



CALAVERAS COUNTY SHERIFFS 1850 to 1902

By Charity Maness

The Gold Rush brought a massive migration of non-indigenous people to the foothills. In 1846, the non-Indian population of what was to become the state of California was estimated at 8,000; within eight years that number exceeded 300,000.

While many were seeking their fortune in gold, others with less commendable goals slithered through the mining camps; crooks, thieves, professional gamblers, claim jumpers and more. These all had one common objective, to lighten the pockets of the miners.

Prior to 1850, California was not yet a state and therefore no laws existed except for those set up in the mining camps. Camps oftentimes set up claims officers to patrol the mines and settle disputes, yet violence permeated the mines. For those who stepped outside of the camp's rules, justice was swift and sometimes permanent. Small crimes were punished by public flogging, while other, more serious crimes such as robbery and murder resulted in hanging. Lynching was common, oft times without a trial.

The first officers of Calaveras County in 1850 were William Fowle Smith, County Judge (who beat out his opponent, attorney Richard Daley, by 20 votes at the first election under the state government); John Hanson, Sheriff; Colonel Collier, County Clerk; A. B. Mudge, Treasurer; H. C. Carter, Prosecuting Attorney.

Pleasant Valley, also known as Double Springs, was designated as County Seat with the first grand jury held beneath a big tree. Justice of that time was in question and according to all accounts it was anything but a blind goddess. Justice was handled by the Sheriff, Justices of the Peace, and Constables. If none of these were available, it was often meted out quickly by miners' laws and sometimes through vigilante justice.

John Hanson (Hanlon) 1850–1851

Research brings to question the spelling of Sheriff Hanson (Hanlon). Newspaper records of the time, as well as publications, name Hanson as Sheriff. With this said, Hanson will be the name used for this article.

Hanson became Sheriff in 1850. While some historical information claims he was elected via a state election in 1850, other information states he was appointed at the county elections for offices held on April 1, 1850, as reported in the *Stockton Times*.

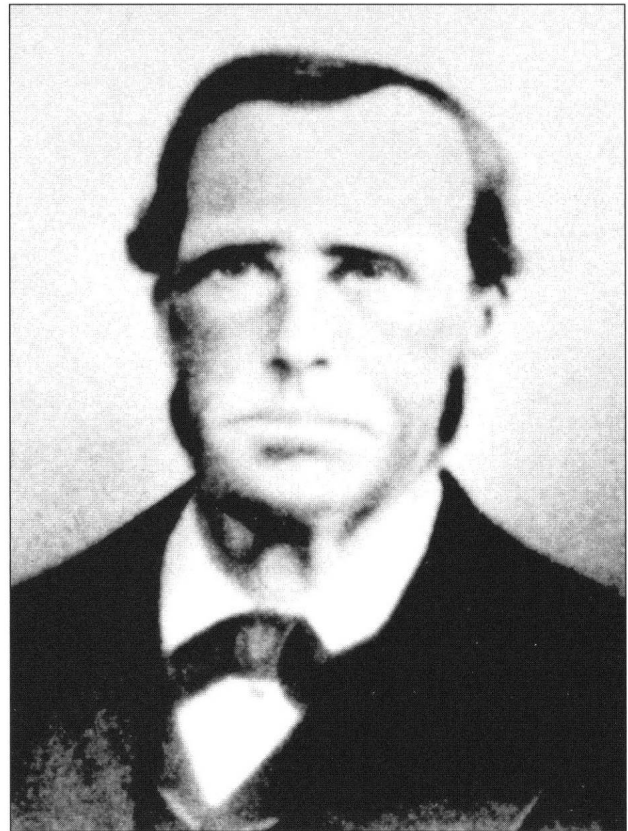
Whether appointed or elected, as one of the first officers of the newly formed county of Calaveras, Sheriff John Hanson was said to have been honest, however he did not serve a complete term. Whether he left his post unmanned intentionally or promoted his successor to Sheriff in order to pursue other interests is not clear. Some accounts claim that he died, while others claim he failed to respond to a judge's request to return to duty and therefore surrendered his position.

