ing knows better than accusing you or me of any "foolishness," and seeing, as they do, the goods arriving being far above their expectations, pity Mc., and really believe that if Christ came to earth today Mr. McC. would really try to sell his body for tweoty-nine pieces of silver "if he had a chance." Perhaps you never before experienced a like roasting, and I am sorry should this one give you displeasure, certainly uocalled for "or desired" on my part in this transaction, yet I cannot see "where" are the comments no favorable to this company! I certainly should have informed you ere this if anything contained in, injurious or derogatory; but really the whole matter appeared "so open-faced silly" on the part of McC., that my friends have rather increased, and your reputatiou in "no danger whatsoever."

On Augugt 23,1894, Hayken wrote as to contract and specifications of Harry Haynes's store fixtures. In it he tells how Cahoon, one of the "judges of the county court," was to be benefitted incidentally by Morris and Bamberger and that the latter agreed to pay the largest share of furnishing said store out of the 20 per cent M. & B. were to receive. "C., after a long and tedious delay, finally agreed not to pay more than $1,000, and eu contract reads. M. & B. agree to have deducted from their 20 per cent $1,860 sowith you will receive for the work $2,860, and sowith an amount of $1,232.75 above estimate of Mr. Baumann's. Of course I cannot very well have M. & B sign agreement that they will do so, but since, as in case of opera chairs and in next pay ment to be made to them, I shall then have them (M. & B.) acknowledge receiit of the amount as agreed upon, $1,860. As regards the clause of payment of $1,000 in notes of one, two and three years' time, he pleased t> understand that it was merely a desire Haynes to induce Cahoon to agree upon doing the work."

Then Hayken's corrdspondence branches off in the direction of County Attorney Whittemore. According to what has come to light he notified Andrews & Company to be on the lookout for him when he reached Chicago; to prevent him from getting furniture price lists; to SEDUCE him into "SOCIETY" (sic) and to get record of it, in all its details, for one thing. Furthermore, to circumvent his obtaining such knowledge on the cost of goods he is after, and to particularly have your personnel on their guard. Perhaps he may call on Mr. Lamberton first, price goods, etc. You will receive a "photo" of him by mail from S. L., directed to you, soon after this reaches you, for identification. There would be joy in "Zion" if he could be placated. Perhaps you may not enjoy (?) my anxiety about him, but "it" has been the source of all trouble, and he ",hat sows the wind should reap the whirlwind."

Mr. Hayken intimates in the following letter, which he wrote to his company, that he had "fixed" things in Salt Lake so there would be a sentiment worked up against the present county court, even to the extent of having "reached" the public press:

Agreeable to your advice, I have arranged for a "series of articles in Herald," and inclosed send you a clipping of today's paper. There will be some "spicy" editorials in the next issue. The Argus will follow in the same line, perhaps Tribune. About the "way" I arranged, another letter will contain explanation. The sentiments of the people, in general, is decidedly against the Lexowers. I have failed to hear anything from you, or have received the promise and muchly desired records, which I regret exceedingly, for it would have enabled me to make things still more interesting. I hope to find them at tomorrow morning's mail.

There was a big crowd in attendance at court Tuesday morning, when Judge Merritt called up the contempt proceedings against U. S. Marshal Brigham and County Attorney Whittemore.

Attorney Dey stated that he wished to take testimony on the subject, and Mr. Williams, for the U. S. marshal, objected till the answer of Mr. Brigham could be heard. This answer was to the effect that when Judge Merritt spoke to him, advising that Mr. Dey be allowed to consult with his client, Mr. Hayken, Mr. Dey was granted such privilege within half an hour. Mr. Brigham said he did not understand Judge Merritt's statement as an order of court, but as advice, which he accepted, although he had also consulted with Assistant U. S. Attorney Howat. He had no intention of contempt of court in his action.

Mr. Dey—We now call Mr. Whittemore.

Mr. Howat—He is now drawing his answer.

Judge Merritt—Mr. Whittemore does not run this court.

Mr. Howat—He will be here shortly.

Mr. Williams insisted that there had been no order of court which could be disobeyed by the U. S. marshal and Mr. Whittemore, therefore there could be no contempt of court. Even if there had been a regular order in the matter, the action of the marshal was not contempt. The marshal had listened to the court's advice, had consulted with the assistant U. S. attorney, and within 20 minutes had sent the message to Mr. Dey that he was at full liberty to see his client.

During these remarks County Attorney Whittemore came in with his answer, which states that he understood and still understands that his advice to the marshal not to allow anyone, even an attorney, to see Mr. Hayken until he was first brought into court is in conformity with the law; as to the order of the court, he took the same view as did Marshal Brigham.

Mr. Dey then said that he regarded the action of the marshal as the grossest misbehavior in an official of which the speaker was aware; so also was that of Mr. Whittemore. A misbehavior in office or violation or neglect of duty is contempt of court. Here was an example of the grossest misbehavior of which Marshal Brigham could be guilty. He had kept a man for hours without counsel, although pleaded with to grant the right. Mr. Hayken had been searched, his private property taken, and all without a warrant being read or presented to him. He tendered money to send for his counsel, but they would not send. The attorney himself pleaded for an interview, but it was refused. Then the chief justice himself instructed the officer, but the marshal held himself above all courts. If granted the privilege, Mr. Dey said he would produce evidence that would shock the court and all citizens.

P. L. Williams quietly remarked that the explosion of eloquence and anger on the part of the attorney yet had made no statement of facts showing contempt. This whole proceeding was absurd, ridiculous. Because Marshal Brigham would not turn the attorney out of bed at 4 o'clock in the morning, he is accused of contempt of court. This merely emphasized the ridiculous features of this proposition. The marshal had some discretion in this matter. If there was anything on which to base the charge of contempt, Mr. Williams was ready to have it brought out; but on the face of the statements it was evident that there had been no contempt.

Mr. Dey again made the statement that Marshal Brigham's case was an aggravated contempt.

Judge Merritt said he made no formal order because he understood the marshal was willing to accept the advice of the court.

Marshal Brigham said he had not understood that, but was willing to obey all orders of the court.

Judge Merritt said that if he had not been given to understand that the marshal would follow his advice, he would have made an order. The action of the marshal was in very bad taste, though it might not be contempt. If there was a repetition of any such proceeding the court would deal with it in a way that the marshal would obey its orders. The action of Mr. Whittemore in this matter was not commendable. He had let his zeal run away with his judgment and would have to exercise greater care in future to avoid trouble. Mr. Whittemore's zeal in investigating the county affairs, however, the judge said was highly commendable, though sometimes it might run too far.

The contempt proceedings were dismissed.

At 5 minutes before 3 o'clock Tuesday afternoon the grand jury filed into the Third district court, and about the same time Mr. Hayken, his attorney Mr. Dey, ex-County Clerk Meloy, and other officers entered, at once arousing the suspicion that something of an uousual character was under way. None of the present or ex-selectmen were present.

Upon being called, the foreman of the jury, R. S. Wells, handed the court some documents, which were indictments against Hayken, on the charge of attempted bribery. There were three indictments, the bail in each case being fixed at $2,000.

Judge C. C. Dey, attorney for Mr. Hayken, asked that the defendant be arraigned. This was done, and Mr. Hayken pleaded not guilty to the three charges of attempted bribery, alleging they were committed March 1, 1894, at Salt Lake City.

The indictments state that the attempts or offers to bribe were with the three ex-selectmen, H. Bamberger, Jos. R. Morris and J. P. Cahoon.

Bail was given as required, before U. S. Commissioner Greenman.