

A HISTORY OF THE LA CROSSE POLICE  
DEPARTMENT: THE FIRST FORTY YEARS

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## ABSTRACT

This paper traces the development of police protection in La Crosse, Wisconsin, from its incorporation as a city in 1856 to the creation of the Police and Fire Commission in 1897. The research done to complete the paper indicates that police protection improved during the first forty years of the city of La Crosse, and the citizens of the city caused this improvement to take place through pressure exerted on the City Council.

Materials used for research included newspaper articles, City Council proceedings, State Statutes, original letters and documents of the Police and Fire Commission, personal interviews and several secondary sources. Accumulation of material proved difficult because no one has previously undertaken a study of this magnitude. The major problem encountered proved to be the gathering of material because of the failure of the Police and Fire Commission to catalog records and the La Crosse papers to index back issues.

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## INTRODUCTION

Law enforcement has always been an important issue in the minds of La Crosse citizens. Those citizens have historically regarded police protection as a major ingredient of a well-governed area or city. In its history the region has been under the influence of several major military and civilian police forces. From the days of frontier governmental jurisdiction to the establishment of a permanent police force, the city has witnessed dynamic changes in its protective organization. As La Crosse grew from a small trading settlement to a major Wisconsin city, the police force changed in scope and purpose. The government provided military rule to insure protection from Indians, and this purpose was dominant until removal of Indian influence and the introduction of civilian police rule. The establishment of law enforcement under civilian authority came gradually. Community concern and political pressure were instrumental in the creation of a police force for the city. The Common Council created a group whose original duties included greeting newcomers and supervising celebrations. Later police duties changed to include investigation of crimes and protecting persons and property. Police procedures varied considerably from 1856 to 1897. An early resident seldom came into direct contact with the law, but as La Crosse grew and the department grew with it, police became an every day

sight on the streets. A policeman in early La Crosse positioned himself at one of the major centers of disembarkation and noted all new faces in the city. As transportation became more advanced and methods of entering the city more numerous, policemen began to patrol hotels and bars which visitors frequented.

By the end of the nineteenth century, a professional police force replaced the military protection provided by Congress in the early 1800's. Meantime La Crosse created its first permanent police force with a chief of police in 1870. In 1897 the Common Council authorized formation of a Police and Fire Commission. This action diminished political pressures on the force which had plagued it for twenty-seven years. La Crosse police history faced problems throughout its unfolding. Issues relative to organization, civilian interference and at times massive criticism necessitated frequent departmental changes. But overall police protection has been adequate to meet the needs and concerns of La Crosse citizens.

## Chapter 1

When Nathan Myrick built his small cabin at the site of State and Front Streets in 1842 and became the first permanent white settler, Indians still populated the La Crosse area. These were the Winnebagoes who had inhabited the region many years before Myrick decided to establish a trading post. Even as La Crosse grew into a fair-sized community, Indians continued to frequent the area. At first they provided an economic incentive because of trade with the white population, but later they became a cause of concern because of their desire to remain in the vicinity.

Prairie La Crosse, named after a game which Indians played on its location, started as a small trading post and grew into an important Wisconsin city.<sup>1</sup> Myrick left reminiscences of early La Crosse. He remembered the region for its natural beauty and for its economic potential. He wrote of building a lucrative trade with the Indians in the vicinity, and added comments about encounters he had when Indians took exception to his presence.<sup>2</sup> In 1842 Myrick hired Ira Brunson to survey a townsite at Prairie La Crosse.<sup>3</sup> With

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<sup>1</sup> Albert H. Sanford and H. J. Hirschheimer, A History of La Crosse, Wisconsin 1841-1900 (La Crosse: La Crosse County Historical Society, 1951), p. 9.

<sup>2</sup> Biographical History of La Crosse, Trempealeau, and Buffalo Counties. (Chicago: Lewis Publishing Co., 1892), p. 549. On one occasion an Indian pulled a knife on Myrick with the intent of killing him. He pretended to have a gun behind the counter, and the Indian left quickly.

<sup>3</sup> Ibid., p. 552.

this survey and increased white settlement, La Crosse grew gradually into an important trading, logging and railroad center. Myrick left La Crosse in 1848, but his influence on the area remained.<sup>4</sup> He had established a permanent white settlement and surveyed the region for future settlers.

The state created La Crosse County in 1851, separating it from the control of Crawford County. The county held elections for the first time that year, marking the initiation of county government for La Crosse.<sup>5</sup> By 1856 the village had reached a population of 3,000 and had incorporated as a city.<sup>6</sup> Incorporation allowed La Crosse to establish city offices distinct from county jurisdiction and with this incentive the city grew steadily through the 1800's. Incorporation ended an era of scattered settlement and uncertainty as to the future, but problems of government and services became foremost in the minds of local residents.

The Northwest Ordinance of 1787 was important to Wisconsin because it provided a system of government under whose protection Wisconsin grew in population until the establishment of the Wisconsin territory in 1836. The Ordinance provided a method whereby Wisconsin eventually attained

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<sup>4</sup>Sandford and Hirschheimer, op. cit., p. 29.

<sup>5</sup>Benjamin F. Bryant, Memoirs of La Crosse County (Madison: Western Historical Association, 1907), p. 46.

<sup>6</sup>Ibid., p. 186.

statehood, and it created laws for the territory then under Congressional supervision.

Wisconsin entered the union in 1848. Prior to that year military protection proved instrumental in encouraging settlement and growth in Western Wisconsin. After the War of 1812 Congress authorized construction of military forts in Chicago, Green Bay and Prairie du Chien, and Fort Snelling in 1819.<sup>7</sup> The Army stationed four companies of infantry at Green Bay and Prairie du Chien, and the La Crosse area came under the jurisdiction of Fort Crawford at Prairie du Chien.<sup>8</sup>

By 1820 Prairie du Chien had a population of two hundred in addition to the militia stationed there.<sup>9</sup> Duties of Fort Crawford were to "enforce the Federal Government's Indian policy and to regulate the fur trade".<sup>10</sup> In 1826 a new stone fort replaced the original structure.<sup>11</sup> The government expanded the duties of the garrisons to include protection against British influence and Indians, to patrol Indian country, to cut roads and to support civilian units of government under their jurisdiction.<sup>12</sup> Forts provided a visible deterrent to hostile Indians and a method of law enforcement for the frontier. Soldiers maintained peace in an area where

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<sup>7</sup>Robert C. Nesbit, Wisconsin A History (Madison: The University of Wisconsin Press, 1973), p. 81.

<sup>8</sup>Ibid.

<sup>9</sup>Ibid.

<sup>10</sup>Ibid., p. 83.

<sup>11</sup>Alice E. Smith, The History of Wisconsin, Vol. I, From Exploration to Statehood (Madison: State Historical Society, 1973), p. 98.

<sup>12</sup>Ibid., p. 101.

people otherwise had difficulty providing civilian law.

When Wisconsin became a territory in 1836, it instituted a system of territorial courts to supplement military jurisdiction. Governor Dodge headed the executive department, and the judicial branch consisted of a Supreme Court, district courts, probate courts and justice of the peace courts.<sup>13</sup> This system which was under Congressional control provided legal authority for the new territory. Crawford County, which included the La Crosse area, had a population of 850 in 1836, and soldiers provided law enforcement for the county.<sup>14</sup>

Wisconsin's statehood in 1848 did not drastically change control of law enforcement for the La Crosse area. But when the state authorized creation of La Crosse County in 1851, major jurisdictional changes took place. These changes came with the assumption of state control and the diminution of Congressional supervision. An important milestone in La Crosse law enforcement history began in 1851. The first La Crosse County Sheriff, A. Eldred, elected in 1851, marked a change in responsibility for law enforcement and protection passed from the state to the county government.<sup>15</sup> In 1851 also, the Congress provided for a Circuit Court. Hiram Knowlton served as first judge for the area.<sup>16</sup> Prior

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<sup>13</sup>Ibid., p. 248.

