Most American police systems developed without fundamental reflection or debate, in response to specific problems of riot, theft, and disorderly behavior, which were generally condemned. They combined a variety of organizational patterns and functions, some inherited, some based on unique experience, others borrowed from each other or from abroad.

Roger Lane, Policing the City: Boston, 1822-1885

When Miami's first city marshal assumed his post in 1896, urban police forces had been operating in the United States for just fifty years. Prior to the mid-nineteenth century, most cities employed a night watch and a small daytime force to maintain order and to attend to other duties. New York, Boston and other large cities possessed more elaborate policing mechanisms, including constables and marshals, to complement their large night watch.¹

Organized police forces became necessary as America's lusty, brawling cities grew in population and unruliness. Beginning with the establishment of the New York Police Department in 1844, one city after another organized a police force based on the model of the London Metropolitan Police. Departments grew quickly. By the 1890s, the New York Police Department employed 3,300, while its counterparts in Philadelphia and Chicago counted 1,600 apiece.²

In addition to fighting crime and maintaining order, police duties
included "regulating public morality," enforcing sanitary laws, clearing streets and sidewalks of obstructions, and, in some areas, collecting stray animals. Police services, however, varied dramatically from city to city and even from neighborhood to neighborhood within single cities.\(^3\)

Qualifications for police work were few, and members received little or no training. By today's standards, forensic technology was primitive and nowhere did the police function according to the principles of managerial efficiency or modern police codes. Policemen carried clubs and revolvers, and most wore uniforms. Their work week was long, and there was a high element of risk attached to the job. Salaries, however, were often higher than in other vocations. In some cities, pay was increased by a fee system that rewarded policemen for each arrest and conviction. Graft, a pervasive influence in municipal government, also supplemented the income of many policemen.\(^4\)

Initially, police departments came directly under the purview of a mayor and city council, or in localities still denied "home rule," state authorities. But as the nineteenth century progressed, municipalities turned increasingly to independent administrative boards to oversee the operation of their police. Several police systems, including that of New York City, came under civil service guidelines. No matter who governed the police, however, the institution was highly politicized, serving as a tool to advance its control group's interests.\(^5\)

Studies of major urban police forces indicate that despite numerous shortcomings, organized police forces were instrumental in reducing urban crime and disorder. Historian Roger Lane's study of crime in nineteenth century Massachusetts reveals a steady decline in felonies and street disorders accompanied by an increase in arrests for drunkenness and other misdemeanors as the nineteenth century waned.\(^6\)

Such concerns were virtually unknown in Miami prior to its incorporation, for the tiny settlement on the picturesque Miami River experienced few crime problems. Miami came under the legal jurisdiction of the sheriff of Dade County and a district constable, an arrangement common to sparsely populated areas. Neither of these officials, however, saw much service in the cause of the settlement.

The picture changed dramatically in 1896, when the extension of Henry M. Flagler's Florida East Coast Railway to Miami brought an influx of settlers that transformed the sleepy village into a municipality of several hundred inhabitants. Now the problem of crime became a legitimate concern, especially in North Miami, an unincorporated area
lying one mile north of the Miami River. A Gomorrah among the palmetto brush and pine trees, North Miami offered saloons, gambling and prostitution to Miamians denied these pleasures by their community’s Puritanical founders.

The *Miami Metropolis* recognized the troublesome nature of North Miami in its inaugural edition of May 15, 1896. After noting the presence of “unsavory characters in the booming suburb of North Miami,” the *Metropolis* urged the sheriff to move quickly to quell the nightly antics of its more disreputable elements. As summer approached, the incidents of lawlessness multiplied, spreading throughout the area, and prompting the *Metropolis* to comment that it was “not safe to go about the town at night.” In June, Miami gained the services of a deputy sheriff who doubled as an unofficial marshal until its incorporation.

Miami incorporated as a city on July 28, 1896. In accordance with a Florida statute, Miami’s newly constituted mayor-council government included the office of city marshal. Young F. Gray, a dynamiter for Henry M. Flagler’s Florida East Coast Railway, became its first occupant.

