| -6 | | HE DESERET NO | EWS. | May 28 |
|--|--|---|--|---|
| TESTU TESTU "eid" "ad REPRE "ad REPRE "ad A. N and an Q. V A. E ment clarge case a McCon and th newsp here. Q. I Cord i "In was bi from I deposi pose o circula In cela that th here b more out th marsh bringi | MURRAY INVESTIGATION. MONY BEFORE THE SPRINGER COMMITTEE 2 101 ESENTATIVE WHERE'S APPENDIX. [CONCLUDED.] No. sir: he admitted some of them No. sir: he admitted some of them | t- practice of arresting persons in remote parts of the state and taking them past the place where the Linited States commissioner resided to the remotest commissioner, for the purpose of making mileage? A. I have no doubt that that was done. Q. Was that an extensive practice. A. I think so. It was done for the purpose of making tees. Q. Did that practice inure to the benefit of the marshal in making his emolument return? But he claimed to have no knowledge of these things. A. Everything was put on his chief at the same. Q. Did not the marshal make up his about it themselves; but they took the fees all the same. Q. Did not the marshal make up his emolument returns based on the returns of his deputies? M. Yes, sir; but if anything wrong was found they would say: "Mr. Farley is a reliable man. He belongs to one of the oldest families in the country. If there is anything wrong Farley did it, but he would not do it intentionally. Mr. Farley would not do it infit was wrong." Q. But they all did it, neverthelees. A. They all did it, and continue to do it. A. I guess so. | find to be correct, and how much fictitious? A. Iguess the whole of it was fletitious. Q. That memorandum is in your handwriting? A. Yes, sir. Q. At the time you made that memorandum you knew that all that you set forth there was true? A. Yes. Q. And you stated in your memorandum, in your own handriting, that that account was not true? A. Yes. Q. Is that a specimen of all the accounts you examined in Marshal Murray's office? A. Yes, sir. Q. All through this paper, which embraces a good many pages, I find similar marginal notes, which you have made in regard to these accounts? A. Yes, sir. Q. Those memoranda were designed to point the items in these cases that were fictitious? A. I. Suppose so. The arrests might have been made. It was one of those sham cases all the way through. Q. All the items on this page seem to be of the same kink, mere fictitious prosecutions for the purpose of making fees? | been to see the President about the matter. Q. State whether he at first declined to resign. A. He declined to resign until that letter of the Attorney-General was written. Then he came up and resigned. Q. Did he demand an investigation before resigning? A. No, sir. Q. Did he file any affidavit of his own in the Department denying Diven's obarges? A. If he did I never saw it. Q. Did he tell you himself that he was prepared to meet those charges and disprove them? A. No, sir; not to my recollection. Q. He knew Diven's statement and its contents, did he not? A. Certainly. He saw that very paper. Mr. Fyan. After these charges were made, the ease was referred to the United States Attorney, was it not? The Witness. What is the date of this letter? Mr. Fyan. July 22, 1876. A. Yes, sir. Q. One case here is the Rinaldo case. Did you investigate that? A. I do not remember that case specially. |

Corrector and Interior Anter Change

there was no guard, but he said that was the only way he could pay Hackett, who brought the prisoner down. shall, washernonus & .noizerstianos

brought the prisoner down. That mat- marshal would get the fee, and they issued it, and if you spoke to him on showed it to him. ter comes to my mind from reading a would use certain names frequently. this subject he would say, "Don't you & Q. That statement, I presume, is being through, Hackett applied to the letter of Mr. Wharton's here. Indiana 1Q. Who was Hackett? Junichtar 34. A. I do not remamber. House a only

AQ. He was not an officer of the Gevis who attended before the commissioner, grament? A. No, sight think he was a post- I went to those people and got a state- those cases?

Q. Did the marshal say that he had, been before the commissioner at all. paid Hackett any money for bringing Q. Who got the benefit of that fee?

Q. Did he present any vouchers from Hackett? A. No., sir; but he claimed that he have in that fee?

had paid him \$30.cl unit erew eneveed Asil think hethad 50 per cent. of the

ernment in that case?

