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1934 Police Wagon: Courtesy Stockton P.D. Historical Archives

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THE MURDER OF MELVEY McNEILL

By Don Williams

We all love a story where the lawman catches the criminal and the good guy wins. Sometimes, not very often, the "good guy" turns bad or was bad from the beginning. This was the case on August 13, 1936 when Riverside County Deputy Sheriffs arrested Riverside County Deputy Constable John McNeill in the small township of Temecula.

McNeill, who was a blacksmith by trade, also served the Judicial Court of the Murrieta Township Judicial District as Deputy Constable. The Temecula Judicial District had merged with the Murrieta Township Judicial District 38 years prior in 1898. McNeill's 16 year old son, John Jr., called the Sheriff's office to report he found his mother on the floor of the kitchen, severely beaten and unconscious. Not long afterwards a call came in from John McNeill Sr., advising someone had beaten his wife and that he observed a prowler leaving the residence when he arrived.

Sheriff Deputies F. F. Labrum and Paul Pierce arrived at the scene as ambulance attendants were preparing to take Melvey McNeill to the county hospital. During questioning, Mr. McNeill reported he saw a prowler leaving the house when he arrived home, but none of the neighbors saw anyone suspicious in the area. When deputies entered the house, they found a mess. Bureau drawers had been emptied, and things tossed about, yet there was money left in plain sight that had not been disturbed.

Sheriff Deputies took John Jr. aside and heard a different story. He reported that his parents were always fighting over money or arguing about his father's poor treatment of some family animals. When he arrived home, there was no prowler that he could see. At the hospital, Melvey regained consciousness and told Undersheriff Steve Lynch that her husband had beat her with a rubber covered roller from the washing machine wringer. John Jr. reported she gave him the same information and the attending physician confirmed that was what Melvey told him. Deputies at the scene of the attack quickly searched for the weapon and found it carefully hidden in a wood box on the back porch, covered with blood. Melvey died that evening.

Riverside County Sheriff Carl F. Rayburn assigned his best investigator to supervise the case, Lloyd J. Boller, (Boller became the Chief of the Palm Springs Police Department the following year) and he and his team would soon uncovered some interesting information. In the 1930's, the Sheriff's Department served the Superior Court, but Justice Courts were served by Constables, Deputy Constables and Bailiffs. Constables were elected officials but the Deputy Constables and Bailiffs were generally hired by the County upon recommendation of the elected Constable. At this time in history, M. V. Thompson was the elected Constable. Apparently, there was little or no background investigation on John McNeill before he was hired or they would have discovered what the sheriff's investigators found - McNeill had a criminal record. He served two years in San Quentin for forgery and had a reputation in the community for having a raging temper. Neighbors reported he was constantly fighting with his wife. When confronted with this information, McNeill admitted he had "knock his wife around a few times," but always in self-defense.

The discovery of blood-stained clothing, some of it buried and showing evidences of attempts to burn them, was made by sheriff's deputies at the Temecula ranch where Melvey McNeill was fatally beaten.

When McNeill figured his prowler story was not believable, he claimed his wife threatened him with a gun, reporting that she held the revolver in her left hand and pointed it at him. The revolver, McNeill's duty weapon, was found by deputies holstered and laying on a table. It had not been fired and was readily taken in for fingerprinting.

McNeill hired a top notch legal team who began to prepare a case of justifiable homicide with temporary insanity. Some newspapers painted a picture of a poor lawman who was married to a crazy woman who made his life miserable, perhaps based on comments made by defense counsel at press conferences.

After deputies met with Deputy Coroner Seymour L. Cash, it was determined that Melvey's left hand was so deformed with arthritis there was no possible way she could have held a gun in that hand, evidence that would later be presented by the prosecution. A three inch fracture of the skull was revealed by an autopsy performed the next day as well as three rib-fractures on the right side of the body and numerous bruises and contusions. Fingerprints could not be retrieved from the roller due to the excessive amount of blood. The Coroner's Jury ruled Melva's death a homicide, but by "some person", not naming John McNeill.