In the summer and fall of 1896, the city fathers passed a series of ordinances designed to increase the efficiency of each municipal office. They turned to the police arrangements of the time in defining the scope and function of the city’s law enforcement agency. The office of city marshal, which predated that of chief of police in many American communities, was given a wide array of traditional powers both within and beyond the area of law enforcement. In its eleven year existence, this office grew steadily in terms of duties and responsibilities. In addition to “preserving the peace and maintaining order,” the marshal assumed the duties of a building inspector, sidewalk and street superintendent, scavenger (street cleaner), and sanitary inspector. The marshal also served as the city tax collector during the first decade after incorporation. For these tasks Gray and his immediate successors received $50.00 per month and a small percentage of the tax money collected.

The ordinance outlining the powers of the marshal also provided for specific limitations on the office. The most important of these provisions placed the city marshal under the direction of the Mayor and Council. Specifically, the mayor could suspend the marshal for incompetency or malfeasance, while the council, through the Committee on Police and Charities, was authorized to oversee his activities. Annual
elections to the office of city marshal meant that its occupant was also regularly accountable to the electorate. Finally, the size of his staff circumscribed the powers of the marshal. Until 1898, Gray was the city’s lone policeman.14

By October 1896, the Council had defined thirty-five offenses punishable by fine and imprisonment. The articles outlawed offenses of a serious nature as well as such peccadilloes as bathing in “any public place in a state of nudity,” or traveling upon the streets of Miami “without having thereon a bell, gong or whistle with which to warn pedestrians and drivers of vehicles at the street crossings.”15

During his first months as city marshal, Gray was hampered by the lack of an adequate jail, prompting the Miami Metropolis, to complain in November that the marshal was unable to arrest nude bathers, sanitary violators, and other lawbreakers because he had no place to intern them.16 By late December, however, a modern jail, located above the council chamber in the new city hall, opened. Gray now assumed the additional duty of jailer.17

The high incidence of typhoid fever and other diseases attributable to the unsanitary condition of numerous homes and privies forced the marshal from the outset to devote much of his time to rigorous enforcement of the sanitary ordinance. At the same time, the lawlessness of North Miami, combined with Gray’s predilection for liquor, took him to that quarter daily.18

In the early part of his tenure, Gray was vigilant in upholding the city ordinances. Clearly his modus operandi was colorful: whenever trouble erupted, Gray quickly mounted his bicycle (later he made his rounds on a black stallion) and rode into the “thick of the fray, brandishing his pistol” while bellowing, “Stop in the name of the law!”19

The most serious crimes during the community’s early years involved homicides in North Miami. Isidor Cohen, a pioneer merchant who regarded North Miami as “the worst seat of iniquity possible,” maintained with some exaggeration that “scarcely a day passed without Dr. (James) Jackson (the city’s first physician) being summoned there to probe for bullets in the anatomies of its habitues.”20 Another resident wrote Florida Governor William Bloxham, complaining that “more murders and shooting affairs have occurred in North Miami” over the previous three years “than in any section I know of.”21

Most crimes, however, were minor in nature. In retrospect, many of the charges appear as trivial as that of disorderly conduct, for driving a horse recklessly, against one of the first defendants in Police Court.22
On another occasion, Gray arrested a “dusky” couple for “hugging each other up” while strolling along Avenue D. In dismissing this case for lack of evidence, the judge insisted that if the marshal arrested everyone who put their arms around the waist of another person of the opposite sex, half of the population of Miami would be in jail. Despite the comical nature of many charges, the fines collected from numerous arrests, along with the money Tax Collector Gray received from the sale of merchants’ licenses, provided the struggling city with its sole source of revenue during its first months after incorporation.

As the lone policeman in a rapidly growing settlement, Gray was obviously handicapped in his effort to provide a comprehensive system of law enforcement. The council refused to act on several entreaties by the marshal for an assistant until the city found itself host to 7,500 members of the United States Army at the height of the Spanish-American War in the summer of 1898. With the troops causing major discomfort for many Miamians, the city council, in June, 1898, empowered Mayor John Reilly to appoint additional police for the preservation of “peace and order.” Marshal Gray then got his assistant.

