

REPORT

OF THE

SPECIAL COMMITTEE

OF THE

BOARD OF ALDERMEN

APPOINTED TO INVESTIGATE THE

“RING” FRAUDS,

TOGETHER WITH THE

TESTIMONY

ELICITED DURING THE INVESTIGATION.

BOARD OF ALDERMEN,

JANUARY 4, 1878.

DOCUMENT No. 8.

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BOARD OF ALDERMEN,

JANUARY 4, 1878.

The Committee appointed to investigate the facts and circumstances connected with the organization known as the "Tweed Ring," and the frauds connected therewith, presented the following report; which was ordered to be printed in document form, together with the testimony taken by the Committee.

FRANCIS J. TWOMEY,

Clerk.

NEW YORK, December 29, 1877.

To the Honorable the Board of Aldermen of the City of New York:

Your Committee, which was appointed by your Board on the 19th day of July, 1877, to investigate the facts and circumstances connected with the organization known as the "Tweed Ring, and with the frauds perpetrated by said organization, respectfully report as follows:

The following is the preamble and resolution under which they were appointed:

Whereas, The debt and liabilities of the City and County of New York were enormously increased during the period from 1868 to 1872, through the frauds and machinations of conspirators forming an organization known as the "Tweed Ring," and their agents and abettors; and

Whereas, It is believed that a large amount of such debt and liabilities was during such period fraudulently incurred by the connivance and co-operation of the heads of certain Departments of the city government and other officers thereof, the members of the Board of Supervisors of the County then existing, the members of the Board of Audit, appointed by a special act of the Legislature in the year 1870, and other persons associated with them, through alleged claims allowed and audited and payments of moneys made from the Treasury and funds belonging to the City and County of New York; and

Whereas, The City and County of New York are the real parties in interest in all suits and legal proceedings which have been or may be instituted against any of said persons for their punishment and the recovery of the moneys so fraudulently obtained and received by them, by the legal officers representing the Corporation or the State of New York; and

Whereas, The amount of moneys hitherto recovered from and punishment inflicted on such conspirators and

their agents and abettors are comparatively insignificant and wholly insufficient to satisfy the demands of justice, and reimburse the City Treasury for the moneys thus fraudulently obtained and received by them; and

Whereas, All the facts and particulars relating to such criminal and fraudulent acts should be fully ascertained and known, and every effort possible should be made to compel all persons in any manner concerned therein, either as principals or agents and abettors, to repay the moneys received by each and all of them; and

Whereas, Actions and proceedings at law have been instituted in behalf of the Corporation of the City of New York and of the State of New York, and are still pending against certain persons implicated in said fraudulent acts, for the purpose of recovering from them the moneys thus fraudulently obtained and received from the Treasury of the City and County of New York, in the following entitled cases and amounts, to wit:

Commenced.				
July	10,	1874—The Mayor, etc., vs. The National Broadway		
		Bank.....	\$6,504,000 00	
"	18,	"	Thomas W. Roe.....	200,107 73
Oct.	31,	"	Alexander Brandon.....	22,373 00
"	31,	"	Archibald Hall, Jr.....	135,103 62
"	31,	"	William F. Blanck and another.....	13,240 00
Nov.	5,	"	Morgan Jones.....	350,000 00
"	5,	"	Daniel Berrien.....	175,000 00
"	5,	"	Edward Marrener and an- other.....	550,000 00
"	5,	"	Geo. S. Miller and Wm. Tweed.....	500,000 00

Commenced.			
Jan. 11, 1875—	The Mayor, etc., vs. J. A. Monaghan		\$70,549 35
“ 22, “	“ “ George S. Miller.....		69,326 94
May 20, “	“ “ Edward Jones.....		
Aug. 27, 1874	“ “ Wm. Haw, Jr., Edward A. Morse, and Forbes Holland		200,898 61
Jan. 12, 1877	“ “ Ira A. Allen and H. E. Stevens.....		
April 9, 1875—	The People of the State of New York vs. Wm. Tweed.....		6,198,957 85
June 7, 1875—	The People of the State of New York vs. Cum- mings H. Tucker.....		
Nov. 20, 1875—	The People of the State of New York vs. Wm. H. Tweed (No. 2).....		933,640 44
May 16, 1876—	The People of the State of New York vs. Richard B. Connolly....		
Aug. 5, 1876—	The People of the State of New York vs. John O'Donnell.....		348,287 40

Now, therefore, for the purpose of aiding and assisting the officers of the law engaged in the prosecution of such legal proceedings as are now pending, or which may be hereafter commenced against any of said persons, and the recovery of all moneys thus fraudulently obtained and received by them, or any of them :

Resolved, That a Committee of three members of this Board be appointed by the President, the duty of which Committee shall be to investigate thoroughly all the facts and circumstances connected with the organization known as the “ Tweed Ring,” and its fraudulent acts, and ascertain and report to this Board, at as early a date as practicable, a statement in full of the results of its investigation, including the names of all persons, and their official title, and

the position and relation of all persons who were in any manner connected with said organization, or said acts; the origin and history of all schemes and methods of operation, and the dates, amounts, and nature of all claims and transactions by and through which moneys were fraudulently obtained and received from the Treasury of the City and County of New York by them or any of them; the names and acts of the Board of Supervisors then existing and connected therewith; the names and acts of the Board of Audit of 1870, and the origin and history thereof—presenting in such report a complete account, as far as practicable, of any and all persons and acts by which moneys were fraudulently abstracted from the Treasury of the City and County of New York, and their indebtedness was increased during said period, from the year 1868 to 1872; also to examine into the facts, if any such exist, whether any person or persons, since any legal proceedings have been instituted against any of said persons, have been in any manner instrumental in shielding or protecting them from punishment, or in defeating the prosecution of said actions, and preventing the recovery of the moneys fraudulently obtained and received by them, and report to this Board the names of such persons and the time and manner of such interference with the cause of justice.

Resolved, That the Corporation Counsel be and he is hereby authorized to detail one of his assistants to aid the Committee appointed under the above resolution.

Adopted by the Board of Aldermen, July 19, 1877.

Approved by the Mayor, July 28, 1877.”

Your Committee organized on the 21st day of August, 1877, by the selection of Alderman Lewis as Chairman ; and the Counsel to the Corporation, in compliance with your resolution, designated Hugh L. Cole, Esq., one of his assistants, as Counsel to your Committee.

The sessions have been held in public and have been largely attended by citizens, and the proceedings have been very extensively reported in the columns of the press.