<sup>14</sup>Ibid., p. 250.

<sup>15</sup>Bryant, p. 51.

<sup>16</sup>Bryant, p. 104.

to this time there were no courts in La Crosse. Instead in 1844 "Scoots" Miller, a local landowner and businessman, served as Justice to supply necessary legal presence for the small settlement.<sup>17</sup>

Between 1842 and 1856 La Crosse recorded numerous crimes in its records. Written accounts indicated that several murders occurred. Other less violent crimes committed by whites and Indians are also on record. The first murder reported in the La Crosse area happened in 1851 when an Indian killed Robert D. Lester, the Sheriff of Crawford County. Advised of the murder, Colonel Davenport, commander of Fort Crawford at Prairie du Chien, sent a detail to search out the assailant. Failing to find him, the soldiers took a local Chief to the fort as a hostage. The tribe then relinquished the criminal, Fort Crawford released the Chief, and army authorities dealt with the Indian at Fort Crawford.<sup>18</sup> Although instances of this type were not common occurrences, the military continued to deal with Indian matters. Justices from La Crosse handled civil and criminal problems within their jurisdiction. In 1849 Peter Cameron killed another raftsmen in a dispute over unclaimed logs.<sup>19</sup> Another murder in the same year took

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<sup>17</sup>History of La Crosse County (Western Historical Co., Chicago, 1881), p. 357.

<sup>18</sup>Ibid., p. 351. An Indian approached Lester and demanded Lester's lunch. Lester refused and the Indian murdered him.

<sup>19</sup>Ibid., p. 378.

place at Onalaska when Andrew Grover stabbed a log thief named Samuel Richardson.<sup>20</sup>

Not all legal problems were of as serious a nature. On the frontier the conflicting parties often settled their own squabbles. The authorities did not receive reports of numerous crimes. Settlers often took the law into their own hands. For instance, in 1849 a distressed husband shot Chance Stafford for "occupying a position in the tent to which no stranger should be admitted".<sup>21</sup> He also shot and wounded his adulterous wife. Stafford refused to identify his assailant, thus the husband never faced trial.<sup>22</sup> Residents had problems with Indians also, but these encounters were more annoying than they were dangerous to the settlers. For instance, Indians followed women back from their gardens and entered kitchens to beg for food.

When Sheriff Eldred remanded a visitor to the county jail after its construction in 1851, the lack of security created another problem for law enforcement. The first jail was a one-story stone structure, measuring 15 x 15 feet, built against the back of the county courthouse.<sup>23</sup> "The prison was notorious for its security, as being built upon sand it was a comparatively easy matter to dig out beneath the walls.

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<sup>20</sup>Ibid., p. 395.

<sup>21</sup>Ibid.

<sup>22</sup>Ibid.

<sup>23</sup>Ibid., p. 419.

To the question, 'How many escaped last night?', the reply would invariably correspond to the number confined."<sup>24</sup> The city built a new jail in 1858. It measured 45 x 67 feet and had sixteen cells, each 6 x 9 feet with two hammocks in each cell.<sup>25</sup> When the county officials built a new courthouse in 1868, they attached a new jail to it.<sup>26</sup>

Probably the most infamous crime in early La Crosse occurred in 1852. William Watts, a transient from Galena, murdered David Darst, a local farmer. The Sheriff arrested Watts and took him into custody where a mob threatened to lynch him. President Lincoln later pardoned Watts when he enlisted in the army, and no one ever saw him in the area again. Darst became the first person buried in Oak Grove Cemetery.<sup>27</sup>

Wisconsin incorporated La Crosse as a city in 1856. As a municipality it was responsible for establishing a viable government and for forming a civilian police force. Even though La Crosse was still a small city, the next twenty years provided growth that brought economic prosperity and urban problems. The city grew from a rural, sparsely populated village to a center of cultural refinement for its citizens and pleasure for its visitors. Transportation and

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<sup>24</sup>Ibid.

<sup>25</sup>Ibid.

<sup>26</sup>Ibid.

<sup>27</sup>Ibid.

industry brought to La Crosse raftsmen, loggers and railroad workers who sometimes turned the quiet river city into a place of opportunity for persons whose motives were often questionable.

## Chapter 2

The years from 1856 to 1870 brought problems that caused concern for the citizens. Some Indians continued to live in the area frightening women by holding war dances at La Crosse.<sup>28</sup> The growth of the lumber industry, railroading and streamboat traffic increased the number of strangers unwelcome to the majority of citizens. The landscape was dreary.

"At first neither shade trees nor lawns softened the bleak landscape. Everywhere were patches of creeping vines and tall, coarse grass brightened here and there in spring by blossoms of wild flowers."<sup>29</sup>

Summer winds blew sand over the city, and winter snows isolated it from other centers of population. In spite of the physical difficulties the ambitions of early settlers and the continued presence of new arrivals allowed La Crosse to grow rapidly.

As the population grew, demands for improved facilities grew also. Improved streets and sidewalks, mail delivery and schools were among topics most discussed by La Crosse residents. Rev. Spencer Carr in A Brief Sketch of La Crosse, Wisconsin, published in 1854 lists the population of La Crosse as 745.<sup>30</sup>

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<sup>28</sup>Sanford and Hirschheimer, op. cit., p. 57.

<sup>29</sup>Ibid., p. 59.

<sup>30</sup>Rev. Spencer Carr, A Brief Sketch of La Crosse, Wisc'n Showing the Location of the Place (La Crosse: Q.C. Rogers, 1854), p. 28.

Number of Heads of Families in	
La Crosse and Vicinity	301
Number of Single Gentlemen	78
Number of Single Ladies	38
Number of Male Children	159
Number of Female Children	169
Total	<u>745</u>

Rapid population growth caused talk of incorporation. In 1854 the mayor appointed a committee of seven to draft a charter for a village government, but La Crosse was growing so rapidly the populace passed by incorporation as a village and drew up a charter for incorporation as a city.<sup>31</sup> On March 7, 1856, Dr. Dugal C. Cameron introduced a bill for city incorporation in the assembly and on March 14, the Governor signed the bill into law allowing La Crosse to become a city.<sup>32</sup> Several provisions in the Act of Incorporation dealt with police protection. Chapter 2, Section 1, entitled "Elections" stated, "The elected officers of said city shall be a mayor, a clerk, Treasurer, Superintendent of Schools, Police Justice, Marshall, and justice of the peace and one constable for each ward".<sup>33</sup> This section of the Act of Incorporation established specific law enforcement officers for the newly-formed city.

The charter also listed specific duties for the officers charged with law enforcement. The mayor as city executive was in charge of the police.<sup>34</sup> The city marshall "shall perform such duties as shall be presented by the Common Council for the preservation of the public peace and the collection of license money and fines".<sup>35</sup> Voters elected Peter Burns city

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<sup>31</sup>Sanford and Hirschheimer, p. 85.

<sup>32</sup>Ibid., p. 86.

<sup>33</sup>City Clerks Records, City of La Crosse, Vol. 1, Chapter 2, Section 1, 1856.

<sup>34</sup>Ibid., Vol 1, Chapter 3, Section 2, 1856.

<sup>35</sup>Ibid., Vol. 1, Chapter 3, Section 6, 1856.

marshall. He replaced the Sheriff as chief police officer for the city.<sup>36</sup> Because there was no standing police force, enforcement of the law was expanded to include several other persons.

