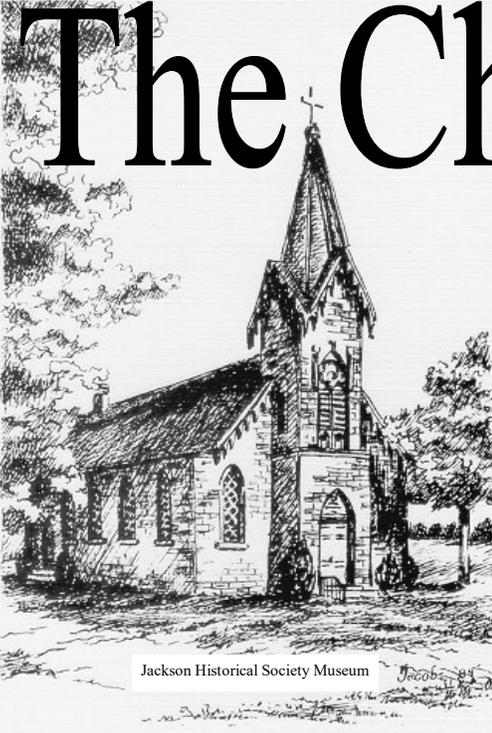




The Church Mouse



Jackson Historical Society Museum

Volume 29 Issue 1 Jackson Historical Society February 2021

POLICING IN EARLY AMERICA

As has been the case with most developments in the new United States, policing began in the east and worked it's way west. With the settlement of the colonies, ideas on how to maintain decorum arrived with immigrants from Europe and England.

Early policing took a couple of forms, an informal or communal "watch" system comprised of community volunteers who kept an eye out for impending danger. Boston, New York, and Philadelphia in the mid to late 1600's set up night watches which turned out to be less than effective as watchmen often slept or drank on duty. Philadelphia and New York added day watches in the early 1800's.

Because watch systems were less than effective, a system of constables and official law enforcement officers was established. Among their many duties was managing the watch system. These were usually paid positions, receiving a fee for warrants served.

However as cities grew and crime became a serious problem, cities created centralized municipal police departments to quell the disorders. Boston was first in 1838. Other major cities followed in the later 1800's.

As the Northwest Territory was developed, first into territories and then into states, it was the watch system that provided security. Informally, settlers kept watch for each other and settled most problems among themselves.

Aside from territorial government, courts, and lawyers, it was the military, or perhaps a local militia unit that maintained law and order.

As the Territory of Wisconsin was surveyed into townships and the towns incorporated, law enforcement became local. In the case of the Town of Jackson, a constable was chosen as the first local law enforcement official.

On August 26, 1843, Samuel Schowalter made a purchase of land, 80 acres in Section 30 of Town 10, Range 20 east. Other early land entries included land purchased by John McDonald, Peter Devereau, and John Kinney. Further purchases were made in the fall of that year. The town was considered fully settled in 1844-46.

Town 10, Range 20 east, was incorporated as the Town of Jackson by the Territorial Legislature on January 21, 1846. The first Town Meeting was held on April 7, 1846 in the home of Libbeus Topliff.

Among the officers elected were Supervisors, Libbeus Topliff, Chairman, Thomas Brophy and James Fagan, and Justice of the Peace, Asa Fuller. Other officers were selected including Constable and Collec-

(POLICING Continued on page 2)



MEMBERSHIP DUES

Your annual **\$15** dues cover a calendar year starting in **January**. The current year for your membership is shown on The Church Mouse address label to the right of the zip code.

Your dues include a subscription to the Church Mouse and help us preserve Jackson history.

JHS MEETINGS TIMES

The Jackson Historical Society meets the 3rd Monday of every other month, Jan/Mar/May/Jul/Sep/Nov, at 7:00pm.

JHS meetings are held at 1860 Mill Road, Jackson, in our restored, Karl Groth log home. Visitors are welcome.

JHS OFFICERS

Judi Mielke—President
Jerry Prochnow—Vice President
Lenore Kloehn—Treasurer
Doris Koeller—Secretary

BOARD MEMBERS

JHS Officers, Elmer Kloehn,
Gordon Ziemann, Clifford Koeller



(POLICING Continued from page 1)

tor, W. McKensie and Constable on the south side of Cedar Creek, Thomas Fagan, beginning 170 plus years of Town of Jackson constables that ended with the retirement of Milton “Milt” Wille. Milt served as Town of Jackson Constable for 51 1/2 of those 170 plus years.