Records of a political career of a John Hanson follow shortly after the position of Sheriff was vacated and subsequently filled by the Deputy Sheriff. A John Hanson was elected as a delegate at the Calaveras County Whig convention in May of 1852 to represent the county at the Whig State Convention to be held June 7, 1852. He was also appointed to the County Central Committee representing the south side of the Mokelumne River.

In August 1852, at a grand Whig convention held in Calaveras County, Hanson was appointed as Chairman of the Calaveras County Whig party, yet at this time he was referred to as John Hanson, Esq.

Whether the addition of "esquire" to his name was added as a term of esteemed position within a community or to poke fun at what the Whig party considered to be an extinct line of British aristocracy is not known. The term esquire originally meant an apprentice to a Knight who was aspiring to noble rank. In America, however, where noble titles are constitutionally forbidden, the designation is usually a professional one or one of esteem.

By the time the next Sheriff was elected in 1851, the California Legislature had given permanent form to the statute of crimes and punishments and to the general laws affecting personal and family relations and to the civil, probate and criminal practice in our courts, thereby creating a standard of law.



Ben Marshall 1851–1853

Ben Marshall had a career as conflicted as his life, one made of fact mixed with fiction.

A certainty is that Marshall served with the 1st Kentucky Cavalry during the Mexican American War.

However, his birth place is in question, with records from Marshall himself stating he emigrated from Ireland, and also that his birthplace was Kentucky. Family records state that he was born in 1798 in Louisville, Kentucky, yet even his birthdate is in question as Marshall is listed as thirty-two in an 1852 California census.

Whenever he was born, he eventually migrated to Murphys in 1849, to be followed by his wife, Nicolasa Carriaga Marshall, the following year.

In 1850, with a need for law and order in the diggings, Marshall ran for Constable of Murphys and won. In June he was certified as the Murphys Diggings Justice of the Peace and Constable.

As Constable, Marshall was known to intervene when miners harassed Joaquin Murrieta and his girlfriend who dealt Monte (a Spanish gambling card game).

"*Let it be honestly admitted,*" wrote Marshall in notes penned in 1853, "*that the rough miners*

were guilty of gross wrongs to Joaquin Murrieta and his wife... ”.

His position as Constable was relatively short lived, as he was appointed Deputy Sheriff and soon thereafter assumed the position of Sheriff in the absence of his predecessor, Sheriff John Hanson.

During the elections of 1851, Marshall faced opposition for the office of Sheriff from a nominee of the Whig party by the name of William Faqua of Vallecito. Marshall won the election, and served until 1853.

Marshall went on to be the county’s Democratic Delegate to the National Convention in 1856, serving a short time with his eye on larger political offices. He served as a Californian Assemblyman from 1858 to 1860.

Ben Marshall eventually moved to Nevada, without his family, and dabbled in politics, mining, and justice. While in Nevada, he made the news on occasion. A news dispatch from Eureka, Nevada which ran in the Calaveras Chronicle June 23, 1877 published the following:

“Another shooting scrape occurred yesterday on Ruby Hill. Ben Marshall and J. Fleming, the former night watchman, and the latter underground boss at the Richmond Mine, got into a religious discussion, which culminated in Marshall firing two shots at Fleming, one of which grazed his abdomen, though inflicting but a slight wound. Marshall was Sheriff of Calaveras County some years ago.”

Charles Clarke 1853–1857

Charles Clarke wore many hats.

After serving as a Lieutenant with the Texas Rangers during the Mexican American War, Clark came to Calaveras County in 1849. He worked in the mines for two years, was appointed Deputy Sheriff in 1851 and elected to Sheriff in 1853, receiving the nomination from the Democratic party. He was re-elected in 1855 and served until October 1857.

Clarke is credited with arresting four of the notorious Tom Bell Gang members; Tom Bell being a highwayman and leader of an infamous gang of stage robbers.

Subsequent bids for the office failed, yet in October, 1861, Charles Clarke became Deputy Auditor.

Mokelumne Hill was one of the first towns to organize a militia known as the Calaveras Guards; Clarke served as Captain. The militia, at one point, was ordered by the county judge to quell an ethnic disturbance in Campo Seco. San Andreas had sent out 100 men to help the Americans in the quarrel and the Italians sought aid from the Mexicans and Peruvians with over 1,000 men participating in this ethnic dispute. It was reported that when the Calaveras Guard arrived on scene, the sound of fife and drums filling the air, not a shot was fired and both sides cheered their arrival. Later it was found to be an issue of horse thievery, not an issue of ethnicity.