The mayor, Sheriff of La Crosse County, each and every alderman, Justice of the Peace, Marshall, Constable and watchman, shall be officers of the peace and suppress, in a summary manner, all rioting and disorderly behavior within the limits of the City, and for such purpose may command the assistance of all bystanders, and if need be of all citizens and military companies, and if any person, bystander, military officer or private shall refuse to aid in maintaining the peace when so required, every such person shall forfeit and pay a fine of fifty dollars.<sup>37</sup>

Although the original charter provided for a fire department, there was no provision for a permanent police force until 1870. According to the laws of the city, voters elected a city marshall, and each ward had one elected constable to oversee problems in his district. Watchmen, hired by the Council, usually for a short time, helped during celebrations or times of crisis. These first attempts at law enforcement were sufficient because they gave the residents of La Crosse a feeling of security and well-being. The police contingent was not large, but early in the history of La Crosse as a city major problems were not common.

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<sup>36</sup>La Crosse Tribune, October 28, 1962.

<sup>37</sup>City Clerks Records, Vol. 1, Chapter 3, Section 13, 1856.

As La Crosse matured, police became more important to the city. Because of its rapid growth and river location, La Crosse became a center of entertainment for devious characters. Loggers came to spend their earnings and gamblers, looking for a center of economic affluence, followed. Prostitutes settled in La Crosse because of the abundance of men to whom money meant pleasure.

In these years there gathered at La Crosse, a frontier town and place of transit, many 'tough' characters, both men and women. Besides, there was a certain element among the lumberjacks that came in the spring to spend the winter's earnings in a wild debauch. <sup>38</sup>

"In consequence, on the streets near the river front there were places where disorder, brawling, gambling, and indecent behavior were in evidence."<sup>39</sup>

Saloons, gambling casinos and houses of prostitution became important businesses in La Crosse in the 1850's. The appearance of these establishments caused a great deal of concern among the permanent residents. A conflict arose between the citizens of the city and those persons who were using La Crosse as a stop-over point. La Crosse on one side strove for cultural refinement, but on the other front fast became notorious for loose living and immoral atmosphere. This confrontation of social forces led to one of the most

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<sup>38</sup>Sanford and Hirschheimer, p. 72.

<sup>39</sup>Ibid.

disgraceful incidents in La Crosse history. On July 6, 1857, two to three hundred citizens met on Courthouse Square and set out to rid La Crosse of questionable influences. The citizens burned a house of prostitution called the St. Charles and set fire to other houses in the area.<sup>40</sup> This example of vigilante justice shocked citizens and brought on yet another problem in law enforcement.

Reaction to the July 6 incident was immediate. On July 7, 1856, the Common Council met in special session to sort out the problems of the night before. The mayor stated, "Our city is bordering upon a state of anarchy and confusion which it is the duty of every good citizen to frown upon and aid in putting down".<sup>41</sup> Several resolutions followed during the heated meeting. The Council passed one resolution calling for a night police force of ten men to "detain all suspicious and disorderly persons" and a fine of \$100 for anyone who falsely represented a policeman. Another resolution also provided that no one "who was known to have been present and aided in the disturbance of the past night" could be appointed to the force.<sup>42</sup> Also passed was a resolution offering a reward of \$100 for information leading to the conviction of persons who set fire to the buildings and another directed closure of

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<sup>40</sup>John G. Gregory and Thomas J. Cunningham, West Central Wisconsin - A History (Indianapolis: S.J. Clarke Publishing Company, Inc., 1933), p. 602.

<sup>41</sup>City Clerks Records, Vol. 1, Special Meeting, July 7, 1857.

<sup>42</sup>Ibid.

all saloons by 11:00 p.m.<sup>43</sup> The Common Council handled a major confrontation by bolstering the police force and legislating order. Permanent police were still unnecessary according to the council, and on November 20 all special members of the police force received discharges.<sup>44</sup> George Staley and Francis Blake were appointed as night policemen at \$40.00 per month.<sup>45</sup> Special police and watchmen, hired by the mayor, checked doors and assisted the city marshal. The burning and destruction of July 6, 1857, did not close the saloons nor did it pacify the moral indignation of La Crosse citizens. It did, however, illustrate problems that La Crosse had to face concerning better city ordinances and a better means of law enforcement. The reputation of the city did not improve during the next decade. As more transportation avenues entered the city, more saloons and houses of prostitution came too, and even though another incident of this type did not occur, tenseness remained between the permanent residents and the visitors.

The late 1850's were no more quiet in La Crosse than the years before, but an uneasy peace remained between the residents and the transients. La Crosse finished a new jail, modeled after the tombs in New York, to accommodate the criminals,

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<sup>43</sup>Ibid.

<sup>44</sup>City Clerks Records, Vol. 1, November 20, 1857.

<sup>45</sup>Ibid.

and a newspaper reported several guests at the city jail.<sup>46</sup> Newspapers also reported cases from Police Court with regularity, and accounts of law suits, rape and other serious crimes filled the Circuit Court.<sup>47</sup> The main story reported in 1859 was that of the Kniefer family whose five members the County Court charged with the murder of a trespasser. The trial dragged on through a change of venue from La Crosse to Juneau County and back to La Crosse, and finally led to the dismissal of a court committee because they allowed several members of the family to leave jail.<sup>48</sup> Reports also commented on confrontations and fights in bars along the waterfront. One customer of the Julien Barroom challenged another to a duel because he told the other patron his brains were "somewhere other than his head".<sup>49</sup> Very little mention in the press is made concerning duties of the city marshall.

Police protection did not change in La Crosse during the 1860's. Civil War was of major interest throughout the nation, and La Crosse was no exception. Business flourished, and the population continued to expand during the war years. Citizens turned their attention to balls for military companies, and the general excitement of war occupied conversations.<sup>50</sup> The presence of military companies and a case of patriotism

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<sup>46</sup>La Crosse Daily Union, October 27, 1859.

<sup>47</sup>Daily Union and Democrat, November 18, 1859.

<sup>48</sup>Ibid., and Ibid., November 23, 1859; November 26, 1859; December 21, 1859; and December 24, 1859.

<sup>49</sup>Ibid., November 27, 1859.

<sup>50</sup>Sanford and Hirschheimer, p. 93 - 95.

led to more quiet times during the 1860's. Newspapers turned their reports to the war, and they dedicated very little space to the permanent portion of the population who violated city law.

The organization of police protection remained constant during the 1860's. The mayor added and dismissed night watchmen as circumstances dictated, and the city marshall continued as the major law enforcer in La Crosse. In 1862 the council raised the marshall's salary to \$400 per year, and in 1865 and 1868 his salary increased to \$500 per year and \$600 per year respectively.<sup>51</sup> On April 5, 1864, with the prospect of conscription a likelihood, La Crosse's Common Council voted to help the city marshall avoid possible draft. The council voted to find a substitute for him in the event of his draft or to appropriate \$300 from city funds to pay for a replacement if the government required the marshall to enter military service.<sup>52</sup>

After the conclusion of the Civil War groups of citizens again turned their efforts toward development of permanent police protection. On May 8, 1868, Guisbert Van Steenwyck, William J. Lloyd, J. W. Weston and Rufus Douglas and forty others presented a petition to the council for an increase in

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<sup>51</sup>City Clerks Records, Vol. 2, March 31, 1862, March 31, 1865, March 13, 1868.

<sup>52</sup>Ibid., Vol. 2, April 4, 1862.

police protection.<sup>53</sup> After discussion of the petition a resolution followed: "Resolved, that the mayor of the City of La Crosse be and he is hereby authorized to appoint at least three additional policemen for immediate duty".<sup>54</sup> The motion and petition were referred to the Committee on Police made up of Aldermen George Leach, John S. Bantam, and W. Tillman.<sup>55</sup> The council tried to pacify the petitioners by passing another resolution calling for the city marshall to include in his duties getting rid of gamblers, prostitutes and others who frequented houses of ill fame.<sup>56</sup> Even though the council passed this resolution, it was an impossibility for one person to carry out the provisions of it. On June 12, 1868, a report of the Committee on Police stated, "We leave to report they (the committee) have investigated the matter (earlier petition) and would recommend that the prayers of the petitioners be not granted".<sup>57</sup> The council, therefore, dismissed a petition of La Crosse citizens for increased police protection as unnecessary. Citizens and the press continued to ask for additional police, but each time councilmen denied the petitions. Persons signing petitions were well respected and established La Crosse citizens. On August 13, 1869, a petition signed by Cadwallader C. Washburn, S. L. Nevins, Gideon Hixon,

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<sup>53</sup>Ibid., Vol. 3, May 8, 1868.