A. I think not. He withdrew it. He least.) and three years-two years, at had made it out in that way, but it did Q. Were there any other persons in a

warrant in his own handwriting all the about one case a day, so as to keep cessor broke it up.

grinding it out. The commissioner these long trips after prisoners? and they would use different other executed? It is put in my hands, and I in that fee-bill before you? names as the names of the persons must execute it." master. A. They would not get as much mile-

A. He claimed that he had, ______ Lue count, or that of his deputy, whoever ray's emplument returns?

Q. That would not cover the charge deputy's earnings, but toward the last ment return of Gen. Eli H. Murray, of \$82 that he made against the Gov- it came about that he cut Diven down. He was not satisfied to let Diven make A. No, sir; but he amended the charge his fee by serving the warrant himself, and charged only \$26 of W z 19 vil 11 but he wanted to fix him on a regular tucky, from July 1, 1875, to January 1, Q. He amended it after you had call- salary, and then they broke, and Diven 1876, and of moneys paid out by him A. No; he had amended it befored gave the information to the newspacalled his attention to it. He knew and Mr. White brought it to the notice expenses. Io and he are and and and and the storage at the storage and the storage at the s that I was coming. The fact had been made public in Q. To what extent was that practice advance of your going? I carried on to which you have just re-A. Yes, sir; through the newspapers. ferred?' a'uselledituol Did he present this charge of \$821 A. My impression is that it had run

Q. You say the marshal justified the ing up cases in other parts of the State?

Q. Why didn't they go to the nearest

age then. They would not get the trip to Louisville. The set to recurrent a

Q. Did you examine one of Mr. Mur-

A. No, sir; I don't think I did. Q. Please look at the paper I now hand you and state what it is.

A. (Inspecting it.) This is an emoluwhich purports to be a return of tees and emoluments-E. Murray, marshal United States for the district of Kenduring the same period for the services of his deputies, and for his office

Q. Is it one of the blanks for that service? in zeolaristan conta notivo

A. Yes, siriot yathant we w Q. What ought this paper to contain? A. It ought to show the marshal's net. earnings, and his gross earnings as Well. 9120 Of BISLESSER

oath to this return? of this eventues A. Yes, sir. is the beguine as

A. I did. I showed him the original Q. They intended, you think, to have A. I guess so. Mr. Murray's suc- A. Yes, sir. There is one account turn was entirely in Mr. Murray's own that seems to be straight. handwriting. way through, and he admitted that business going? A. Yes, to keep it going and to keep practice of those deputies in making truth of the statement that these this remark about that: Q Did Marshal Murray deny the Q. Did Marshal Murray deny the Q. The United States attorney makes charges were fictitious when you callwould get his \$5, and the witness would A. No, sir; he admitted them. The ed his attention to them? Hackett to take his prisoner to Louis-Q. Hackett was not a deputy mar- get his fees. Some person would put warrant was issued, and he claimed, of A. I am not sure about calling his at- ville, which he did. When here a warin a fictitious name, if the attendance course, that it was his duty to return tention to those. I called his attention rant was issued by United States Com-A. No: but he was the man who was before the commissioner who to the statement of Mr. Diven, and missioner Merriweafher, and McCord's

"Brent" was one name that they used, want the process of the United States based upon the details which appear marshal for the expenses which he had

13 CHINOM DEAL

A. Yes, sir; I called Marshal Murray's attention to the statement of Diven, and he denounced Diven as going back on him, etc.; but I can not remember whether I ever showed this account to him or not.

Q. You are certain, though, that you showed him Diven's statement.

A. Yes, sir.

Q. Did he deny the truth of any of the statements made by Diven, so far as you now remember?

A. He admitted the cases, but he denied that they were gotten up for the express purpose of making fees. He admitted that the charges were made. I am not quite sure wno, but I think you will find that he paid back to the Government \$760 or \$800 of these charges.

Q. In subsequent returns?

A. Yes, sir; in settling up his accounts. I think I furnished the Treasury with such information as to his accounts that he refunded that amount. I am not positive now, but I think so. Results were what I was after in these. cases. I made few records.