Clarke had accrued an enormous amount of debt throughout his life. According to a Calaveras Chronicle report from January 4, 1858, *“The Board of Supervisors of Calaveras County have discovered that Charles A. Clarke, late Sheriff, is a defaulter to the amount of \$23,834 (for the years 1856 and 1857).”*

Clarke was able to pay off a small portion of the debt with funds he received from the state legislature for reimbursement for his involvement in bringing members of the Tom Bell Gang to justice.

Charles Clarke died February 2, 1863.

David Mulford 1857–1859

Mulford was a native of Saratoga County, New York. He moved to Alabama, then on to Texas, before ultimately settling in California in 1850.

Mulford, a Mexican War veteran, assumed the office of Sheriff in October 1857, and by the following spring, he was the target of a foiled assassination attempt.

The San Andreas Independent dated March 6, 1858 published the following:

“Attempted Assassination—we have been unable to learn any further particulars in relation to the cowardly attempt to take the life of Sheriff Mulford, than what is given in the following dispatch to the Sacramento Bee:



David Mulford

D. L. Mulford, Sheriff of Calaveras County, was assaulted by one or more ruffians at Mokelumne Hill about 2 o'clock on the morning of the 2nd inst., while on his way to jail, whither he had gone at the request of a stranger, who said the jailer desired to see him. He started for the jail, but being a light, moonlight night, observed two men in advance of him. His suspicions being aroused, he returned and requested Martin Rowan to accompany him. Supposing it to be some movement upon the jail, he requested Rowan to take the left, and meet him north of the jail, handing him a revolver, at the same time instructing him to order any person he might meet, to halt until he (the Sheriff) came up. They parted in the vicinity of Blackford's residence, and Mulford proceeded to the street running east of the jail and west of the residence of N. L. Broughton; from there to the northeast corner of the street adjoining the jail, and seated himself to await the arrival of Rowan. He was then attacked by some persons unknown, receiving a severe and dangerous wound with a knife across the forehead, about half an inch above the eye. He grappled with his assailant, the blood flowing freely, and nearly blinding him, when he received

another wound across the back of the head, about two inches in length. He was armed with a knife and two revolvers, and in attempting to use one of them it exploded, when his assailants took to flight. There is no clue to the perpetrators of the deed; all is wrapped in mystery; nor could the Sheriff recognize the assailants, although it is supposed to have been some of the Tom Bell gang.

Mr. Mulford suffered much loss of blood, but is now able, we learn, to attend to business."

After his tenure as Sheriff, David Mulford moved to the Boise River area of Idaho and served as Mining Recorder and later as Sheriff.

David Mulford passed away of consumption in February 1865 in San Francisco.

Robert Paul 1859–1863

Born June 12, 1830 in Massachusetts, Paul was rumored to have, at the young age of 12, boarded a whaling ship with his older brother, and served a couple years as a merchant sailor. When his ship put in dock in San Francisco in 1848, he went to seek his fortune in gold, landing in Mokelumne Hill where he mined a relatively successful mining claim.

In 1854 he was elected Constable of Campo Seco, and soon after was appointed Deputy Sheriff. At 6 feet 6 inches tall, Paul was an imposing man who took justice seriously.

In 1857, Robert Paul was appointed Undersheriff. As Deputy Sheriff in 1858, one of Paul's duties was to ensure the safe delivery of prisoners, tried and convicted in the Calaveras Courts, to their destination at San Quentin. This skill set would benefit him later in life. In 1859, he was elected Sheriff.

In 1862, Sheriff Paul married Margaret Coughlan of Mokelumne Hill. They had ten children, of which only six lived to adulthood.

Following his term as Sheriff, Robert Paul tried his hand at mining once again, with limited success. By 1870, he took a job as a shotgun messenger with Wells Fargo, where he employed his previous law enforcement skills as well as his experience handling stage coaches; he proved to be an asset to the company.



