

## Correspondence.

## Christmas Time—Weather—Schools—Improvements.

ZARAHENLA, Malad Valley,  
Dec. 28th, 1873.

Editor Deseret News.

Christmas passed with the usual programme of fun—sleigh-riding, dancing, etc., spreading a scene of gladness around the happy homes and cheerful firesides of participants, and relieving them for a time of the cares and anxieties of the perplexing realities of everyday life. Old Santa Claus, in his annual round, left a goodly number of presents for the children, while the older ones shouted in their friendly merriment, "Christmas gift," to the response of which many a prize and old timed joke awakened a joy and gladness which are the quintessence of life's fruition. It is with the highest degree of satisfaction that I am permitted to say that but little intoxication attended our sports. Taking it all in all we had a very merry Christmas and we only hope many happy returns.

The weather in our northern localities is very cold, freezing Bear and Malad rivers so as to bear up loads. The snow on an average is about eight inches deep, which has been lying about a month. A train on the Utah Northern was blocked in full view of our town, but it was soon moved, and the trains resumed regular running. Stock are doing very well, only for the cold weather; the depth of snow would be of but little disadvantage to them.

I am gratified to speak complimentarily of the schools in the county where I am acquainted. Their slow but palpable advancement shows the growing interest of the masses in the great cause of education.

In this connection I will not omit speaking of our small but interesting village. It is about five years since the first settlement of this town, and a school district has been organized and recorded in the name of Zarahemla. The town has assumed the name of the district, which was formerly known as Square Town. Steps have been taken to build a brick schoolhouse, which will be accomplished as soon as possible. All it needs now is a little energy and "elbow-grease," and we will have a neat spacious building. We have at present a day and Sabbath school which reflects credit upon the citizens, as the result of a noble ambition.

W. W. F.

## Startling Official Corruption.

## U. S. Marshals and Deputy Marshals and their Disgraceful Doings.

## Conjured up Cases, Fat Fees and Multiplied Mileage.

## Deputy Marshal Thieves and Murderers.

WASHINGTON, Dec. 30. — The complications relating to the question of confirming Attorney-General Williams, have called attention to three reports made in regard to the condition of affairs in the Marshal's office of the Western District of Arkansas, made to the Attorney General in January and February and October of the present year. The reports were made by H. C. Whitley, Chief of the Secret service force, based on the results of an investigation made by L. B. Whitney, of that force, and extending from Dec. 1872, to August last. The first report received at the Department of Justice, January 20th, last, sets forth that A. M. A. Britton, United States Marshal, had serving under him 140 deputy marshals, who derived their support from the fees they could collect, and that it was to their interest to make all the cases possible, and that they were allowed to roam over the country at will, manufacturing cases at will, and that one third of all the fees obtained were retained by the Chief Marshal, besides ten per cent. of all gross receipts from fees which Britton claimed he kept for a contingent fund. For the balance he is sued. Checks in the form of due bills, which could not be cashed for more than fifty cents on the dollar, were bought up by Postmaster Scott and Judge Hooey, United States district judge, at a discount of fifty per cent. Col. Whitney attended court, and re-

ported that the cases were for the most part of a trivial character, and yet all treated and charged for as cases before the grand jury.

An abstract of the expenditures of the District Court named two hundred and fifty persons, said to reside at Fort Smith and to have served from time to time as a posse committatus. Marshal Britton certified that he had paid these men \$23,610. Investigation showed that of the number named, only forty-six reside at Fort Smith, and that the others were unknown in that section of the country, and that of the forty-six only twenty-five had even served in the capacity stated. Many of the deputies employed turned out to be thieves and murderers, and many opponents of the Republican party, and all were allowed by the Marshal to range over the whole district and make arrests when and where they pleased, without process or warrant, on the most trifling offenses. All were brought to Fort Smith. Where one person brought in several prisoners he would get other persons to make returns on warrants obtained from the commissioners and then collect separate mileages, posse fees and subsistence, and all these things were allowed by commissioner Brooks and Marshal Britton. On one abstract Britton makes oath that he had paid one Fleming \$271. The latter testifies that he had never received it. At one term of the Court Britton dismissed one jury, summoned according to law, and made up one of his own selection.

