

the 1800's

The earliest records in safekeeping at the police department date back to 1881. Before that, the law enforcement in the county was provided for by the Sheriff's Department, which was established in 1850. From our records we know that U. S. Marshals were assigned to cover the township of San Luis Obispo. A primary marshal was appointed and he hired deputy marshals at his discretion, depending on the need. Thanks to Jack Krege's contribution of historic reference for our website, we've learned the following:

From 1868 to 1872 John J. Schieffery was appointed as the Town Marshal by the Board of Town Trustees. Mr. Schieffery was also the Township Constable, a position that was paid for by the county.

The Town Marshall became an elected position with a term of one year, beginning in May 1872. The salary was \$30 per month. The marshal was required to post \$1,000 bond before assuming office. The Town of San Luis Obispo rented an office for the marshal. It was located in a building at Monterey and Morro Streets, the site of today's Anderson Hotel. The office entry was located on Morro Street. The town's prisoners were held in the county jail.

TOWN MARSHAL

1872 – 1873	John P. Lewelling*
1873 – 1874	Elliot D. Major
1874 – 1875	John P. Lewelling
1875 – 1876	Elliot D. Major**

(*he was the township constable in 1860)
(** the pay was raised to \$60 per month)

DEPUTY TOWN MARSHAL

1869	David Dunbar*
1873	Frank Grady
1874	John Wanh

(*he was also a Deputy Sheriff)

TOWN NIGHT WATCHMAN*

1870 – 1872	W. M. Farmer
1872 – 1874	F.F. Fine**
1874 – 1876	Jacob Bump

(* 9:00 PM to sunrise, 7 days a week)
(* * the pay was \$30 per month)

When the city was incorporated in 1876, the job titles became City Marshal and Policeman. The City Marshal's office was on the second floor of City Hall on Higuera Street when it opened in 1879. The City Jail was located on the first floor behind the area used by the Fire Department. The jail consisted of a shackle room and three cells. The entrance to the jail was reached by an alleyway on the south side of the building.

CITY MARSHAL

1876 – August 1877	A. C. McLeod
August 1877 – April 1878	Frank Grady*
1878 – 1879	Jacob Bump
1879 – 1881	George W. Robbins

(*Appointed by State Governor office to fill vacated position)

POLICEMAN

1876	Jacob Bump
1877	Jacob Bump & John Dunbar
1878	F. De La Guerra & Elliot D. Major
1879	Frank Grady & Zenobia A. Pico
1880	Frank Grady & T. Berger

Before 1850, and for some time after that, the communities formed vigilance committees to enforce order when criminal activity was serious. These committees were made up of townspeople who lived in the community that was affected by the crimes. Each household joined together to find the persons responsible for the problems. Justice was swift—most instances of this type were dealt with by a public hanging of the culprit. If a household was unwilling to help in the recovery of such lawbreakers, they were no longer in the circle of protection and if they had a problem in the future, they were on their own.

In one notorious case in 1848, a group of sailors from Monterey murdered the entire Read family in their home. Mr. Read had returned from mining in the Sierra Nevada Mountains with several thousand dollars in gold. He was a very hospitable and talkative man who told of his adventures in the gold country and showed the sailors, who happened to be passing through, all the gold he had brought back. The sailors requested to stay the night and Mr. Read graciously made them

feel welcome. In return for his hospitality, the sailors murdered him, his wife, her nurse (she had just given birth), the newborn infant, two children, and a manservant. When the crime was discovered, the vigilance committee tracked them to a beach in Carpentaria and killed all who were involved in the murders. One of the vigilantes was killed and others were wounded in the battle. One of the sailors plunged into the surf and tried to swim out to sea. A bullet was sent out to him and he went down, food for the sea monsters. The vigilance group was so incensed with the evil this group had committed that they didn't even afford them a burial. They left them on the beach for the vultures and coyotes to take care of.

As far back as 1881, when the marshals were serving the city, our department has preserved the Police Court Dockets, i.e., the arrest records and trial entries. The types of arrests are surprisingly similar to today's offenses:

- The all time favorite, then and now, is drunk and disorderly
- Malicious mischief
- Battery (one case noted a violin as the weapon)
- Carrying a concealed weapon
- Riding a horse on the sidewalk, driving a team on the sidewalk
- Indecent exposure of person
- Petit larceny, grand larceny, gambling
- Drawing a knife on an officer
- Under 18 in a saloon playing cards
- Fast riding on streets, or bridge
- Under 18 and being in a dance house
- Passing a slingshot to a jail prisoner
- Using obscene/vulgar language in the presence of ladies, an officer, or on a public street
- Keeping a house of ill fame or visiting a house of ill fame (sometimes worded as keeping a disorderly house)
- Operating an opium den or visiting an opium den
- Embezzlement
- Vagrancy and mooching
- Enticing a minor female into a house of ill fame
- Rioting on the sidewalk
- Loose stock on the streets
- Refusal to work
- Urinating on the street, making fires on the street
- Violating Sunday laws (mostly by selling liquor out of a saloon)

Some of the above sound familiar to officers serving today I'm sure. Fines or jail time were levied for all the above, most warranting a \$5-\$10 fine or five to ten days in jail—most definitely NOT the same as today!

