



The Novato Historian

The Quarterly Publication of the Novato Historical Guild and the Novato History Museum

FEATURE SECTION

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October 2000

Preserving Novato's History

Vol. 24, No. 3

A Real "Who Done It?" Mystery

by Bill Glass

Today, Rush Creek Place off Atherton Avenue is known as an area of exclusive, high priced homes, but one hundred and twenty three years ago, it was the scene of a dark and dastardly deed.

Our story starts out in Germany with the birth of one Carl Peter Rusch on June 24, 1826. Sixteen years later, young Carl went to sea, which occupation he pursued for the next seventeen years, until his ship landed in San Francisco Bay. Like so many of his profession who found themselves in the Golden State in that year of '49, Carl gave up the sea and became a miner. For the next four years Carl labored diligently in the gold fields. Unlike many of his comrades however, Carl's labors apparently did not go unrewarded, for at the time of his death, Carl had amassed an estate of between twenty and thirty thousand dollars including his farm of three hundred and seventy acres about one mile north east of Novato township, which he, at the age of twenty seven, purchased from James Black, in the year 1853.

By 1864, Carl's life still appears to have been blessed. After laboring for eleven years on the farm, raising geese, chickens and milking cows, Carl felt confident and financially secure enough to take a bride. Carl sent for his bride to be, Miss Anna Braun of Schlesweig, Germany.

At age forty two, Anna was four years his senior. Like all brides on their wedding day, Anna must have never

horrific future the fickle finger of fate was yet to deal them.

It was just a month and a day shy of their thirteenth wedding anniversary. At half past five in the morning that Thursday, the alarm went off and Christian Jacobsen, the Rush's hired hand got out of bed ready to put in another day's work. After breakfast, and milking the cows, Jacobsen and Peter Rush began around eight in the morning to load the wagon with geese. The geese were placed into what was called a "game bag", a canvas sack. Jacobsen was to take them into Petaluma and sell them, then return by five that evening and assist Mr. Rush and the other hired hand, Marceliami Walkes, "a young Indian boy", with the milking of the cows. At eight thirty, Jacobsen embarked on his trip. It was a fifteen minute ride to the Olompali school house, where he would have to get down from the wagon and open the gate which kept the cows in the pasture, then another fifteen minutes into Petaluma.

That morning, Peter Rush was wearing his blue checkered shirt. After making his lunch, he picked up his brown straw hat, and around half past nine or ten o'clock, walked out the door on his way to the fields. That would be the last time Annie and Marceliami would ever see him alive.

Around five o'clock that evening, Christian Jacobsen arrived back at the ranch. Since Peter Rush had not yet come in from the fields, Marceliami

continued on pg F2, see Rush

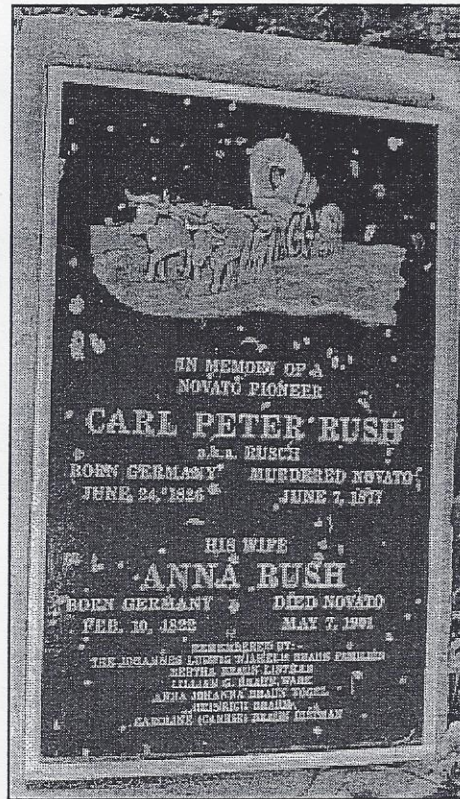


Photo courtesy of Bill Glass

Rusch's grave marker on Open Space property next to the Old Rush Ranch.

looked lovelier than she did on that eighth day of July, 1864, when she and Carl were married at the home of their friend Mr. Sohlge in San Anselmo by the Reverend I. M. Leiby. Neither the Bride and Groom, nor anyone in attendance at the wedding that day could possibly imagine the

Rush

continued from page F1

was sent out to see if he could be located. The cows needed to be milked. Anna and Christian began the milking. After being gone about an hour, Marceliami returned, saying that he could not locate Mr. Rush.