Of 150 confined in jail, over half were discharged when the court met, because there was no cause against them. The U. S. Commissioner was in the habit of issuing and dating back warrants of the deputy marshals who had been to the Indian country.

A case is cited of an Indian woman brought from Chickasaw country to Fort Smith on the 23d of September, and the warrant dated back to the 2d. The woman was arrested on the statement of a negro that she had stolen cattle. After commitment one day, she was discharged the next, because there was no evidence; and full mileage, subsistence and posse's fees were paid.

Britton said to the Marshal that he could not allow over \$35 in any case, but the Marshals were urged to take any one against whom there was the slightest charge, and bring them into Fort Smith without warrant, and they could get the latter when they arrived. When they came in with a large lot of prisoners they were allowed by the Marshal to get other deputies to make returns, and thus multiply fees. The commissioners who made out these extra papers were allowed ten per cent. on fees for filling up blanks and swearing to them. In one case 900 miles were allowed where the distance actually traveled was less than 200.

Those who made up the papers were publicly known as retaining Marshals. The report gives the ring at Fort Smith, engaged in these frauds, as Marshal Britton, United States Commissioner Brooks, Postmaster J. G. Scott, J. W. Donnelly, Marshal's clerk, and H. A. Pierce, editor of the Patriot. This first report closes by recommending that the department refuse to pay all claims of Deputy Marshals' accounts and posse fees till a full judicial investigation can be had, on the ground that not one in ten are entitled to one-third of the amount charged, and in many cases whole cases are fabrications.

When the report reached Washington, Britton's name was pending before the Senate for confirmation, he having been re-appointed during the recess the previous summer, at the instance of Senator Clayton. His name was not withdrawn, nor was any presentation of the facts made. Next month, however, the Senate rejected him. On the 10th of February a second report reached the Department of Justice from the same official source, setting forth that further investigation had developed the fact that Judge Storey was fully acquainted with the general character of the frauds named in the first report, and some of those in the second were given more in detail. Parties who never left town were allowed and paid full fees of all kinds for hunting after prisoners, when those pretending to search had never left town; and the same parties were allowed for arrests made at a distance, when they did not leave town or make any arrests. The Chief Deputy, Marshal Don-

nelly, Postmaster Scott, and a merchant named Lanigan, formed a ring to buy up certificates by Donnelly. When the money came from Washington, Britton turned it over to Donnelly, and the latter passed it to Scott.—Missouri Democrat.

## The Two Hoopers.

## AMUSING SCENE IN CONGRESS.

One of the most laughable scenes I ever witnessed on the floor of Congress was that which occurred in the House some three or four years ago, growing out of a stupid mistake of identity on the part of a New England editor of more zeal than knowledge, in confounding the Hon. Samuel Hooper, a Representative from Massachusetts, with William H. Hooper, the then delegate from Utah.

To begin with ("the same which I wish to explain") the Massachusetts Hooper is one of the "solid men of Boston," a portly gentleman of middle stature, with ruddy complexion heightened by contrast with the snow-white hair and whiskers that encircle a decided English face, grave and dignified in manner, and in deportment a model that Mr. Turveydrop himself could not but admire. No one, even of his most intimate associates, ever knew him to have indulged in any of the dissipations of Washington life further than to partake of a good dinner or drink a glass of sparkling wine.

The Utah Hooper, *tout au contraire*, is a tall, lank, hatchet-faced, backwoodsman-like individual, with bald crown and bronzed complexion, with heavy grizzly beard growing from and covering the chin. In faith, a Mormon of the straightest sect. In practice he is said to be a monogamist from choice. He was as social in his intercourse with his fellow-members as could have been expected of a Latter-day Saint among Gentiles, and for aught that was known of his private habits, strictly correct.