All of the evidence was turned over to District Attorney Earl Redwine who presented it to the Grand Jury. The Grand Jury recommended McNeill be held without bail. Newspaper accounts state the jury selection took a long time and they finally ended up with a selection of 9 women and 3 men. During the trial, McNeill's attorneys brought in three psychiatrists who claimed McNeill was suffering from partial amnesia and was unable to recall exactly what transpired after his wife pointed a gun at him.

John McNeill decided to testify as the one witness in his behalf. He was called to the stand and after his attorneys completed their direct examination, District Attorney Redwine cross-examined for about half an hour, bringing out no new details about the defendant's version of the tragedy. He had testified that when he arrived at his home his wife was in an ugly mood over an insurance policy payment and threatened to kill him with a revolver.

He said he picked up a wringer roller and threw it at her. It hit her head. He threw another and it struck her in the stomach. She dropped the gun and came toward him. He grappled with her, he said, and then his mind became a blank. He remembered nothing until he "came to" as he stood in the yard.

The publicity on this case was cranked up this. The courtroom was filled with observers and much of the community waited eagerly every day for the evening paper to arrive with a summary report of what took place at the trial.

On October 30th the jury released their verdict that John McNeill should be sent to the San Quentin gallows and hung by the neck for murdering his wife. Of course, the verdict was appealed to the state Supreme Court, but it was denied on April 27, 1937, at which time Riverside County Judge Oakley Morton sentenced McNeill to be hanged on July 9, 1937. The sentence was carried out quickly, just 10 weeks after sentencing. Just five years later, in 1942, the State of California discontinued hangings in capital murder cases and began using the gas chamber.

When Lees Was Chief of Detectives

Introduction by John Basalto

In December 1910 and January 1911, the San Francisco Sunday Call newspaper ran a series of stories on the adventures of former San Francisco police chief Isaiah W. Lees. The series was authored by Lees' private secretary of ten years, Otto H. "Billy" Heyneman. Isaiah Lees began his 46 year career with the San Francisco Police Department when he was appointed as a police officer on October 28, 1853. Lees' superiors quickly recognized his sleuthing abilities, and he was made a detective by the end of that year. He was promoted to captain of the detective division in October 1859, a position he held until being appointed chief of police in March 1896. Lees retired from the police force on January 2, 1900.

Lees was involved in all of the colorful episodes in San Francisco's criminal history in the latter half of the nineteenth century and became a renowned detective. William Pinkerton, of the famed Pinkerton Detective Agency, once commented that Lees was "the greatest criminal catcher the West ever knew." Many of the techniques Lees used are taught in Interview and Interrogation classes today, more than 120 years after Lees perfected them.

For a colorful and detailed account of Isaiah Lees' life and career, I recommend Dark and Tangled Threads of Crime: San Francisco's Famous Police Detective, Isaiah W. Lees, by noted historian and author William B. Secrest.

How the Old Master applied the Third Degree

By O.H. Heyneman (For Ten Years Secretary to Chief Lees)

For 50 long years Isaiah W. Lees was a member of the San Francisco police department. Rising rapidly from a patrolman in the early sixties he was appointed captain of detectives in the year 1868, which position he filled until 1896, when he was appointed chief of police.

For a period of 10 years I was constantly, day and night, by his side. He was a tremendously hard man to get along with, brusque to the point of roughness, a thorough policeman, however, and one who had delved in crime and criminals until to probe motives had become to him almost second nature. Withal he was a man among men, honest, straightforward, liberal and charitable to a degree, beloved and also hated by many – a character such as is rarely found in the present generation. Lees was a splendid friend, but a bitter, unforgiving, relentless enemy.

The chief was self-educated, a man of practically little knowledge so far as science and art and the higher classics are concerned, but possessed of certain characteristics that caused the majority of people to believe him a man of extraordinary brilliancy. He was one of the cleverest readers of human nature with whom I have ever come in contact. His theories and deductions, when engaged in an important criminal proceeding, were as clear, concise and tangible as a completed drama.