Christian Jacobsen and Annie Rush would have escaped suspicion had these been the only circumstances surrounding Peter's murder. Unfortunately this was just the beginning of a bizarre and untimely tangling web of events that would ultimately lead to their arrest and presentment to the Grand Jury on the charge of murder.

After the milking was completed, around eight that evening, Annie requested Christian and Marceliami to go back out in the fields and take another look for Peter. She thought that he had perhaps become tired and fallen asleep. They took a kerosene lantern and went out in search of Peter. Annie sat down and began to read a book. About eight thirty, according to Annie, someone fired a shotgun at her through the closed window of the house. Fortunately for Annie, the book absorbed the shot, although her book was perforated with shot, her neck was "scratched" by flying glass, and the wad from the shotgun shell set the bed on fire. Naturally, Annie fled the house, and when Christian and Marceliami returned at nine o'clock, it was an upset and frightened Anna they found standing on the porch of the house. As miraculous as it may sound, no one bothered to ride into town or to the neighbors to get help or report these peculiar events. In fact, so upset were both Christian and Anna, that they spent the night outside the house sitting and talking, unable to sleep. No mention is given in the coroner's inquest as to where Marceliami spent the night.

Perhaps it was just as well that Christian and Anna didn't ride into town. There was already talk aplenty in the small town that their relationship might be more than platonic. They were seen together everywhere. Always Christian and Anna, never Peter and Anna. Never mind the fact that Peter was a workaholic and enjoyed staying at home. If Anna wanted to go anywhere, it was up to Christian to take her.

It was decided then. At daybreak, help from DeLong and Sweetser's would be sought in finding Peter. When the sun came up, Jacobsen went to the DeLong/Sweetser mansion and gathered a search party of fifteen to twenty men to help search. All that day was spent in the hunt, but no clue was obtained unto the whereabouts of Rush.

Sheriff James Tunstead, a man of some renown as a noted detective and tracker, had come to Novato on Friday, (the day before the body was found), when he was notified of the strange unfolding of events. He commenced a preliminary investigation, and learned of the town's suspicions regarding the relationship rumored between Christian and Anna. Someone rumored that two or three months prior, Peter had become jealous of Christian and Anna. They spoke of having just seen Anna and Christian in town last Sunday, of Anna wearing a red scarf. Yes, and that wasn't the only thing that was strange either. On last Wednesday, the day before Peter disappeared, Christian brought the family dog (which might have sounded alarm) into town and tied him up and left him. Not only that, while in town, he bought a shotgun.

The search was resumed Saturday morning, and in the afternoon, the murdered body of Peter Rush was found. He had been shot in the back with a shotgun. His upper jaw was

broken, as by a heavy blow. The body had been dragged by hand to a fence, under it and on the opposite side of the fence from where he had been at work, and there covered up with grass and brush. The advanced state of decay indicated that he had been dead several days. Next to the body was a pair of men's shoes. A red scarf found near the murder site prior to locating the body, was subsequently found stuffed into one of the "game sacks" used to transport the geese to Petaluma.

On Saturday, the ninth of June, coroner Eden rode into Novato. He selected six upstanding citizens: Joseph Bryant Sweetser, his son John Robert Sweetser, John Atherton, Daniel Leonard Hayden, Louis Devoto (Novato's first Constable), A. H. Johnson (a proprietor), Peter Hansen and James G. Muynt to serve as jurors in the inquest. John Atherton was elected Jury Foreman. They rode out to the Rush place, and the questioning of Anna resumed.

Anna was shown the red scarf which had been found stuffed into a game sack. The scarf had originally been found near the body of Peter Rush. "Had she seen it before?" "Yes, in fact it belonged to her." "When did she last see it?" "On the morning when he left. He lost his and so he took mine." "Why had Jacobsen gone to Petaluma rather than her husband?" "Because Peter would rather stay at home and work." "Have you seen your husband since he was found?" "No." "Why don't you go and see him?" "Because I wouldn't like to." "Did you have any trouble with your husband?" "No." "Did he have any trouble with anyone else?" "I don't know". "Did you see any strangers around here in the last week?" "No." "Was your husband not jealous of you about two or three months ago?" "No."