Q. Is the marshal required to make Q. What was the result generally of the investigation you made into the administration of the marshal's of-

pay Hackett? A. Yes, sir; on the ground that he had to pay Hackett \$30 for bringing the his deputies, by himself especially in the McCord case, for which I had the original warrant. He tried to explain it, but his explanation was unsatisfactory. I had his own hadwriting, and he could not go back on it. Q. Did he collect money from the Government for alleged services that lication in a newspaper? were not performed, as shown in these different accounts? MA. I could not say as to that, because I think that before any settlement of his account was made these things were stopped. Q. Did he file accounts against the Government for services that were not performed? A. He had filed accounts for services. Q. Accounts for services which were never performed, charges which were disallowed?

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"The commissioner had directed case was examined, The examination incurred in the arrest and transportation of the prisoner from Livermore to Louisville. The matshal says that the only way left to him to reimburse the postmaster was to adopt his act in the making of the arrest, and to charge the Government the same fees which would have been charged if the warrant had been in the hands of Hackett when he made the arrest."

Did he charge the Government the same fees?

A. He amended the account so as to charge only \$26.60. He did that after the newspaper article appeared and before I saw him.

Q. Did you see Hackett! A. No, sir.

Q. You did not take Hackett's evidence?

A. No, sir.

Q. Did you take the evidence of any of these men?

A. Yes, sir; there appear to be the evidence of Brent and of some other person who appeared before the commissioner, and whose name was in the account.

Q. Were they charged for constructive mileage? A. No, sir. Man A Rand E

Q. Were they charged \$2 for the attendance of bailiffs before the commissioner; what specific false charge is there which General Murray made which you now recollect? A. The McCord case. Q. That was corrected, you say, be fore you got out there, and you assume that it was corrected because of this newspaper publication; have you any knowledge of that, or is it a mere assumption of yours that his attention was called to that account by that pub-

had to pay Hackett \$30 for bringing the businesscorry songernite of the Q. Did he explain why the balance of ments made by those deputy marshals

A. No, he could not explain it; I had been carrying on? the return in his own hand writing, and A. They thought it was perfectly

in his handwriting, to the Department no other way the marshal could make of Justice? and no is ton bad with these other momey. That is the truth about the papers; it ought to be here. Jo requisiter. out aver woil Jour and and and

Q. is it not now among them? in Q. I see the following statement in A. It is not among them and walk

Q. That return, you say, was in the A. Yes, sir; the indorsement on the be \$1,500 for six months. When handwriting of Marshal Murray20 back was.

Q. How long was it after the indorsement was made by him making this charge for service which was not performed that he corrected the account?

A. I am unable to state, but I thin the change in the account was the result of the newspaper article.

Q. A publication in the Louisville Courier-Journal, parse _ J.

A. No: in the Hoges, I Think.

Q. Do you remember the facts connected with the arrest of certain citizens at Lexington, referring to this passage of Mr. Diver's statement:

"In June [or Jun. [the judges of election refused to receive the votes of negroes who had not paid their poil taxes. Gen. James F. Robinson, Dr. Chipley, J. H. Cochran, John C. Young. M. Fourchee, John Mars, John Snyder, marshal himself. a-H-H2, ITAVZIDY, O Rees and others were arrested by M.T. guard. The marshal charged for guards

\$82,60 was charged? or agnow hungwood as to the kind of business that they had

it was with these papers all alongs 1 do right, if a man violated the internal not know where it is now. den as revenue laws, eventechnically to make Q. Did you return that original paper complaint against him, and there was

> Mr: Diven's affidavit." de-When

they came to make up the fee-bill for six months, if it is found that the deputy has made \$2,000, for instance, in-stead of \$1,500, during the six months, the extra \$500 is transferred nominally to some deputy who has not made up the allowance. That deputy never gets the extra amount allowed him, as shown by the rolls. The emolument return ought to show exactly what the deputy makes for each six months, but the employeest required to sign the employeest return in blank."

true. Q. Suppose the extra amount was A. Yes, sir. \$500, who would get the benefit of it? of Q. You have made a number of mem- matter was dropped. A. The marshal would get the benefit oranda on the margin of the bill. of all the money there was in it; the will read one of these bills:

Q. So the return would show that

A. "I, Eli H. Murray, marshal of the United States? This will be Q. In this statement you find the fees of the various deputies, do you not?

