he (Gabriel) retired from office. Shortly prior to the election at which Phy aspired to be elected sheriff, he brutally abused and maltreated a man whom he was arresting, beating him so badly that for a time it was expected the victim would die. Gabriel, as sheriff, placed Phy under arrest, taking from him his gun and knife and cancelling his appointment as deputy sheriff. Presumably this was the incident engendering in Phy a hatred of Gabriel that became an obsession—a mania—and it is reported that at the time of his arrest by Gabriel, Phy offered to fight it out with Gabriel “as men fight,” to which Gabriel laughed, remarking “Joe, this is only part of my job.” A little incident some time prior to this started the breach between friends that only ended in John Keating’s Tunnel Saloon on that mild May night in ’88. Phy was the owner of a suitcase—something new in those days, and of which Phy was inordinately proud. On a sudden trip to California Gabriel borrowed this grip without the consent of the owner, and upon his return Phy “called” Gabriel for his presumption. One word led to another and the friendship of the men was snapped.

After his arrest by Gabriel, Phy never neglected an opportunity to abuse and blackguard Gabriel, behind his back and within his hearing, with the evident intention to provoke Gabriel to make a play. Phy was ambidextrous, using either hand with equal dexterity, and was a crack pistol shot with both. He spent hours and days practicing with his six-gun, and was known as a dead shot. He was the proud owner of a very fine bowie knife, especially made for and presented to him by the well known sporting goods firm of Will and Fink. Judge Thomas related an incident to illustrate the remarkable quality of this knife. On one occasion Phy placed two new silver dollars

on the bar at Keating's saloon, and with two quick blows cut each dollar in two parts, without leaving a nick or blemish on the knife.

Gabriel knew that Phy was after him and was out to "get" him, and singular as it may appear, and fearless as he was known to be, he avoided every occasion that might lead to a conflict. The entire town of Florence knew the relations between the men, and knew that it was but a question of time before they came together. Phy boarded with Pete Brady at this time, and on one occasion, it was related by Judge Thomas, early in the evening of a day when he had been especially moody, he took his shot-gun from the corner, slipped it full of buck shot shells and started for the door. In reply to Brady's inquiry as to his object he replied: "I am going to kill that damned son-of-a-bitch, Pete Gabriel." Brady told him that if he did that he need never to return to his home, and his respect for Brady, or the sudden clearing of his mind to the danger he might encounter, prompted him to return the shot-gun to its place.

At the time of the fatal encounter Gabriel was operating a gold quartz mine, and had come to town to pay some bills, purchase supplies, and incidentally meet old friends. To resume in the words of Judge Thomas, as near as I can remember:

"Pete had been drinking all day with a bunch of the boys, and Sidney Bartelson had kept Joe advised from time to time of Pete's condition and whereabouts. Joe never drank himself, never took a drink as far as I know, and never used tobacco. I was playing whist with a couple of drummers at the hotel, half a block away, about eight o'clock in the evening, when I heard two shots, so close together as to appear as almost one. We dropped our cards and ran. When I got to Keating's saloon Pete was standing about mid-way between the door and the edge of the sidewalk, with his feet spread, arms hanging down, his gun in his right hand. Just as I got to him he began to sag and sink, slowly, like a half-filled sack of grain. I reached and took his gun from his hand, not knowing what a man in his condition might do. Phy was in the street, but a few feet away, and had raised upon one elbow as Dave Gibson approached him. I heard Dave ask the question: "Are you hurt much, Joe?" Phy replied: "Go away from me you murdering son-of-a-bitch!" and made a slash at Dave, cutting him to the bone in the leg above the knee.

"This is the story of actual facts before they became distorted and changed from many repetitions. As I said before, Pete had been drinking all day, Phy knew it and knew where he

had been. Pete told me afterwards that once he had looked out the window at the back of the saloon and had seen Phy looking in, watching him. He knew that Phy was after him, and decided to remain in the saloon, believing that the minute he stepped out the door Phy would pot him. Gabriel was standing at the bar, drinking with a friend, and was nearest the front door. Suddenly the swinging doors were kicked in and Phy appeared, with his gun in one hand and his bowie knife in the other. His first shot struck Pete in the left breast, just below the heart and going through his lung. To show Gabriel's wonderful dexterity with a gun, after Phy's first shot, and before he could shoot again, Pete had pulled and fired his gun, his first shot striking Phy in the pit of the stomach. The swinging doors by this time had swung to behind Phy and he continued firing, his second shot striking Pete low on the right side, hitting a rib which deflected it, although the rib was afterwards found to be splintered, and this wound caused him the most trouble. The third and fourth shots both hit the mark, one in the body and one through the wrist. The shock of the first shot momentarily stopped Gabriel, but he continued to advance toward Phy, firing as he advanced. A singular incident added to the uncertainty of the aim of both men. The first or second shots put out the lights in the saloon, and the subsequent shooting was in semi-darkness. As Gabriel neared the door and reached out for Phy, Joe turned, crashed through the swinging doors and pitched across the sidewalk, where he fell. When I took Pete's gun I noticed that two shots remained, and sometimes afterward I mentioned it to Pete, asking him why he stopped shooting, to which he replied that he was too weak to shoot again.

“Phy died about two o'clock the next morning, his last word being an inquiry as to whether Gabriel would live. Assurance from the doctor that Pete's hours were numbered was the solace that wafted Joe into the unknown. We had a hard time getting medical aid for Pete, as the town doctor was a particular friend of Phy's and would not attend Pete, so we had to send down to the Sacaton Agency for a doctor.

“After the fracas was over Phy's best horse was found, saddled and bridled, at the back of the corral, next door to the saloon, all ready for a quick get-away. It is my honest belief that Phy, in his insane hatred for Pete, intended, after killing him, to cut his head off. Gabriel, as you know, fully recovered and lived for many years, dying but a few years ago in his

cabin in the mountains near the old Silver King Mine where he was developing some claims.”

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Such is a personal narrative by a reliable witness of an epochal affray in the days of the six-gun, when the personal differences between friends were the concern of nobody else; when the law of personal equation was balanced by a dexterous wrist, a quick eye and GUTS.