Continued on page F3, see Rush

Rush

continued from page F2

Anna said she hadn't expected to see her husband for lunch, as he always took his lunch into the field with him when he worked. She wasn't overly concerned when he hadn't shown up at six o'clock to milk the cows as planned, because "He came home when he liked. Sometimes six o'clock, sometimes late." When he hadn't shown up at bedtime, she thought he might have fallen asleep in the field. "And what did she do the next day, when Peter still hadn't come home?" "I stayed in the house and tended to my work." "Did you send the man (Jacobsen), to look for him?" "Yes, and plenty of men went looking for him too."

Anna was then shown a pair of shoes that were found near the body. "Did you ever see those shoes before?" "Not until they were brought in and shown to me." "Did you ever see those before they were brought in?" "They might have been worn by Shubridge's boy. "Did he wear that kind of shoe when he was here?" "Yes." "Did you or your husband have any trouble with him when he was here?" "I told him I did not like to see him so lazy, and then he went away." Anna then read the testimony, and affixed her signature to it.

Christian Jacobsen was then sworn in and testified. He had been in the employ of Mr. and Mrs. Rush in the capacity of field hand for the last twenty one months. He had last seen Peter Rush alive Thursday morning the seventh of July around eight o'clock, when Peter helped him place geese on the wagon, to take into Petaluma and sell. Like Anna, Christian had had no problems with Peter, nor did he know of anyone else who might have a problem with Mr. Rush.

He had not seen any strangers around the ranch in the last week, and NO, it was not the case that Mr. Rush had been jealous of him within the last two or three months.

Strangely, little was asked of Jacobsen with regards to the shot fired at Anna through the window during his absence. "What happened while you were gone?" "Someone shot through the window at Mrs. Rush". "Where was Mrs. Rush when you came back that night?" "She was standing alongside the door." "Did she seem to be frightened when you got back?" "Yes." "Did you go out to look for any footprints or tracks at the window?" "No. I did not think of it." Whether or not this turned out to be a blessing in disguise for the murderer, we will never know, for it was most probably the talent of Sheriff Tunstead's tracking ability (or braggadocio thereof), which lead the S.F. Chronicle to publish the following:

"The Rush Murder."

*"To the Editor of the Chronicle—
Sir: We have some reason for believing that the recent murder in Black Point, Marin County, was committed by an Indian, described as a small sized man, lame in his left leg and walking on the ball of his foot, with his heel a little raised from the ground. Any person knowing of such an Indian will confer a great favor on the State and County by giving immediate information as to his whereabouts to either the Sheriff at San Rafael or to H. & H. at 632 Market Street, San Francisco."*

As to the question of whether or not he had taken the family dog into Novato and left him, "yes, he had done that." "Why..." "Because Mrs. Rush told me to take him up there." "What was the matter with him?" "He was no good, he was always under the bed."

Christian said that on Friday morning he saddled up the horse and went into the field to look for Mr. Rush. He

was shown the men's shoes which were found near the body. Asked if he had seen them before, Christian responded that he had seen them in the morning when he got back from Novato. He did not know who they belonged to. He was then shown the red scarf that was found near the body. He had not seen that before. To his knowledge, Mrs. Rush did not have one like that either. Yes, Christian had taken Anna to town on Sunday. She had asked him to take her. No, he didn't recollect her wearing a red scarf. Yes he probably would have noticed if she had, but to the best of his recollection, she was not wearing one. And as for how the red scarf ended up in the game sack, "Mr. Parks found it in the field and put it in there."

Yes, it was a fact that he had bought a shotgun in Novato on Wednesday from a man named Pierce. It was irrelevant whether or not Mr. Rush already had guns enough around the place, Pierce offered it to him cheap. "When did you use the gun last?" "I never used it. I loaded it up last Thursday night." "With what kind of shot?" "Number 6 duck shot." "Did you shoot the gun off?" "No." "Where is the gun now?" "In the other room."

"Was the boy with you all the time while you were hunting for Peter Rush?" "Yes and came home with me." "Where did you sleep that night?" "I did not sleep at all." "What did you do?" "I was watching the house." "Did not Mrs. Rush go to bed that night?" "No". Christian Jacobsen then signed his signature.