Well, the Utah question and what to do with the Mormons, was before Congress, and had been the subject of several days' debate, at the close of which the Utah Hooper took the floor and made a lengthy speech in defense of his people, their political institutions, social relations, and domestic habits, including, of course, the detested practice of polygamy. It was, in truth, a very good plea for a very bad cause. The speech, or a synopsis of it, was duly despatched over the wires by the ever-vigilant reporters of the Associated Press, and appeared in the leading dailies of the country, with the other Congressional doings of the day, as the "remarks of Mr. Hooper." It naturally attracted the attention of the press and the people, and was especially noticed by the editor aforesaid, a representative of that numerous but highly respectable class of the "fourth estate" who, while professing the rule of "willing to praise but not afraid to blame," are always more on the alert to find cause to blame public men than to commend them. This editor, for aught I know, may never have spent a day in Washington in his life, nevertheless he firmly believes in the commonly received opinion that life at the capital was a continuous carnival of debauchery and vice. As a hawk pounces upon his prey, he fastens his talons upon the luckless speech, and imagining its author was in his relentless grasp, proceeded to rip up his vitals with vengeful avidity. To drop the figure, he dipped his pen in fresh-distilled gall, and dashing off for his heading, "How are the Mighty Fallen?" or some similar stunning words, launched forth into a scathing denunciation of the total depravity of social life in Washington, as a striking and deplorable example of which "it grieved him to inform his readers, however it might shock their moral sense, that Samuel Hooper, even he, the once honorable but now dishonored Samuel Hooper, a representative of the educated, virtuous, refined, church-going people of Boston—a man reared in the strictest school of Puritan morality and who heretofore had borne a character as pure and spotless as the marble from the quarries of the Green Mountain State—had become so contaminated by the dissolute associations of Washington society, so debased in feeling and principle as actually to stand up on the floor of the House of Representatives—that august assembly of the con-

gregated wisdom of the nation—and in the sight of the whole world, so to speak, shamelessly proclaim himself a convert to and apologist for the revoltingly licentious practice of polygamy! Comment was unnecessary. Tongue would fail adequately to express the horror that must cause the very heart-strings of every right-minded American citizen to tingle, in view of the deadly effect which such a shocking example of fallen humanity would inevitably have upon the present and future generations," &c., &c. The editor, albeit the effort must have cost him a season of nervous prostration, doubtless rose from his work with the proud and self-satisfying consciousness that he had discharged a painful duty with fearless fidelity.

A copy of his paper, carefully marked, soon found its way into the hands of "the gentleman from Massachusetts," the vicarious victim of his Utah namesake's earnest participation in the freedom of debate. Such an unmerited lampoon was too much for even his equanimity to bear in silence. So next morning, immediately after the reading of the journal, he rose in his seat, caught the Speaker's eye, and asked leave to make a personal explanation. It was at once granted, and, by way of preliminary, he sent the truculent article to the Clerk's desk to be read. That officer (it was Dr. Mehaffey, I think, who knows a joke the moment he sees it, and enjoys it, too) proceeded to read it ore rotundo—or rather, attempted to read it, for almost every word was interrupted with such irrepressible bursts of laughter that had it been printed in the customary form the sentences would have been cut up into innumerable particles, and all the compositors' cases in the *Globe* office would not have furnished parentheses ( ) enough to contain the interjections. But the Clerk got through at last, and then Mr. Hooper, who during the whole of this ludicrous scene, had maintained an imperturbable composure, attempted his meditated explanation. The thing, however, had explained itself, to the infinite diversion of all, save, perhaps, the gentleman immediately interested. He had not spoken half-a-dozen words before the mirth again broke out fast and furious, and absolutely uncontrollable. The Speaker's gavel thumped in vain—order would not come at its summons, simply because members had lost all command of their risible muscles. Finally, after one or two spasmodic efforts to make himself heard, Mr. Hooper himself yielded to the potent spell of merriment rampant, and giving hearty vent to the laugh he had until then with great difficulty suppressed, took his seat, content with the permission, with the cordial unanimity, to print what he desired to say in the *Globe*.

My narrative might well end here, but to vindicate the truth of history, I must add, to cap the climax, as it were, that just as he sat down up stalked the Utah Hooper, grasped him by the hand, shook it vigorously, and congratulated him—upon his safe deliverance, I suppose—for the words spoken were inaudible.—Philadelphia Press.