Your Committee caused to be published in the public journals of the city a general invitation to all persons having information pertinent to the subject under investigation, or desiring to make any suggestions concerning the conduct of the examination, to place themselves in communication with your Committee, or with their counsel ; but your Committee regret to say that, with a few exceptions, they have received no material aid from any voluntary sources whatever.

Even those persons to whom had been entrusted the duty of collecting and arranging the evidence as to these "Ring frauds," and the lawyers who have represented the People in the "Ring suits," most of whom have been very handsomely paid for their services, as well as the members of the Ring who have been granted immunity from punishment on the express ground that they should hold themselves ready at all times to testify in these matters, and to aid the People in every way in their power, held themselves entirely aloof from this examination, prof-

ferred no suggestion or assistance, and for the most part could only be induced to appear before the Committee in response to writs of subpœna, and in some cases only in obedience to writs of attachment.

Laboring under these disadvantages, your Committee entered upon the performance of the arduous and disagreeable duty which you imposed upon them, with no more information upon the subjects to be investigated than was possessed by the community at large, namely, that the city had been, during a considerable period of time, persistently robbed by an organized band of official thieves, to an extent never before equalled in municipal history; that the thieves were known; that the best legal talent in the country had long since been engaged for the purpose of bringing them to justice, and of recovering from them the stolen money; that large sums had been expended in counsel fees and in other legal expenses; that it had been clearly demonstrated that the city and county had been despoiled of more than thirty millions of dollars; and yet that only about \$876,000, after deducting expenses, had been recovered, and all the thieves, with a single exception, had escaped any adequate punishment, and that some of them were flaunting their stolen wealth in the faces of honest citizens, to the demoralization of the community and the disgust of all right-minded men.

It was the knowledge of this anomalous state of things which impelled your Board, the immediate representatives of the people who had been robbed by these men, and

were still being insulted by the ostentatious exhibition of their ill-gotten gains, to institute this investigation. Your Board had the best possible reasons for knowing that the people of this city were anxious to know the true history of the Ring frauds, and to be informed why the complicated and expensive machinery which had been set in motion by their servants, for the purpose of protecting the interests of the city, had apparently been productive of such inadequate results; and, being fully persuaded that the information desired could only be obtained through an investigation like this (which would be, to a certain extent, free from the technical rules of evidence which govern courts in the trial of causes), they created your Committee, and directed this examination.

Your Committee have examined a number of witnesses and have taken a vast amount of testimony (more than seven hundred and fifty printed pages) upon every branch of the frauds upon the treasury which time would permit them to enter upon at all. Every person has been called who it was supposed could throw any light upon the subject under investigation, except three or four persons who purposely kept themselves beyond the jurisdiction of the Supreme Court—from which the subpoenas used by your Committee issued—or remained secreted so as to avoid being summoned.

In this category is to be placed J. McBride Davidson, Hugh Smith, and several other less important witnesses.

This testimony has disclosed a frightful state of demoralization in every branch of the public service at that time. Nothing which has yet been written, no trial or examination which has heretofore been had, has afforded so clear and so comprehensive an insight into the immensity of the frauds committed by these "Ring thieves," or into the methods by which their nefarious designs were consummated. No particular political party or organization is alone responsible for this horrible condition of affairs. The evidence distinctly shows that officials and representatives of all political parties combined to bring about this end, and that the robberies would have been impossible but for this base combination of the worst men from every political household

The efforts which have been made to punish these scoundrels and to wrest from them their spoils do not seem to have been at all adequate to the end in view. Your Committee have received no explanation from any of the lawyers who have represented the People in this regard, why the men who, on their own confession, not only aided others in robbing the city of millions of dollars, but themselves participated in the spoils, should not at least have been compelled to disgorge the stolen money, and especially when it is abundantly evident that several of these men are still in the enjoyment of wealth derived from these robberies. The Ring men themselves claim that they have been expressly granted immunity from even civil suits by the Attorney-General and his representatives, but this is expressly denied by those re-

representatives, and so the matter remains an unexplained mystery. Your Committee are advised that such immunity as is claimed by these persons could not have lawfully been accorded to them by any person, whether private or official, and that even if any one has assumed to grant such immunity, his action is not binding, either upon the Corporation or the People. Your Committee are strongly impressed with the belief that it is contrary to good morals, and destructive of public virtue, that such men as Andrew J. Garvey, Elbert A. Woodward, James H. Ingersoll, A. Oakey Hall, John H. Keyser, and the others whose participation in these frauds is clearly set forth in the testimony taken before your Committee, should be permitted to remain in the full enjoyment of their stolen thousands, without any serious effort having been made to compel them to make restitution. Nor can your Committee perceive the propriety of a line of action which results in concentrating public attention upon one or two of this gang of scoundrels, and in the pursuit of them, to release and grant immunity to all the rest.

Your Committee desire especially to invite your attention to the fact, as appears by the testimony, that none of these frauds could have been perpetrated without the corrupt procurement of special Legislation at Albany relating to our city affairs. This Legislation was always demanded either upon the plea of urgent necessity, as in the tax levies, or under the guise of reform, as in the Charter of 1870. Always the corrupt men of both political parties voted for

these special laws, and always they were openly and unblushingly paid for so doing. Not only the "Tweed Ring" entered the market as a buyer and seller of Legislators, but powerful corporations (notably two great railroad companies), also engaged warmly in this degrading traffic. The Legislature no less than the city government seems to have been a den of thieves; and even the ermine of the judges was polluted by this wild craze for ill-gotten wealth.

It is to this wide-spread participation, by persons high in office, in the spoils of the Ring, which one must look for the explanation that the robberies in the City of New York so long escaped exposure and punishment.

THE RING IN THE BOARD OF SUPERVISORS.

According to William M. Tweed, whose evidence is in the main corroborated by that of Mr. Henry F. Taintor, the accountant who was employed in behalf of the people to work up and analyze the evidence concerning the Ring frauds; the first point of attack of the Ring was upon the County Treasury, and as far as your Committee is able to ascertain, the first frauds were committed by a corrupt combination in the Board of Supervisors in the year 1860. This "Supervisors' Ring" existed from that time until, on account of internal dissensions, some of the members of it procured a law to be passed in 1870, by which the Board of Supervisors was abolished. The personel of this Ring changed slightly from year to year, and was composed at one time or other of the following persons: William M.