Marceliami Walkes (the young Indian boy), then testified that he had been in the employ of Mr. and Mrs. Rush as a milker for the last eighteen months. He had spent all day with Mrs. Rush. He had not seen any

Continued on page F4, see Rush

Rush

continued from page F3

strangers loitering about the farm during the last week. When Jacobsen got back from Petaluma, the two of them and Mrs. Rush began milking the cows. When the milking was done, he had his supper, then, at Mrs. Rush's request, he went out alone to see if he could find Mr. Rush. When he left, he left Jacobsen and Mrs. Rush together at the house. He was gone approximately half an hour. When he got back and hadn't found Mr. Rush, he and Jacobsen took a kerosene lantern and went back out. They were gone for about an hour. As far as he knew, Mr. Rush and Jacobsen had never had any trouble.

The focus of questioning then shifted to the horses in the stable. "Were any of them saddled?" "No." "Did Marceliami go into the stable?" "No." "Did Mr. Rush keep his horses in the stable?" "Yes." "When Jacobsen came back from Petaluma, was the harness taken off the horses?" "Yes." "Had he seen any strange horses around?" "No." Most importantly, "had he been coached what to say by anyone?" "No".

Mr. J. B. Faggiano was then sworn in. He testified that he had heard of Mr. Rush's strange disappearance on Friday, but could not leave his place "on account of business", but he and Mr. Harn intended to come on Saturday to assist with the search. While searching, he noticed a pitchfork leaning against the fence. He used it to turn over some hay in the field. He then noticed that a dog which accompanied the Indian boy, Marceliami Walkes, began sniffing curiously into a pile of brush, which looked like it had been dragged from a different location. The Indian boy then saw a pair of shoes sticking out of the brush. The body was identified as that of Carl Peter Rush.

To Be Continued

Hamilton Field's Longest Tenured Unit

by Fred Oberding, Major, USAF (Ret)

The Army Airways Communications System was organized on November 15, 1938 by a special directive on November 3, 1938 from the Office of the Chief of the Air Corps (OCAC). This directive stated that this new organization would function under the OCAC, and its mission would be the maintenance and operation of airways communications for military aircraft. As of that date, this new organization would take over the communications centers at the Army Air Corps' 33 landing fields in the United States, and at such places as may be later designated. For the purposes of administration, the System would be organized into three regions of operation — western, eastern, and central.

The War Department had designated eight states to comprise the First AACS Region: California, Oregon, Washington, Idaho, Nevada, Utah, Wyoming and Montana. On November 29, 1938, orders were cut assigning Capt Russell A. Wilson as the Regional Communications Officer for the western or First AACS Region. Capt Wilson set up office at March Field, CA, where the First Communications Squadron was established on November 15, 1938.

He then began setting up detachments at the other West Coast airfields. The first three were at Hamilton Field, San Rafael, CA, Sacramento Air Depot, CA and Medford Municipal Airport, OR. He went on to set up a station at Gray Field, Ft Lewis, WA and another at Pearson Field, Vancouver Barracks, WA, and a seventh station at Salt Lake City Municipal Airport, UT. All of these detachments were officially listed as being in operation as of January 31, 1939.

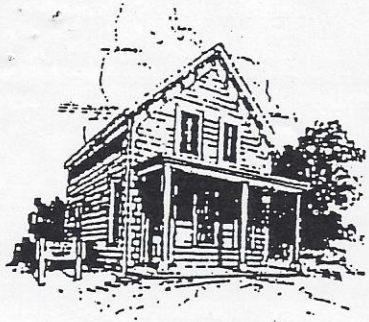
By the first of February 1939 the Western AACS Region had 49 men operating seven stations in the eight western states. Thirteen of these men were at Hamilton Field. The men for this new unit at Hamilton came from units already stationed at Hamilton. From the Base Headquarters and 5th Air Base Squadron came one Staff Sergeant, two Sergeants, five Private First Classes and four Privates, and from the 11th Bombardment Squadron came one Private.

Per information I have received from Dr. Larry Morrison, Historian for the Air Force Communications Command at Scott AFB, IL, plus microfilm from Maxwell AFB's Office of Air Force History, the following is a list of the AACS units at Hamilton Field/AFB over the years:

Det. First Communications Sq - 31 Jan 39 to 17 Dec 42 when it was redesignated
 Det. 1st AACS Sq - 17 Dec 42 to 15 May 44 when it was absorbed by the
 Det. 101st AACS Sq (aka, 731st AAF Base Unit) - 15 May 44 - 1 Oct 46 which was in turn absorbed by
 Det. 100th AACS Sq (aka, 730 AAF Base Unit) - 1 Oct 46 to 20 Mar 47 which became
 125th AACS Sq (aka, 725 AAF Base Unit) - 5 Apr 48 to 1 Oct 48 becoming
 1902nd AACS Sq - 1 Oct 48 to 23 Jul 49 when it was inactivated, and became
 Det 4, 1901st AACS Sq which in turn, again became
 1902nd AACS Sq - 1 Nov 54 to 1 Jan 61 when it was redesignated
 1902nd Communications Sq - 1 Jan 61 to 14 Nov 75 when it was inactivated.

