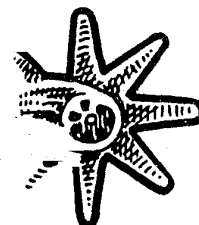


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**The Lawmen:
United States Marshals
and Their Deputies**

1789 to the Present



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United States Marshals
and Their Deputies**

by

**Frederick S. Calhoun,
Historian, U.S. Marshals Service**

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ACQUISITIONS

An overview of the origins and colorful history
of the Nation's oldest, most distinguished
federal law enforcement organization

"For more than a century after the establishment of the federal government in 1789, U.S. Marshals provided the only nationwide civilian police power available to the president, Congress, and the courts. For two hundred years now, U.S. Marshals and their deputies have served as the instruments of civil authority used by all three branches of government. Marshals have been involved in most of the major historical episodes in America's past. The history of the marshals is, quite simply, the story of how the American people govern themselves."

This is an excerpt from the forthcoming official history of the U.S. Marshals by Frederick S. Calhoun, Historian, U.S. Marshals Service. Mr. Calhoun, who received his Ph.D. from the University of Chicago, is the author of *Power and Principle: Armed Intervention in Wilsonian Foreign Policy*.

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UNITED STATES MARSHALS AND THEIR DEPUTIES

United States Marshal Robert Forsyth may have expected trouble. He took two of his deputies with him to Mrs. Dixon's house in Augusta, Georgia, on January 11, 1794, because the Allen brothers, Beverly and William, had reportedly been seen there. The forty-year-old Forsyth, a veteran of the Revolutionary War, knew how to take care of himself, but in the four years he had served the new federal government as the first marshal in the District of Georgia he had experienced little, if any, difficulty or resistance. Most of his work had consisted of routine administrative duties in support of the federal court. His search for the Allen brothers was no different. The marshal merely wanted to serve them with some court papers in a civil suit. Nonetheless, Forsyth took the precaution, for whatever reason, of taking two of his deputies with him.

When the three officers entered Mrs. Dixon's house, they found the Allens talking with friends. Wishing to spare the brothers embarrassment, Forsyth asked to speak to them privately outside. Instead of following the marshal, however, the brothers ran up to the second floor and darted into the nearest room, bolting the door behind them. While they waited for Forsyth and his deputies to come after them, Beverly Allen loaded, primed, and cocked his pistol.

Surprised that the brothers had run away, Forsyth and his deputies went to find them. After mounting the stairs, they walked toward the closed door. Hearing their approach, Beverly Allen aimed his pistol toward the door and squeezed the trigger. Before the sound of the gunshot could echo off the walls, the ball splintered through the wooden door and struck Forsyth fair in the head. He was dead before his body hit the floor, the first of more than three hundred marshals killed performing their duties. Although the two deputies promptly arrested the Allens, the brothers later

escaped from the local sheriff and were never brought to trial.

Ninety-three years later, on a Sunday morning in late November 1887, Deputies Frank Dalton and James Cole rode out of Fort Smith, Arkansas, into the notorious Indian Territory. They had a warrant to arrest David Smith for peddling whiskey and bring him before the court of Isaac Parker, the famous "Hanging Judge." An informant had told the deputies the location of Smith's camp in the Cherokee Nation. When they arrived, they found a single tent, around which all was quiet.

But the outlaw heard their approach. Taking both deputies by surprise, Smith rushed from the tent firing his pistol. The first shot struck Dalton in the chest, knocking him to the ground. Cole immediately fired back, killing the outlaw. Barely had the gunsmoke cleared before three more men and a woman rushed from the crowded tent, their

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guns blazing at the surprised deputy. Although outnumbered, Cole fought back, shooting at the outlaws as they scattered across the clearing. During the exchange, seven bullets ripped harmlessly through Cole's clothing before he, too, was hit in the chest. In return, Cole killed one of the men and the woman, and wounded another of the men before he ran out of ammunition. Weakened by loss of blood and presuming his partner dead, Cole retreated a short distance away where he rested briefly before making his way back to Fort Smith. While he caught his breath, he witnessed, helplessly, the gruesome results of the gunfight.

Once Deputy Cole was out of sight, the remaining outlaw, William Trawley, strode purposefully over to Deputy Dalton, who lay dying from the bullet in his breast. Knowing that he was mortally wounded, Dalton begged Trawley to leave him alone to die. "Oh! You son of a bitch," Trawley screamed. He shouldered his Winchester and fired point blank into Dalton's mouth. His vengeance still unsatiated, Trawley immediately chambered another round and shot Dalton again in the head.