A. Yes, sir. A. Do you see any case in which they exceed the amount of \$1,500?

A. Yes, sir. Q. I see that the first item is, "Paid Deputy John Wyatt for services, \$1,-

A. He did the largest business. Q. Then follow the fees of the other deputies.

A. Yes, sir. Q. That is the aggregate of the deputies' accounts?

A. Yes, sir. BALL BALL Q. Now, what is the duty of the marshal in regard to the accounts of those deputies which, as you say, were signed in blank? alloany sund own alloger

A. Those were uot the accounts of the deputies. Those were commissioners' warrants. They would not appear here at allere # 7. ad and to ere

Q. Look at the paper I now hand you and state what it is. July 1, 1875, to March 1, 1876.

peum of they not? on , ballings (hguero. United States of America to Eli H. Mur-

rpy, Dr. Athey, a deputy marshal, and all came the deputy had earned only \$1,500 for Q. Show me some of them. A. Yes, sir; the marshal required all June 1, by W. A. Merriwether, com-A. I am quite sure it never was filed. with most of them? Do not remember that enso? A. Yes, sir; Mr. Diven brought me some one who testified in relation to A. One of them I read. that. I sent up for some one to that place, who came and satisfied me that the statement was correct. I think the the statement was correct. I think the district attorney states in his report that there were no guards. I did not charge my mind with this matter, because when I got the information I got amied on? another deputy found out in reference entirely on account of the statement turn, to the account of another deputy who has not made the full amount he made strong efforts to have him retain ber of deputies and they told me that A. Well, as would appear from this Q. Do you know whether Mr. Mur- can be paid under the statute. I have ed and a settlement made. He was they had signed in blank. I never went memorandum on the margin in my ray responded to the letter in writing also examined this charge and find asked to resign. Then he came up here into it though otherwise I would have handwriting, which is the only evidence or not? that the above was the practice in this and the letter was withdrawn, and he done. The moment this information I have got and the only data from which A. I am quite certain that he did not. district until 1872, when it was ordered resigned; and I was told not to make a came, and it was decided that the man I can speak, for I do not remember a He came up in person. to be discontinued by the judge, and resigned; and I was told not to make a report. Q. You simply filed those papers? A, I did not file them. I just left did you learn in regard to the alleged of the allege

A. Yes, sir. Q. You said something about his resignation. How was that brought about? an array over a suco nerves

A. Well, he took up that paper, and statement made by Henry Divan was was disposed to make a fight anyway. A. It is General Murray's fee-bill from | He had strong friends, strong backing. He went to see General Grant and used Q. These are the fees in the aggregate every effort to sustain himself, but What did you ascertain about that? which should have appeared in this or failed, and a letter was written by the A. That statement I found to be in some of the emolument returns, are Attornhy-General requesting his resignation, and he came up and resigned. The letter was not recorded and the .Q. Do you mean that Attorney-General Taft's letter was not placed on file? into i to a standard and a star A. It was not of a lo yllar a any bro.

Q. So far as you know it is not now

A. I cannot say as to that.

Q. You took no evidence in the Mc. Cord case? Lines ... solution

A. No, sir,

Q. He said in this case that Hacket had transported the men, and that there was \$30 coming to him, and that the only way he could get it was by putting in a claim against the Government, and he did put in this claim for \$26.60?

A. Yes, sir.

Q. Now what other charge is there A. I don't make any charge at all. Q. In any of these cases did you examine anybody?

A. Oh, yes; I examined a number of people. I become satisfied that the true.

Q. What were your sources of information; just the declaration which you have spoken as to the integrity of Diven?

A. No, sir; I had the statement persons that he brought to me at the time.

Q. Who are they?

That I do not remember. Q. Were there affidavits?

A. There appeared to be some alfidavits of persons who were in at-tendance before the commissioner.

A. I have no charges whatever to