<sup>54</sup>Ibid.

<sup>55</sup>Ibid.

<sup>56</sup>Ibid.

<sup>57</sup>Ibid., Vol. 3, June 12, 1868.

and thirty-five others presented another problem for the Council asking for five additional police.<sup>58</sup> In spite of obvious pressure by politically influential citizens the aldermen denied passage 8 to 3.<sup>59</sup>

The La Crosse Evening Democrat also viewed with alarm the moral climate in La Crosse. During the 1860's several articles appeared calling attention to the types of characters in La Crosse and asking for increased law enforcement. It called for closing houses of gambling and prostitution when a local citizen was shot by a "well-known gambler and pimp".<sup>60</sup> The article went on to say, "There are lots of hard cases here, who commit all kinds of crime and walk unmolested in our streets".<sup>61</sup> The paper blamed Republican councilmen for the city's condition, and the newspaper further editorialized, "Will our citizens have to take the law in their own hands and enact the reign of 1857 once again?"<sup>62</sup> Articles warning citizens of criminal elements were numerous. In January, 1870, the newspaper observed that "Our city is unusually quiet this winter, and free from rows, burglaries, etc. But look out for this summer".<sup>63</sup> Newspaper pressure helped excite public opinion. When two girls were arrested for drunkenness, the paper again took the issue to the public. "When every neighborhood is

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<sup>58</sup>City Clerks Records, Vol. 3, August 13, 1869.

<sup>59</sup>Ibid.

<sup>60</sup>La Crosse Evening Democrat, December 11, 1869,

<sup>61</sup>Ibid.

<sup>62</sup>Ibid.

<sup>63</sup>Ibid., January 13, 1870.

covered with these sink holes and when every block has at least one-third saloons we deem it a public duty to cry out against these things and have them abated".<sup>64</sup> Newspaper articles and editorials were instrumental in continuing pressure for an expanded police force.

Aldermen did not succumb to the pressure. They continued to hire special police as before, and avoided all attempts to increase the size and change the organization of the police force. Holiday policemen were most common. July 4th was a special holiday. It called for a city celebration which many times ended with persons being arrested for drunkenness. Special policemen J. W. Polliyer, Adam Jacobus, O. Wissenger, D. Dorr, D. Clark, John S. Bantam, John Coady, Charles Walters, J. Arnot and S. R. Cambell, hired for \$2.00 each, helped with the celebration on July 4, 1868.<sup>65</sup> When the city council created the police force in 1870, several special policemen hired as permanent officers were former special police. Two proposals, a depot policeman hired by the mayor and a police fund established as a separate account to pay special police, passed the council.<sup>66</sup> This acted to calm those who had asked for increased protection.

La Crosse became an extremely populated city. In 1870 the

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<sup>64</sup>Ibid., March 9, 1870.

<sup>65</sup>City Clerks Records, Vol. 3, May 13, 1868.

<sup>66</sup>Ibid., Vol. 3, July 9, 1869.

census shows 7,785 persons as the population, and talk of annexing North La Crosse into the city increased.<sup>67</sup> With an increase not only in population, but land area as well as an evident possibility, current police protection appeared inadequate to meet the needs of La Crosse residents. Political pressure, public concern and newspaper pressures all contributed to put extreme force on the council. On January 14, 1870, Alderman David Law introduced a resolution calling for appointment of a committee of three to write a proposed statute amending the city charter. The amendment provided for a Chief of Police to replace the city marshall.<sup>69</sup> The mayor appointed Aldermen Law, C. B. Solberg and John Langdon who constituted the committee. At a special council meeting on February 7, 1870, the committee submitted its report on the bill which the council adopted unanimously. Theodore Rodolf, assemblyman from La Crosse, worked for its passage in the legislature.<sup>70</sup>

For several years citizens had asked for an enlarged police force, and for many years the council had denied it. In a rapid series of events in early 1870 La Crosse had its first Chief of Police. Newly elected Mayor Theodore Rodolf in his inaugural address of April 12, 1870, summed up the sentiment of La Crosse's citizens by stating,

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<sup>67</sup>Sanford and Hirschheimer, p. 206.

<sup>68</sup>City Clerks Records, Vol. 3, January 14, 1870.

<sup>69</sup>Ibid.

<sup>70</sup>Ibid., Vol. 3, February 7, 1870.

Our city, from its location on the Mississippi River, and being the terminus of two railroads, becomes necessarily the headquarters of a heterogeneous mass of people whose avocations are frequently the reverse of honest, and the good name of La Crosse has long suffered from their depredations and lawlessness. Our police force has been entirely inadequate, yet let us hope that much was charged against the safety and morality of our city has been greatly exaggerated.<sup>71</sup>

That same day Rodolf nominated John Simonton as La Crosse's first police chief. Aldermen unanimously confirmed Simonton, who combined all law enforcement activities under his direction.<sup>72</sup> A special council meeting on April 26 decided on police uniforms consisting of a blue cap, coat and vest and a white metal star.<sup>73</sup> Councilmen voted to pay for caps and badges, but the officers had to supply their own coats and vests. The necessary cost of seven caps was \$28.00. This expenditure was the first made by the council for the newly formed department.<sup>74</sup>

Public reaction to a police force and a police chief was immediate and favorable. The La Crosse Evening Democrat voiced its approval on April 14th in an editorial.

The indomitable Chief, John S. Simonton, has selected the following reliable men for policemen in this City, and they will receive their orders tonight and go on duty. We are pleased to see that four

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<sup>71</sup>La Crosse Evening Democrat, April 13, 1870,

<sup>72</sup>City Clerks Records, Vol. 3, April 12, 1870.

<sup>73</sup>Ibid., Vol 3, April 26, 1870

<sup>74</sup>Ibid.

nations are represented. The Irish, German, Norwegian and American officers cannot fail to give satisfaction.<sup>75</sup>

The first police force consisted of Adam Jacobus, first day patrolman, Theodore Loomis, second day patrolman, Tom Daley, first night patrolman, Henry Clem, second night patrolman, George Knudson, third night patrolman and Peter Moe, stationed at the depot.<sup>76</sup> The Democratic paper also acknowledged Simonton's confirmation with a rebuke for Republicans by saying,

Our Republican contemporaries which were so well posted in regard to the Chief of Police business and counted on a row in the Democratic party in consequence thereof, are now quietly chewing the cud of bitter disappointment for John S. Simonton was confirmed unanimously.<sup>77</sup>

Police protection in La Crosse changed after 1870. From 1856 to 1870 La Crosse had outgrown its first attempt at law enforcement. The change that took place in the city charter and law enforcement in general did not come about easily. Violence and vigilante law marred the early years of incorporation, and violent acts and many violent people inhabited the city. Growth of La Crosse had caused problems as well as improvements in city government, but by the end of the 1860's La Crosse entered a new era. Public pressure and growth led

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<sup>75</sup>La Crosse Evening Democrat, April 14, 1870.

<sup>76</sup>Ibid.

<sup>77</sup>Ibid., April 12, 1870.

to the creation of a police force. Police department changes would have taken place eventually, but citizens caused the council to act more quickly than it would have on its own.