Tweed, Walter Roche, John R. Briggs, Henry Smith, John Fox, James Hayes, Andrew J. Bleakley, and Isaac J. Oliver. The three first-named individuals originated the combination by agreeing to sustain each other in the Board and to vote together on bills presented for approval. Their united votes were sufficient to determine almost any question which came before the Board. In the subsequent years the other persons mentioned were from time to time added to their number and shared with them in the fraudulent gains.

HOW THE FRAUDS WERE PERPETRATED.

Almost every person who did work or furnished supplies for the county at this time were informed by some member of this Ring that, in order to insure a continuance of the public patronage, increased orders and prompt payment, it would be necessary for them to add to their bills a certain percentage in excess of their true face, which increase or percentage it was understood and agreed should be paid to the corrupt combination of members of the Board aforesaid.

The amount so added at this time was generally fifteen per cent. of the face of the bills. William M. Tweed named the following persons and firms as among those who, at that time, conspired with the Ring in this way: Keyser & Co., J. T. Barnard & Son, Grigg & Brothers, James H. Ingersoll, Charles Jacobus, E. V. Haughwout & Co., J. B. & W. W. Cornell, The Eastchester Quarry Co., Ingersoll & Co., T. W. Roe & Co., J. O. Seymour & Co., Kennard & Hay,

Edward Jones, J. A. Smith, Wm. C. Rogers & Co., and Andrew J. Garvey. Some of the bills thus presented had no basis whatever, others a partial basis, and still others, with the exception of the amount allowed for percentages to the Ring, were valid.

Besides the members of the combination, E. A. Woodward, an assistant clerk to the Board of Supervisors, and Cumming H. Tucker, then Superintendent of the construction of the New Court-house, acted as go-betweens in the collections and distribution of these percentages.

Of what amount of money the County Treasury was despoiled, under the *regime* of this ring in the Board of Supervisors, cannot even be approximately arrived at, and probably will never be known. Mr. Taintor's examination of frauds extended from January 1, 1868, to the middle of 1871, and your Committee have no information that there has ever been an examination into matters prior to that time. From the testimony of witnesses examined before your Committee, it would seem impossible to reach a definite conclusion, either as to what proportion of the bills presented had any basis whatever, or as to what percentages were added to such bills, as represented in part value received. The Committee believe, from the amount of claims presented to the Board by these Ring tradesmen, and paid during these ten years, that the county was defrauded of several millions of dollars at least.

The Board of Supervisors during these years, as a whole, cannot be entirely exempted from blame. In some cases

there were no dates to the claims which passed that body, not even reference to the years in which the bills accrued, and in many instances claims were presented without setting forth the items of the account. They were referred to committees and were passed often on the same days on which they were presented, and apparently without examination.

On this point the testimony of Tweed was confirmed by that of Woodward and J. H. Ingersoll.

ADJUSTED CLAIMS UNDER LAW OF 1868.

By chapter 853 of the Laws of 1868, supreme power was given to the Comptroller to adjust claims then existing against the city. Under that act there were about six millions of dollars adjusted for the county, and about thirteen millions, all told. As a sample of the character of these claims, six bills were presented by J. H. Ingersoll & Co., which amounted to about a million of dollars, which Mr. Taintor testifies were almost if not altogether fraudulent. The proceeds were divided with the same system as were the county funds under the "Ring" in the Board of Supervisors. These claims, according to the law authorizing the Comptroller to adjust them were to be paid in one or two years from appropriations in the tax-levy, but that such an idea was not seriously entertained is shown by the fact that the bonds which were issued to enable the Comptroller to pay them were afterward converted into "long" bonds and became a recognized part of the permanent debt of the city. Nothing

more was required, at this time, of a person who desired to draw money from the City Treasury than that he should make out a bill against the city, and agree to pay the Ring or its representative such a percentage of it as they demanded, and retain some lawyer to commence suit against the city by service of a summons. Whether or not the city was indebted to the claimant was entirely immaterial.

A list of some of the most aggravated cases of fraud, which were adjusted and paid by the Comptroller under this authority, was prepared by Mr. Tanitor, some time since, and submitted to the Department of Public Works, with the request that the records of the old Street Department might be examined in regard to them. It was found that more than four millions of them had no existence upon the books. The claimants who appeared as having claims to be adjusted under the law of 1868, were about the same as those who appeared so regularly before the Board of Supervisors. From these claims at first forty-five per cent. was retained by the Ring. This rate continued from July, 1868, up to January, 1869. In July, 1869, payments under this act were resumed, and until November, 1869, the Ring retained, as its share, sixty-five per cent. of the face of the warrants, and after that up to the close of the payments under this act, in 1870, the Ring retained, as its share, sixty-five per cent., with interest.

The most aggravated frauds, in connection with both city and county payments, were committed under *special* laws, whereby the power was conferred upon the city

and county to pledge their credit for special purposes, oftentimes to an indefinite and unlimited amount. The frauds committed under the "Adjusted claims act of 1868" furnish one instance of this kind, and another notable one is to be found in the robberies committed under chapter 213, Laws of 1871. This act authorized the Mayor, Aldermen, and Commonalty of the City of New York, to extend the laying of pipes for the distribution of Croton water through New York, and empowered the Comptroller to borrow money not to exceed one million and a half of dollars for that purpose, and to issue bonds therefor. One million of dollars were paid out on that account during the year 1871, and Mr. Taintor pronounces \$568,000 out of that amount to be fraudulent. Another illustration of this point may be derived from the losses which the treasury suffered under the operation of Chapter 230 of the Laws of 1870, which conferred upon the Commissioner of Public Works authority to raise such sums of money as he should certify there was occasion for. The aqueduct was removed from Ninety-third to One Hundred and Thirteenth street, a distance of twenty blocks. Engineers estimated the expense likely to be incurred in making the removal at \$1,500,000. The charges against the city for this business have been \$3,500,000. These are but instances selected out of a mass of evils which have befallen the city by reason of this kind of special legislation.

CHARTER OF 1870.