So what are a constable’s duties. The British defined a Constable as “a police officer, an officer of the peace having police and minor judicial functions, usually in a small town or rural districts.” Constables tended to function based on the needs of the community served.

Both the Town of Jackson and the Village of Jackson (Reisville) (Riceville) employed Constables. In fact, until quite recently, as many as 1200-1300 U.S. communities still employed Constables.

Milt Wille personified a Town Constable. He helped solve the many problems that arise in small communities. Milt helped the historical society evict house sitting raccoons from our schoolhouse and church. Milt also made certain that users of the town transfer station were properly permitted. He handled barking dog problems, neighborly disputes, and enforced laws when necessary. He helped maintain town decorum.

The Town of Jackson is currently protected by the Washington County Sheriff’s Department.

OLD WASHINGTON COUNTY HISTORY

The boundaries of Washington County were determined by the Territorial Legislature on December 7th, 1836. Its seat of government was Washington City (formerly Wisconsin City—later to become Port Washington). However, it remained attached to Milwaukee County for judicial purposes until 1840, when it became fully independent.

During the 1840’s, Washington County went from governance by three appointed county commissioners to town supervisors, one from each town. The population grew quickly during the period due to a large influx of immigrants. In 1844 a Poor Farm was established in the Town of Jackson and in 1848, a jail was built in Port Washington, the Washington County seat. All went well except for the location of the county seat which remained in dispute until 1853, when the county was divided by the state legislature. Read on.

FIGHT FOR THE WASHINGTON COUNTY SEAT

Washington County has 431 square miles. It is bordered on the south by Waukesha County, on the west by Dodge County, on the north by Fond du Lac and Sheboygan Counties, and on the east by Ozaukee County. The latter was formerly a part of Washington County, but since the legislative act of March 7, 1853, runs its own affairs. The separation was the result of a heated quarrel about the seat of the county’s administration. In newly settled areas quarrels of this kind were common.

On December 7, 1836, the Legislature created Washington County and Port Washington was made the county seat.

(FIGHT Continued on page 4)

HISTORY OF POLICING

The word police comes from the ancient Greek word, polis, meaning a city’s administrative center, often fortified.

In Egypt, 2000-3000 years BCE, there was no official police force. The monarchs of the period had personal guards to protect them and hired others to watch over their tombs and monuments. Nobles followed this procedure and hired trustworthy Egyptians to guard their valuables and themselves.

Ancient Greece had a police force made up of slaves who were regulated by magistrates.

Roman Emperor Augustus created the *Vigiles Urbani* or watchmen of the City who were the firefighters and police of Ancient Rome. These teams of men were in charge of protecting the city, however, prosecuting everyday crimes (even murder) was often left to be resolved between individuals.

After the collapse of the Roman Empire in the 5th century, the Byzantine Empire went back to the original model of law enforcement where most crimes were left to be dealt with by individuals.

Early concepts of policing in Britain were based on ancient laws which relied heavily on all subjects of the crown having a responsibility to assist in maintaining law and order. The posse comitatus originated in ninth century England along with the creation of the office of sheriff.

The *posse comitatus* means power of the county, and is a group of people mobilized by the conservator of peace, typically a sheriff, to suppress lawlessness or defend the county. The English term **sheriff**,

(POLICING Continued on page 3)



Dolley Madison



Charming, flamboyant and strong willed, Dolley was raised in the calamity of the War of 1812. Born into a wealthy family, Dolly was raised a pious, obedient and well behaved girl. Early in her life she married a man selected by her father. They would soon be strangled by adversity. While she was at an early age she would be courted by Congressman James Madison. As First Lady, Dolley would become the Grand Dame of Washington. We meet Dolley as she returns to Washington after the death of President Madison and the loss of the White House, Montpelier.

What: Dolley Madison—The lady who saved Washington.

Who: Live history with Jessica Michna, actress and historian, as she becomes Dolley Madison.

Where: Jackson Town Hall Closed due to Covid-19

When: No Date Selected for this Performance.

Cost: Free

Sponsored by THE JACKSON HISTORICAL SOCIETY
 *Jackson Town Hall is south of the round-about on Highway 60 on Division Rd. (CTH. G)

FREE SPRING PROGRAM CANCELLED

The Jackson Historical Society's Free Spring Program will not be held this year due to the continuation of the Covid-19 problem. It now appears that Dolley Madison will have to postpone her visit to a later date. Dolley was so looking forward to visiting us this year, having been unable to join us for the Free Spring Program last year. Dolley's invitation to visit JHS remains in effect until we find a date that's safe for all of us.