### Chapter 3

Police Chief John Simonton wasted little time before he started enforcing laws under his jurisdiction. Simonton's first order of business included several raids on houses of gambling and prostitution. Raiding these houses proved to be a wise political move because public support was immediately forthcoming. On April 28, 1870, police carried out their first raid, and The La Crosse Evening Democrat commented at once.

It does our soul good to record this the  
first great work of our gallant police,  
who deserve all the praise words can  
bestow for breaking up one of the meanest  
and most dangerous holes in the city.<sup>78</sup>

May 7th and 8th, 1870, marked two more raids, one on an establishment named the "Red Light".<sup>79</sup> The Democratic newspaper again praised the department and asked for public support to rid the city of bars and houses.<sup>80</sup> The newspapers reported police activities daily. Most arrests involved drunks, prostitutes and petty thieves. Police department business was not above criticism, however. Republicans in La Crosse accused Simonton of warning Democrats when raids were to take place while allowing only Republicans to be arrested in the houses.<sup>81</sup>

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<sup>78</sup>Ibid., April 28, 1870.

<sup>79</sup>Ibid., May 7, 1870.

<sup>80</sup>Ibid.

<sup>81</sup>Ibid., May 8, 1870.

In 1870 La Crosse had sixty-five saloons and ten liquor stores.<sup>82</sup> Raids on casinos and houses of prostitution occupied much of the new department's time. A raid that proved of particular interest took place on July 12, 1870, when several wealthy businessmen referred to as "ten old cocks" fell victim to a police raid.<sup>83</sup>

Praise for the new chief and his force appeared regularly in newspaper articles. On June 4, 1870, noting the fact that no arrests had occurred the night before, The Democrat commented that "vice is being cleaned out here".<sup>84</sup> On June 30, 1870, The La Crosse Evening Democrat summed up the first two months of law enforcement under John Simonton by saying,

Today ends the second quarter of the year and the first two months and a half of our police force, organized under a chief, and today the police justice paid into the City Treasury \$714 in fines collected by him from different prisoners brought before him. This is one quarter's fines and is nearly three times as much as for the entire year previous, there being but \$268 collected in fines from April 1st, 1869 to April 1st, 1870.<sup>85</sup>

Wages paid to the police amounted to \$420, but the officers cleaned out two houses and a gambling "hell".<sup>86</sup> La Crosse

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<sup>82</sup>Ibid., June 17, 1870.

<sup>83</sup>Ibid., July 12, 1870.

<sup>84</sup>Ibid., June 4, 1870.

<sup>85</sup>Ibid., June 30, 1870.

<sup>86</sup>Ibid.

became a more orderly city in the first few months following creation of a permanent police force. Arrests for drunkenness and prostitution were common, but citizens' complaints of inadequate law enforcement declined. The summer months of 1870 passed without major incident, and the paper commented about lack of arrests and the fact that law officers were "getting fat".<sup>87</sup>

John Simonton exerted his influence on the force in the first years of its existence. Officers, now distinguished by uniforms and stars, patrolled the bars and stayed in the public eye. Officer Peter Moe, positioned at the depot by the chief, watched for unfamiliar faces entering the city, and Chief Simonton warned citizens arrest would follow any loud noise at the Pomeroy Opera house. He stationed an officer there to enforce the rules.<sup>88</sup>

Few rules limited officers. Policemen could not drink on duty or they would be dismissed.<sup>89</sup> Another rule directed officers not to spend too much time in bars because "officers lose prestige when they allow pimps and thieves to treat them".<sup>90</sup> On June 1, 1870, the city provided the police with Smith and Wesson pistols.<sup>91</sup> Simonton enforced the rules, and on June 20,

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<sup>87</sup>Ibid., August 6, 1870.

<sup>88</sup>Ibid., April 14, 1870.

<sup>89</sup>Ibid.

<sup>90</sup>Ibid.

<sup>91</sup>Ibid., June 1, 1870.

1870, he discharged Officer Jacobus for dereliction of duty and disobeying orders.<sup>92</sup> Peter Wirtz replaced Jacobus immediately.<sup>93</sup>

Criminals provided citizens with a common sight when the chief took them to pile rocks on 4th and Main Streets.<sup>94</sup> The chain gang served as punishment to some, and it was a non-prejudiced operation as noted by a newspaper comment that "the white, red and black races all had representatives on the chain gang" that worked on October 3rd.<sup>95</sup> Law enforcement continued to attract public interest, and the press reported daily on arrests listing persons who spent their evenings in the "Hotel de City".<sup>96</sup> The jail offered shelter to drunks and other criminals, but security was lacking because patrons drank liquor supplied by visitors.<sup>97</sup> Arrests were numerous, and the six month report of the police department showed \$1,544.50 paid into the city, and 340 days of labor served on the rock pile.<sup>98</sup>

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<sup>92</sup>Ibid., June 20, 1870.

<sup>93</sup>Ibid.

<sup>94</sup>Ibid., September 13, 1870.

<sup>95</sup>Ibid., October 3, 1870.

<sup>96</sup>Ibid., October 7, 1870.

<sup>97</sup>Ibid.

<sup>98</sup>Ibid., October 15, 1870. Prisoners served a combined total of three hundred and forty man days of labor.

The department met with some criticism. A man, arrested by Officer Theodore Loomis, accused the officer of brutality and drunkenness, but citizens were unconcerned about the incident.<sup>99</sup> In another instance Loomis again came under attack when accused of causing damage to a home and assaulting a lady.<sup>100</sup> The investigation cleared the officer of any wrongdoing.<sup>101</sup> Criticism by citizens seldom occurred, and Marcus Pomeroy, the editor of the La Crosse Evening Democrat, praised the department and Officer Loomis in these words, "Our city previous to the establishment of a police force, has long been noted for its gang of rascals, but now there is no more quiet and orderly city on the river".<sup>102</sup> Chief Simonton, a one time alderman and army colonel, held his job for one year. The office of chief was a political appointment, and when Alexander McMillan became mayor in 1871, he replaced Simonton with E. A. Tenney. By the time Simonton finished his year as chief of police he had collected \$2,213.94 in fines and reported 540 days served on the rock pile.<sup>103</sup> In that year he had established a modern law enforcement system in La Crosse.

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<sup>99</sup>Ibid., October 15, 1870.

<sup>100</sup>Ibid., December 27, 1870. The complaint stated that Loomis attacked the woman of the house with a hatchet and a club.

<sup>101</sup>Ibid.

<sup>102</sup>Ibid., October 19, 1870.

<sup>103</sup>Ibid., March 30, 1871.

Not only were the chiefs political appointees, but the officers frequently received assignment as a result of a mayoral election. The force appointed by Tenney in 1871, consisted of Frank Hatch, I. L. Usher, Fred Knudson, Dan Kevin and E. A. Bates, all replacements.<sup>104</sup> Henry Clem returned to replace Usher when the latter resigned a short time after appointment.<sup>105</sup> Republicans praised the new department and accused the previous Democratic police force of not being concerned about needs of La Crosse citizens.<sup>106</sup> The Democratic paper responded by defending Simonton's term in office and by criticizing the new police force. Editor Symes later praised law enforcement in La Crosse generally because they were one of the forces responsible for creation of the department originally.<sup>107</sup> Among individuals who had a reputation of being above political bickering was Captain Frank Hatch. Both parties described him as a policeman not a politician.<sup>108</sup> When he resigned from the force in October of 1871, one newspaper reported that his enemies in the criminal element were threatening to "maul the ground with him, cut his throat, draw and quarter him, shoot holes in him, and blow ashes in his eye".<sup>109</sup>

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<sup>104</sup>Ibid., April 13, 1871.

<sup>105</sup>Ibid., April 15, 1871.

<sup>106</sup>Ibid., April 14, 1871.

<sup>107</sup>Ibid., April 17, 1871.