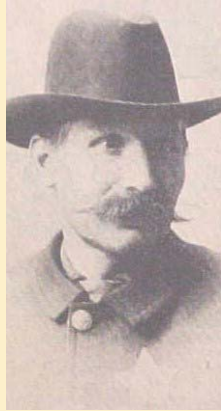


Five U.S. Marshals, May 15, 1895

Photo by a local photographer whose last name was Arnold.

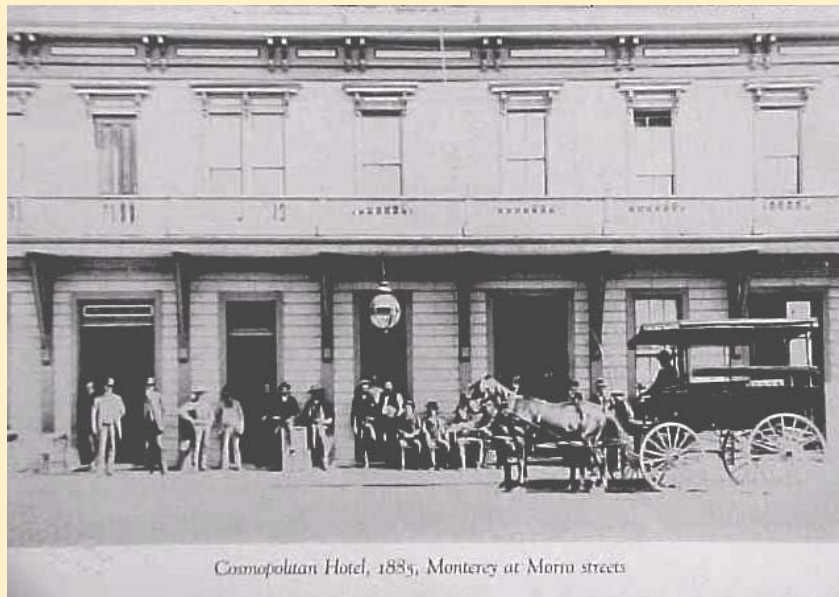
These are five of the marshals who served in the 1890's. Pictured left to right: Jonathon Franklin Park, Fire Engineer for the SLOFD, his job included working as a policeman; Robert Henry Pruitt, policeman; James W. Cook, City Marshal 1894-1900; Ambrose A. Fox, mounted policeman, he rode the police horse and was the Deputy Poundmaster; and James W. Crawford, policeman. They were the complete force for the day. Dressed in the first uniforms of the Police Department, made by David P. Thurber, whose shop was at 718 Higuera. The uniform consisted of navy blue pants and a navy blue coat with brass buttons. A blue hat was also worn, each uniform cost \$21. The city paid \$7 toward the purchase and the employee paid the rest.

This picture was given to the Telegram courtesy of J. Pruitt. Their pictures and the following stories involving the marshals have been sent to the U.S. Marshall Service and have been entered into the National Archives.



Marshal Robert Pruitt

This is what the well dressed policeman was wearing in the 1890's. This picture of Robert Pruitt appeared in the Tribune courtesy of John Pruitt.



For many years in the early 1880's, Marshal Frank Grady served the city. He played an important part in the molding of the city's law and order. He figured time and again in the quelling of some desperado's wild doings. According to an article in the Telegram of 1885, his quick draw and cool nerve saved his life. The article reads as follows:

"Because Frank Grady arrested a famous desperado commonly know as 'Big John,' he had been warned by

friends that the latter had threatened to kill him on sight. Some time later, he passed his former prisoner, who was having his shoes shined in front of the Cosmopolitan Hotel and, remembering the warning, was on the alert. Big John had not forgotten and with his heavy boot, kicked the bootjack against Grady as he passed by. Grady said nothing and sauntered on up the street to a saloon where now the Hotel Drug Store stands. He entered, keeping his eye on the door as he leaned up against the bar.