An indefatigable worker, he was a giant in vitality, despite his threescore years or more; alert, keen, supersensitive, a glutton for work. No contract he undertook was too much, no work too hard or too intricate for Lees. For days and nights consecutively he would plod and grind on and on, tiring out others half his age, and yet digging, theorizing and searching until nature compelled him to rest. I have been with Chief Lees in some of the most important cases in the criminal history of San Francisco. In each and every case of ferreting crime his method was totally different. There were no two cases exactly alike. His receptive and marvelous brain would form a theory and on that basis he would work, consistently, untiringly to the end, unless he found some positive evidence that led him to understand that he was working upon a false clew. Then he would begin over, and over again, until his master mind was entirely satisfied that he was at last upon the right track.

The general reading public nourishes peculiar ideas of the "third degree" as it exists in a well-regulated police department. I write from my own experience and my association with a man who was beyond the question of a doubt one of the world's really great detectives. People, generally speaking, have crude conceptions relative to a clever detective. We read in the French detective novels, and those of the "Old Sleuth" order, of disguises, of ingenious, soul stirring methods to secure the capture of clever criminals. The successful operator, in these tales, is lauded to the skies and is heralded in the newspapers as a skillful expert, a wonderful detective.

We read continually of the heroic exploits of the Scotland Yard men, men of fine breeding and education, and from experiences not only my own, but those of countless others, it is conceded that important captures of great criminals are accomplished almost exclusively through information.

A criminal, no matter in what line of work, makes some mistake. This mistake proves his undoing. Whether it be a telltale scrap of evidence thoughtlessly left behind, a misguided remark, a part of his paraphernalia, or his confidential association with some woman – there is always something to show or someone who knows. The information leading to the capture is brought to the attention of the officer in the case and the credit of the importance of the arrest goes to the officer. The informant is never known in the matter.

The reading public is sometimes made to believe that frightful cruelties exist in forcing a confession from a criminal; that the criminals are branded with hot irons, struck with clubs, threatened with ignominious tortures, beaten, cursed and cuffed, frightened, harassed – until the confession is literally torn from them before they are thrown back into the cell.

Chief Lees' method of the third degree contained nothing thrilling. There was no blood spilled; there were no threats, no promises of immunity; there was no branding with hot irons, nor the slightest hint of harshness.

I have been present at perhaps 30 confessions, at times secreted where the prisoner could not see me, and at other times sitting right by the side of the chief, jotting down question and answer, in full view of the prisoner.

In one of the most notorious murder cases in this city and perhaps in the United States, the prisoner was ushered into the chief's private office. The door was closed, three of us sitting so close together that our bodies almost touched.

The chief had one habit. Man or woman, young or old, whether an acquaintance of the moment or of years, he invariably addressed the person by the given name, giving at once a feeling of perfect friendliness.

On the occasion above referred to the subject shuffled into the office – a scowl on his face. "Well, John," said the chief, "how are you this morning? Did you rest well? Um-m-m; that's good. Have a cigar? No? Well, just listen to me. I'm going to have a long talk with you and I want you to understand this: Every word you say to me, every sentence that you utter, is going to be taken down and, if necessary, used against you in the trial of your case. I'm going to be square with you from the beginning and then you'll be square with me, too – eh?" This was Chief Lees' unvarying introductory. He never, in any experience I ever had with him, took advantage of his position as chief of police, or his prisoner. He explained his motive plainly, and if the prisoner fell into the trap, he fell with his eyes wide open and his ears at full cock, fully conscious of the fact that the slightest, most infinitesimal slip would be just so much evidence against him.

Lees had a marvelous system of cross examination and of literally worming serious admissions from a prisoner leading to the latter's ultimate conviction. No practicing lawyer whose cross examinations I have listened to in court could approach Chief Lees' in this respect. Lees would begin by taking the prisoner's mind as far away from the scene of his crime as was possible. He would entertain him with some startling story of his own career. He would tell him how he made the arrest with old Allen Pinkerton, father of the now famous men who bear that name, in the widely known Bank of England robbery case, when he arrested the Bidwells and McDonalds and instantly became one of the world's noted men in his own particular line.