<sup>108</sup>Ibid., June 7, 1871.

<sup>109</sup>Ibid., August 1, 1871.

Hatch responded that should they try, the city would have numerous paupers' funerals.<sup>110</sup> He later rejoined the police department and served as chief from 1874 to 1884.<sup>111</sup>

The 1880's in La Crosse continued much as the 1870's. Arrests made by the now accepted police force pertained mostly to drunkenness and disorderly conduct, but La Crosse experienced one of its blackest hours in 1884. The Blaine and Logan Clubs of La Crosse rallied in celebration of an election in Ohio, and Frank Burton, a well-respected businessman, led them. Within a few hours Burton died of gun shot wounds, and Nathaniel "Scotty" Mitchell, a riverman, woodsman and previous trouble-maker, lay dead, lynched by a mob. A newspaper reported the incident on October 17, 1884:

It was a little after 8 o'clock. The assassin stepped out of the crowd on the sidewalk from the opposite side of the street and walking across to where Mr. Burton stood raised a revolver and fired. The bullet either must have taken effect through his breast or through the head. Mr. Burton fell to the pavement when the murderer fired six shots (and by some reports eight) at the prostrate body of his victim. Having emptied one revolver he threw it savagely at his victim and continued to fire bullet after bullet from the other until three were fired. He then kicked the murdered man two or three times and was heard to say,<sup>112</sup> 'G-d D--n him he knows what I shot him for'.

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<sup>110</sup>Ibid.

<sup>111</sup>The La Crosse Tribune, July 3, 1932. Payment of officers in 1873 amounted to \$60.00 per month, and the chief received \$1,000 per year. Each time a new mayor took office, a new chief replaced the head officer and new officers reported for duty. Chiefs who served La Crosse during the first decade of the police department were John S. Simonton, 1870-1871, E. A. Tenney, 1871-1872, George Peck, 1872-1873, H. A. Winston, 1873-1874, and Frank Hatch from 1874-1884.

<sup>112</sup>La Crosse Daily Republican, October 17, 1884.

A bystander, Gid Lang, seized the murderer until officers Parks and Edwards arrived.<sup>113</sup> The crowd began to "surge" north to the jail where the prisoner was locked up. The article goes on,

As soon as the door had closed on the prisoner, Sheriff R. A. Scott, Under-Sheriff W. J. Scott, Chief of Police P. L. Clark and Officers Edwards and Parks and warden Ole Jensen were seen in a group at the West entrance urging the crowd to keep back.<sup>114</sup>

The crowd grew larger, and equipped with huge beams and sledge hammers they broke down the doors of the jail. The crowd took Mitchell from his cell and dragged him to the Courthouse Square. The contemporary account read:

The crowd seized the rope and made a strong pull, but the ruffian freed his hands and the rope broke before he was raised from the ground. In less than five minutes a new rope was thrown over the heads of the crowd and fell within a few feet of the executioners. This was adjusted, his hands and arms firmly tied and in another moment he was hanging up in the air with his face closely pressed against the limb of the tree.<sup>115</sup>

The La Crosse Daily Republican reported, "There were no drunken men in the mob, the whole work being done by resolute fellows who decided to make the murderer pay the death penalty".<sup>116</sup>

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<sup>113</sup>Ibid. Someone yelled, "He has shot Frank Burton; there he goes; Lynch him! Don't let him get off the streets".

<sup>114</sup>Ibid.

<sup>115</sup>Ibid.

<sup>116</sup>Ibid.

Thus ended a tragic aspect of La Crosse history. The crowd was contrite, but a repeat of 1857 vigilante justice had taken place. The incident shocked citizens and even those who had participated left silently. On October 18, 1884, the coroner held an inquest with Justice H. M. Safford presiding. Safford impaneled a jury consisting of some of La Crosse's most respected citizens -- W. S. Hanscome, Joseph Clarke, James Mc Cord, Mons Anderson, Col. Theodore Rodolf and W. W. Cargill.<sup>117</sup> The jury called witnesses from the night of the lynching, but none indentified any of the participants in the incident. The jury's verdict read:

That the said Nathaniel Mitchell, alias Scotty, was forcibly taken by a large number of people from the La Crosse County Jail where he had recently been confined for the shooting and killing of Frank Burton, and between the hours of ten and eleven o'clock p.m., of the sixteenth day of October, 1884, he the said Nathaniel Mitchell, alias Scotty, was taken to a tree in the court house yard in the city of La Crosse, and then and there hanged by the neck with a rope till he was dead, by a great number of persons to the jurors unknown.

The inability of any of the police to recognize anyone in the mob seemed unlikely, and rumors persisted for years regarding participants in the hanging. One report stated that Doctors Frank and Will Powell were in the tree and yelled, "bring the

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<sup>117</sup>Ibid., October 18, 1884. Hanscome, Mc Cord, Anderson, Cargill and Clarke were influential businessmen. Rodolf was a former mayor and assemblyman.

<sup>118</sup>Ibid.

rope here"; the article says that the Powells put it (rope) over the limb.<sup>119</sup> Another account implicated a local black, Nathan Smith.<sup>120</sup> The Powell brothers denied participation in the lynching.<sup>121</sup> Smith had been a valet of former Wisconsin Governor C. C. Washburn, and after the Civil War Washburn in his will left Smith a piece of land.<sup>122</sup> The same article states,

When "Scotty", the murderer of Frank Burton, was dragged from the jail where now stands the new courthouse, it was Nathan Smith's black hand that clutched the murderer, and his other that grasped the rope at the end of which the fiend died. When the sheriff pointed his pistol at the maddened mob, it was big, burly, justice-loving Nathan Smith who brushed him aside and led<sup>123</sup> the mob to batter down the prison doors.

This incident illustrates, that even though La Crosse had entered its third decade as a city, frontier justice still prevailed at times.

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<sup>119</sup>The La Crosse Tribune, May 17, 1959.

<sup>120</sup>Ibid.

<sup>121</sup>Sanford and Hirschheimer, pp. 215 - 216. David Frank Powell was a La Crosse mayor, self proclaimed doctor and patent medicine salesman, and his brother, William, was a drug clerk who specialized in 'women's diseases'.

<sup>122</sup>The La Crosse Tribune, March 27, 1905. When Nathan Smith died in 1905, The La Crosse Tribune ran a front page story on his life with headlines reading, "Darkie with a Life Story Like a Vivid Piece of Fiction Dies Quietly at His Home", and "Dragged Murderer of Burton From Co. Jail". The Tribune's obituary read, "Among the early characters of this vicinity none were so prominent, nor so brave, as Nathan Smith".

<sup>123</sup>Ibid. The hanging tree on the east lawn of Courthouse Square served as a reminder to citizens of a lawless night in their history. The County Board of Supervisors later ordered the tree cut down.

The police force again came under attack in the late 1880's. Reports of inefficiency led the council to call a special meeting on November 1, 1889, to establish the first set of rules and regulations for police. Mayor John Dengler issued this statement at the meeting:

After careful inquiry and examination of our Police Department about the system of its government, I am of the opinion that the complaint of inefficiency on the part of the Police Force, in the City of La Crosse, does not arise so much from the personnel of the force as from the utter absence of rules and regulations for their guidance and government. I, therefore, deem it my duty as Mayor of the City of La Crosse and in accordance with our City Charter to communicate to the Common Council the fact that no rules and regulations have heretofore been adopted by the Common Council for the government of our Police Force, and in compliance with Subdivision 18 Section 3 Chapter 4 of our City Charter I would respectfully request the Council to take immediate action on this subject and adopt a code of rules and regulations.<sup>124</sup>

The mayor appointed a committee, and on November 15 this committee recommended a set of rules which the city council accepted and printed 200 copies.<sup>125</sup> These rules and regulations served to guide police procedures during the years of the 1890's. Politics still controlled the police force. A new mayor appointed a new police chief, and the chief could

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<sup>124</sup>City Clerks Records, Vol. 10, November 1, 1889.