“As he expected, Big John followed him and upon John re-passing the saloon, called to him, ‘Looking for someone, John?’ With this query, Big John reached for his gun but his hand never touched the holster for he dropped with two bullets through his heart from Grady’s gun.”

In the Evening Breeze (the forerunner of the Telegram/Tribune) of December 1895 an article ran about two brothers by the name of Cook. The article was titled, “A Clever Capture.” At the time, one of the Cook boys was a constable and the other was a marshal. The story is titled “Shell Game Workers Arrested at Port Harford” (now Port San Luis). Note the verbiage used back then, it’s interesting to see how things were expressed.

“For some time past, the dock at Port Harford has been the scene where all the ‘sure thing’ gamblers and bunko men of this coast have been plying their trade on innocent country men and the knowing ‘sucker,’ who always knows he is right. Complaints have been brought to the officers of this city (San Luis Obispo) from time to time by the many victims and the officers have made several attempts to capture the trickish fellows, but were always frustrated by the gamblers having confederates in this city who warned them whenever the officers tried to affect their arrest.

“Constable Cook has been quietly planning to put a stop to the nefarious pursuits of these rascals and has succeeded in placing in jail three of the ‘smoothest, sure-thing’ gamblers on the coast. W. Childers and Dave Gaxiola were deputized by Constable Cook and sent to Port Harford yesterday morning to arrest any gamblers who might be applying their wily avocation.

"Arriving at the port, the officers took a walk around the dock and found their man running a shell-game near the hotel. Mr. Childers watched the game a few minutes and apparently seemed much interested, when he was approached by a 'capper' for the game and asked to play. Mr. Childers informed the 'capper' that he didn't have enough money to play with them but would borrow some from his partner and went in quest of Mr. Gaxiola, who was waiting developments some distance away. The gamblers became suspicious and closed the game before Childers and Gaxiola returned and started down to the hotel. On arriving at the hotel they went into the bar-room followed by Childers and Gaxiola who then informed them they were under arrest.

"The bar-room was crowded with steamer passengers at the time and in the crowd one of the culprits darted through a side door and struck off up over the hills on a run. The officers didn't miss him for a few minutes and when his absence was noticed, Mr. Childers being unable to find him in the crowd, procured a field-glass and scanned the hill-side and spied the fleeing man as he was going over the hill. They made no attempt to capture the escapee at that time as his confederates required their attention until the arrival of officers from this city, who had been telegraphed for.

"Superintendent Johnson put a special engine (Ed. Note: you could get there by train at that time) at the disposal of Marshal Cook and that gentleman went at once to Port Harford and brought the arrested men to this city and landed them in jail.

"After Marshall Cook had taken the prisoners from Childers and Gaxiola, the two latter went in quest of the man who had escaped from them but, as he had an hour and a half's start on them, they were unable to capture him and returned home on the 4:15 train.

"Marshal Cook and Constable Cook mounted their saddle horses and followed the railroad track towards Santa Margarita and when near the Stenner Creek Bridge saw two men just crossing that structure and they hastened to intercept them. The men discovered the officers in pursuit

and they started up the track. The officers were down in the canyon below the bridge and had to tie their horses and climb the high banks, on which the track is built, and the pursued men had a good start, when the officers reached the track. The Cook brothers, nevertheless, are game and started on a run for their men. They soon gained on them, and getting within range, began to shoot toward the fleeing men to try and frighten them into giving up, but it made them go all the faster. The officers then became determined to beat them at foot racing, and after a hard run of a mile, captured their men.

"The men were arraigned before Judge Egan this morning and given time to plead, with bonds fixed at \$500 each. They failed to procure the necessary bail and were sent back to jail.

"The capture of these men adds one more mark to the already enviable reputation of our officers and they deserve all the praise that can be bestowed on them.

"Messrs Childers and Gaxiola are deserving of much compliment for the way in which they affected the capture of these men also, and it shows them to be shrewd, fearless officers."

Because the article above does not mention any first names in regard to the Cook brothers, it's impossible to know which Cooks they were. However, the Cook family has a long history of service to law and order in the city and county. The records at the police department list three men serving as marshals in the city with the name of Cook at various intervals. The first Cook to appear was Eugene Cook in 1881; the second was James W. Cook in 1894. The third was William Franklin Cook in 1906.



Chief W. F. Cook, 1911

It's reasonable to conclude that the marshal in the story was James Cook as the paper was dated in 1895. This man was very probably a relative of the first Police Chief, W. F. Cook. The other Cook mentioned as a constable worked with the sheriff's department. In those days there was a great deal of overlapping responsibilities as jurisdictions were more fluid and not set in stone.