Gray served as city marshal until June, 1899, after twice winning re-election by commanding majorities. The colorful marshal fell out of favor, however, with other municipal leaders through his failure to provide effective enforcement of increasingly stringent sanitary ordinances. Gray was particularly remiss in meeting this responsibility in the black community, which the Metropolis described, as early as September, 1897, as the “filth infested quarter of our city.” Accordingly, Mayor Reilly suspended him from office in May, 1899. Gray subsequently resigned as marshal and tax collector, and he was replaced by his assistant John Girtman.

Girtman served briefly as marshal and tax collector. John Frohock, formerly the constable for the area encompassing Miami and an unsuccessful candidate for marshal in 1898, defeated Girtman and another candidate for city marshal in a spirited electoral contest in October, 1899.

This election occurred at the height of Miami’s yellow fever epidemic. The epidemic claimed many victims, prompting the city council to add to the marshal’s responsibilities in the realm of sanitary enforcement. In December, 1899, the solons instructed Frohock to place a yellow flag on the home of every victim. The lawmakers also passed an ordinance establishing rigid standards of cleanliness for each dwelling and directed the marshal to undertake a general inspection of
the entire community during the first week of each month to ensure a strict observance of this law. For the arrest of each violator, the marshal received one dollar.\(^3\)

Enforcement of the sanitary ordinances continued to consume a large portion of the marshal’s time as Miami entered the new century. But the office also acquired new duties and responsibilities, as well as additional compensation, from a variety of sources. At the behest of the council, Marshal Frohock began collecting the innumerable stray dogs that disturbed the city’s 1,681 inhabitants. A miniature police patrol wagon, pulled by a goat to the merriment of the citizenry, became an all-purpose vehicle, collecting, in addition to lawbreakers, many harmless canines.\(^3\)

With Frohock’s announcement of his candidacy for sheriff in the summer of 1900, five men entered the race for city marshal. Robert Flanagan, an early settler in the area, won both the Democratic party primary and the general election by wide margins. Flanagan served five consecutive terms in this post.\(^3\)

In addition to the crime fighting aspects of his office, Flanagan plunged into various other pursuits. In the waning months of 1901, the marshal, with council authorization, commenced a series of citywide inspections to assess the condition of its sidewalks and streets. Like his immediate predecessor, Flanagan became enmeshed in the vexing problem of dog control. This task became somewhat more palatable after the council provided a modest compensation for each unlicensed dog killed by the marshal. Flanagan collected $6.50 from the council for this service in the summer of 1902.\(^3\)

Flanagan’s activities as tax collector also became more profitable with the council’s establishment of a revised scale of compensation in January, 1902. Henceforth, the city tax collector would receive two percent of the first $2,000 in taxes collected and fifteen percent of the remaining tax monies.\(^3\)

Recognizing the additional work of policing a rapidly growing community, the council in 1902 increased the marshal’s salary to $60 per month. In the following year, the solons created a fee system that provided the marshal and his assistant with one dollar for each person arrested and convicted in Police Court. The profitable nature of this arrangement, which engendered great controversy, is evident in a financial report from the marshal to the council in November, 1904, indicating that Flanagan received $100 and his assistant, night policeman Louis Nicholson, $50 above their salaries for October. Other areas
of law enforcement added money to the municipal coffers. The campaign against unlicensed dogs continued, prompting many Miamians to obtain licenses from the marshal. Flanagan was especially busy here, collecting $50 from the sale of licenses in August, 1904. In the following month, the council instructed the marshal to purchase a net, hire a dog catcher, and construct a kennel for stray and unlicensed dogs.\textsuperscript{37}