For information please contact
 JACKSON HISTORICAL SOCIETY

jacksonwi.history@gmail.com

PLEASE MAKE A NOTE!

The e-mail address for the Jackson Historical Society has been changed.

It is now
jacksonwi.history@gmail.com

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comes from the Old English word scīrgerefa, meaning "shire-reeve", the local reeve (enforcement agent) of the king in the shire (county).

By the late 13th Century, the role of Constable was created. Constables were responsible for overseeing the night watch and for providing security. At this time, the investigation and prosecution of crimes was still left to individuals.

In 1285, the Statute of Winchester made enforcing the law a collective social responsibility. Any person who didn't report or try to stop a crime could be prosecuted. The Statute also constituted two constables for every 100 people. Their duties: to prevent issues along the roadways.

In 1361, the Justice of the Peace Act revoked public responsibility and placed it on Justices who were appointed by the monarch. Their responsibilities included police, judicial and administrative duties. Law enforcement in England was the responsibility of Justices, Constables and the night watch until the 19th Century.

In 1631, Boston became the first U.S city to establish a night watch. New Amsterdam (New York City) soon followed suit in 1647.

(POLICING continued on page 6)



(FIGHT Continued from page 2)

Until 1840 the county belonged to the judicial circuit of Milwaukee County, and its administrative machinery was run from there. On August 13, 1840, by the Act of Organization, it received its own administration. However, as Port Washington had fallen into decay and was almost deserted, the necessity to choose another county seat was pressing. Thus Grafton, which was formerly called Hamburg, received the honor. But, when on February 20 1845 the county received its own court, plans were again ripe for the removal of the seat. This time four places, Port Washington, Cedarburg, Grafton, and West Bend fought for the honor. However, because each one felt they should be chosen, no change was made. The administration led a kind of nomadic life. It was a county seat on wheels, meting out justice and decrees here and there, where it seemed best. From 1847 until the county was divided, Port Washington again was the county seat. In 1848, an attempt was made to settle the question by popular vote. Three elections were held, not one of which brought a decision, but did bring many accusations of foul play. Seeing no progress, the people asked the legislature for help. That high body, instead of ordaining a county seat, divided the county into a northern and a southern half to the great surprise of the inhabitants. Those of the southern half, which received the name of "Tuskola," were to vote on the measure. They voted against the division. In 1852 a vote was taken on the question of whether Grafton or West Bend was to be the county seat. Grafton won out, but the election was annulled because of gross irregularities that were traced to a voting place. This was too much for the patience of the lawmakers at Madison, and on March 19, 1853, they divided

the county from the north to south. The smaller eastern half was named Ozaukee County and received Port Washington as its county seat, while the larger western half, with West Bend as the county seat, kept its old name of Washington County. Thus ended the thirteen year fight for a county seat.

The opposition, following the decision, hid the realty records when the authorities from West Bend went to retrieve them in Port Washington. This could not change the law, but added a bit of humor to the affair.

In 1912, Carl Quickert wrote his *HISTORY OF WASHINGTON COUNTY*. This article contains excerpts from that book. The 1892 county map was provided by the Washington County Historical Society.

