

Peninsula Diary Mayo Hayes O'Donnell

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### **Romantic, Glamorous 50'S**

Interesting sidelights on the lives of California during the romantic and glamorous 50's are contained in an ancient volume of the early Monterey Police Department. The book written in laborious and at times almost illegible longhand, is the work of John W. Miller, undersheriff of Monterey County under Thomas Watson, and represents the sole records of the Monterey County jail for a ten year period beginning in 1850.

Many of the entries may prove a bit shocking to the minds of Montereyans in 1965; others are decidedly humorous, and still others provide a truly remarkable insight into methods and habits of the vague and awe-inspiring figures of California history.

One of the first present day beliefs blasted by brief perusal of the pages of the jail register is one to the effect that the dungeon-like Monterey jail was hard to get out of. True, escapes were rare, but the hardy criminals and alleged criminals were not particularly bothered by adobe walls. The additional inconvenience of leg and hand irons was also apparently lightly regarded for records of escaped prisoners occupy a considerable amount of space in the old book.

The book is a record of the days when condemned men were executed in the little jail here, and although official hangings were comparatively few, many prisoners were found "hanging in the jail yard" by the jailer on his appearance in the morning. On May 11, 1856, three Indians, all charged with murder, were the victims of a mob. At least that inference is to be drawn from rather cryptic account of Mr. Miller. The notations of similar character are far from rare.

Horse thieves, contrary to general belief, were not classed as major criminal cases, Jail sentences or case fines, perhaps considered heavy then, were the usual penalty for "borrowing" a horse. Drunkenness cases fill a goodly section of the book and another large part of the notation deal with the usual run of larceny, assault and battery, and similar criminal cases.

Homicides were comparatively common, punished in most cases being swift, weather legal or not. A common punishment for the lesser evil-doers was a sentence of

from 20 to 40 lashes by the sheriff who was equipped with the proper implement.

Many of Mr. Miller's Indian customers were sold out in bondage for various periods in satisfaction of penalties assessed against them by the courts. Perhaps the most pathetic case of this sort of punishment concerned a gentleman who was sent to jail for wife beating. He was promptly leased out to his wife for the period of the jail sentence. With the majesty of the law on his wife's side it is considered certain that the poor fellow atoned for most of his sins.

The register shows the names of all the prisoners, the charges against them, disposition of the case and "remarks".

The last column frequently proves to be the most interesting one of the lot.

A few of Mr. Miller's notations are appended here for the edification and entertainment of the reader:

"John Anthony, horse stealing, Indian, received 25 lashes.

"William Oti, fugitive from justice, strangled in cell, August 10, 1851.

"Jean Garcia, horse stealing, Indian, assisted to escape by others entering his cell through the roof of the jail and releasing him from double irons.

"Jose Francisco, vagrant, sentenced to be sold at auction for 4 months from October 30, 1850

"Francisco Martinez, grand larceny, pardoned by the governor.

Augustini Esquabor, murder, discharged for justifiable homicide.

"Pedro, Indian, petit larceny sold to M. Roach.

"William Emmett, grand larceny, some calls him Three-Fingered Jack.

"Lamos Baiton, battery, black as my hat. His squaw and himself had a fight.

"F. Williamson, assault and battery, this was a dam hard case!" (He did not relate how he settled it).

"E Lota, grand larceny, gone to hell.

"Jose Antonio Carillo, highway robbery, discharged not sustained.

"A. D. Biddlecorn, grand larceny, charge ignored by the grand jury.

"Jose Anastasia Alviso, murder, hung on the 12th of February, in conformity with sentence passed by the judge.

"M. Ariano, vagabond services sold for four months to H. Escolle for three dollars.

"Patricia, wounded, and put in jail for cure.

"Manuel Padilla and Jose Torres, herding sheep on Rancho Sanjones and Chualar contrary to law.

"F. De Bard, battery hired out to his wife at 60 cents per day.

"Jose D. Rosales, murder, sent to God on rope."