Robert Paul

By 1878, Paul was relocated to Arizona to handle a series of stage robberies. He ran for Sheriff in Pima County and lost, but was convinced that it was due to illegal “ballot box stuffing”. He filed a law suit, and ultimately the Arizona Territorial Supreme Court found in his favor. He held the office of Pima County Sheriff until 1886. At one point during his term he held a warrant for the Earps, yet failed to execute the warrant as he alleged himself to be friends of the Earps.

Robert Paul died March 26, 1901.

George Tryon 1863–1865

Tryon was born in New York on March 27, 1828 and migrated to Californian in 1849 in search of gold. He mined for some time in and around the area

of Angels Camp, serving in various public offices, and was the proprietor of the Angels Hotel from 1863 to 1887.

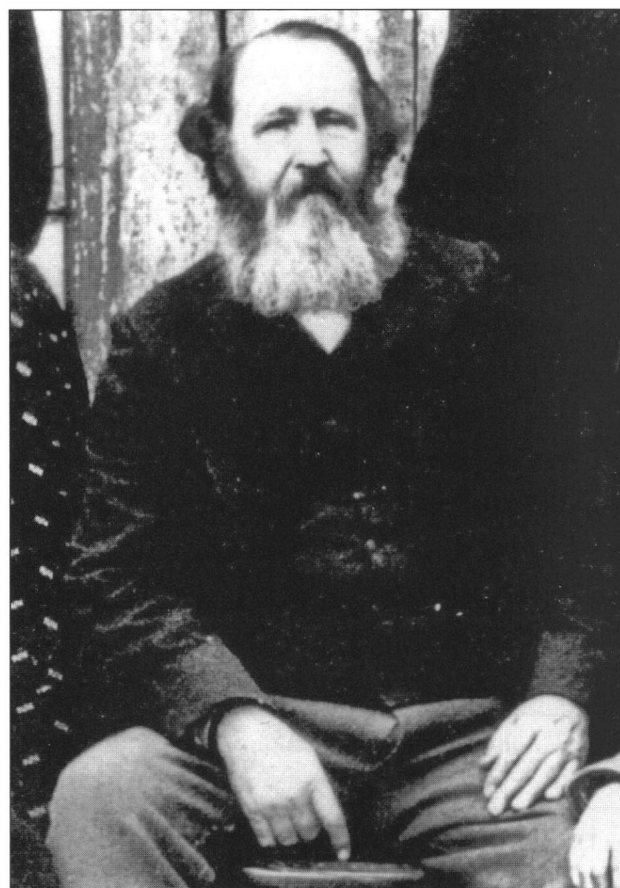
Tryon, who served the county as a Deputy Sheriff and County Assessor, had run for the position of Sheriff in 1859, yet lost to incumbent Robert Paul with 2,651 votes for Paul and 1,992 votes for Tryon. He ran again in 1863 and was successful.

The Stockton Daily Independent stated that he took office on March 7, 1864:

“Calaveras Sheriffalty—Geo. W. TRYON, sheriff elect of Calaveras county, took possession of his office, on the 7th instant. Frank MOORE, of Angels, and A.F. ADAMS, of Mokelumne Hill, are his deputies. C. PEEK succeeds Pink SMITH as jailer.”

In March of 1864, Alpine County was cut from the fabric of Calaveras, thus reducing the vastness of the area with which Tryon was responsible for law and order.

Married to Adelia Newman, the couple had eleven children. George Tryon passed away in Napa on March 9, 1901.



George Tryon

James Oliphant 1865–1867

James Oliphant was born January 10, 1833.

In August 1865, the Sacramento Daily Union reported Oliphant's nomination for Sheriff under the heading "Calaveras Union County Convention".

On February 28, 1867, the same newspaper reported that he had welcomed a son.

Elected Sheriff in 1865, he completed one term. He went on to become active in politics, and by December 1867, he was nominated at the Union Assembly Caucus as Sergeant at Arms.

James Oliphant died March 8, 1870, leaving behind a wife, Mary Adams McNeil, and two children; the children who soon thereafter followed Oliphant to their deaths, presumably from consumption. Mary moved in with her sister and brother-in-law, who ran the Metropolitan Hotel in San Andreas. There she met an older, wealthy miner, Amsa Parker "Cap" Ferguson, a one-time owner of the Sheep Ranch Mine. She married Ferguson and they had two daughters.

the law and bringing bandits and outlaws to justice.