After exclusive power had been conferred upon the Comptroller to adjust and settle claims against the City and County, the members of the Ring in the Board of Supervisors felt that their power was beginning to wane, and they soon commenced to evince hostility toward Tweed and his friends who were demanding, according to them, too much power. In the Legislature, in the winter of 1870, this contest reached its highest point, and before the close of the winter resulted in the entire success of Tweed and his friends, and the overthrow of the "Young Democracy" under which title, Fox, Hayes, O'Brien, and their friends had been fighting. The victory which Tweed and his friends achieved in this severe contest was a most expensive one for the City of New York. In the early part of the session, several different charters for the City of New York were introduced by the friends of the "Young Democracy," each of which had for its object to drive from power the then officers of the city government. Tweed's friends felt that nothing but the lavish expenditure of money among members of the Legislature could ensure success, and failure they knew would necessarily be followed by exposure and destruction. In that critical moment a charter for New York was prepared chiefly under the supervision of A. Oakey Hall, Peter B. Sweeney, Cornelius Corson, Wm. M. Tweed, and Alexander Frear, and was introduced into the Assembly by Frear, who was then a member. The above named persons, together with Richard B. Connolly, Hugh Smith,

Andrew J. Garvey, James H. Ingersoll, E. A. Woodward, Charles H. Jacobus, Kennard & Hay, Edward Marrener, Edward Boyle, and the Erie Railroad, through Gould or Fisk, Charles H. Jacobus, Henry Smith, and in fact almost every one connected at that time with the furnishing of supplies to the city or county were called upon to advance money with which to bribe the members of the Legislature. Large sums of money, evidence of which in the shape of checks Tweed has now in his possession, were also raised by notes made either by Tweed and Connolly, and indorsed by Hugh Smith, or made by Connolly and Smith, and indorsed by Tweed, which were discounted in the Broadway National Bank. With this money the requisite number of members of the Assembly were obtained, the money being, as it seems, disbursed by A. D. Barber, a notorious "lobbyist," and his employees. Tweed, as he says, manipulated the Senate himself. He mentions Norris Winslow, Wm. B. Woodin, Theodore L. Minier, George Bowen, James Wood, William Canldwell, Thomas J. Creamer, and Michael J. Norton, as Senators to whom he either paid money directly or compensated for their votes in other ways. Under these influences the Charter passed, and under the same influences insertions in the tax-levy were obtained, one of which gave the power to the Mayor, Comptroller, and the then President of the Board of Supervisors (Hall, Connolly, and Tweed), to audit liabilities against the County of New York incurred previous to the passage of the act. As purchased by him to aid by their vote in the passage of the tax-levy,

Tweed mentions Senators Wm. M. Graham, Wm. H. Brand, A. V. Harpending, Theodore L. Minier, George Bowen, and James Wood. The Committee have been unable to obtain the names of members of the Assembly whose votes were purchased at that session. An immense amount of money was raised and expended in this way. To A. D. Barber alone, Tweed says he paid for such distribution about \$600,000. After the passage of the Charter, through the influence of the Ring, an act was passed abolishing the then Board of Supervisors, and creating a new Board, and thus most of the leaders of the "Young Democracy" were legislated out of office.

Tweed testifies that he has always understood that the provision in the tax-levy confirming the audit power upon Hall, Tweed, and Connolly was prepared by A. Oakey Hall, and was primarily intended as a means whereby they and their friends could get back the large amount of money they had expended in Albany in opposing the "Young Democracy," and in passing the charter and subsequent acts. As part payment for his services, Barber was retained and re-appointed Deputy Collector of Assessments, the duties of which he was never called upon to perform, but from which he drew not less than \$10,000 per annum, and often \$15,000. This alone to Barber, while other professional lobbyists, and officials, drew salaries without the necessity of laboring, out of the City Treasury.

The Charter of 1870 was a purely Democratic measure

which, nevertheless, every Republican Senator but one voted for.

BOARD OF AUDIT OF 1870.

After the Board of Audit of 1870 had been appointed in compliance with the statute, they agreed among themselves that they would require of all persons who dealt with the city in any way (except a few whom they feared to approach) to add fifty per cent. to the true face of their bills. The other fifty per cent. being intended for distribution among the members of the Board.

The consummation of this plan was left to Connolly and Tweed, who selected James Watson and E. A. Woodward to prepare the bills and to deduct and distribute the percentages. It was no matter of concern to any of these persons whether the bills presented and approved had any foundation in fact or not, although it was presumed that they would usually have some basis. At a meeting held at Peter B. Sweeney's rooms in the Delavan House, in Albany, in 1870, Sweeney, Connolly, Hall, and Tweed being present, it was agreed that ten per cent. of this reserved fifty per cent. should be paid to Tweed, ten to Connolly, ten to James M. Sweeney for his brother Peter B. Sweeney, and ten to James M. Sweeney or Hugh Smith for A. Oakey Hall. Of the other ten per cent. one-half was to be divided between Watson and Woodward for their services, and the other five per cent. was to be held by Watson and Woodward as a sinking fund for expenses, such as for purchasing legislation.

SECOND ARRANGEMENT.

After the first batch of bills had been paid, Connolly became dissatisfied because he was not to receive a larger percentage. He declared that the thing could not be done without him, and Tweed reminded him that it could not be done without him either; so they agreed to compel persons presenting bills to accept one-third of the face of the bill instead of one-half, and that Connolly should receive twenty per cent., Tweed twenty-five per cent., Sweeney ten per cent., and Hall was informed that in consequence of the great expense incurred in Albany, their shares would each have to be reduced to five per cent. Hall, thereafter, under the belief they were all getting the same amount, received only five per cent. The rest went to Woodward and Watson. The details of the process through which a bill passed from the time it was presented until paid, and the way in which the percentages were paid to the Ring, and the residue to the claimant, is fully explained in the testimony of E. A. Woodward, whose especial business it was, in connection with James Watson, to attend to those matters. In regard to these divisions, Tweed testified as having direct knowledge of them, and his testimony was directly confirmed by Woodward and Ingersoll, and indirectly by other witnesses.

POWER OF THE RING.

With the City Government in their hands, the Legislature under their control, and the City Treasury at their com-

mand, the Ring was now at the height of their power. They did not even hesitate to change the will of the people as expressed at elections, whenever such change seemed to them desirable. The bench of the Supreme Court ceased, under their influence, to preserve its purity, and no one who refused to submit to their dictation had the slightest chance for political preferment. To such an extent had rascality become prevalent that even in the Assembly of this State, certain members organized a band for the express purpose of selling their votes, and were known as "The Black Horse Cavalry." Persons who performed no service for the city, but who were serviceable to the Ring for purely political purposes, were placed upon the pay rolls as city or county officials and supported from the public treasury.

Several pretended attempts of self-styled reformers to expose this disgraceful combination were easily dealt with by the simple expedient of giving them fat offices.

AMOUNT STOLEN.

Mr. Taintor testifies that between January 1, 1868, and July 1, 1871, so far as he has developed the matter, \$30,000,000 were fraudulently diverted from the treasury by the corrupt practices of the Ring, and that this does not include the amount stolen by the Ring in the Board of Supervisors, between 1860 and 1866. It is safe to assume that from 1860 until July, 1871, the people of

this city have been robbed to the extent of fifty millions of dollars at least.