51st AACS Gp (aka, 701st AAF Base Unit) arrived Dec 46 from McClellan Field

Continued on page F5, see Unit



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A Real "Who Done It?" Mystery — Part 2 The Murder of Carl Peter Rusch

by Bill Glass

On Thursday, June 7, 1877, Peter Rusch was shot in the back while working in his field. The murder weapon was a shotgun. The perpetrator struck the mortally wounded Rusch with a blunt instrument, shattering his upper jaw. The killer then dragged the body some distance, under a fence, and then concealed the body with grass and brush.

According to Rusch's wife, Anna, around eight thirty that evening, as she sat reading, someone fired a shot at her through the closed window of her bedroom. The shotgun was fired so close to the glass that the wad from the shotgun shell entered the room and set the bed afire. Fortunately for Anna, the book she was reading absorbed the shot. The only injuries she sustained was a "scratched" neck from flying glass shards. Rusch's body was not found until Saturday, June 9th.

The mystery of the murder lingered for the next twenty one months. It was up to the investigative ability of Sheriff James Tunstead to solve it.

Peter Rusch and Sheriff James Tunstead had much in common. Like Rusch, Tunstead was foreign born, (Ireland). Both men went to sea at an early age, Tunstead when he was fourteen years old. Rusch jumped ship in search of gold in the Sierra Nevada, Tunstead went to Caribou, British Columbia in search of gold. Rusch bought his ranch from James Black. From 1866 until 1876, Tunstead rented the former Pacheco ranch in Novato from James Black.

Without exception, all articles which the author has read relating to James Tunstead, mention his kindness and generosity. At the time of the Rusch murder, Sheriff Tunstead was thirty-five years of age. His nephew and Deputy

revolver on his hip. He also wore a cut-away or Melton coat, vest with gold watch chain and sheriff's star, pants inside the boots and carried a coiled bull whip under his left arm. He had a deep and resonant voice and was expert in the use of rifle, pistol or shotgun. Physically he was said to be as powerful as two average men and was also a remarkable horseman."

Prior to the turn of the twentieth century, there was no such thing as forensic evidence. The science of fingerprint identification was unknown. One's ethnic heritage was often enough to get one hanged, if one even vaguely resembled the suspect. Beaten confessions were not unheard of and an arrest based on opportunity, motive or innuendo often made up for the lack of an independent witness. Circumstantial evidence held far more weight then than it does today. Among the plethora of circumstantial evidence Tunstead had to consider :

- 1) Rumor and innuendo of an amorous relationship between Anna and Christian Jacobsen.
- 2) The tying up and abandonment of the family dog in town, along with the purchase of a shotgun by Jacobsen the day before the murder of Peter Rusch.
- 3) The advanced state of decomposition of Peter's corpse seemed to suggest that he had been dead for a long period of time. Marceliani



James Tunstead - Sheriff

Photo courtesy San Anselmo Historical Society, ca. 1900

Sheriff, Peter Burtchaell left us this description of Tunstead:

"Six feet three inches tall, over two hundred pounds in weight, wearing high-heeled Spanish boots and a tall five-gallon Stetson hat, a double-action .38 Colt

continued on pg F2, see Rusch

Rusch

continued from page F1

long period of time. Marceliami Walkes substantiated the fact that he had seen him on Thursday morning. This would suggest that he was killed early in the morning Thursday. The body not being found until Saturday.

4) Anna was not fired upon until approximately eight thirty in the evening would suggest that this was a separate event, [perpetrated perhaps by someone other than the murderer].

5) The cavalier attitude and failure to sound alarm surrounding the shot fired at Anna through the window.

6) The shot was fired at such close range as to cause the shot wad to enter the room, setting the bed on fire. The shot perforated the book she was reading, yet she sustained only minor "scratches" to her neck from flying glass shards.