The history of the marshals is, quite simply, the story of how the American people govern themselves.

Deputy Frank Dalton was but one of more than one hundred deputies killed during the last quarter of the nineteenth century while working in the Indian Territory, known today as Oklahoma. In the process, they and their cohorts throughout the western United States earned a place in American folklore as the men who brought law and order to the untamed territories. As the United States expanded across the continent, U.S. Marshals and their deputies established the federal government's authority over areas that had known little order and no government. Most of them were rough, uncouth men. Deputy Dalton's brothers, for instance, also served briefly as deputies in the Indian Territory before turning to the more lucrative, but just as dangerous, practice of robbing banks.

Almost a century after Frank Dalton died, on February 13, 1983, Marshal Kenneth Muir and his deputies set up a roadblock on the outskirts of Medina, North Dakota. They had a warrant for the arrest of Gordon Kahl, a federal fugitive wanted for refusal to pay his taxes. As the leader of the violence-prone Posse Comitatus group, Kahl had, in effect, declared a private war on the United States government. Coming down the highway, Kahl and his carload of supporters

slowed before Muir's roadblock. Barely had the car stopped before Kahl and his companions opened fire with automatic weapons. The gun battle raged only a few minutes before Kahl made his escape, leaving Marshal Muir and Deputy Robert Cheshire dead on the North Dakota road. Four months later, Kahl himself was killed in another shootout with marshals, FBI agents, and local police in Arkansas.

These three episodes, separated in time across the expanse of two centuries, illustrate the violent side to the history of U.S. Marshals and their deputies. For more than a century after the establishment of the federal government in 1789, U.S. Marshals provided the only nationwide civilian police power available to the president, Congress, and the courts. Even after the creation of more than fifty specialized federal law enforcement agencies during the twentieth century, the marshals retained the broadest jurisdiction and authority. For two hundred years now, U.S. Marshals and their deputies have served as the instruments of civil authority used by all three branches of government. Marshals have been involved in most of the major historical episodes in America's past. The history of the marshals is, quite simply, the story of how the American people govern themselves.

Extensive Authority

The offices of U.S. Marshal and Deputy Marshal were created by the first Congress in the Judiciary Act of 1789, the same legislation that established the Supreme Court and the federal judicial system. The marshals were given extensive authority to support the federal courts within their judicial districts and to carry out all lawful orders issued by judges, Congress, or the president. As a balance to this broad grant of authority, Congress imposed a time limit on the tenure of marshals, the only office created by the Judiciary Act with an automatic expiration. Marshals were limited to four-year, renewable terms, serving at the pleasure of the president. Until the mid-twentieth century, the marshals hired their own deputies, often firing the deputies who had worked for the previous marshal. Thus, the limitation on the

marshal's term of office frequently extended to the deputies as well.

Their primary function was to support the federal courts. The marshals and their deputies served the subpoenas, summonses, writs, warrants, and other process issued by the courts, made all the arrests, and handled all the prisoners. They also disbursed the money. The marshals paid the fees and expenses of the court clerks, U.S. Attorneys, jurors, and witnesses. They rented the courtrooms and jail space and hired the bailiffs, criers, and janitors. In effect, they ensured that the courts functioned smoothly. The marshals took care of the details, thereby freeing the judges and attorneys to concentrate on the cases before them. They made sure the water pitchers were filled, the prisoners were present, the jurors were available, and the witnesses were on time.

But this was only a part of what the marshals did. When George Washington set up his first administration and the first Congress began passing laws, both quickly discovered an inconvenient gap in the Constitutional design of the government. It had no provision for a regional administrative structure stretching throughout the country. Both the Congress and the executive were housed at the national capital. No agency was established or designated to represent the federal government's interests at the local level. The need for a regional organization across the country quickly became apparent. Congress and the president solved part of the problem by creating specialized agencies, such as customs and revenue collectors, to levy the tariffs and taxes. Yet, there were numerous other jobs that needed to be done. The only individuals available to do them were the U.S. Marshals and their deputies.