<sup>125</sup>Ibid., Vo. 10, November 15, 1889.

dismiss officers at his discretion. Chief Hugh H. Bryne during the 1890's became one of the leading voices to remove politics from the police department. Bryne first suggested this idea in 1894, and in 1897 his ideas became law when the State created the Board of Police and Fire Commissioners.<sup>126</sup> Since 1889 Wisconsin cities had been divided into classes. The Laws of Wisconsin of 1889 distinguished these classes, and the statute designated La Crosse as a third class city.<sup>127</sup>

An act to establish a board of police and fire commissioners in cities of second and third class passed the legislature in 1897. This act tried to remove from police and fire departments political motivations. The law stated, "There shall be a board of police and fire commissioners consisting of four citizens, not more than two of whom shall belong to the same political party when appointed".<sup>128</sup>

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<sup>126</sup>The La Crosse Tribune, January 27, 1963.

<sup>127</sup>Laws of Wisconsin, Chapter 326 (No. 4, s), April 12, 1889, Chapter 312 (No. 183, s), May 10, 1893. The division of cities into classes was as follows; those containing a population of forty thousand, first class, those containing a population of ten thousand or over and under forty thousand, second class, and those containing two thousand or more and under ten thousand, third class. These classes, determined by state law, allowed the legislature to control city government and incorporation. La Crosse, in 1890, had a population of 25,090. In 1893 the State again changed the classes as follows: those cities of 150,000 and over, first class, those cities of 40,000 and over but under 150,000, second class, those cities of 10,000 and over but under 40,000, third class and cities under 10,000 population, fourth class.

<sup>128</sup>Ibid., Chapter 247, Sec. 1 (No. 107, s), April 16, 1897. The terms for commissioners were one person for a one year term, one person for a two year term, one person for a three year term, and one person for a four year term.

These people, appointed by the mayor, received no compensation for their work, and their terms were staggered. The commission appointed all policemen and firemen, and they established tests for acceptance and promotion procedures. No Person could hold a position on the police department or fire department without approval of the commissioners.<sup>129</sup>

On May 3, 1897, the mayor officially appointed the first Police and Fire Commission, and on May 25 of that year, Isaac Emberson assumed command of the Police Department from Hugh Byrne. Byrne later applied for chief of police, and the commission hired him. Byrne served as chief until 1907.<sup>130</sup> The La Crosse Daily Republican ran a notice on May 4, 1897, containing the rules and procedures for anyone who wished to apply for a job on the police or fire department. The rules pertained to physical and mental attributes which the commission required of its applicants. The commission took applications and gave tests, and on January 12, 1898, the first chief of police appointed by the board, Hugh H. Byrne, announced his officers for the new La Crosse police force. The Police and Fire Commission attempted to remove politics from public protection, but politics remained because the mayor still appointed board members.

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<sup>129</sup>Ibid., Chapter 247, Sec. 2 (No. 107, s), April 16, 1897.

<sup>130</sup>The La Crosse Tribune, July 3, 1962.

Law enforcement policies and procedures changed drastically beginning in 1897. Prior to 1897 police business came under control of the mayor and the chief of police. They dismissed officers and promoted men under them, but with the newly created commission organization changed. It was now up to the commission to hire officers, fire officers and hear citizens complaints against policemen. The new police force faced organizational and procedural changes. If the chief wanted to dismiss an officer, the officer had the right to present his case before the commissioners. Officers met with dismissal under the police and fire commission, but they had a means of presenting their story. The Police and Fire Commission ended twenty-seven years of La Crosse police history, but it ushered in a new era of professional law enforcement for the city.

## Conclusion

La Crosse law enforcement history changed considerably from 1856 to 1897, but it changed for the betterment of the community. When La Crosse became a city in 1856, the city's future was questionable. The 1850's and 1860's saw La Crosse become a city with a reputation that it carried throughout Wisconsin. Prostitutes, gamblers and other criminal elements adopted La Crosse as their headquarters, and they led permanent citizens to seek better enforcement of the law. The city marshall and his special force could not handle the problems that the town encountered. Citizens took the law into their own hands in 1857, and this action led to public pressure on the police. Community pressure caused the city council to reevaluate the police force, and in 1870 the council changed police organization and appointed the first police chief. Police protection from 1870 to 1897 showed improvement. Officers had a superior who watched their actions, and the police force calmed La Crosse during the early years of its existence. Law enforcement, however, showed its inadequacies again in 1884 when the lynching of Burton took place, and again public pressure necessitated changes. Rules adopted by the council served as a deterrent to poor police behavior, and these rules established an organization needed by the force. The state legislature dictated new changes in the force when in 1897 they created police and fire commissioners. Although

not perfect, these commissions attempted to remove public servants from political influences. Creation of police and fire commissions proved to be the most important and well-received change in law enforcement because citizens felt their police could now answer to citizens and not politicians.

The largest influence on the police department came from La Crosse citizens. They instigated changes with political and sometimes illegal pressure. These citizens, the same ones the force swore to protect, were and continued to be the largest proponent of a better and more efficient police department.

## APPENDIX

### Rules for the Government of the Police Force of the City of La Crosse, (Republican and Leader Printers), 1890.

- Rule 1 - The Commander is the Chief of Police
- Rule 2 - Detectives are subordinate to the Chief.
- Rule 3 - All officers' time belongs to the City.
- Rule 4 - All officers must obey orders.
- Rule 5 - Officers must be "quiet, civil and orderly" and "refrain from violent, coarse, profane or insolent language".
- Rule 6 - Uniforms will consist of "coat, vest furnished with brass buttons, and a cap or helmet of the same color", also must wear a belt, club and star.
- Rule 7 - Officers can not be drunk or in saloons "longer than necessary".
- Rule 8 - Officers can not go into houses of gambling or prostitution, and they can not play cards on duty.
- Rule 9 - They must show respect toward citizens.
- Rule 10- No unnecessary force can be used if verbally abused, but officers can use force to protect themselves.
- Rule 11- Officers can not receive rewards or gifts.
- Rule 12- Officers must pay for any equipment lost or broken.
- Rule 13- Chief must keep an inventory of all equipment.
- Rule 14- An officer must be a U.S. citizen, a two year resident of La Crosse, twenty-one years of age and not over forty-five when appointed.
- Rule 15- Officers must avoid religious or political discussions, and they can not be members of a political convention.
- Rule 16- Officers can not contribute money for politics.
- Rule 17- Officers can not be idle while on duty. They must be alert for prostitutes and other gamblers and criminals.
- Rule 18- Officers must search all prisoners and take them immediately to jail.

- Rule 19 - Chief must take criminals to court everyday but Sunday.
- Rule 20 - Chief must keep all arrest records and articles taken from prisoners.
- Rule 21 - Officers must know city ordinances.
- Rule 22 - Officers must arrest felons or ordinance breakers.
- Rule 23 - Officers must report dangerous defects in streets or sidewalks.
- Rule 24 - Officers must suppress riots and keep the peace.
- Rule 25 - "Any officer may be suspended from duty and pay for not less than fifteen days, or dismissed from the force, at the discretion of the Chief for any of the following causes:"
1. Intoxication - on or off duty.
  2. Being asleep on duty.
  3. Willfully disobeying orders.
  4. Disrespect for a superior officer.
  5. Unnecessary violence to a prisoner or to a citizen.
  6. Immorality, indecency or lewdness.
  7. Absence from city or duty without leave.
  8. Incompetence or continued neglect of duty.
  9. Disobedience of any of the rules.
  10. Violating any criminal law or ordinance.

