

# Almost Famous U.S. Customs Officers

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By Steven W. Hooper

The U.S. Customs Service had more “famous” employees over the years than any other federal agency. Of course, our founder and first leader, Alexander Hamilton, heads the list of famous people associated with U.S. Customs. Over two hundred years after he prepared the first operating instructions for U.S. Customs officers, his image still appears on our currency. Many bestselling books have been written about Hamilton and a Broadway play based on his life still tours the country.

But have you ever heard of Louis J. Weichmann, Johnny Behan, Thomas Lemuel James, or Dudley Malone? In their day, they were all considered “famous,” and their names and deeds were chronicled in books and newspapers across the nation. But unless you were a history major or a law student, you would probably characterize these former U.S. Customs officers as “unknown.” Let’s look at their role in history and see what you think.

**Louis J. Weichmann** (1842-1902) was the chief witness for the prosecution of eight conspirators charged with the assassination of U.S. President Abraham Lincoln in 1865. Weichmann attended a seminary with co-conspirator John Surratt. At the time of the assassination, Weichmann was living in a boardinghouse in Washington, D.C. run by John’s mother, co-conspirator Mary Surratt. At the boardinghouse, Weichmann met many of the other Lincoln co-conspirators including John Wilkes Booth.

Based primarily on Weichmann’s testimony, four of the defendants were sentenced to hang including Mary Surratt. Three others were sentenced to life at hard labor, and one was sentenced to six years in prison. Weichmann’s close association with the conspirators and the fact that Mary Surratt would be the first woman ever hung by the federal government has made him a controversial figure that continues to fascinate Lincoln scholars.

With the help of the government prosecutor at the military trial of the conspirators, Weichmann was appointed as a clerk at the U.S. Customhouse in

Philadelphia. Weichmann held this job until 1866 when Andrew Johnson became president, and he was removed along with other political appointees. In 1869 when Ulysses S. Grant became president, Weichmann returned to his job at the Philadelphia Customhouse. When Grover Cleveland was elected president in 1886, Weichmann was again removed from office and never returned to government service.

**Sheriff John “Johnny” Harris Behan (1844-1912)** was the first Sheriff of Cochise County, Arizona and was present at the 1881 gunfight at the O.K. Corral. This shootout pitted the Earp-Holliday group against the McLaury-Clanton cowboys. Prior to the gunfight, Sherriff Behan tried to intercede with both parties to prevent the impending violence.

The shootout resulted in the death of Tom and Frank McLaury and Billy Clanton. Virgil and Morgan Earp were wounded, and Doc Holliday was grazed. Wyatt Earp escaped unharmed. Behan testified at the murder trial of Doc Holliday and Wyatt, Virgil and Morgan Earp. The judge ruled that they acted in self-defense, and they were all acquitted.

Behan was soon appointed assistant superintendent of the Yuma Territorial Prison and later became superintendent of that prison. In 1893 Behan was appointed as a U.S. Customs inspector at the Port of El Paso. He was appointed to the position of Chinese Inspector in 1894 working under the supervision of a special agent in charge. In this position, he traveled throughout the southwest arresting violators of the Chinese Exclusion Act. Behan left U.S. Customs in 1897.

**Thomas Lemuel James (1831-1916)** was a longtime U.S. Customs employee who would become a member of President James Garfield’s cabinet as U.S. Postmaster General in 1881. While Postmaster General, James is credited with reducing the agency’s \$2 million debt to zero which resulted in a reduction in stamp prices. He was also credited with cooperating with the Department of Justice to root out corruption in the agency including the Star Route frauds.

James was appointed to the position of U.S. Customs inspector at the Port of New York in 1861. Three years later he was appointed to the position of weigher. In 1870, he became a Deputy collector overseeing the warehouse division at the

port. Collector of Customs Chester A. Arthur appointed James to be a member of the port's civil service board where he became chairman. James was one of the first public officials to advocate the appointment of government employees based on examination and merit instead of patronage. James was appointed to the position of Postmaster for New York by President Ulysses S. Grant in 1873 and served in that position until he assumed the position of Postmaster General in 1881.

**Dudley Field Malone** (1882-1955) was a lawyer who briefly served as the Third Assistant Secretary of State before his appointment to the position of Collector of Customs for the Port of New York. Both appointments were made in 1913 by President Woodrow Wilson.

During his four-year tenure, Malone resisted efforts by politicians to use U.S. Customs positions for political patronage. Malone began to fall from favor with the Wilson administration for his support of an antiwar socialist for mayor of New York and his support of women's suffrage. He resigned his position in 1917 to protest President Wilson's lack of support for women's suffrage.

After leaving government service, Malone continued to advocate for women's suffrage, ran for governor of New York, and became an international divorce lawyer with offices in Beverly Hills, New York, and Paris. In 1925, Malone joined attorney Clarence Darrow as co-counsel for the defense of John T. Scopes in the famous "Monkey Trial." Malone was reputed to have given the best speech of the trial in defense of academic freedom. In 1935, Malone moved to Los Angeles and served as counsel to 20<sup>th</sup> Century Fox, and he appeared in a few movies as a character actor. Malone will always be remembered for his famous quote, "I have never in my life learned anything from a man who agreed with me."

Maybe instead of classifying these men as famous or unknown, they should be listed in U.S. Customs history books as "almost famous."

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