Then Lees would relate some supremely ludicrous experience of his, of the awful mistakes he had made, and would sit back in his chair and laugh and laugh until big tears rolled down his cheeks. These wonderful tales worked on the mind of the prisoner. He became at ease immediately. He forgot for the moment the inquisition, forgot completely that he was in a dangerous predicament, forgot entirely that anything he might say would tend to convict him, to be used as prima facie word evidence against him. He forgot his surroundings and environment and entered into the spirit of Lees' thrilling stories as though he himself had been a participant. The chief was a virile, vivid story teller. Presently we were all laughing as though the best of comrades. At the psychological moment, when the wise old chief was convinced that he controlled the mind of the man, in his blunt, friendly way he would methodically, gradually lead his prisoner on and on, until such admissions as were sought fell from his lips.

The chief's interrogations were as unique as they were dignified. There were no queries propounded to give offense. After relating his own experiences he would ask questions about the early life of the prisoner – about his boyhood, his youth, his relationship with his girlfriends; his religion or beliefs; whether he was interested in sports; who were his chums and companions; his schooling if he had any; his ambitions and desires. The chief would ask what the prisoner liked best to eat and then he would tell some story of his own boyhood days, when his mother once made a blackberry tart. Oh, how well he remembered his passion for those blackberry tarts. He went into this particular story in detail. He had eaten two whole pies; his mother had baked almost a dozen for the evening meal.

They expected company that night. The chief said he was about 14 years old then. His mother went out calling in the afternoon. The moment he heard the door close and as he watched his mother going down the street he stole silently to the kitchen and ate the whole 12 pies. Then came the dinner hour – mother, back from her visit, wondered where Isaiah was. The boy was usually at the table. Search was made for him. He was found in his bed, groaning with pain. But he wouldn't tell mother what had happened. Mother sent for father and father called the doctor. The family went down to dinner. When dessert time came there was no dessert. Isaiah's stomachache was fully explained. Father came upstairs and Isaiah got the worst licking he ever had in his life. From that day to this, he told us, he was ashamed every time he looked a blackberry tart in the face.

How the old gentleman enjoyed his story – he laughed until he cried. His laugh was infectious and the prisoner and I joined in his mirth. The chief would tell how he came to be a policeman, and again, feeling that he had sufficiently ingratiated himself in the prisoner's confidence, he would continue until the man's very soul was unwrapped from his body and lay exposed as plainly as if he had pleaded guilty on the witness stand.

Hours would pass before the skillful and plodding chief would approach the day and hour of the man's life he was most anxious to fathom. Not an episode from the man's recollection escaped the chief's memory. On and on, until the friendliness of the surgeon and the patient became infectious, and the story was wormed out of the prisoner, in all of its grewsome, unhealthy sordidness.

When the prisoner eventually approached that part of the story which was most essential, the chief would sit upright, his glasses tilted as usual half way on his nose. He would egg the man on, gently if cruelly, keeping the prisoner and his mind concentrated on some particular epoch in his life that the chief would probe to its quick – cajoling, pleading, worming out vital issues. It was as a cat plays with a mouse. That was Chief Lees' method of the third degree. It was his wonderful persuasive power that contributed so powerfully to his success.

There was never brutality, never threat in any third degree performance wherein I played the "shadow" role to the great chief. Lees' characteristic in his handling of a prisoner was first to make him feel he was an equal in every way. He never browbeat a man or swore at him. He did browbeat me innumerable times and at first I resented it, but when I got to know him better and to admire and love him, I enjoyed it.

Friendliness and confidence of the man at bay were the first requisites to be arrived at. The chief's system, so strictly original, rarely failed of the desired effect. Courteous, yes even polite to a fault, a man from whom he wanted something tangible to work on, and when the feeling of absolute confidence between the chief and the prisoner had been reached, when they were on positive terms of social intimacy, it was then the old detective would smilingly change his tactics and carefully, dexterously solicit such information as would eventually bring forth the particular clew or veritable evidence he was most desirous of procuring. The guilty prisoner as a rule would become so confidential and so friendly as to make statements and confessions from which there was no possibility of escape.