THE EXPOSURE AND DOWNFALL OF THE RING.

In the Spring of 1871, and when the operations of the Ring had reached this enormous magnitude, they were suddenly brought to light through the columns of one of the city journals, which published not only an outline of the facts heretofore recited, but also an accurate list of the principal persons who had been engaged in the frauds. Public attention was at once fixed upon this all-absorbing subject, and every possible device was suggested whereby might be assured the arrest of the thieves and the recovery of the millions stolen by them. There was a very widespread feeling of distrust manifested towards the law officers then in office, and several associations of citizens were formed, who assumed to take the prosecution of these offenders into their own hands. Committees were appointed, the most eminent counsel—selected from both political parties—were retained, accountants and detectives were employed, and a formidable campaign was commenced, having for its object the condign and speedy punishment of the thieves, and the wresting from them their ill-gotten gains. At that time every member of the Ring, with possibly one exception, held large amounts of real estate in and near the city, which could neither be sold nor taken away, and it seemed sure not only that the villains would be sent to the State prison, but that the city would

regain at least a respectable portion of the vast sums of which it had been robbed. Certainly, no *expense* was spared for the accomplishment of this end—as will be seen in the accounts stated below—but your Committee regret to say that, in their opinion, the results have been unsatisfactory and meager in the extreme.

At present all the thieves, with one single exception, are at large, several of them are living in and near New York, in elegant ease, if not in ostentatious luxury, and all of them claim entire immunity from all sorts of suits or demands from the City or the People, on the ground that they have all been used as witnesses. Some dozen of the thieves have thus been let loose upon the community, in order that they might be used as witnesses against one or two of the others.

Nor has the pecuniary result of these suits been any more satisfactory.

The eminent counsel which had been especially retained to conduct these prosecutions originally began them in the name of the People of the State instead of in the name of the Mayor, etc., of the City of New York. In those actions warrants of arrest were obtained against several of the principal members of the Ring, and bail bonds in large amounts were given by them. All of these actions failed because the Court of Appeals held that the right of action was not in the State but in the municipality.

Thereupon the Legislature passed an act—chapter 49 of the Laws of 1875—practically transferring to the State the cause of action to recover moneys fraudulently obtained from the city, and new actions were begun. Meanwhile much invaluable time had been lost, the bail-bonds taken in the original actions were, of course, not available, and the defendants had taken care to go where no new bail-bonds could be exacted of them.

The following is a statement of the pecuniary result of all the “Ring suits” up to the present date:

Amounts paid to the city from James Watson's estate.....	\$558,000 00
By E. A. Woodward.....	151,779 16
By Peter B. Sweeney, nominally from his brother's estate.....	406,562 20
Interest allowed by the Trust Co. on deposits	3,183 90
	<hr/>
	\$1,119,525 26
Deduct amount of legal expenses paid by the Comptroller of the City of New York, from March 13, 1872, to March 2, 1877.....	\$194,098 12
Ditto paid by the Attorney General, from March 14, 1876, to Dec. 17, 1877....	49,184 60
	<hr/>
	\$243,283 42
Showing the total net amount recovered by the city to be.....	<hr/> <hr/>
	\$876,241 84

It will be remarked that, except the amount received from Woodward, all this money has been recovered from the estates of two dead men, and that none of it was collected on execution, but in pursuance of "compromises." And yet the law expenses have aggregated more than 25 per cent. of the total amount recovered.

Of the item charged as "legal expenses," Mr. Taintor, the accountant, received the sum of \$79,729.44, besides salaries for his assistants and clerks, which your Committee are forced to conclude was excessive remuneration for the services rendered.

A complete list of the actions which have been commenced in behalf of the Corporation or of the People is hereunto appended, in which is set out the date of the commencement of each suit, the cause of action, the amount involved, the name of the attorney representing the City or the People, and, as far as practicable, the present status of the litigations.

An examination of this list abundantly shows that the energy with which these suits seem to have been prosecuted at first has in very many cases entirely expended itself, and that for the last two or three years very little seems to have been accomplished in the progress of these cases, with a view either to the recovery of the stolen money or the prosecution of the thieves.

Two of these suits have been finally disposed of within a few months past, and one of them not until after the greater part of the evidence relating to them had been made public. These cases are: "The People *vs.* Coman," and "The People *vs.* Peter B. Sweeney." "The People *vs.* Coman" was discontinued by the representatives of the Attorney-General (Messrs. Barlow & Olney) on the day set for its trial, on the ground that the evidence for the People was not strong enough to warrant them in going to trial. Your Committee find it difficult to understand this statement in the light of the evidence taken before them, and they are clearly of opinion that the case should have been tried.

The case of the People *vs.* Peter B. Sweeney was settled in a very curious and somewhat incomprehensible way. It was discontinued upon the defendant agreeing to pay the sum of \$400,000 "from the estate of his deceased brother, James M. Sweeney." The motive of the defendant in desiring his settlement to take this form is clear. He undertook by this mean subterfuge to save some shred of his own reputation at the expense of that of his dead brother. The reason why the representative of the Attorney General (Mr. Wheeler H. Peckham) was willing to discontinue the prosecution on this extraordinary ground is not so clear. It was based upon technical grounds, which are set forth in his testimony. But in the opinion of your Committee the result of it was to deprive the prosecution

of Peter B. Sweeney of every particle of moral effect, which it was at least as desirable to preserve as it was for the City to recover the paltry and inadequate modicum of the stolen millions. At the time that this long and expensive litigation was thus ended there was no doubt in the minds of the community, nor in the minds of the representatives of the Attorney General, that Peter B. Sweeney was guilty of the frauds on account of which he had been sued, and the testimony of Tweed and of Woodward has made it entirely apparent, to your Committee at least, even if there had been any doubt on the subject theretofore, that Peter B. Sweeney had not only been a member of the Ring and a participator in all the Ring frauds, but that he had been perhaps the most despicable and dangerous, because the best educated and most cunning, of the entire gang. Your Committee caused a subpoena to be served on Peter B. Sweeney, commanding him to come before them to testify; but instead of obeying the subpoena, he caused a certain stipulation to be submitted which had been entered into between himself and the Counsel for the People, by which he had been guaranteed immunity from any sort of process or from "molestation" at the hands of the People or the Corporation, under the then existing circumstances. And your Committee were therefore reluctantly obliged to abandon their intention of examining him.