7) The murderer took such great pains to conceal the body. Obviously to delay discovery, but for what purpose? [To concoct an alibi?]

8) Anna's scarf, found in the field near the scene of the murder. [Did Peter really borrow it in the month of June to keep warm because he had lost his?]

9) But the most stupefying piece of evidence were the men's shoes. [Put there to throw the investigation off track?]

In order for the shot from a shotgun to be effective, the weapon would have to have been fired at close range, certainly within one hundred yards. [Did the murderer have prior knowledge as to the exact location where Rusch would be working, and lie in wait?]

On Sunday, the ninth of March, 1879, Sheriff Tunstead rode out to the Rusch Ranch and before sunrise, arrested both Anna and Christian Jacobsen for the murder of Peter Rusch. They were lodged at the

Marin County Jail in San Rafael. The trial was set for Thursday, March 13, 1879 at 11:00 A. M. before Judge William S. Hughes, Justice Of The Peace. The case commenced promptly at eleven o'clock on Thursday, and continued till noon on Saturday the fifteenth. District Attorney Bowers represented the state, while H Wilkins Esq. represented the defendants.

Twelve witnesses were called by the state, while the defense called but two. One of the two called by the defense was most probably someone who could attest to having seen Jacobsen in Petaluma on the day of the murder. The other was undoubtedly Marceliami Walkes who would probably have testified that Mrs. Rusch could not have killed Peter, since she had spent every moment of the day with Marceliami. Furthermore, Christian Jacobsen could not have fired the shot through the window at Anna Rusch, since he was with Marceliami at the time that event occurred. The case was submitted without argument and the defendants were immediately discharged due to lack of evidence.

"Salvador The Brave"

On Friday, April 18, 1878, an Indian named Salvador who resided at the Nicasio rancharia, began walking to his sister's residence on Tomales Bay. To other Indians of the county, he was known as "Salvador The Brave". His journey took him along Lagunitas Creek, toward Tocaloma. As rain began to fall, Salvador took shelter in the hollow of a large redwood tree. Here, he would spend the night.

Saturday, April 19, Paul Rieger, a merchant from San Francisco, disembarked from the train at Tocaloma Station. He was looking forward to doing a little fishing on Lagunitas creek, and planned to stay with friends in the area. Although it was raining, Rieger didn't let that stop

him. He began his hike up the creek. Salvador, still concealed in the hollow of the tree waiting out the storm, ambushed Rieger. After shooting him once in the side, Salvador fired four more shots for the coup de grace into Rieger's back once Rieger fell to the ground.

The wanted poster described Salvador as: "Age about thirty-seven; height five feet nine inches; complexion sallow; eyes and hair black; round, full features; heavy mustache, high cheek bones; scar between the eyebrows; scar on right cheek; scar on left wrist; several cupping marks on right fore-arm; cross in Indian ink on right fore-arm; well built and weighs about one hundred and eighty pounds. You should be very careful how you operate in attempting his arrest, as he is a powerful and desperate man. When last seen he had a Henry rifle, a dragoon six-shooter, an English bull-dog five-shooter and a Bowie-knife."

At the time he left Nicasio, Salvador was known to have been financially destitute. On Monday, the 21st, of April, Salvador arrived at Tomales Bay with a large amount of cash, a gold watch and wearing what were described as pants which matched those removed from the corpse of Paul Rieger. Salvador was captured on a ranch in Sebastopol by Sonoma County Sheriff Dinwiddie on Saturday, the 17th of May, having been dispatched to that location by Sheriff Tunstead, who had information from an informant that Salvador was hiding there. He was taken into custody and transferred to the Marin County Jail in San Rafael.

On the 26th of May, he was brought before Justice of the Peace William S. Hughes (the same judge who presided over the Rusch murder case). He was indicted on the 2nd of

Continued on page F3, see Rusch

Rusch

continued from page F2

June. He was arraigned on the 23rd of July and entered a plea of not guilty on the 24th of July. The trial commenced on the 30th of July at five o'clock in the evening. By Monday, August 4, the verdict of guilty of murder in the first degree was found, and Salvador was sentenced to death by hanging.