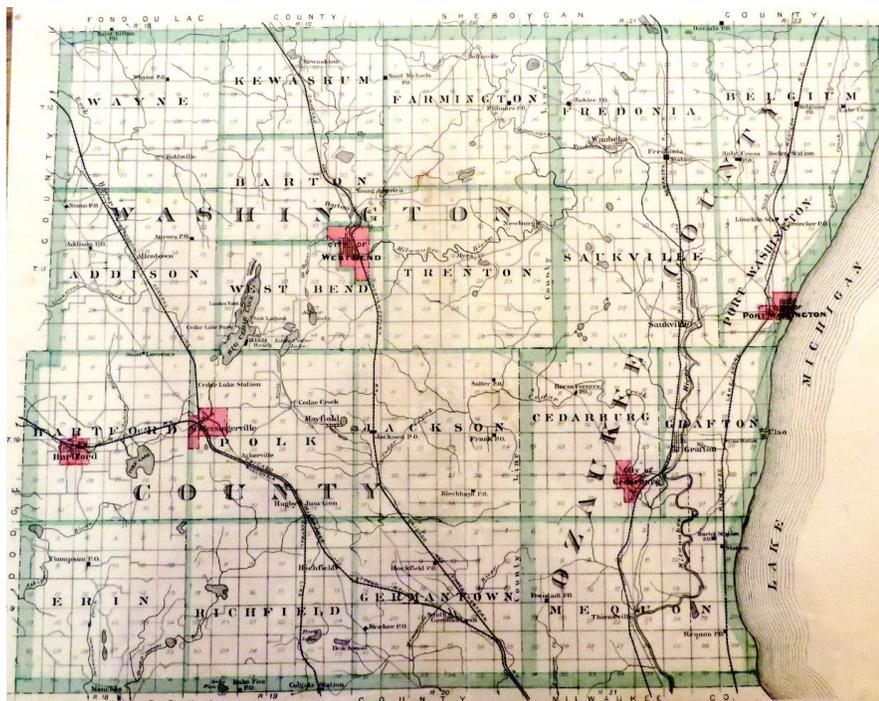
**TODAY WILL BE
HISTORY
TOMORROW!**

**HELP THE
JACKSON
HISTORICAL
SOCIETY
PRESERVE YOUR
YESTERDAYS.**

**DONATE YOUR
HISTORICAL
ARTIFACTS**

**SHARE YOUR
FAMILY
HISTORY**

Please e-mail The
Jackson Historical Society at
[jacksonwi.history
@ gmail.com](mailto:jacksonwi.history@gmail.com)



Washington County Showing the 1853 Division—1892 map

BOOK REVIEW TEN-FOUR

History of The Washington County Sheriff's Department

A discussion of policing would be incomplete without looking at the day-to-day work of the Washington County Sheriff's Department.

Fortunately, 45 years ago, at the request of then Sheriff Clarence A. Schwartz, a history of the Washington County Sheriff's Department was written. The book, titled *Ten-Four*, is a historical recognition of the former sheriffs of Washington County and the challenges they faced. In a section of *Ten-Four* titled *Whispers of the County*, are detailed major events these sheriffs faced from 1855 through 1976. The stories are each well presented to their conclusion.

Beginning in August 1855, with **The George DeBar Tragedy**. Featured in the *Milwaukee Sentinel*, *New York Times*, and other newspapers, the DeBar story leads the "Whispers of the County" section of *Ten-Four*.

It begins *One of the most shocking tragedies that has ever been enacted in the state. Occurred in 1855, comprising in its horrid details, murder, arson, and swift and fatal retribution to the leading character at the hands of a mob, who, in a frenzy of indignation, heaped on the crime of murder the further horror of a lawless and brutal execution of the murderer.* The story continues to its conclusion.

Next came **The Great Defalcation case** in July 1876.

Other titles include **Washington County Jail Record** with a subtitle of **Tramp Records** from November 1885 through April 1886 followed by a May 3rd, 1893 case **Burglary in Jackson**. It begins . . . *An Indian medicine company is giving nightly exhibitions at Ziegler's hall, Jackson, which the citizens of that place visit and among the audience yesterday evening were Mr. A. R. Braun and family. During their absence a tramp entered the residence from a kitchen window, by breaking a pane of glass which enabled him to out the catch and raise the window. When the family got home after the show, they noticed that the house had been ransacked by someone and the alarm was immediately given.* The case ends with a resolution of the crime.

In November 1894 is an article titled **The Tramp Question**.

In December 1894, the case was titled **Werner's Horses Recovered**. *Last Saturday Sheriff Courtney received a telegram from Detective Sullivan of Milwaukee, that he had recovered the black team of horses which were stolen out of J. H. Werner's barn, in town Trenton, about the middle of last month, and that were then at St. Charles, Ill, where they had been traded for a team of ponies.*

In October of 1905 an article titled **A Stranger Kills Himself** began. *Body of unknown suicide found in woods near Jackson.*

Other articles include **Attempt to Resist Officers** in Sept. of 1911. In July of 1924 is an article titled **Negro Shot Resisting Cop**. In August of 1928, an article titled **Barton Man Made Victim of Foul Play**. July of 1934 brought an article titled **Well Done, Officer Brugger**. February of 1936's article was **Slot Machines Vanish Again at West Bend**. While in June of 1936, a robbery titled **Bandit Pair Rob Newburg Bank of \$6,291, Escape** took place. There were three cases about stealing cars in October of 1937, **Car Thief Gets Prison Term of One to 3 Years**, and **Milwaukee Youth Steals 4 Cars in 4 Counties in Space of 10 Hours**, plus **Local Man is Bound Over for Car Theft**. In May of 1941, the case **Man Held in Jail; Shoots Up Home of Wife's Parents**. In

