

The Gazette (Cedar Rapids-Iowa City)

Hickory stick enforces laws

Dick Hogan Gazette staff writer

Published: June 30, 1996

Hosea W. Gray was Linn County's first sheriff. But county history books don't agree on who appointed him or when. He clearly wasn't the first Linn County law enforcement official, though. That honor seems to go to John McAfferty, who in 1838 was listed as the area's first justice of the peace. In 1839, Joseph Williams was named a district judge, and Andrew J. McKean and William Smith were appointed constables.

Linn County's first three commissioners, forerunners of the current county supervisors, were elected in August 1839. They first met Sept. 9, 1839.

Some sources say they appointed Gray at that first meeting. Others say that Gray was appointed by Territorial Gov. Robert Lucas in 1840.

But the 1878 "History of Linn County" records that at the first meeting of commissioners, Gray was told to contract with the Muscatine County sheriff "for the safe keeping of Samuel Clews, the first man to require the services of the sheriff in the capacity of guardian." Gray was told to borrow money to pay for Clews' support. The book did not say what Clews had done.

On Jan. 9, 1840, the commissioners approved Linn County's first jail and a courthouse site in Marion, then the county seat. Sheriff Gray designed the jail. It cost \$635 and was completed by May 1, 1840, according to the "Linn County History."

The "Commemorative History of Iowa Sheriffs and Deputies" describes the jail as a solid two-story building. Half the bottom story was underground and served as a cell. Its access was by a ladder let down from the second floor.

Also in 1840, Lucas ordered Gray to take a county census. Late that year Gray reported the county's population at 1,373.

Cedar Rapids was incorporated in 1849. The charter was revised in 1856. The chief city marshal, then an elected position, headed city law enforcement from 1856 to 1908. The city had 21 chief marshals during that period. In 1909, James Carl became the first appointed police chief. Current Chief Bud Byrne is the 19th chief since 1908.

Alexander Laurance, an early marshal, was elected twice: from 1863 to 1865 and from 1867 to 1872. A Scottish immigrant born in 1811, Laurance came to the United States in 1833. He was sheriff of Livingston County, N.Y., before coming to Iowa.

His son, Charles A. Laurance, recalled in a book titled "Pioneer Days in Cedar Rapids 1860-1880" that the town then had many saloons, and he wrote of his father's law enforcement style:

"His weapon of offense and defense, carried on all occasions, was a stout hickory cane, with a crooked handle. Many a town boy just reaching the years of self-importance, trying valiantly to surmount 'fool's hill,' felt the impress of that crook as he tried to fade out of an embarrassing situation. But with unerring accuracy, the cane did its work; the boy was captured, received a little good advice, was told to go home and sin no more."

Thomas J. McKean, a West Point graduate, was elected sheriff in 1860. But McKean gained more notice after resigning in February 1861 to become a Union Army officer. When the Civil War ended McKean was a brigadier general.

The "History of Linn County" says the first murder was committed in Marion on March 20, 1847. James Reed "brutally assaulted" Nathaniel Carnagy with a "billet of wood." Carnagy died April 3. It was an old feud fueled by drink. Trial was not held until April 1848, and a jury acquitted Reed.

The next murder was on Oct. 8, 1855. Samuel Butler was charged with killing Patrick O'Connor over a long dispute about a quantity of corn. They fought, and Butler hit O'Connor over the head with a gun, fracturing his skull and killing him instantly. Following a four-day trial in November 1856, Butler was acquitted.

A saloon owner known only as Decklats was charged with the Christmas Eve, 1864, shooting death of John Clark Akers.

Akers and others had been on the town and heard Decklats had accused them of stealing some tumblers. They returned late and asked for drinks, which Decklats refused to serve. He accused Akers of the theft. Akers called him a liar, claiming he put down a dollar for liquor and got no change. Akers assaulted Decklats and was shot and killed.

Decklats was convicted and sentenced to 16 years in prison. The Supreme Court affirmed the conviction but reduced the term to 10 years.

Copyright (c) 1996, 2000 Cedar Rapids Gazette