Thus, the marshals also provided local representation for the federal government within their districts. They took the national census every ten years until 1880. They distributed presidential proclamations, collected a variety of statistical information on commerce and manufacturing, supplied the names of government employees for the national register, and performed other routine tasks needed for the central government to function effectively. Over the past two hundred years,

Congress and the president also called on the marshals to carry out unusual or extraordinary missions, such as registering enemy aliens in time of war, capturing fugitive slaves, sealing the American border against armed expeditions aimed at foreign countries, and swapping spies with the Soviet Union.

These diversified duties precluded the marshals from developing any particular specialty. They were law enforcers, but also administrators. They

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needed to be adept in accounting procedures and pursuing outlaws, in quelling riots and arranging court sessions. The legacy of their history was the avoidance of specialization. Even today, in this age of specialists, U.S. Marshals and their deputies are the general practitioners within the law enforcement community. As the government's generalists, they have proven invaluable in responding to rapidly changing conditions. Although the FBI, Customs, Border Patrol, and other federal agencies are restricted by legislation to specific, well-defined duties and jurisdictions, the marshals are not. Consequently, they are called upon to uphold the government's interests and policies in a wide variety of circumstances.

For the American people, the marshals personified the authority of the federal government within their communities. The frequent outbursts of opposition to federal power that characterize much of American history were often first directed at individual marshals or deputies. The marshal, in effect, was the point of contact in the

friction between the national government and local communities. The Whiskey Rebels of 1794, for example, violently opposed the national tax on whiskey. They expressed that opposition by taking Marshal David Lenox prisoner. Northern marshals enforced the bitterly resented Fugitive Slave Law of 1850. Every time they took an escaped slave into custody, they risked the wrath of angry mobs intent on freeing the fugitive. Southern marshals reconstructed the South and protected the rights of the newly freed slaves after the Civil War. During the early twentieth century, the marshals served court injunctions against strikers in a surprisingly large number of labor strikes that rocked the nation. Throughout the 1960s, marshals desegregated the nation in the face of hostile opposition from segregationists.

"...Peril of Your Life."

Nor was opposition to the federal government restricted to individual citizens or groups of citizens. State and local governments also took umbrage at federal measures. Their anger, too, was often directed at individual marshals who suffered interference, arrest, and imprisonment as a result. In March 1809, the Pennsylvania state legislature passed a resolution calling on all citizens to resist Marshal John Smith's court-ordered efforts to collect money from the state in the complicated Olmstead case. The marshal went to the house of one of the defendants with a writ of attachment in hand. Eight state militiamen greeted him with bayonets. "In the name and by the authority of the United States, I command you to lay down your arms and permit me to proceed," Marshal Smith declared. "In the name and by the authority of the commonwealth of Pennsylvania, I command you to resist him," ordered General Bright, the commander of the squad. Turning to Marshal Smith, Bright warned that any further effort to enter the property would be "at the peril of your life."

The marshal, after taking down the names of the militiamen, returned to the courthouse, where he promptly called on the Secretary of State for permission to raise a posse of two thousand men. The next day, Smith went back alone to the defen-

dant's house, which was still guarded by General Bright and his men. Circling around back onto Cherry Street, he scaled the fence and served his process on the defendant through the back door. Later, General Bright and his men were indicted and found guilty of resisting a federal court order. Bright was sentenced to three months imprisonment, his men to one month. All were pardoned by President James Madison.

Other instances of interference by the local governments abound. After the Civil War, dozens of deputies were incarcerated in Southern jails as a result of their efforts to enforce federal laws. Deputy W. B. Blackburn was indicted by the Circuit Court of Tuscaloosa County, Alabama, in 1884 for carrying a concealed weapon. The evidence used against Blackburn consisted of eyewitness accounts of two moonshiners he had arrested. Other deputies were arrested for murder or attempted murder, depending on the results of their gunfights with moonshiners and other criminals.

In 1889, Deputy Marshal David Neagle killed a man who attacked Supreme Court Justice Stephen J. Field. The local California sheriff promptly arrested Neagle for murder. As was usual in such cases, the U.S. Attorney filed a *habeas corpus* motion in the Northern District Court of California to have Neagle released. The case went on appeal to the Supreme Court. Although Justice Field abstained, the Court determined, not surprisingly, that Neagle acted well within his authority as a deputy in protecting a Supreme Court Justice from attack.