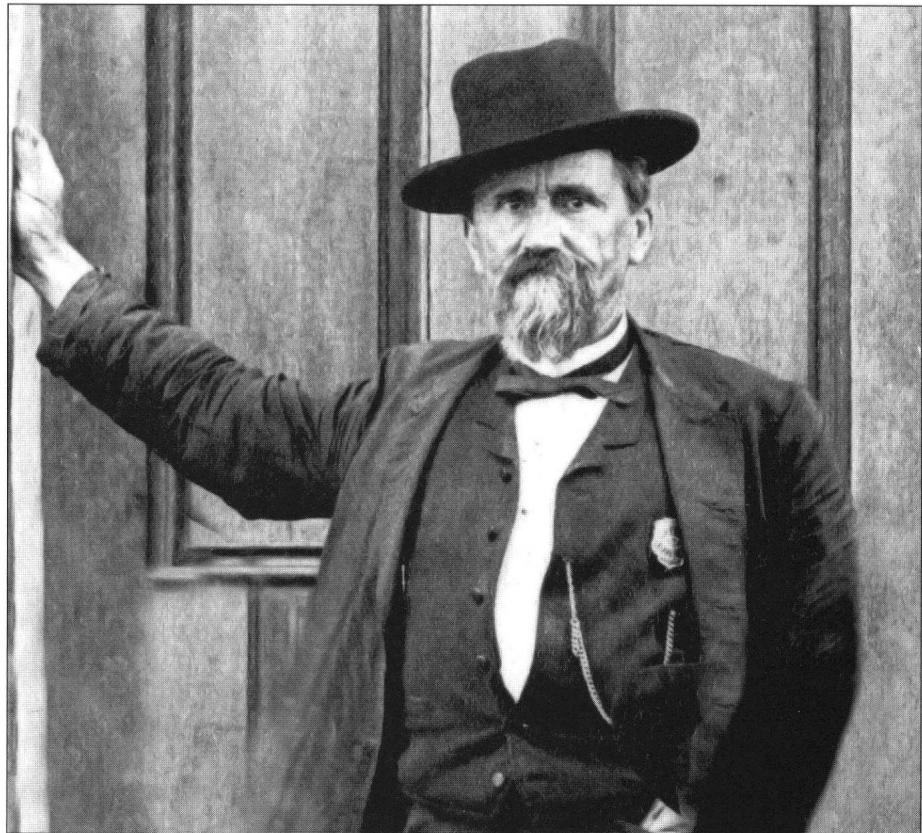
Proof of Thorn's tenacity was published in the Calaveras Chronicle April 24, 1869:

"Last week we inadvertently neglected to mention the fact that another of the Said murderers had been captured. On Wednesday the 14th inst., Sheriff Thorn, who has been indefatigable in his efforts to discover and bring the blood thirsty scoundrels to justice, arrested a Chileano named Jose Cayou, near Fiddletown, Amador County, whom it is more than suspected was one of the perpetrators of a crime the commission of which thrilled this community with horror. We are informed that the prisoner has confessed his guilt to the Sheriff but cannot vouch for the truth of the statement. There were four persons concerned in the murder. Two Chileanos have been arrested and are not confined to jail; the others are still at large, but a clue to their whereabouts has been obtained, and there is a strong probability that the whole gang will be brought to justice. Too much praise cannot be awarded Sheriff Thorn for the activity, perseverance, and ingenuity he has evinced in ferreting out the murderers."

Benjamin Thorn 1867–1875 and 1877–1902

Born December 22, 1829, Benjamin Thorn was raised on a farm in Illinois. Thorn traveled to California in the spring of 1849, landing in Mokelumne Hill in 1850 where he mined, before moving to San Antone later that year to continue mining until 1857.

In 1855, Benjamin Thorn was elected Constable of San Antone. That same year, he was appointed Deputy Sheriff, and was elected as Sheriff in 1867. He seemed to be held in high esteem for his diligence in dispensing



Benjamin Thorn

And again in the San Francisco Call (date unknown):

"During his half century of service (he) guarded lives and property of Calaveras County as few men could have stood against evil doers. In the days when laws were loose, when the bandit, the stage robber, and the horse thief abounded, when life was cheap and men lived in the frontier stage of existence, Thorn's name was terror to the criminal."