Advertisement seeking applicants for the La Crosse police force from The La Crosse Daily Republican, May 4, 1897.

- Rule 1 - Applicants must address their applications to the Board of Police and Fire Commissioners along with all personal information.
- Rule 2 - Application must be accompanied by certificates from three reputable citizens.
- Rule 3 - Applicants must submit to questions and tests dealing with strength, capacity and character.
- Rule 4 - The test consisted of questions pertaining to:
  - 1. Reading from print and manuscript
  - 2. Handwriting.
  - 3. Writing from memory.
  - 4. Arithmetic.
  - 5. City government and location of buildings.
- Rule 5 - Applicants must be 21 years to 55 years of age, 5'9" tall, 155 pounds or more, a citizen and city resident.
- Rule 6 - Applicants will be on probation.
- Rule 7 - Promotions will come from within the department.
- Rule 8 - If an officer is dismissed, he may reapply later.
- Rule 9 - These rules do not apply to special police.
- Rule 10- These rules take effect on May 4, 1897.

Written test given to all police department applicants in 1897.

Spell burglary, theft, larceny, accomplice, accessory, run, trust, received, stolen, obvious, me, yours, followed, miles, ugly, easy, obstinate, come, would, streets, numbers.

Write the following sentence: "I arrested him; he resisted me. I was compelled to use my club, and did so; but in such manner as to do no unnecessary harm; and I treated him as leniently as I could under the circumstances. I was unable to arrest him otherwise.

What is the Court of last resort in the State of Wisconsin?

How many Judges of the Supreme Court are there?

How do Judges of the Circuit Court obtain their positions?

How is a Police Justice chosen in the City of La Crosse?

What offenses has a Police Justice jurisdiction over?

What Court has jurisdiction of criminal cases in the County of La Crosse at the present time?

How many wards are there in the city of La Crosse?

How many members has the Common Council of the city of La Crosse?

How many members from each ward?

What is the length of term of office of an alderman?

How often is the Mayor of the city elected?

Suppose a murder is committed in your presence, to what extent may you use necessary violence in effecting an arrest?

What body makes ordinances for the city?

What signature is required to an ordinance to make it valid?

How would you direct a stranger to go from John Paul's mill to the Northwestern depot?

How would you direct a stranger to go from the Northwestern Depot to the Catholic Cemetery?

Give the location of the jail.

Is there any place for the confinement of prisoners in the City Building?

Divide 760 by 10, and put the process on paper.

Multiply 260 by 720; give the result in figures.

Subtract 220 from 10,000; give the result in figures.

Add 220, 330, 440, 611, 714; give the result.

Give the boundaries of the city of La Crosse on the north, south, and east.

What body has power to make laws for the State of Wisconsin?

Give the location of the engine houses in the city.

Give the location of the City Hall.

How many public halls are there in the city of La Crosse?

Give the location of three drug stores on Main Street.

Give the location of one drug store on the North side.

To the Chief of Police of the City of La Crosse, and the Chief of the Fire Department of the City of La Crosse, and to all officers and employes of the Police and Fire Departments of the City of La Crosse:

The undersigned having been duly appointed as a Board of Police and Fire Commissioners of the City of La Crosse, and having duly qualified and entered upon the duties of said office, and taken and subscribed the oath of office prescribed by the Constitution of the State, and filed the same, duly certified by the officer administering it, with the Clerk of the City of La Crosse, in accordance with an act of the Legislature of the State of Wisconsin, being Chapter 247, entitled: "An Act to establish a Board of Police and Fire Commissioners in cities of the second and third class," approved April 16, 1897, and published April 17, 1897, hereby give notice that we have entered upon our duties as such commissioners in accordance with said act.

The act provides that as soon as possible after the first members of said Board shall enter upon the duties of their office in any city, the Board shall prepare and adopt such rules and regulations to govern the selection and appointment of such persons to be thereafter employed in either the Police or Fire Department of such City, as in the judgment of said Board shall be adapted to secure the best service for the public in each department; such rules and regulations to provide for ascertaining, as far as possible, the physical qualifications, the educational qualifications, and habits, and the reputation, and standing, and experience, of all applicants for positions, and for a competitive examination of all applicants, in such subjects as shall be deemed proper for the purpose of best determining their qualifications for the positions sought.

The act further provides for the printing and distribution of such rules.

The examinations will be free for all citizens of the United States over 21, and under 55, years of age, with proper limitations as to residence, health, habits, and moral character.

All officers in the Police and Fire Departments, and employes, are subject, under the law, to such rules and regulations as may be adopted, and are subject to examination by the Board.

We do not deem it proper that such rules and regulations shall be hastily adopted, and will give each and all of you a fair opportunity to compete with others for the several positions you now hold, or for any other position in the several departments to which you may aspire. These rules are now being prepared, and will be promulgated by this Board at the earliest date practicable. Until such rules are promulgated, and a proper and fair opportunity is given to each and every one of you to compete in such examinations for a position in either of the several departments, you will perform the duties of, and hold the several positions you now occupy, pursuant to the provisions of said act.

*La. Bourne Wire*  
*May 8<sup>th</sup> 1897*

*W. C. Gray*  
*J. J. McQuinn*  
*J. H. Moulton*

*John Douglas*  
*Board of Police and Fire*  
*Commissioners of the*  
*City of La. Bourne*

Office of the

Board of Police and Fire Commissioners

of the City of La Crosse,

La Crosse, Wis., May 3, 1897.

To Hugh H. Byrne, Chief of Police of the City of La Crosse, Wisconsin:

Sir:

You are hereby notified that the undersigned have been duly appointed by Hon. James McCord, Mayor of the City of La Crosse, as members of the Board of Police and Fire Commissioners of said City, as provided in and by Chapter 247 of the laws of Wisconsin for the year 1897; that we have filed our several oaths of office as required by said law; and have this day met for the organization of said Board in the City Hall of said City; have organized by the appointment of J. S. Medbery as chairman and G. M. Woodward as clerk of said Board and have assumed the office of said Board and have entered upon the discharge of the duties imposed upon us by said Chapter 247. We have taken order for the preparation of the rules and regulations required to be prepared and adopted by the third section of said law. Such rules and regulations will be communicated to you when adopted and printed. You will govern yourself in accordance with this notice and the provisions of said Chapter 247, and your attention is particularly called to the provisions of section 7 thereof relating to the tenure of persons employed in your department. You are required to see that the terms of said section 7 are strictly complied with in your department, and to report to this Board any attempt on the part of any person or officer to interfere with you in the execution of the law.

attest:  
G. M. Woodward  
 clerk

J. S. Medbery  
John Pansperdt  
G. M. Woodward

La Crosse January 12.<sup>#</sup> 1898.  
50

Present Police force.

H. H. Byrne Chief.  
John Parks

J. S. Post.

Dan. Deineen

John Gieser

John Cody

A. J. Byrne

John Taylor

Lawrence Dugan

Paul Hefti.

Nie Goff

Alois Yehle

Tom Lyman

E. H. Derr.

J. P. Gates

John J. McKenzie

Martin Haley

Michael Britton

< after January 15/9

## First Applications

✓ Edward Luedtke  
 ✓ John P. Wendling  
 ✓ Frank F. Schwabach  
 ✓ Chas. J. Knox  
 Joseph M. Grath,  
 ✓ Arthur Hardy  
 ✓ Charles A. Skimmie

## Later applications

✓ Gust. Schliet  
 Arthur Roberge.  
 ✓ William Duncan (for Chief of Police)  
 ✓ Fred. C. Erdmann  
 ✓ C. R. Cattin  
 Joseph Jaguis  
 Owen Duffy.  
 ✓ Geo. Holtzheimer  
 ✓ J. E. Henderson  
 ✓ Ole Jensen  
 ✓ Thomas McMillan  
 ✓ Thomas Rapier.

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