

HISTORY - THE CONSTITUTIONAL IMPERATIVE -

Enforcing the Fugitive Slave Law put Marshals squarely in the middle of the controversy.



Abolitionists and other opponents of slavery and the Fugitive Slave Law willfully and as a matter of conscience violated the law by rescuing fugitive slaves from the custody of U.S. Marshals. The freed slaves were taken to Canada. Northern hatred of slavery and Southern protection of their peculiar institution resulted in Southern secession from the Union and national Civil War.



SCHOOL INTEGRATION

As part of the famous Compromise of 1850, Congress passed one of the most roundly hated and violently opposed laws in American history. The Fugitive Slave Act required U.S. Marshals in the north to return escaped slaves to their masters in the South. Northern abolitionists, who were intent on abolishing the institution of slavery, turned on the Marshals in a number of slave rescue cases.

But the Marshals, regardless of their personal feelings, had no choice. The Constitution itself required the free states to return fugitive slaves. The Fugitive Slave Law merely implemented that Constitutional provision. To deny the law, even a hated law, meant a denial of the Constitution itself. The Marshals enforced the law.

A century later, continuing to enforce the nation's laws, Marshals were sent South to protect black citizens in the exercise of their civil rights under the Fourteenth and Fifteenth Amendments to the Constitution. As depicted above, during the height of the Civil Rights Movement, Deputy U.S. Marshals escort black first grader into a school in New Orleans. Throughout the South, Marshals escorted black children to school and protected black college students who simply wanted to get an education. The Marshals also walked with blacks from Selma to Montgomery to register to vote, they stood beside Deputy Attorney General Nicholas Katzenbach when he confronted Governor George Wallace on the steps of the University of Alabama, and they rode buses with the Freedom Riders.

In doing so, the Marshals were upholding the Constitutional rights of all citizens to enjoy equal access to society's benefits. When rioters attacked the Deputy Marshals at the University of Mississippi on September 30, 1962, they were challenging the Constitution. The basic American concepts of liberty and equality hung in the balance.

Historical Timeline

1789



[Oldest Federal Law Enforcement Agency](#) [On September 24, President George Washington appointed the first 13 U.S. Marshals](#) following the passage of [the first Judiciary Act](#).

1790

The U.S. Marshal has historically conducted death sentences on those condemned by federal courts.

1789-1865

Until the creation of the Secret Service in 1865, [Marshals were frequently called upon to pursue counterfeiters](#).

1790-1870

U.S. Marshals were required by Congress to take the national census every ten years.

1794



[U.S. Marshal Robert Forsyth was murdered while serving civil process on the Allen brothers](#).

[Conclusion: Retired Deputy U.S. Marshal Follows the Trail of Robert Forsyth's Murderer](#)

1794

August 4 - Supreme Court Justice James Wilson certified that the Whiskey Rebels were "too powerful to be suppressed by the powers vested in the Marshal of that district". President Washington called out the state militia.

September 7 - The state militia marched against the Whiskey Rebels. U.S. Marshal David Lenox rode with them and marched under the command of President Washington, the only time in American history a president has taken the field at the head of his army.

1798

July 13 - Congress passed the Sedition Act punishing unlawful combinations against the government or publishing "false, scandalous, and malicious writing" about the government. U.S. Marshals and Attorneys enforced the infamous law.

1850-1861

Upon passage of the Fugitive Slave Law of 1850 by Congress, U.S. Marshals enforced the Act by arresting fugitive slaves and returning them to their southern masters. Marshals were required to enforce the law. Any negligence in doing so exposed Marshals and deputies to severe financial penalties.

1857

Nov. 14 - William Walker launched a military expedition against Nicaragua. Although arrested by U.S. Marshal William Wagner (E/LA), Walker posted bail. The expedition failed in the face of poor weather, poor organization, and British ships.