In 1888, the last hanging in the county jail yard in San Andreas occurred under Thorn's direction.

George W. Cox was found guilty of murdering his son-in-law. Cox shot him as he ate his dinner at their home in Sheep Ranch. Sheriff Thorn sent out 250 invitations to witness the hanging.

Married to Anna Meeks, Benjamin Thorn and his wife had three children. He was proud of his affiliation with the Democratic Party, as well as being a Mason.

Benjamin K. Thorn died November 15, 1905.

Benjamin Hawes 1875–1877

Hawes was born in Kentucky in 1830 and later moved to California. At the age of twenty-two, he landed in Calaveras County in order to mine in Murphys. He relocated to mine at Campo Seco from 1853 to 1875, eventually holding a third ownership in the Campo Seco Copper Mine.

In 1859, Benjamin Hawes married Mildred E. Syme and had six children.

In 1873, Hawes was appointed as Constable of the Campo Seco Township, and held that position until 1875 when he was elected Sheriff. Unfortunately, he was not held in high regard during his tenure as Sheriff.

"Popular opinion among all classes of our citizens is unanimous upon one point, and that is that Hawes is not making an efficient officer. The general complaint is that he is inactive and inert; that although the mere clerical business of the office is well enough performed, the more important executive duties are scarcely attended at all. People point to the fact that robbery and murder are by no means infrequent, yet, criminals appear

to be in no danger of arrest unless they go to sleep in the shadow of the county jail." Calaveras Chronicle September 1, 1877.

As with much of our early history, fact is often blended with fiction or folklore to create a unique tapestry of our county's formative years. This is only a small sampling of the rich Calaveras County history that makes our past come alive.

April–June 2016

New Members:

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Danny & Sandy Elzig—San Andreas

Duane Tucker—Stockton

Ted & Rosa Towle—Stockton

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Earl Henley—Woodland

Dixie Glover—Angels Camp

John Morse—Converted to Lifetime Membership

Larry Hadley—Converted to Lifetime Membership

Yvonne Wooster—Converted to Lifetime Membership

Jared Zeretzke—Wilseyville

Michael Taylor—Converted to Lifetime Membership

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Calaveras County Historical Society

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The Calaveras County Historical Society is a non-profit corporation. It meets on the fourth Thursday of each month in various communities throughout the County. Locations and scheduled programs are announced in advance. Some meetings include a dinner program, and visitors are always welcome.

The Society operates the Calaveras County Museum which is open daily from 10:00 to 4:00 in the historic County courthouse located at 30 Main Street in San Andreas; and the historic Red Barn Museum at 891 Mountain Ranch Road, also in San Andreas, which is open Thursday to Sunday, 10:00 to 4:00.

The Society's office is located in historic San Andreas, the Calaveras County seat. Visitors are always welcome to stop by the office for assistance with research, and are encouraged to visit the museums while in the area. The office is open Monday through Friday from 8:30 to 4:00, and the telephone number is (209) 754-1058, or contact us at: CCHS@goldrush.com; Red Barn Museum (209) 754-0800.

April-June 2016

Donations:

- Matuca Chapter E Clampus Vitus—Cash donation
- Mike Schmitz—Avery Hotel sign
- William Lafranchi—Photos of West Point, and West Point residents
- Steve Cilenti—Stock certificate from the Sheep Ranch Gold Mining company
- Michael Fritz—1923 hand crank wall phone from the Sinclair General Store in Jenny Lind
- Katherine Van Cleave—Poster from 1940 Calaveras High School play
- Kenneth Jones—Cash donation
- Leo & Sharon Quintana—Cash donation
- John & Juanita Poore—Cash donation
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- John Mac Pherson—Cash donation
- Rich & Kelly Panzarino—Cash donation
- Bob & Ginny Ghiradelli—Cash donation
- Marci Biagi—Antique birthing stool with leather and hob nail trim
- Elizabeth Staples—Cash donation
- Mary Lee Levy—Cash donation
- Keith & Jane Wishon—Cash donation