Easy Targets

The *Neagle* decision did not end the problem, though it facilitated the release of U.S. Marshals and their deputies arrested by state and local authorities. In 1962, the Mississippi courts indicted Chief Marshal James J. P. McShane for inciting the riot on the University of Mississippi-Oxford campus over the enrollment of black student James Meredith. Although relations with state and local officials have vastly improved in recent times, problems continue to occur. The incidents, stretching now across two hundred years, simply reflect the sensitive nature of the

federal system of government. Because the marshals enforce federal laws in their local areas, they are easy targets for state and local authorities to vent their frustration over federal measures.

Yet, in performing their duties in the face of opposition from the local populace and governments, the marshals served an extremely important function. They were the barrier between civilian government and military rule. They were the civilian enforcers of the law. When the marshals failed or were overcome by opposition, the presidents under whom they served had little choice but to call out the military. Marshal David Lenox's brief captivity by the Whiskey Rebels convinced President Washington to muster thirteen thousand state militiamen to put down the Whiskey Rebellion. The marshals in

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the southern states after the Civil War enforced the new Civil Rights acts, but they frequently called on the army for assistance. On the night of September 30, 1962, President John F. Kennedy reluctantly sent military forces to Oxford, Mississippi, after a major riot erupted over the attempt by marshals to enforce the court-ordered enrollment of James Meredith.

At the Pentagon in October 1967, anti-Vietnam War demonstrators confronted a thin, single-file line of marshals blocking their path to the Defense Department. Behind the marshals, and clearly supplying the government's muscle, stood large numbers of regular army troops. Standing between the rioters and the army, the marshals symbolized the civilian power of the government which, when overcome, allowed the army to step into the fray. At the same time, the marshals were on hand to make arrests, a civilian power not usually bestowed on the military. In a government based on the concept of civilian supremacy, the

U.S. Marshals and their deputies provided the civilian enforcement power. The military was restricted to emergency support.

Early on, the federal government adopted measures to make its authority more palatable to the American people. The marshals, for example, were required to live in their districts. In 1795, Congress bestowed on the marshals the same powers in enforcing laws as the sheriffs in their districts enjoyed enforcing local laws. The selection of federal jurors also followed the procedures used in state and local courts. These and similar measures indicated an effort by the national government to make the federal system of justice as similar as possible to the various state and local court systems. The American people, and their lawyers, would then feel comfortable with the court proceedings because of the resemblance to the proceedings of their local courts.

Traditionally, presidents selected the marshals from the districts where they served. The individuals appointed as marshal usually had strong ties within the president's political party, thus ensuring that they were in sympathy with his policies. At the same time, they were prominent members of the communities where they served as marshal. Those who enforced federal laws at the local level came from that locality. They understood the people, for they were dealing with their friends and neighbors. This was particularly important in the nineteenth century when lack of communications made the national government distant and seemingly foreign, but everyone knew or had heard of the marshal because he had been active in community affairs and politics for years. Of the first sixteen marshals appointed by George Washington, eight had lived in their districts all their lives; five had lived there more than ten years; and three had been in their districts more than four years. Subsequent presidents tended to follow Washington's example in their selection of marshals.

In addition, for most of their history, U.S. Marshals enjoyed a surprising degree of independence in performing their duties. Quite simply, no headquarters or central administration existed to supervise the work of the marshals until the late 1950s. Even then, the Executive Office of the

U.S. Marshals had no real power over the districts until it was transformed into the U.S. Marshals Service in 1969 and given control of the district budgets and the hiring of deputies. Prior to that, each marshal was practically autonomous, receiving only general guidance from the executive branch of the government.

From 1789 to 1853, the marshals reported directly to the Secretary of State. After 1853, the Attorney General became more involved in supervising them, but only at a general level of guidance until long after the establishment of the Department of Justice in 1870. It took until the end of the nineteenth century for the department to develop a bureaucracy capable of overseeing the widely dispersed marshals. For the most part, the primary interest of the Secretary of State and the Attorney General was how the marshals handled the government's money. Only in times of emergency or in response to particular problems did either the Secretary or the Attorney General attempt to give detailed instructions to the men who enforced federal laws.

Enforcing the Law

As a result, the marshals, working with the federal judges and U.S. Attorneys in their districts, enjoyed a wide latitude in determining how they would enforce the law. For most of them, the solution was to go as easily as possible. Few of them wanted to give offense to their friends and neighbors, particularly since they knew all too well that the job of marshal was temporary. Unless they were prepared to leave their homes after their commissions expired, the marshals struggled to balance the enforcement of federal laws against the feelings of the local populace.