1861-1864



During the Civil War, U.S. Marshals confiscated property used to support the Confederacy and helped root out Confederate spies. ◀[Lincoln and His Deputy](#) ▶[The Undefeated Rebel](#)

1865-1900

U.S. Marshals were instrumental in keeping law and order in the "Old West" era and involved in [apprehending desperadoes such as the Dalton Gang, Bill Doolin, and Ned Christie](#). See also: ◀[Line of duty deaths prevalent in Old West](#) ▶[How much does it cost to find Billy the Kid?](#)

1870

On July 1, 1870, Congress created the Department of Justice and gave it supervision over U.S. Marshals and Attorneys.

1872

[U.S. Marshals assisted Internal Revenue agents \(who had no arrest powers\) in enforcing the whiskey tax laws.](#)

1880

[Prisoner Custody in the 1880's](#)

1881

Oct. 26 - Tombstone, Arizona Territory - Marshal Virgil Earp and his deputies, brothers Wyatt and Morgan Earp, and Doctor John H. Holliday, gunned down Frank and Tom McLaury, and Billy Clanton in a vacant lot just down the street from the O.K. Corral.1881:

1890



The Supreme Court held that the President has power, through the Attorney General, to direct a United States Marshal to accompany and protect federal judges from a threatened assault: [Judicial Protection: Cunningham vs Neagle 135 U.S. 1 \(1890\)](#) ; See also [In the matter of David Neagle, Deputy U.S. Marshal](#)

1894

During the Pullman strike, U.S. Marshals were ordered by the federal courts and the Cleveland administration to keep the trains rolling.

1896

July 1 - The fee system of paying Marshals was abolished. The Marshals were put on annual salary.

1910

Nov. 20 - Francisco Madero launched a revolution from U.S. soil against Mexican President Porfirio Diaz. The subsequent turmoil in Mexico compelled the U.S. Marshals to protect the Mexican-American border.

1906-1943



U.S. Marshals served the consular courts in China

1917

[Marshals and World War I](#): While American troops fought in the trenches of Europe, United States Marshals protected the home front against enemy aliens, spies, and saboteurs.

1919

Oct. 27 - The Volstead Act activated the 18th Amendment's prohibition on liquor. During Prohibition, U.S. Marshals arrested bootleggers and seized all of their equipment - cars, trucks, breweries, and warehouses.

1920

The 18th Amendment was ratified, prohibiting the manufacture, sale, and transportation of intoxicating beverages. [U.S. Marshals were the principal enforcing agents.](#)

1920-1960

The Twentieth Century era of specialization left the U.S. Marshals performing fewer functions related to the courts.

1937

Oct. 13 - U.S. Marshals were requested to run background checks on deputies.

1956

Dec. 17 - The Executive Office of U.S. Marshals was created.

1960-1965



U.S. Marshals provided security to enforce federal laws and orders related to civil rights. After riots erupted over [James Meredith's enrollment at Ole Miss in 1962](#), teams of deputies protected him 24 hours a day for an entire year. In a similar circumstance, [Ruby Bridges was also provided U.S. Marshals protection](#) when she was one of the first students to integrate the New Orleans public schools.

1967

October 21 - Deputy U.S. Marshals protect the Pentagon against possible damage. See: [U.S. Marshals and the Pentagon Riot](#)

1969

The U.S. Marshals Service (USMS) was established as a headquarters organization, overseeing the district U.S. Marshals. [Former agency leaders](#)

1971

The [Witness Security Program](#) was established as a division within the USMS after the passage of the Organized Crime Control Act of 1970. The Special Operations Group (SOG) was established to provide a well trained, self-sufficient, mobile group of deputies capable of responding anywhere within the United States and its territories within a few hours of receiving an activation order.

1973

[Marshals and FBI agents contained the unrest at Wounded Knee, South Dakota.](#)

1979

The USMS assumed the responsibility for the apprehension of federal fugitives. [The capture of Christopher Boyce](#) was the first high profile fugitive arrested by the Marshals after their fugitive responsibilities were expanded to include escapees from federal prison facilities.