## The late Justice Nelson.

Samuel Nelson was one of the most illustrious jurists of an era which is fast departing. He was raised to the bench at an early age, not in reward for partisan service nor through the bargaining and scheming of a political caucus, but because his fitness for the dignity was universally recognized by the bar and the public. During twenty-two years he presided over the courts of this State, first as Circuit Judge, then as Associate and finally Chief Justice of the Supreme Court. He brought to the duties of his high calling thorough knowledge of the law, a clear and comprehensive mind, a wonderful memory, a sturdy common sense and a scrupulous conscience. It would be but a faint praise to say that he was impartial; those qualities were not so rare in those former days as they afterwards became; but he bestowed upon the causes which came before him an amount of patient study which very few of his associates thought it necessary to expend upon their duties. Hence his learning every day grew richer and more varied. His decisions commanded universal respect and the Supreme Court of New York was quoted as high authority not only all over the United States but also in Great Britain. He was one of the last of

the great magistrates who adorned the bench of the State. The Convention of 1846, which introduced the experiment of an elective judiciary, struck a blow at the character of the Supreme Court from which it may never recover. For more than a quarter of a century the bench and the bar have been going down in company, until we have seen our Supreme Court the scandal of the English speaking world and our ablest lawyers shun an office which can hardly be attained without degradation. It was just before the decline in our State tribunals began that Judge Nelson was promoted to the Supreme Court of the United States. The honorable position which he maintained for twenty-seven years in that distinguished place, where Story was for a short time one of his associates and Taney and Chase were successively his chiefs, will long be a precious memory to his countrymen. No judge in our time has left a brighter record of integrity and strict judicial uprightness, or a finer reputation for prudence and scholarship. When he retired in full vigor of his intellect, to the enjoyment of that repose which he had so well earned the bar of his native state united a remarkable tribute of spontaneous respect to one who combined all the virtues that adorn the ermine. Wise, impartial, incorruptible, industrious, experienced, dignified, and invariably courteous, he was a model for his profession as well as an honor to his country.

As the retirement of Judge Nelson from the Supreme Bench of New York marks the era of decline in the judiciary of the State, so we fear it may come to be thought hereafter that his resignation of the Justiceship of the Supreme Court of the United States corresponded with the beginning of a similar decay in the highest tribunal of the nation. There are illustrious lawyers now who reflect as much glory upon the judicial dignity as Samuel Nelson did during his last half century of service; but it is not from among them that judges now-a-days are selected. Petty politicians are thought good enough for the seat to which the best men of the nation were once proud to aspire, and a partisan and friend of the President, with little repute in his profession, without the respect of the bar or the confidence of the public, is deemed worthy to succeed Chase, and Marshall, and Jay. Let us show all the honor we can to the memory of Samuel Nelson. We shall not be much troubled to honor the new tribe of judges.—New York Tribune.

## WESTERN NOTES.

Santa Cruz and Santa Clara, Cal., are flooded with counterfeit half dollars. "The bogus coins are remarkably good imitations of the United States half-dollars, and it is evident that the manufacture has taken place but lately."

The San Francisco Post says there is not one word of truth in any of the *Chronicle's* charges against Chief Cockrill. "He has had no interview with gamblers, his whiskey-trade has been none increased in consequence of his election, and there is no demoralization in the department."

Wm. Crockett, of Cornwallis, Oregon, who is crazy, created a deal of excitement in that town lately by amusing himself with a three-tined pitchfork, and brandishing it around on the streets, threatening to "prod" any one who attempted to come near him. About one hundred people surrounded but failed to capture him, until the sheriff played sharp on him and brought him in without difficulty.

A lady in the Coos Bay region brought suit against a gentleman and obtained judgment for \$48. The plaintiff affirmed that she made presents and loaned money to the defendant under promise of marriage, but the defendant had gone back on his promise, and consequently she wanted pay for what he had got. Defendant said in his testimony that he thought he had a good thing and took it.

The Quincy, Cal., *National* says the storms of the past three weeks have been the most severe of any that have occurred in that section for years, and there is not less than eight feet of solid settled snow on the higher mountains. This insures a good water season for the placer miners, who are rejoicing over their prospects.