ACTIONS AGAINST THE CITY.

There are also at issue a number of suits against the city, all of which are more or less intimately connected with, or growing out of, the fraudulent practices of the "Ring," for sums of money which, in the aggregate, amount to nearly \$3,000,000.

Of these the principal are the following: "*Baird vs. The Mayor*," better known as the "*Navarro Water Meter Suit*," in which the amount claimed is about \$1,000,000; "*Nelson vs. The Mayor*," an action to recover upon a certain contract to furnish sewer-pipes, in which the amount claimed is about \$54,500; four suits brought by E. Jones & Co., the stationers whom Tweed testifies used to furnish the members of the Ring with "everything in the world" and charge them to the city as stationery, in which the amounts claimed aggregate \$801,860, with from seven to nine years interest; the "*Tenth National Bank vs. The Mayor*," on a claim for \$250,000, and "*Monheimer vs. The Mayor*" on a claim for over \$300,000.

As to all these suits Tweed testifies that they are based upon frauds, and that the city has and can prove by him and other witnesses whom he can point out, a good and valid defence to them.

In most of these cases Tweed set forth in detail wherein these frauds consist and what should be, in the light of his

information, the nature of the defence, but as to the Navarro Water Meter Case and certain others, the Committee were requested by counsel for the city not to examine in detail, they stating that they had examined Tweed privately and considered his information important and pertinent, but not such as could prudently be made public during the pendency of the suits.

The case of "*Monheimer vs. The Mayor*" deserves something more than a passing enumeration. The claim upon which this action is based was one made by James O'Brien for certain official services, said to have been rendered by him when Sheriff of the County of New York. Tweed testifies that shortly after the first exposure of the Ring frauds, and while as yet the thieves were hopeful of saving themselves, he was approached by Francis M. Bixby with a proposition from O'Brien that he, Tweed, should purchase one-half of this claim, and promising that, in return, O'Brien would use certain influence which he claimed to possess, to protect Tweed from prosecution. The proposal was accepted, and Tweed purchased one-half the claim for the sum of \$150,000, and took an assignment in writing for the same, which he still holds. Monheimer signed this assignment as witness, and yet subsequently brought suit on this same claim, as assignee of O'Brien. Tweed also testifies that he was informed at the time he took the assignment of one-half the claim that Richard B. Connolly had taken an assignment of the other

half of it, on similar assurances from O'Brien and Bixby, and that consequently no part of this claim has any sort of validity. Tweed stated to your Committee that he was ready to assign his half of the claim to the City of New York.

From this statement it will be seen that Monheimer never had nor could he have ever had the slightest interest in this claim, and that his suit against the city is a simple attempt to add another to the long list of "Ring frauds."

The disposition and present status of these Ring suits forces your Committee to the conclusion that the substitution of private persons and voluntary associations for the regular and responsible officers of the law, even when those persons and associations are above the breath of reproach, by no means assures reform in governmental affairs; but that it rather tends to a divided responsibility and to spasmodic action, which, although energetic in the beginning, is apt soon to degenerate and finally to become careless and utterly inefficient.

The theory upon which the prosecutions against the Ring were commenced seems to have been that the matter of prime importance was to punish the thieves and to render their crimes odious to the public, and that the question of the recovery of the money was of altogether secondary importance. Mr. O'Connor, while he continued as counsel for the People, always insisted on this view.

This is the reason assigned why there were no more vigorous efforts made at first to secure the property of the Ring men. Everything was devoted to punishing the thieves themselves. Taking advantage of this state of things, they immediately devoted themselves carefully to the task of putting their effects beyond reach of the law. Thus in the beginning the city failed to recover the stolen property, in the singleness of its purpose to catch and punish the robbers.

But when this property had all been spirited away, a change of policy (Mr. O'Connor having retired) was determined upon by the representatives of the people. The prime object now seems to have been the recovery of the stolen money, and compromises were freely entered into with any members of the Ring who were willing to purchase freedom and immunity from prosecution with a portion of their ill-gotten gains. Of course, as the bulk of their property was by this time far beyond the jurisdiction of our courts, the people were obliged to be content with just what sums of money the persons desiring immunity were willing to pay for it, so that now, in order to recover a part of the stolen money, the prosecutions against the thieves were abandoned. The combined result of the two policies has been, therefore, to release almost every member of this gang, and to leave them to the quiet enjoyment of a very considerable portion of the money of which they had robbed the treasury, to the scandalization of all good citizens, and the degradation in the eyes of the commu

nity of the processes of the law. This condition of things could hardly have come about if the people, through their proper law officers, had prosecuted these suits with a fixed and well-considered policy or plan of operations.

Mr. O'Connor's theory that the prime object of the prosecutions should have been to punish the Ring thieves criminally and not to permit the prosecutions to degenerate into mere collection suits, was undoubtedly the correct one.

There is no crime more odious, infamous, and disastrous in its far-reaching results upon society, than is that of public and private official breach of trust, and very severe punishment should uniformly and universally be administered upon all such criminals, as an example and warning to deter others from committing like offences. To compound such a crime is against public policy and destructive of public virtue. It is therefore the unanimous judgment of your Committee that every one of these Ring thieves which it was possible to capture should have been as severely punished as the law would permit, and that such of them as it was not possible to arrest ought to have been branded as public plunderers and thieves and left to die in foreign lands as banished criminals. In the opinion of your Committee the prosecuting officers have made a very serious mistake in granting immunity from punishment to a single one of these criminals, either for a moneyed consideration or on any other pretext. The precedent is a bad one. It is saying to all officials, steal all you can, and if you will return a portion, you may keep the

balance and be admitted back to live in peace and quietness in that society whose rights you have outraged, and may enjoy the balance of the plunder and go unpunished. It is respectfully submitted that the manner in which most or these Ring thieves have been treated has done almost as much to demoralize society as have the crimes they committed.

KEYSER'S ASSIGNMENT TO SHULTZ.