1981

The first of the [Fugitive Investigation Strike Team \(FIST operations\)](#) was established to operate as a multi-agency task force to apprehend federal, state, and local fugitives.

1982

[The closing of the Panama Canal Zone Marshals Service Office.](#) In cooperation with the Administrative Office of the U.S. Courts, established the [Court Security Officer Program](#).

1984

Comprehensive Crime Control Act of 1984

1985

U.S. Marshals assumed the responsibility for managing and disposing of properties seized and forfeited by federal law enforcement agencies and U.S. Attorneys nationwide.



Marshals Service acquired its first Boeing 727 used for [prisoner transportation](#).

1989



[U.S. Marshals celebrated 200 years of service to the United States.](#) [Official U.S. Law Enforcement entity in Antarctica](#)

1996

U.S. Marshals assumed the responsibility for the Justice Prisoner and Alien Transportation System (JPATS), which merged the air fleets of the USMS and the Immigration and Naturalization Service (INS).

Marshals Protect Clinics and Doctors - As a result of the bombings and threats against abortion clinics, U.S. Marshals were responsible for protecting the clinics and doctors.

1997

U.S. Marshals provided security for the Timothy McVeigh and Terry Nichols trials, convicted of bombing the Alfred P. Murrah Federal Building in Oklahoma City.

1998

Investigative Presence in Mexico - U.S. Marshals established a foreign investigative presence in the U.S. Embassy, Mexico City, Mexico.

1999

USMS signed a Memorandum of Understanding with U.S. Customs, giving the USMS responsibility to investigate the majority of their fugitive warrants.

2005



U.S. Marshals completed the largest fugitive apprehension operation in American history. Through [Operation FALCON \("Federal And Local Cops Organized Nationally"\)](#), which was conducted April 4–10, 2005, Deputy U.S. Marshals and their law enforcement partners arrested a total of 10,340 fugitives and cleared more than 13,800 felony warrants.

2006

[Operation FALCON II April 17- 23, 2006](#) - U.S. Marshals coordinated with federal, state, city and county law enforcement agencies in a massive fugitive dragnet. [Read More](#)

[Operation FALCON III](#) - Federal and Local Cops Organized Nationally - A massive fugitive operation took place the week of October 22- 28, 2006 and [covered the eastern half of the United States](#). As a cooperative effort, Operation FALCON III removed some of the country's most dangerous sex offenders and gang members from the streets.

2006



Fugitive Safe Surrender was authorized by Congress in July 2006. The program is believed to be the first of its kind in the nation. A unique, creative, and highly successful initiative that encourages persons wanted for **non-violent felony** or **misdemeanor** crimes to voluntarily surrender to the law in a faith-based or other neutral setting.

2007



[America's Star in Space Again!](#)

[FALCON 2007](#) focused on gang members and gang activity in targeted urban areas.

2008

[FALCON 2008](#) - In June 2008, the U.S. Marshals teamed with its partners from federal, state, and local law enforcement to engage in the record-breaking Operation FALCON 2008. This represented the fifth effort in a continuing series of historically successful national fugitive apprehension missions, and resulted in the collective capture of more than **55,800** dangerous fugitive felons.

[A Visit to Chief Deputy U.S. Marshal Helen Crawford, Retired](#) - At age 100, Helen Crawford still prides her long career with the U.S. Marshals. On July 14, 2008, from the sitting room at an assisted living facility, Bonner Place in Jacksonville, Texas, she related the most exciting of times. *** Ms. Helen V. Crawford passed on June 29, 2010, just two weeks shy of her 102nd birthday. Representing the Eastern District of Texas at the service was former U.S. Marshal John Moore and former Chief Deputy David Sligh. She was interred at Cathedral in the Pines, Beaumont, Texas. She was an original and will be greatly missed.*