By this period, the marshal’s duties had again broadened. He began conducting monthly inspection of all street lights. Moreover, he became the temporary fire chief; in this capacity, the marshal compiled a detailed inventory of the city’s firefighting equipment pursuant to the establishment of a municipal fire department.\textsuperscript{38}

The adoption of a new city charter in June, 1905, led to the most significant changes yet in the realm of law enforcement. The document increased the marshal’s term of office to two years, and granted the mayor, with council approval, the authority to appoint a police force “to insure the peace and good order of the city and the observance of the law within the city limits.”\textsuperscript{39} The charter also contained a provision authorizing the city council to replace the office of city marshal with a municipal police department under the direction of a chief of police. While the council failed to accomplish that immediately, it did establish a Municipal Court, which replaced the Mayor or Police Court, for the purpose of hearing cases involving city code violations. The municipal judge, its presiding officer, was elected biennially; in conducting daily sessions of the court, this official was assisted by the city marshal who, as the court’s chief executive officer, was responsible for the cases brought before it.\textsuperscript{40}

Frank B. Hardee won the first contest for marshal under the new charter in October, 1905. Several important police developments accompanied Hardee’s accession to office. After the council voted to double the size of the police, Mayor John Sewell appointed four men recommended by Hardee to the force. The council placed the salary of each new patrolman at $50 per month, and increased the marshal’s stipend to $65 for the same period. There were few qualifications for policemen aside from a brief period of residency in the area. During November, 1905, the police displayed uniforms for the first time. Their attire was similar to the blue serge suits used by other police departments. Mayor Sewell, a staunch advocate of a uniformed police force, predicted that the uniforms would not only enhance appearances, but would also increase the prestige and efficiency of the force and lessen the difficulties of arresting lawbreakers.\textsuperscript{41}
Surely arrests proved profitable with the operation of the fee system. The system, however, came under increasing criticism from several public officials and numerous citizens who argued that the lure of pecuniary gain led to many unwarranted arrests. In 1906, one hundred citizens gathered at a rally for abolition of the fee system. Hardee insisted that he also favored an end to it, but only if his monthly salary and those of his assistants were raised to $100 and $75, respectively.42

Amid that controversy, Marshal Hardee released a report in June, 1906, that illustrated the economic self-sufficiency of the police force. According to the document, the police in the first five months of 1906, collected $4,190.80 in fines and forfeitures (revenues gathered from fines paid upon conviction for an offense against the city code, or forfeited in lieu of court appearance.) Since the expenses of the marshal’s office for the period were $2,372.70, the police had actually contributed $1,800 to city coffers.43

The figures for fines and forfeitures indicated the significant increase in police activity. In 1898, the marshal and his newly appointed assistant collected $181.40 in fines and forfeitures.44 Five years later, this figure had risen to approximately $1,500, owing to a marked increase in the number of arrests.45

Throughout 1904, the first year for complete statistics on arrests, the police arrested approximately fifty persons per month.46 Two years later the number of monthly arrests has risen to 125.47 The winter influx of visitors, which included a significant criminal element who preyed on vacationers, made that season the busiest time for arrests. In March, 1906, the police recorded a high of 243 arrests, which accounted for $1,086.73 in fines and forfeitures.48 Behind this rise in crime was the population growth, the increasing number of vagrants and confidence men in the area each winter, and the Bacchanalian celebrations of the Florida East Coast Railway extension workers, who poured into Miami from the Florida Keys on weekends. The majority of arrests were for disorderly conduct, a broad term that included drunkenness, cursing, fighting, and prostitution.

Many of those arrested were blacks. The police jailed blacks not only on charges of disorderly conduct, but also on charges of vice and vagrancy. Arrests in the latter category were especially plentiful and often followed on the heels of periodic “cleanup” campaigns at the behest of municipal leaders. The police also took into custody alleged black fornicators in large numbers. In one roundup, the city marshal,
in collaboration with the sheriff’s department, arrested thirty-seven persons, almost all of whom were black, and charged them with fornication. As early as 1901, black Miamians requested a Negro policeman. For two years, the city council refused to act. Finally, in 1903, Frank Wharton, Chairman of the council’s Committee on Police and Charities, announced that he, Mayor John Lummus and City Marshal Flanagan regarded employment of a black policeman as unnecessary.  