February of 1947, **Section Crew Finds Body of Newborn Infant Near Tracks**. July 1949 case **Man Admits to Attack Following Lie Detector Test in Milwaukee Tuesday** was followed by a May 1957 case **Another Deer Hit By Car In County**. The March of 1961 police case was titled **Slot Machines Seized in "Raid" on Local Home**. Moving into April of 1967 brings **Missing Girl Found Asleep in Sunshine After Frantic Search**. Two cases in May 1969 were **County Deputies Called To Assist at Madison "Riot,"** and **Apprehend Group of Area Juveniles on Narcotics Count**. October 1972 case was **Shooting Victim Found in Farmington Well**, while in September of 1975 **Four Charged in Bank Robbery** was the case with additional detail **Testimony Outlines Bank Robbery** following. December of 1975 cases were **Calls Cause Tight Security** and **Sheriff Reveals Threats**. **Mannix, a Bloodhound and the new police dog is introduced in 1975** followed by **Mannix Sniffs Out Fox Lake Escapee**. **The Ice Storm** of March 1976 is covered and also in May of 1976 **Juveniles Apprehended Following Wild Chase**. In May of 1976, **Taillightless Horse Ruled Illegal**. The end!!

Thus ended the *Whispers of the County* section of historic major cases, part of our Washington County history, faced by the Washington County Sheriff's Department during these years of growth.

The book *Ten-Four, The History of the Washington County Sheriff's Department* is available at the West Bent Public Library.

Check it out and enjoy the historic journey of the department forward from 1855.

AREA HISTORICAL SOCIETIES EVENTS

RICHFIELD HISTORICAL SOCIETY Currently, all Richfield Historical Society events are canceled through March 2021 due to COVID-19. Please Contact www.richfieldhistoricalsociety.org for more information.

GERMANTOWN HISTORICAL SOCIETY Please contact the Germantown Historical Society at germantownhistoricalsociety.org for information on future events.

POMMERSCHER VEREIN FREISTADT For activities and information, please contact Pommerscher.org.

THE HISTORY CENTER For activities and to visit The Tower Heritage Center, 320 S. 5th Ave., West Bend, WI 53095, Please contact thetowerheritagecenter.org for more information. Phone number is 262-335-4678



The Editor welcomes comments on the newsletter. Please mail all suggestions for articles, etc., to The Church Mouse, 1921 State Road 60, Jackson, WI 53037, or phone (262) 677-3888, or e-mail jhsheritage@sbcglobal.net. Russ Hanson, Editor

JACKSON HISTORICAL SOCIETY

ONE-ROOM SCHOOLHOUSE CLASS VISIT IN 2021

For many years, school was taught in one-room schoolhouses throughout Washington County.

Let your students experience a class as it was for their grandparents and great-grandparents.

Arrange a class visit to the Jackson Historical Society's, fully restored, one-room schoolhouse.

Please contact the Jackson Historical Society* at jacksonwi.history@gmail.com or Doris Koeller @ (262) 677-3457 clifdoris@att.net

***Jackson Historical Society, 1860 Mill Road—on the Hwy. 60 round-about at Division Road (G), go south to Mill Road, turn west to the JHS site.**

Currently Closed due to Covid-19

Perhaps by the late Summer or Fall of 2021, The Jackson Historical Society will once again be able to provide our one-room schoolhouse experience to area school classes.

Please contact Doris Koeller at (262) 677-3487 or e-mail clifdoris@att.net to determine availability.

(POLICING continued from page 3)

It wasn't until 1829 that the Metropolitan Police Act was passed and the London Metropolitan Police Department was formed. Introduced by Sir Robert Peel, policemen were often referred to as "Bobbies" or "Peelers". The structure of the department was based on the military. This law enforcement model went on to influence police departments in Great Britain, the British Commonwealth and the United States.

New York City was the first to have an official police department in 1844. The NYPD was based on the London Metropolitan Police Department. Soon after, departments were established in New Orleans and Cincinnati (1852), Boston and Philadelphia (1854), Chicago and Milwaukee (1855), and Baltimore and Newark (1857). Authority over police was left to neighborhoods and neighborhood leaders. Officers didn't wear uniforms and the initial function of the police was to prevent crimes. Once this proved a very difficult task, one of their main purposes became investigating crimes that had already been committed. The first detective unit began in New York City in 1857.

In the mid to late 19th Century, U.S police were still governed mostly by the communities they were serving. Because of this, corruption and political favoritism were rampant and created major problems.

By the end of the 20th century, with much public influence, the police force became a civil service with control of the force being placed on the city, county, or the state.

Material for this article was excerpted from The History of Policing on the BadgeandWaller.com website, Wikipedia and other internet articles.