History - The First Generation of United States Marshals US Marshals

General Portrait of the First Sixteen Marshals

Building a nation depends not only on the laws that define the government, but also on the quality of the individuals who serve it. President George Washington, as he filled the various offices of the new federal government throughout 1789, fully understood the importance of selecting able men. He brought into his Cabinet some of the brightest minds in the country, including the champion of the rights of man, Thomas Jefferson, as Secretary of State, and the apostle of a strong central government, Alexander Hamilton, as Secretary of the Treasury. For other offices of the government, Washington sought men with strong local ties and a deep commitment to the new nation. Edmond Randolph, for example, the first Attorney General, was a prominent Virginian who served the new country by fighting in the Revolutionary War and representing Virginia in the Second Continental Congress and the Constitutional Convention. By drafting such men as Randolph, Jefferson, and Hamilton, Washington tried to balance the need for a powerful national government against the jealously protected rights of the states.

"Impressed with a conviction that the due administration of justice is the firmest pillar of good Government, I have considered the . . . Judicial department as essential to the happiness of our Country, and to the stability of it's political system." -- GEORGE WASHINGTON

Washington considered the several offices created by the [Judiciary Act of 1789](#) of premier importance to the new nation. "Impressed with a conviction that the due administration of justice is the firmest pillar of good Government," he wrote Randolph on September 28, four days after signing the Act into law, "I have considered the first arrangement of the Judicial department as essential to the happiness of our Country, and to the stability of its political system; hence the selection of the fittest characters to expound the laws, and dispense justice, has been an invariable object of my anxious concern." The Supreme Court Justices, the Attorney General, the district court judges and attorneys, the court clerks, and the United States Marshals would define, administer, and enforce the growing body of federal laws. By their actions, these men would determine the boundary between federal authority and local autonomy.

The President carefully considered whom to appoint to the judiciary offices. Long before the bill reached his desk, he consulted with his advisors and reviewed the credentials of the various candidates. Many of them he knew personally. By the time the bill was ready for his signature, Washington had made most of his selections.

On September 26, 1789, he signed the commissions of thirteen Marshals. He spent most of Thursday, October 1, dispatching "many of the Commissions of the Judiciary Judges, Marshals, and Attorneys." This work also occupied most of the President's time the next day. Ever conscious of the importance of each office, Washington chose men on whom he could depend to support the federal government without endangering the rights of the states.



Allan McLane
1746-1825
Delaware



Henry Dearborn
1751-1829
Maine



Isaac Huger
1742-1797
South Carolina



Nathaniel Ramsay
1741-1817
Maryland

The first generation of United States Marshals appointed by Washington proved their commitment to the new nation in time of war, yet their strong ties to their local communities ensured their respect for the individual states.

According to one historian, Washington's Marshals were "an able group of men. . .representing on the whole a type that was politically active." During Washington's first administration, Congress created sixteen judicial Districts. The first Marshal in each of these Districts provides a good sample from which to draw generalizations about Washington's appointees. Each state constituted one judicial District, except Massachusetts which was divided into the Districts of Massachusetts and Maine. (Maine did not become a state until 1820.) In addition, the territory of Kentucky, which did not enter the union as a state until 1792, was one of the original judicial Districts. By 1791, Washington had appointed the first Marshal for each of the original sixteen Districts.

The sixteen men who composed the first generation of United States Marshals set a number of precedents that have been followed with relative consistency down to the present day. They were loyal, dedicated men who had served their country in the past and were prepared to serve it again. Most were prominent in their communities and had strong political connections. Most were members of the president's political party, loyal and sympathetic to his programs, and opposed to his political opponents. Consequently, most lost their job as Marshal when another party came to power.

In general, Washington chose men who were well-respected and active in the affairs of their local communities and states. Most had spent many years, if not their entire lives, in their Districts and had established strong connections within the local political structures. Washington expected them to support the courts and the federal government within their Districts, but to do so in such a way that the community chauvinism would not be offended. Because they were products of these communities and sympathetic to local pride, the first generation of Marshals was generally successful in carrying out this dual assignment.