There is one other incident to which your Committee feel bound to call the attention of your Honorable Board. Owing to a happy accident the fraudulent vouchers for payments made to John H. Keyser escaped the burglarious destruction which overtook the rest. The evidence therefore of Keyser's guilt was from the first absolutely apparent. At this time there was prominent among the reformers Mr. Jackson H. Shultz, a gentleman who held no official position, but who devoted much time and attention to the campaign against the "Ring." Keyser's guilt being so clearly proved that he could not even pretend to deny it, he at once set about making terms with the representatives of the people. He was compelled to place his books of accounts at the disposal of the lawyers who at that time were engaged in examining into the frauds, and he pretended to be willing to tell all he knew, and to make such restitution as he could. An examination of his books showed that he had bills against certain other members of the Ring, and against other persons who were suspected to have been in some degree participators

in the frauds. These claims he was induced to assign to Jackson S. Shultz under a deed of trust which begins with a recital in these words as follows: "Whereas, I John H. Keyser, of the City of New York, am indebted unto the County of New York, and also unto the City of New York in divers sums of money, which sums of money I desire to pay or secure to be paid." Then follows the formal assignment of certain enumerated claims to Jackson H. Shultz; and the instrument concludes as follows:

"This assignment or transfer is made to said Shultz for the following uses and purposes, that is to say, said Shultz is to collect and enforce said claims, demands, causes of actions, debts and moneys, and out of the proceeds thereof shall first pay the legal and reasonable expenses of collection, and out of the balance, or net proceeds thereof, shall pay unto the City of New York and also unto the County of New York, such sums of money as I shall be found, upon a fair or just and fair accounting and allowance of legal proofs and offsets, to owe unto said city or county, or either of them.

"NEW YORK, October 6, 1871.

"In presence of

"JOHN H. KEYSER.

"FRANCIS C. BARLOW."

These assigned claims were put by Shultz into the hands of Messrs. Barlow & Olney for collection. Some \$60,000 was actually collected by them and paid over—less their fees—from time to time to Shultz.

Before the claims had all been collected Shultz began to *lend the trust money to Keyser* in sums of \$5,000 and under, and this he continued to do until Keyser had actually received the entire fund. At some period during this series of loans, Keyser gave Shultz certain mortgages to secure them, but the mortgages were second liens, and lie:is upon lease-hold property which turned out to have been absolutely worthless.

It is claimed by Mr. Shultz that he paid the money back to Keyser, because he could not get the Comptroller--Mr. Andrew H. Green--to settle the account of the city with Keyser, but the fact that the loans to Keyser began even before the whole of the claims were collected, makes this explanation difficult for your Committee to comprehend, and it is only necessary to refer to the deed of trust itself to perceive that there was no doubt in Keyser's mind that he owed the city *some* money; the only matter to determine being the amount of that indebtedness. Your Committee have set out this particular transaction thus at large, because here, at least, seems to be presented a case out of which it may be possible to recover some of the stolen money.

CONCLUSIONS AND RECOMMENDATIONS.

In conclusion your Committee beg leave to express a hope that your Honorable Body will not find their labors altogether fruitless. Your Committee are of opinion that they have brought sufficient evidence to light to enable the Corporation successfully to defend actions now pending

against them to an amount aggregating at least two millions of dollars. They also are of opinion that they have made it sufficiently plain that there are no insuperable legal obstacles in the way, even now, of a vigorous prosecution of such of the Ring thieves as are still living in our midst, in the enjoyment of their stolen goods. In this connection your Committee beg to call your attention especially to the following persons who have made no sort of restitution, and yet who are living in this community in the enjoyment of more or less of the proceeds of their frauds against the treasury, namely : James H. Ingersoll, who is confessedly not very badly off ; Andrew J. Garvey, who lives in a style none but a wealthy man could support ; John H. Keyser, who, although professing to be a bankrupt, is probably very far removed from that condition, and whose prosecution would at least determine the ownership of the Shultz trust fund ; A. Oakey Hall, whose participation in these frauds seem to your Committee not to admit of a reasonable doubt ; J. McBride Davidson and Hugh Smith, who, your Committee are clearly of opinion, also participated in these frauds, and who avoided the service of a subpoena by leaving the jurisdiction during this investigation.

Another one of these Ring thieves, to whom your attention is especially directed, is Albert A. Woodward. This man has made a sort of restitution, and claims to have been accorded a sort of immunity against further prosecution. In the opinion of your Committee, the restitution by him of \$150,000 was altogether inadequate, and was vastly more than counter-balanced by the release from

the punishment he so richly deserved of one of the very worst members of the Ring. The bearing of this man before the Committee was simply revolting. He declared that under like circumstances he would again commit the frauds to which he unblushingly confessed, and altogether conducted himself as if his robberies had been meritorious business transactions.

Whether or not the so-called "settlement" of Woodward really protects him from further prosecution your Committee cannot determine, but of one thing they are convinced, that any sentimental treatment of this man would be worse than out of place, and a positive injustice both to this community, and to that in which he lives.

Your Committee respectfully suggest that your Honorable Board furnish the Attorney General of the State with a copy of the testimony taken in the course of this investigation, and of this report, and that you earnestly request him to take immediate and active steps to punish those of the Ring thieves who have heretofore escaped, and either to compel them to make such restitution as is now possible, or else to rid the community whom they have robbed of their presence.

All of which, together with the testimony, is respectfully submitted.

SAMUEL A. LEWIS,
RUFUS B. COWING,
J. J. SLEVIN.

TESTIMONY.

Minutes of the Proceedings of the Aldermanic
Committee in the matter of the Investigation of
the Ring Frauds.

THE RESOLUTION.

The Committee was appointed under the following
resolution:

Whereas, The debt and liabilities of the City and
County of New York were enormously increased during
the period from 1868 to 1872, through the frauds and
machinations of conspirators forming an organization
known as the "Tweed Ring," and their agents and
abettors; and

Whereas, It is believed that a large amount of such debt
and liabilities was during such period fraudulently incurred
by the connivance and co-operation of the heads of certain
Departments of the city government and other officers
thereof, the members of the Board of Supervisors of the
County then existing, the members of the Board of Audit,
appointed by a special act of the Legislature in the year
1870, and other persons associated with them, through
alleged claims allowed and audited and payments of moneys

made from the Treasury and funds belonging to the City and County of New York; and

Whereas, The City and County of New York are the real parties in interest in all suits and legal proceedings which have been or may be instituted against any of said persons for their punishment and the recovery of the moneys so fraudulently obtained and received by them, by the legal officers representing the Corporation or the State of New York; and

Whereas, The amount of moneys hitherto recovered from and punishment inflicted on such conspirators and their agents and abettors are comparatively insignificant and wholly insufficient to satisfy the demands of justice and reimburse the City Treasury for the moneys thus fraudulently obtained and received by them; and

Whereas, All the facts and particulars relating to such criminal and fraudulent acts should be fully ascertained and known, and every effort possible should be made to compel all persons in any manner concerned therein, either as principals or agents and abettors, to repay the moneys received by each and all of them; and

Whereas, Actions and proceedings at law have been instituted in behalf of the Corporation of the City of New York, and of the State of New York, and are still pending, against certain persons implicated in said fraudulent acts, for the purpose of recovering from them the moneys thus

fraudulently obtained and received from the Treasury of the City and County of New York, in the following entitled cases and amounts, to wit :

Commenced.