As the incidents of crime increased along with the city’s growth, the mayor appointed several “special policemen” to “maintain peace and good order” during periods when the police required such assistance or in areas of the city considered highly vulnerable to criminal acts. Marshal Hardee welcomed this assistance while calling for an expansion in the number of regular policemen. The marshal’s tireless arguments for an enlarged police force led to the addition of two policemen in October, 1906. With the police force now numbering six and operating on a budget of $9,292.18 for fiscal year 1907, Hardee instituted three eight-hour shifts or “watches” to provide the city with adequate police protection.  

Police operations continued to spark periodic controversy. In the fall of 1906, several city officials, joined by the Metropolis and numerous citizens, criticized the force for its alleged failure to rid the city of vagrants and other undesirables. Stung by this criticism and the pervasive discontent with the fee system, the police commenced a highly successful campaign against those troublesome elements in the waning weeks of 1906.  

In the following year, the council adopted another new charter. Like its predecessor, this document contained provisions to abolish the office of city marshal and to replace it with a Miami Police Department. Acting on this charge, the council, in September, 1907, legislated the Miami Police Department into existence. The chief’s duties included most of those performed by the marshal with one exception: the office of city tax collector became a separate entity. The salary of the chief of police was set at $1,200 per annum. His subordinates also received a hefty pay increase ranging from $720 to $840 per annum, depending on length of service with the force.  

As its population spiraled upward, the city had abandoned its initial law enforcement arrangement for a more modern concept. But the office of city marshal had “kept the peace,” albeit on a somewhat ad hoc basis. For police work in Miami’s first decade of corporate life had consisted primarily of a series of daily challenges and assignments
with one day’s performance quickly forgotten in the rush of the next
day’s demands. With the establishment of the Miami Police Depart-
ment, however, the city’s leaders signaled their intent to place the
police force on a more systematic basis to meet the needs of their
rapidly-growing community.54