In July 1832, the District Court of Kentucky ordered Marshal John M. McCalla to seize more than ten thousand acres of land. The land was in the possession of about thirty people who had lost their court case to keep it. The marshal estimated that the defendants could organize "a formidable combination of tenants, retainers, and friends, who can muster from one to three hundred men, armed and resolved to resist to extremity." Al-

though McCalla was "ready and willing" to raise a posse and evict the tenants, still he hesitated. "This is a case," he wrote to Attorney General Roger B. Taney, "in which my feelings, I confess, are with the defendants." The Supreme Court, rendering its decision in another case, had affirmed the arguments upon which the defendants had relied, but too late for them to appeal. "The most of them are ignorant of law and indeed of almost every thing else except . . . that justice if not law is on their side," the marshal observed. Yet, despite his personal feelings, Marshal McCalla knew his duty.

Loyalty to Their Communities

The marshals' dedication to duty was not boundless; they did not carry out orders blindly simply because they were orders. In the months immediately before the opening of the Civil War, for example, marshals throughout the South resigned. Although a unique situation, their resignations illustrated the extreme effect of selecting marshals from within the districts they served. Pushed to the limit, these marshals chose loyalty to their communities over obedience to the federal government.

Most of the time, a comfortable balance between law enforcement and community sensitivities was simple to achieve. Few people disputed the marshals' right to arrest mail robbers, counterfeiters, or others who broke the federal laws. Nor were there many objections to the marshals serving process. People generally accepted the principle that the purpose of the courts and trials was to settle disputes, not create them.

Occasionally, however, certain laws or court orders put the marshals in extremely difficult positions by upsetting the delicate balance they maintained within their districts. On those occasions, the marshals felt full force the wrath of a people steeped in a tradition of individualism and resistance to government control.

Yet, in attempting to obviate the American people's distaste for strong government, succeeding presidents and Senates ultimately committed a disservice to the development of the office of U.S.

Marshal as a professional organization. The system of appointments, for which the only criteria were presidential nomination and Senate confirmation, retarded the professional growth of marshals. Most marshals did not last in office long enough to develop the skills and experience that marks a professional. Nor were they necessarily selected on the basis of similar skills or experience; nor were they provided any training until fairly recent times. These factors also slowed the development of a cadre of professionals among the deputies.

Quite simply, it was a patronage job, subject to all the abuses of that system. From 1789 to 1896, each marshal hired practically as many deputies as he wanted. They were paid on a fee system, collecting set amounts for performing particular tasks, such as serving summonses, writs, or warrants. In 1896, Congress established a salary for both the marshals and their deputies and the Attorney General imposed limits on the number of deputies each marshal could hire, but the marshal continued to do his own hiring. More than forty years later, in 1937, the Department of Justice invoked a new regulation requiring the marshals to submit resumes and security checks on their deputies, but this was essentially a veto power over the marshals' hiring practices, not an active measure to select deputies for each district. Finally, in 1972, the Marshals Service, itself a recently created headquarters agency superimposed on the individual districts, took control of all hiring and training of deputies nationwide. The selection of U.S. Marshals remained in the hands of the president.

Remarkable Success

These, then, are a few of the milestones in the development of the Marshals Service as a professional law enforcement agency, using as the test for professionalism the potential of the office for career opportunities. What is most surprising is not that the milestones have been so few and far apart, but that the history of the U.S. Marshals and their deputies is a quite remarkable success story, with its heroes overshadowing its scoundrels.

Despite the job insecurity inherent in a system of political appointments, some evidence—not yet fully developed—suggests that from the first it was possible to make one's career as a deputy, and occasionally as a marshal. Many deputies and a few marshals had lengthy tenures, despite frequent changes in political administrations. Many deputies also moved up the ranks to appointment as marshal, which indicated an effort on the part of some presidents to appoint knowledgeable men—professionals—to the leadership position. Samuel Bradford, the third U.S. Marshal in Massachusetts, served as a deputy from as early as 1793 until his appointment as marshal in 1796. He held that job until 1804, accruing more than eleven years experience as deputy and marshal. Nor was it unheard of to select for U.S. Marshal men who had been sheriffs or policemen. Of the first seven marshals in New Hampshire, covering the period 1789 to 1845, two had previous experience as sheriffs.