No Angel

Salvador's first crime of note was the stabbing to death during an argument, of his brother Cruz in Nicasio at the rancheria. This was in 1860. He was not arrested for the murder. While awaiting execution, Salvador realized he was to be hanged for his crimes, and apparently wanting to clear his conscience, confessed to the murder of an Indian named Jose, whom he had murdered on Paper Mill Creek. Like Cruz, Jose was stabbed to death. Up until his confession in 1878, this murder had been unsolved.

In 1866, Salvador murdered another Indian by the name of "Whiskey Bill" while in Bodega. Again, Salvador was fortunate and was acquitted on the grounds of self defense. Later that year, while at Tomales Bay, he murdered a white man by the name of Mckeon. For this, he was sentenced to seven years at San Quentin. He vehemently denied responsibility for this murder.

Shortly after his release from prison, he killed an Indian (name unknown) with a knife in a quarrel in Sanel Valley. As with the death of Jose, the perpetrator of this crime had remained a mystery until Salvador decided to clear his conscience.

In 1878, while riding the North Pacific Coast Railroad, Salvador and a companion kicked a Chinaman to death,

whom he alleged, assaulted "a squaw named Big Mary". "Big Mary" may have been Salvador's sister. He was known to have a sister, portly in stature, who lived in Marshall on Tomales Bay. Big Mary appears at the scene of another murder (Blass Talamontas) on Tomales Bay near Marshall, May 2, 1879 at her home. (Bowen and Alley, History of Marin County 1880).

Thus, Salvador confessed to two murders which had remained until that time, unsolved. After all, how many times could he be hanged! At no time did he indicate that he even had knowledge of the murder of Peter Rusch, let alone claim responsibility.

At eleven o'clock on the morning of October 2nd, 1879, Paul Rieger's son and several others entered Salvador's jail cell. Salvador fell upon his knees and begged their forgiveness. The gentlemen shook hands with him and left. Salvador was then taken into a cell occupied by his mother and his sisters. He embraced them, and once again fell upon his knees, seeking their forgiveness. His mother placed her hands upon his head and chanted prayers in the Miwok dialect.

At twelve thirty, he consumed his last meal. Around one ten that afternoon, Salvador was led to the gallows and although he was clutching a small crucifix between his hands, there was no indication of so much as a tremor. Sheriff Tunstead in the lead, followed by Sonoma County Sheriff Dinwiddie, who had performed the arrest, Salvador followed, and then Under-Sheriff Gordon, followed by Sheriff Tunstead's nephew, Deputy Burtchaell. Here was a man, about to meet his maker. He had nothing to gain, and nothing to lose. Sheriff Tunstead then asked Salvador if he had any last words. In a low voice, Salvador replied: "I am thankful to you all and especially to Sheriff Tunstead, for the kind treatment I have received. I know I have committed a terrible crime and am willing to give up my life for it."

Under-Sheriff Gordon then slipped the three quarter inch rope around Salvador's neck, adjusted it and then, Sheriff Tunstead placed a black sack over Salvador's head. Sheriff Tunstead then waved his white handkerchief to Deputy Duncan who threw the lever, which sprang the trap door and precisely at twenty minutes past one, Salvador's life was extinguished.

One week after Salvador was hung, Sheriff Dinwiddie petitioned the state for the whole five hundred dollar reward and one hundred dollars offered by the Odd Fellows. Dinwiddie said that if it were awarded to him, he would give Tunstead a quarter of it. Sheriff Tunstead petitioned for one half of it. When he was up for a third term reelection in 1880, Sheriff Tunstead refused to run due to the fact that the requirements of the job necessitated officiating at hangings, a task which he detested.

But did he murder Rusch?

On December 16, 1892, fifteen and a half years after the murder of Peter Rusch, and thirteen years after Salvador was hung, the Sausalito News reported that former Sheriff Tunstead "through his tact and genius and his untiring energy . . . is in possession of facts which establish beyond doubt that the Indian, Salvador, who was sentenced to death . . . for the murder of Paul Rieger, was the same cowardly brute who took the life of Peter Rusch."

This author checked one month on either side of December 16, 1892, in the more widely circulated Marin Journal for reference to the Rusch murder and any new facts which former Sheriff Tunstead had disclosed, without success. This leads me to conclude that the Journal staff either did not think the news was

Continued on page F4, see Rusch

Rusch

continued from page F3

newsworthy or that it lacked substantial readership interest. In any event I could find nothing further that would illuminate the claims made in the Sausalito News.