In addition to their local ties, the first Marshals shared a national commitment. Fourteen served in the military during the Revolutionary War. By the end of the war, one, the youngest, was a private; one briefly served as a Captain; two were Majors; three were Lieutenant Colonels; five were Colonels; one was a Brigadier General; and one, too young to serve, was a general's aide. Of the two who did not see military service, one turned his trading ships into privateers and represented his state in the Continental Congress, and the other worked as a counselor to his governor and sat in his state's legislature.

At least seven of the sixteen lived their entire lives in the Districts they served as Marshal. Most of the remainder spent several decades in their Districts, although one lived in his District only four years before his appointment as Marshal. Their average age at the time of their appointment was 42. The youngest was 25, the oldest 57. They remained in office an average of approximately six years, though this ranged from a tenure of one year to twenty years. After leaving office, five transferred to more lucrative posts within the federal government, such as collector or customs or supervisor or inspector of revenue. One became Secretary of War under Thomas Jefferson, and three represented their communities in Congress. One was killed in the line of duty and one died of disease while in office. The remainder retired to their private affairs. The descendants of the first 16 Marshals included a Supreme Court Justice, a Civil War general, and a Secretary of State.



Jonathan Jackson
1743-1810
Massachusetts



Clement Biddle
1740-1814
Pennsylvania



William Smith
1755-1816
New York



Lewis R. Morris
1760-1825
Vermont



Robert Forsyth
1754-1794
Georgia

At least two had some law enforcement experience, one as a sheriff and one as a marshal of the Admiralty Courts established by the Second Continental Congress shortly after the outbreak of the Revolution. One was a trained physician, though he had little time to practice that profession. The others made their livings as farmers, merchants, businessmen, lawyers, and politicians.

Regardless of their careers, the Revolutionary War disrupted their lives and ruined the fortunes of several. Although most recouped their losses to become wealthy men by the 1790s, a few never fully recovered and one died in or near poverty. All but a few regularly corresponded with George Washington, and many called him friend. Most owed their appointments to their previous associations with the President, including their service under his command during the war. At least five joined the Society of the Cincinnati (one was a founding member), an honorary association of veterans named for Washington's resemblance to Cincinnatus, the famous Roman farmer turned soldier. The few who did not know Washington personally depended on references from friends for their appointments.

They were, in sum, patriots. One would fight again during the War of 1812 as the commanding general of the largest American army operating during the war. The first Marshals helped establish the new judicial system and the new federal government on a firm foundation based on local ties and affiliations. Since the Marshal was not a stranger to the people of his District, the exercise of federal power at the local level was made slightly more palatable to the American people.

Brief biographies of the first generation of U.S. Marshals, giving some detail of their lives, follow in their generally accepted order of appointment, though 13 were commissioned on September 26, 1789.



Thomas Lowry
1737-1806
New Jersey



Samuel McDowell
1764-1834
Kentucky



Edward Carrington
1748-1810
Virginia

John Skinner
1760-1819
North Carolina

John Parker
1732-1791
New Hampshire

Phillip Bradley
1738-1821
Connecticut

William Peck
1755-1832
Rhode Island

<u>Nathaniel Ramsay</u> 1741-1817 Maryland	<u>Isaac Huger</u> 1742-1797 South Carolina	<u>John Parker</u> 1732-1791 New Hampshire	<u>Edward Carrington</u> 1748-1810 Virginia	<u>William Smith</u> 1755-1816 New York	<u>Samuel McDowell</u> 1764-1834 Kentucky
<u>Henry Dearborn</u> 1751-1829 Maine	<u>John Skinner</u> 1760-1819 North Carolina	<u>William Peck</u> 1755-1832 Rhode Island	<u>Lewis R. Morris</u> 1760-1825 Vermont		