

Such slander as that, Mr. Speaker, does not affect me; but it may be and doubtless was a sweet morsel to the committee having the investigation in charge.

I wish the House and country to know how this committee with the smiling *boutonniere* at its head [Laughter and applause] proceeded to investigate expenditures in the Department of Justice, and how they proceeded to get at the facts.

Mr. Speaker, I have not the honor of a personal acquaintance with Mr. Henry Diven. But it appears that he was a friend of Eli H. Murray's, and attended his wedding January 18, 1876, by the invitation which I hold in my hand.

The following letters will show that he is not considered a knave by Col. J. T. Buckner, of Louisville, Ky., one of the most prominent men in Kentucky to-day; nor by S. A. Whitfield, late revenue agent for Kentucky and now postmaster at Cincinnati, Ohio; nor by R. H. Crittenden, who it appears trusted Diven with the control of the steamboat *Alice* until a sale was effected; nor by Col. W. A. Bullitt, late United States district attorney under Wharton; nor by Mr. G. K. Chase, general agent of the Department of Justice, who was sent to Kentucky in 1876 to investigate the charges against certain Federal officials; nor by Mr. Brewster Cameron, the present general agent for the Department of Justice.

A large number of letters were then read, proving that Henry Diven, whom Murray has endeavored to make his scapegoat, was trusted and respected and endorsed by prominent officials of the United States. Concerning the last letter Mr. White said:

That letter is by Col. W. A. Bullitt, who was the assistant district attorney under Wharton for years. He was a colonel in the Union Army, and is well known in the city of Louisville. Did they call him? Not at all. Who did they call? Why, they called Mr. Murray. [Laughter.] Did they call Mr. Diven? Oh, no; Mr. Murray had said he was "a knave of lower degree and less prominence" than a member of this Congress.

I invite your attention to Diven's statement furnished to the Springer committee by Ralph Ballin from the files in the Department of Justice, as will be seen on page 191 of the testimony, and which I shall print in the appendix to my remarks.

But Mr. Speaker Carlisle was called before the committee and asked to testify. As to what? As to his knowledge of the facts? Oh! no; but as to the character of the witness Murray.

Why was Mr. Speaker Carlisle called before that committee? I will show you why. On the day before a man who had wronged the Government out of thousands of dollars, a man who had deputies prowling all over the State of Kentucky, with blank warrants returnable at Louisville for years, hunting up these technical violations of law—a man condemned by the Commissioner of Internal Revenue, condemned by the Department of Justice, removed from office after an investigation by the proper officers of the Government—appeared before the investigating committee and made a special plea in his own defense, needed a little help to be let down easy by that committee appointed to investigate expenditures in the Department of Justice.

An animated dispute here arose as to whether Mr. White was speaking directly to the bill, the object being evidently to muzzle him in relation to Governor Murray. During the interruption which continued some time Mr. White said:

When this House appointed a committee to investigate the expenditures in the Department of Justice, and I, as a representative on this floor, speak a word of encouragement for that committee, in the prosecution of its work, and was then called before them to tell of what I had been informed, and gave the names of competent witnesses, the committee turns around and takes what the criminal, under grave charges, tells them he knows about it. Then the Associated Press sends his statement all over the country, while the chairman of the committee holds what I have said in the strictest confidence, for reasons satisfactory to the committee. The Speaker of this House was called before that committee to testify as to that man's general character.

After some further interruption, in the course of which Mr. White was admonished by the Speaker to conform to the rules of the House, he concluded as follows:

Now, to show you the necessity for restricting the power of the district attorney and the marshal in these cases, I refer you to the testimony of G. K. Chase before the Committee on Expenditures of the Department of Justice, and which I incorporate in my remarks;

By the CHAIRMAN:

Q. Did Murray, in your presence, deny specifically the statements that were made with regard to those constructive fees?

A. No, sir; he admitted some of them and amended one, the McCord warrant.

Q. What did he say in regard to that?

A. He admitted Diven's statement was true, and amended his charge against the Government in that case accordingly. I had the original McCord warrant with these papers, and there was another paper with the newspaper charges, which I do not see here.

Q. The statement in regard to McCord is this: "In December, 1875, Mat. McCord was brought to this city (Louisville) from Livermore, charged with having deposited in the postoffice, for the purpose of being carried by mail, certain circulars concerning illegal

lotteries. In relation to that case I would state that the prisoner McCord, was brought here by a private citizen from Livermore without any warrant, and without the marshal's knowledge. The marshal charged for going for him and bringing him with a guard. The marshal himself returns on the back of the warrant fees to the amount of \$82.80." Did you call Marshall Murray's attention to that statement?

A. I did. I showed him the original warrant in his own handwriting all the way through, and he admitted that there was no guard, but he said that was the only way he could pay Hackett, who brought the prisoner down.