I could find no further mention of what happened to Christian Jacobsen. Anna was unable to operate the ranch on her own, and she sent for her nephew, Johannes Ludwig Braun from Hamburg, Germany. Anna stayed on at her ranch in Novato, and passed away on May 7, 1901. She never remarried, and is buried next to her husband.

After leaving the office of Sheriff, Tunstead became a successful real estate tycoon, building

from the Novato Advance, August 22, 1958

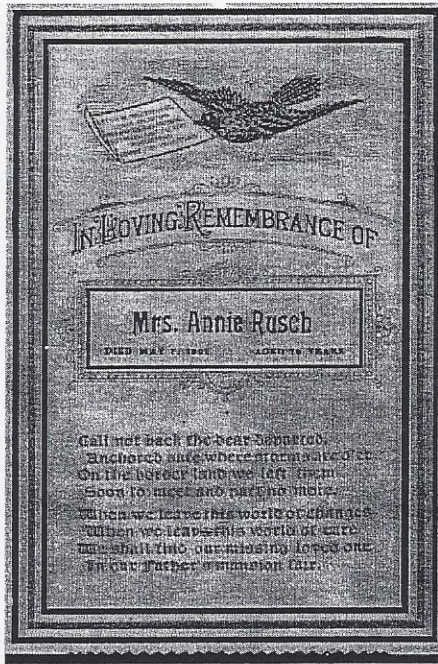
numerous residences and commercial buildings. He built a large and lavish home for himself and his wife just a few hundred yards east of "the hub" in San Anselmo. He donated the land where the San Anselmo City Hall, Library, History Museum and Fire House sit today, to the City.

In 1903, he attended the funeral of Wayne Dutton in Tomales. Returning home by train, he was seated in one of several cars that derailed and fell from the trestle near Point Reyes Station. Two passengers were killed, several were injured. The injuries Tunstead received, plagued and crippled him the rest of his life. Shortly before his death on December 11, 1912,

Tunstead converted to Catholicism in order to be buried alongside his wife, Mary, at Mt. Olivet Cemetery in Terra Linda. He left an estate in excess of one hundred and fifty thousand dollars.

Little has changed in the general appearance of the lay of the land on the Rusch ranch when viewed from the west, looking east. All the structures are gone, although the well is still there. The graves of Peter and Anna are situated on a rolling knoll southeast from where the house stood. Covered with periwinkle and poison oak, they are outlined by a cedar grove. Visitors to this site should be fore-warned that the grasses are heavily infested with ticks, and should thoroughly check themselves after having visited the site.

Point of clarification: Carl Peter Rusch (pronounced Roosch), was known as Peter. Anna was also as Annie, Ann and I have even seen reference as Hanna. Although he did not anglicize his name, he was also known as Carl Peter Rush. References to Anna's maiden name (Braun), have also been anglicized as Brown.



Funeral card courtesy of Hank Iistman

Black Point Bridge Opens In Three Weeks

The new high-level bridge across Petaluma Creek at Black Point on state highway 37 where Petaluma Creek marks the boundary between Marin and Sonoma Counties, will be ready for traffic in approximately three weeks. E.W. Booker, Assistant State Highway engineer, said today.

This new four-lane bridge replaces the existing two-lane to a width of 21 feet between curbs.

Only one lane in each direction on the new bridge will be opened at this time, however the other lanes will be opened coincident with the completion of this section of the four lane divided expressway through the area.

The new 2200 foot long structure consists of reinforced-concrete prestressed, precast deck units on 200 ton bearing pile bents, with a center steel span 165 feet long, 70 feet above the water.

Short detours were provided during this construction around the east and west abutments of the bridge during the place-

ment of abutment fills. These detours will be eliminated when the new bridge is opened to traffic.

The \$2,432,987 was allocated by the California Highway Commission for the bridge and work began in February, 1957, by contractors Ben C. Gerwick Inc., & J.H. Pomeroy Co., Inc.

Construction Underway

Improvement of the highway 37 as a four-lane expressway is now in progress between Ignacio on U. S. 101 in Marin County and Sears Point in Sonoma County, a distance of 6.1 miles. The portion of the \$1,360,760 expressway project in the vicinity of the bridge is expected to be completed in the spring of 1959, at which time the other two lanes of the Petaluma Creek Bridge will be opened to traffic.

The route was adopted as a freeway in September, 1948, by the highway commission and provision is being made in the current expressway project for the addition of two lanes in the future as traffic conditions warrant.

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