When it was all over and the chief had shaken hands with the poor wretch and had him returned to his cell he would look at me through his half closed eyes, his big eye glasses tilted half way on his nose, no matter how late at night or how early in the morning, sometimes after a hard twenty-four hours of constant grinding, and would say: "Come on downtown, Billy, we'll have to get our Welsh rabbit."

Upcoming Events

January 16, 2016

35th Annual The Porky Show, Police & Fire Memorabilia Show
1775 N. Indian Hill Blvd
Claremont, CA
9:00 am to 3:00 pm
Tables $35 each
Host Nick Cardaras

Web: www.theporkyshow.com

February 20, 2016

Doug Messer 49er Law Enforcement and Military Collectors Show

Roseville Veterans Memorial Hall
110 Park Drive
Roseville, CA

9:00 am to 2:00 pm

Tables $30 each

Hosts Mike Lynch and Brian Smith

Web:
Cal Badge Shows

Email:
Mike Lynch

Upcoming Events

July 16, 2016

California Law Enforcement Historical Society Police Memorabilia Collector's Show

San Luis Obispo Veteran's Memorial Hall
801 Grand Avenue
San Luis Obispo, CA

9:00 am to 2:00 pm

Tables $40.00 each, $35.00 for members

Host Gary Hoving

Web:
Cal Police History

Email:
Gary Hoving

October 1, 2016

Northern California Law Enforcement Collectors Show & Ripon Police/Emergency Vehicle Show & Recruitment Fair

Ripon Community Center
334 W. 4th Street
Ripon, CA

9:00 am to 2:00 pm

Tables $25 each, $10 for display tables

Hosts Mike Lynch and Brian Smith

Web:
Cal Badge Shows

Email:
Mike Lynch

WANTED

By The Chula Vista Police Historical Foundation

David Bejarano
Chief of Police

"Be On the Look Out"

The Chula Vista Police Historical Foundation needs assistance from all allied Police historical societies & law enforcement collectors!

The above pictured six-pointed Deputy Marshal badge is one of the first issued Chula Vista Police badges from circa 1911.

We would like to ascertain the whereabouts of this Chula Vista Deputy Marshal Badge or Badges.

Any information please contact:

Glenn Isaaks
Chula Vista Police Department
315 Fourth Avenue, Chula Vista, California 91910-3801

Phone: (619) 691-5019 Email: gisaaks@chulavistapd.org

June 9, 2015

2016 Membership Renewal

Have you renewed your 2016 membership in the California Law Enforcement Historical Society? If not, please take a moment to renew your membership with a payment of $35.00 for one year or $350.00 for a life membership!

You can make your payment on-line at the CLEHS web site

Cal Police History On the Home page, click on the Membership tab on the right margin to renew.

If you prefer, you can renew by sending a check to:

California Law Enforcement Historical Society

P. O. Box 254875

Sacramento, CA 95865-4875

Can't remember if you have renewed your membership? Contact Brian Smith for your membership status.

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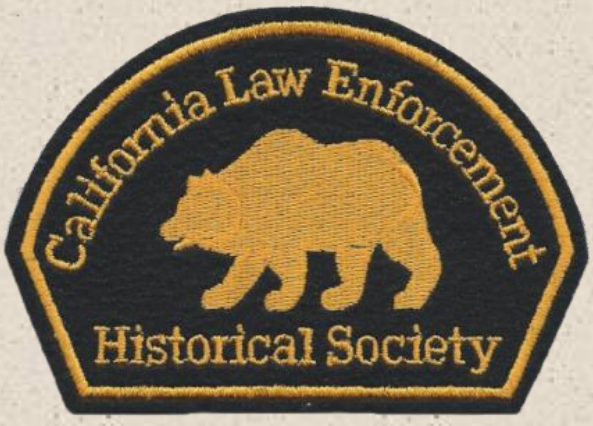

California Law Enforcement Historical Society

Established in 2001, the California Law Enforcement Historical Society is a 501 (c) 3, non-profit, public benefit, educational corporation with the sole intent of preserving the rich history of the peace officers who have served within the State of California. The objective is to link those interested in preserving a forum for education, research, and the enjoyment of our past.

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