The point to which I desire to call your attention just here is that constructive fees were charged. They would arrest a man in Louisville and charge mileage from the man's home, distant perhaps two hundred miles. They would charge for traveling expenses, meals, guards, etc. They would charge constructive fees for all items which would have been allowed if the man had been arrested at his home and brought to Louisville. In one case in Letcher County, nearly three hundred miles from Louisville, they arrested a man named Adams. The warrant was issued in Louisville; and because the warrant was issued there, it was decided that the man must be brought to Louisville for preliminary trial, although he was taken past a United States court at London, Ky., and I believe put in jail there, one hundred and sixty miles from Louisville. The man actually arrested was the brother of the man who should have been arrested. He wanted to identify himself when arrested; but instead of being allowed to do so at the place where he was arrested, he was taken to Louisville and all the fees connected with taking him there were doubtless charged. Of course when he identified himself in Louisville as not being the man called for in the warrant, he was allowed to go home, being obliged of course to pay his own expenses. Such an outrage on the rights of American citizenship ought not to be tolerated, and was not often attempted upon any but the poorest and most illiterate citizens as well as most from the city of Louisville.

A few years ago, in the county of Whitley, about 45 men were arrested on charges which in some cases were five years old. Many of those men were entirely innocent and were so declared when they got to Louisville, but they were taken about 200 miles from their homes, (passing by the nearest commissioner) to the city of Louisville, 160 miles beyond, to have their preliminary trials. After all the fees possible had been made by the arrest of these poor people, District Attorney Wharton recommended that the cases be dismissed, and they were dismissed.

This bill is intended to provide that these prosecutions for technical violations of the law upon charges which are four or five years old shall not be allowed—shall not be made the means of fleecing the government in order that marshals and district attorneys may make fees. We ought to go further and abolish the fee system.

Such enormities as these can not be defended by any republican. When republicans are guilty of such offenses the proper thing for us to do, if we would stand squarely before the country, is to ferret out the crime, uncover the scandals, and turn the guilty parties out of office. This bill will do much toward preventing the temptation for the commission of such offenses.

I will not occupy the time of the House further; but I ask to be allowed in my printed remarks to make more copious extracts than I have been able to do, and with that permission I will yield the floor.

The appendix to which Mr. White refers in his speech contains a mass of testimony before the Springer committee. It is too lengthy to reproduce here, but we will copy it a little at a time, from day to day, that our readers may have before them the evidence presented of Eli H. Murray's crooked course, and thus be enabled to form their own estimate of his character and the nature of his pretended "vindication."

NEW HOAR AMENDMENTS.

The following were reported by Mr. Hoar, from the Committee on the Judiciary, ordered to be printed, and intended to be proposed to the bill (S. 1283) to amend an act entitled "An act to amend section fifty-three hundred and fifty-two of the Revised Statutes of the United States, in reference to bigamy, and for other purposes," approved March twenty-second, eighteen hundred and eighty-two, viz:

Strike out section 18 and insert in lieu thereof the following:

"SEC. 18. That the provisions of section nine of said act approved March twenty-second, eighteen hundred and eighty-two, in regard to registration and election offices, and the registration of voters, and the conduct of elections, and the powers and duties of the board therein mentioned, shall continue and remain operative until the provision and laws therein referred to be made and enacted by the legislative assembly of said Territory of Utah shall have been made and enacted by said assembly and shall have been approved by Congress."

Add as additional sections the following:

SEC. 19. That whoever commits adultery shall be punished by imprisonment in the penitentiary not exceeding three years; and when the act is committed between a married woman and a man who is unmarried, both parties to such act shall be deemed guilty of adultery; and when such act is committed between a married man and a woman who is unmarried, the man shall be deemed guilty of adultery.

"SEC. 20. That if an unmarried man or woman commits fornication, each of them shall be punished by imprisonment not exceeding six months, or by fine not exceeding one hundred dollars.

"SEC. 21. That commissioners appointed by the supreme court and district courts in the Territory of Utah shall possess and may exercise all the powers and jurisdiction that are or may be possessed or exercised by justices of the peace in said Territory under the laws thereof, and the same powers conferred by law on commissioners appointed by circuit courts of the United States.

"SEC. 22. That the marshal of said Territory of Utah, and his deputies, shall possess and may exercise all the powers in executing the laws of the United States possessed and exercised by sheriffs and their deputies as peace officers, and they shall cause all offenders against the law, in his view, to enter into recognizance to keep the peace and to appear at the next term of the court having jurisdiction of the case, and to commit to jail in case of failure to give such recognizance. They shall quell and suppress assaults and batteries, riots, routs, affrays, and insurrections, and shall apprehend and commit to jail all felons.

"SEC. 23. That the office of Territorial superintendent of district schools created by the laws of Utah is hereby declared vacant; and it shall be the duty of the Supreme Court of said Territory to appoint a Territorial superintendent of district schools, who shall possess and exercise all the powers and duties imposed by the laws of said Territory upon the Territorial superintendent of district schools, and who shall receive the same salary and compensation, which shall be paid out of the treasury of said Territory; and the laws of the Territory of Utah providing for the method of election and appointment of such Territorial superintendent of district schools are hereby suspended until the further action of Congress shall be had in respect thereto. The said superintendent shall have power to prohibit the use in any district school of any book of a sectarian character or otherwise unsuitable. Said superintendent shall collect and classify statistics and other information respecting the district schools in said Territory, showing their progress the whole number of children of school age, the number who attend school in each year in the respective counties and average length of time of their attendance, the number of teachers and the compensation paid to the same, the number of teachers who are Mormons, the number of children of Mormon parents and the number of children of so-called Gentile parents, and their respective average attendance at school. All of which statistics and information shall be annually reported to Congress, through the Governor of said Territory and the department of the Interior."