For the most part, however, U.S. Marshals and their deputies came and went with relatively brief tenures and little applicable experience in law enforcement. Many also left office voluntarily in search of higher paying positions, for neither the office of marshal nor that of deputy afforded much of a living. The system had built-in disincentives from making it a career. It was, one suspects, a rare individual who made a go of it.

Yet, the point should not be overemphasized. Professionalism is a twentieth century phenomenon in the United States. It simply was not as important in the eighteenth and nineteenth centuries as it has become today, particularly in law enforcement. Prior to World War I, federal law, the only law the marshals enforced, was limited and comparatively simple. The complex of rules and regulations that characterizes the contemporary world did not exist then. Few marshals and deputies had difficulty in quickly learning their duties and carrying out those duties with proficiency. Indeed, those with managerial and accounting experience may have been better suited to the position.

The biggest problem besetting the marshals of the 1800s was not catching lawbreakers, but accounting for the monies used to run the courts. A small

army of accountants at the Treasury and Justice Departments audited them at every turn, disallowing their expenditures on the slightest excuse. Keeping track of the courts' funds was a headache of a job compared to which pursuing mail robbers and other outlaws must have seemed a welcome relief.

Four-part History

The history of the marshals and their deputies is divided into four parts. The first phase covers the formative years from the creation of the office in 1789 until the Civil War. During this period, the office of Marshal came to maturity. Precedents in appointment and duties were firmly established and the marshals proved their value to the federal government in the enforcement of federal laws and in the administration of federal interests at the local level.

The second and most famous period for the marshals covers the period from the Civil War to the turn of the century. Territorial marshals entered American folklore as the men who brought law and order to the West. Southern marshals participated in the reconstruction of the South and then engaged in a lengthy, dangerous war against illicit distillers -- moonshiners. The Eastern and Northern marshals faced their own problems in enforcing the neutrality laws against a number of armed expeditions intent on taking over Canada, Cuba, and other countries. This, too, was the most dangerous period in the history of the marshals. More of them were killed between the Civil War and the turn of the century than at any other time.

The first sixty years of the twentieth century marks the third phase of their history and was a confusing period for marshals and for the American people. From 1894 to 1922, a series of strikes and a general feeling of popular unrest forced the marshals, acting under court orders, to take up duties protecting railroads and other properties. In the midst of this, World War I began. The marshals registered enemy aliens, interning the ones considered most dangerous, and established protective perimeters around docks and war

industries against spies and saboteurs. This period also witnessed the explosive growth of the federal bureaucracy and the rapid increase in the number of specialized law enforcement agencies, such as the Bureau of Investigation (1909) and Border Patrol (1924). In the process, the marshals were practically lost in the shuffle, their powers and authority forgotten or misunderstood by the Department of Justice. The department attempted to force the marshals into a limited specialty within the law enforcement community, that of bailiff and process server. The effort failed miserably. Its major effect was to undermine the marshals, leaving many with a sense of inferiority compared to other agencies and an image of themselves, which the public shared, as sleepy courtroom sitters waiting on judges.

The comeback of the marshals from 1960 to the present marks the fourth period in the marshals' history. In effect, the Department of Justice rediscovered the great strength of the marshals, that they are best suited as generalists, not specialists. Ironically, the courts proved the point most effectively by ordering the marshals through

The thousands of men and women who served as marshals or deputies were, first and foremost, Americans.

a series of separate decisions to integrate schools and public facilities throughout the nation. The heavy reliance placed on the marshals by these judges and the Attorneys General of the period convinced the Department of Justice to provide a larger budget and a central organizational structure for the marshals. In 1969, the creation of the United States Marshals Service inaugurated the movement toward a modern, cohesive law enforcement agency. The marshals no longer enjoyed complete autonomy within their districts. They now fit within a national organization with a wide range of duties, an authority broad enough to handle them, and an administrative structure strong enough to coordinate them.

This, then is the two-hundred-year story of how men and women enforced the law and served the courts, of how they fought and died in support of the ideal of self-government. But more than that, it is the story of the clumsy, inefficient, and peculiar method by which we Americans choose to govern ourselves. The thousands of men and women who served as marshals or deputies were,

first and foremost, Americans. They took upon themselves for brief and fleeting moments the difficult and dangerous task of enforcing the laws. When they failed, it was an American failure more than a personal one, and when they succeeded, it was an American success. In a government of laws, not men, they were the lawmen.