NOTES

1. Roger Lane, Policing The City: Boston, 1882–1885 (New York, 1971), 1,
10–11, 16–18, 21, 60–61; Roger Lane, “The Expansion of Police Functions,” in The
Urbanization of America, an Historical Anthology, Allen M. Wakestein, ed. (New
1901 (New York, 1970), 32–33; James F. Richardson, Urban Police In the United
2. Robert M. Fogelson, Big City Police (Cambridge, Massachusetts, 1977), 19;
Lane, Policing The City, 84, 99–101; Thomas A. Reppetto, The Blue Parade (New
York, 1978), 16–21, 41–43; Richardson, New York Police, 50–51; Richardson, Urban
Police, 19, 21–22, 25–27.
3. Lane, Policing The City, 84, 99–101; Lane, “Expansion of Police Functions,”
153–154, 157, 165; Richardson, Urban Police, 35.
4. Richardson, New York Police, 30–31, 63, 68, 143, 170, 175, 284; Lane,
“Expansion of Police Functions,” 163; Richardson, Urban Police, 28.
5. Lane, Policing The City, 184, 199–205; Richardson, New York Police, 79,
109, 123, 214; Richardson, Urban Police, 36–37, 40.
6. Roger Lane, “Crime and Criminal Statistics in Nineteenth Century Massa-
chusetts,” Journal of Social History, II (Winter 1968), 156–163; Lane, Policing The
City, 205; Richardson, Urban Police, 51, 53.
8. Ibid., June 5, 1896.
9. Ibid.
10. Laws of Florida, 1897, Chapter 4642 (No. 128), 252; Transcript of the
Proceedings of the Meeting Held June 28, 1896, for the Incorporation of the City of
Miami, Florida, 14; Miami Metropolis, July 31, 1896; Miami Herald, March 18, 1919.
11. Ordinances of the City of Miami, 1896, Article IV, Section 4, 11,13, 14, &
33; Miami Metropolis, October 23, 1896.
12. Ordinances of the City of Miami, 1896, Article IV, Section 3, 30.
13. Ibid., Article IV, Section 15, 33.
14. Ibid., Article IV, Section 4, 30.
15. Ibid., Article XVI, Sections 4 and 32, 34–35.
18. Minutes of the City Council, Volume One, December 17, 1896, 45. Hereafter Cited as MCC; Miami Metropolis, December 11, 1896; March 13, 1899.
23. Miami Metropolis, August 6, 1897.
24. Ibid.
26. MCC, I, December 17, 1896, 46; July 2, 1896, 101; Miami Metropolis, December 18, 1896, January 8, 1897; Miami Daily News and Metropolis, July 26, 1925.
27. MCC, I, November 1, 1897, 97; October 31, 1898, 137; Miami Metropolis, October 28, 1898.
28. MCC, December 22, 1898, 144; Miami Metropolis, December 11, 18, 25, 1896; January 15, 1897; April 22, 1898.
29. Miami Metropolis, September 24, 1897.
30. MCC, I, June 1, 1899, 154–155; Miami Metropolis, June 2, 1899.
31. MCC, October 24, 1899, 167; Miami Metropolis, September 27, 1899, October 20, 27, 1899; Ethan V. Blackman, Miami and Dade County...Its Settlement, Progress, and Achievement, Washington, D.C., 1921), 241.
32. MCC, I, December 9, 1899, 171; Miami Metropolis, December 22, 1899.
34. MCC, I, October 29, 1900, 196; Miami Metropolis, September 21, 28, October 16, 1900.
35. MCC, I, June 5, 1902, 229; July 3, 1902, 231; August 7, 1902, 234; Miami Metropolis, September 6, 1901; January 23, 1903. Miami’s police did not publish an annual report until the end of the 1920s, forcing the researcher to rely on minutes of the city council and newspaper accounts for statistical information on this arm of city government.
36. MCC, I, January 3, 1902, 224.
37. MCC, December 4, 1902, 248; December 17, 1903, 373; November 3, 1904, 448; Miami Metropolis, December 12, 1902; Daily Miami Metropolis, September 2, 9, 1904.
38. MCC, I, October 20, 1904, 440, II, December 6, 1904, 14–15; Daily Miami Metropolis, December 9, 1904.
41. MCC, II, October 30, 1905, 102; November 16, 1915, 199; Daily Miami Metropolis, October 27, 1905; November 24, 1905.
42. *MCC*, II, October 19, 1905, 158; *Daily Miami Metropolis*, October 27, 1905; November 24, 1905. Despite the opposition to the fee system, it remained in operation after the office of the city marshal had been replaced by the Miami Police Department.

43. *MCC*, II, June 7, 1906; *Daily Miami Metropolis*, June 8, 1906.

44. *Miami Metropolis*, October 9, 1903.

45. Ibid.

46. *MCC*, II, December 1, 1904, II; *Miami Daily News and Metropolis*, July 26, 1925.

47. *MCC*, II, July 5, 1906, 311; August 2, 1906, 322; September 6, 1906, 340; October 4, 1906, 357; November 1, 1906, 366; December 6, 1906, 377; *Daily Miami Metropolis*, April 13, 1906; January 4, 1907.


51. *MCC*, II, August 19, 1907, 483; *Daily Miami Metropolis*, October 12, 1906.

52. *MCC*, II, November 1, 1906, 360; *Daily Miami Metropolis*, October 19, 1906; November 23, 1906; December 26, 1906; January 11, 1907.

53. *Laws of Florida*, 1907, Chapter 5823 (No. 228), 531–532; *MCC*, III, September 19, 1907, 1–33, 40–41, 44; October 3, 1907, 48.

54. U.S. Bureau of the Census, *Thirteenth Census of the United States, 1910*, Population, II, (Washington, 1913), 311. The nearest population figures to 1907 are, of course, those for 1910. By that date, Miami’s population stood at 5,471, a significant increase over that of the previous census.