A GOOD BOOK.

"Happy Homes, and the Hearts that Make Them," is the title of a book only recently published and now being canvassed for in this city by J. H. Parry, its general agent.

The work is written by the celebrated author Samuel Smiles, whose works on "Self Help," "Thrift," "Character," etc., are so well and favorably known. The book is handsomely embellished with steel engravings; is printed in fine large type, royal octavo size, and contains 644 pages, divided into twenty-seven chapters.

Its leading chapters are "Influence of Character," "Home Power," "Work," "Helping One's Self," "Leaders of Industry—Inventors and Producers," "Energy and Will," "Self-Culture, facilities and difficulties," "Money, its use and abuse," "Habits of Thrift," "Economy," "Courage," "Self-Control," "Duty, the Aim and End of Life," "The Art of Living, or Making the Most of Life."

The best way to induce young folks not to read bad books is to give them good books that are quite as interesting as bad ones. The book is well deserving a place in the family; the home where it is read, and its teachings are heeded, cannot fail to become benefited. The work is not only loaded with instructive facts and wholesome counsel, but is interesting from first to last.

COURT BUSINESS IN OGDEN.

GRAND JURY EMANELLED.
OGDEN CITY, Utah,
May 5th, 1884.

Editor Deseret News:

At the opening of the First District Court to-day, the Honorable P. H. Emerson, presiding.

THE GRAND JURY

for the term was empanelled without any difficulty. One man only was excused, and that was for just cause—he said he could neither read nor write the

English language, which the law requires him to be able to do. The business of forming the jury consumed but a comparative short time, not to exceed two hours. The names of the gentlemen composing it are as follows: A. J. F. Bauman, Foreman; Thomas Emmett, Abraham Maw, Richard D. Brown, James M. Wade, Jno. Gleave, Michael Wahlen, George W. Murphy, Gillespie Waldrom, B. H. Tolman, W. T. Butler, H. Griffith, Jay R. Crandall, John M. Browning and John King.

THE EXAMINATION

Of these gentlemen as to their fitness and qualifications as jurors was made by Mr. Varian, assistant district attorney for Utah. The inquisition was conducted respectfully and with the greatest courtesy. No impertinent or irrelevant inquiries were made as to the religious belief, political status or social ethics of any one forming the panel, and not a single challenge was made during the proceedings.

After the oath was administered

THE CHARGE

Was delivered to the jury by His Honor with his usual ability, perspicuity and in the spirit of fairness. He cautioned them against receiving the statements of vicious, spiteful persons, who, to be revenged on a neighbor for some trivial offense, will trump up some testimony and present it to the grand jury, with a view to get an innocent person indicted.

In the course of his charge the judge called the special attention of the jury to the late mock trial which resulted in

LYNCHING THE JAPANESE.

This infringement of the law His Honor characterized as murder, and urged them to be specially diligent in their inquiries into this matter and endeavor to find the perpetrators of the foul deed that they may be indicted for the crime and brought to punishment. If such

ATROCIOUS OUTRAGES

and violations of law are allowed to pass, as in this instance, without a thorough inquisition being had into it and endeavors made to find the guilty parties and dealing with them for such illegal proceedings, no one can tell how soon and how often they will be repeated or who will be the next victims. Such lawlessness must be suppressed.

Of course every lover of law and order in this community will endorse these sentiments of Judge Emerson, and will

HEARTILY CONGRATULATE

the Grand Jury if they are successful in finding the offenders and bringing them to justice.

It is expected the term will be a busy one, but the Court hopes to be able to dispose of all the jury cases by the 20th of this month.

More anon. WEBER.



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SUMMONS.

In the Probate Court in and for the County of Salt Lake and Territory of Utah.

MILLARD F. EAKLE, Plaintiff,
vs.
LAURA V. EAKLE, (nee Raynes) Defendant.

The People of the Territory of Utah send Greeting:

To LAURA V. EAKLE, Defendant.

YOU ARE HEREBY REQUIRED TO appear in an action brought against you by the above named plaintiff in the Probate Court, of the County of Salt Lake, Territory of Utah, and to answer the complaint filed therein within ten days (exclusive of the day of service) after the service on you of this summons—if served within this county; or, if served out of this county, but in this district, within twenty days; otherwise within forty days.

The said action is brought to obtain a decree from this Court dissolving the marriage contract existing between said plaintiff and you. And you are hereby notified that if you fail to appear and answer the said complaint as above required, the said plaintiff will apply to this court for the relief prayed for.

WITNESS, the HON. E. A. SMITH, Judge, and the seal of the Probate Court, of Salt Lake County, Territory of Utah, this 25th day of March, in the year of our Lord one thousand, eight hundred and eighty-four.

JOHN C. CUTLER, Clerk.
CHAS. W. STAYNER,
Attorney for Plaintiff. W444W

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