July 10, 1874. The Mayor, etc., vs. The National Broadway Bank.....	\$3,504,000 00
July 18, 1874. The Mayor, etc., vs. Thomas W. Roe.....	200,107 73
Oct. 31, 1874. The Mayor, etc., vs. Alexander Brandon..	22,373 00
31, 1874. The Mayor, etc., vs. Archibald Hall, Jr ..	135,103 62
31, 1874. The Mayor, etc., vs. Wm. F. Blanck and another.....	13,240 00
Nov. 5, 1874. The Mayor, etc., vs. Morgan Jones.....	350,000 00
5, 1874. The Mayor, etc., vs. Daniel Berrien.....	175,000 00
5, 1874. The Mayor, etc., vs. Edward Marrener and another.....	550,000 00
Nov. 5, 1874. The Mayor, etc., vs. Geo. S. Miller and Wm. M. Tweed.....	500,000 00
Jan. 11, 1875. The Mayor, etc., vs. J. A. Monaghan.....	70,549 35
22, 1875. The Mayor, etc., vs. Geo. S. Miller.....	69,326 94
May 20, 1875. The Mayor, etc., vs. Edward Jones.....	
Aug. 27, 1874. The Mayor, etc., vs. William Haw, Jr., Edward A. Morse, and Forbes Holland.	200,838 61
Jan. 12, 1877. The Mayor, etc., vs. Ira A. Allen and H. E. Stevens.....	
Apr. 9, 1875. The People of the State New York vs. Wm. M. Tweed.....	6,198,957 85
June 7, 1875. The People of the State of New York vs. Cummings H. Tucker.....	
Nov. 20, 1875. The People of the State of New York vs. William M. Tweed (No. 2).....	933,640 44
May 16, 1876. The People of the State of New York vs. Richard B. Connolly.....	
Aug. 5, 1876. The People of the State of New York vs. John O'Donnell	348,287 40

Now, therefore, for the purpose of aiding and assisting the officers of the law engaged in the prosecution of such legal proceedings as are now pending, or which may be hereafter commenced against any of said persons, and the recovery of all the moneys thus fraudulently obtained and received by them, or any of them;

Resolved, That a Committee of three members of this Board be appointed by the President, the duty of which Committee it shall be to investigate thoroughly all the facts and circumstances connected with the organization known as the "Tweed Ring," and its fraudulent acts, and ascertain and report to this Board, at as early a date as practicable, a statement in full of the results of its investigation, including the names of all persons, and their official title, and the position and relation of all persons who were in any manner connected with said organization, or said acts; the origin and history of all schemes and methods of operation, and the dates, amounts, and nature of all claims and transactions by and through which moneys were fraudulently obtained and received from the Treasury of the City and County of New York by them or any of them; the names and acts of the Board of Supervisors, then existing and connected therewith; the names and acts of the Board of Audit of 1870, and the origin and history thereof—presenting in such report a complete account, as far as practicable, of any and all persons and acts by which moneys were fraudulently abstracted from the Treasury of the City and County of New York, and their indebtedness was increased

during said period, from the year 1868 to 1872; also to examine into the facts, if any such exist, whether any person or persons, since any legal proceedings have been instituted against any of said persons, have been in any manner instrumental in shielding or protecting them from punishment, or in defeating the prosecution of said actions, and preventing the recovery of the moneys fraudulently obtained and received by them, and report to this Board the names of such persons and the time and manner of such interference with the cause of justice.

Resolved, That the Corporation Counsel be and he is hereby authorized to detail one of his assistants to aid the Committee appointed under the above resolution.

Adopted by the Board of Aldermen, July 19, 1877.

Approved by the Mayor, July 28, 1877.

FRANCIS J. TWOMEY,

Clerk Common Council.

The President of the Board of Aldermen appointed as such Committee—

Alderman SAMUEL A. LEWIS,

“ JAMES J. SLEVIN, and

“ RUFUS B. COWING.

FIRST DAY.

ORGANIZATION.

AUGUST 21, 1877—2 P. M.

Present—Alderman LEWIS,
 “ SLEVIN,
 “ COWING.

By Alderman LEWIS—

Alderman LEWIS, as Chairman, called the Committee to order, and stated that the Counsel to the Corporation had assigned as counsel to the Committee, in accordance with the resolution of the Board of Aldermen, his assistant, HUGH L. COLE, Esquire.

Alderman SLEVIN moved that the Counsel to the Committee be requested to advise the Committee whether it has power to compel persons to appear before it and testify, and especially whether William M. Tweed can be compelled so to do, and, if so, as to the most appropriate measures to effect that result. Which was adopted.

Alderman COWING moved that when the Committee adjourn it do so until Monday, September 3, at 2 o'clock P. M. Adopted.

Alderman SLEVIN moved that the Committee do now adjourn. Which was adopted.

Whereupon the Chairman announced that the Committee stood adjourned until August 30, 1877.

SECOND DAY.

 AUGUST 30, 1877.

Present—Alderman LEWIS,
 “ SLEVIN,
 “ COWING.

Mr. HUGH L. COLE, Assistant to the Counsel to the Corporation, and special Counsel to the Committee, in compliance with the resolution adopted on August 21st, reported that he had examined the law relative to the power of the Committee to send for persons and papers, and that he was of opinion that, both by recent legislation, and also by the power vested in the Common Council by the ancient charters of the city of New York, that the Common Council (or a committee thereof) had power to require the attendance of witnesses and to compel them to testify concerning all matters which related to the government of the city, the official acts of its officers, and all matters tending to enlighten the City government with reference to appropriate legislation for the government thereof. He advised that the Committee forthwith apply to a justice of Supreme Court for a summons directed to such persons as the Committee desired to examine, and in case any such persons were incarcerated, that the Committee also apply to a justice of Supreme Court for a writ of *habeas corpus ad testificandum*.

Alderman COWING moved that the Chairman of the Committee apply for a summons directed to William M. Tweed, commanding him to come before the Committee

and testify, and also for a writ of *habeas corpus ad testificandum* directed to the Sheriff of the County, commanding him to produce the said William M. Tweed at next meeting of the Committee. Which was adopted.

Alderman SLEVIN moved that when the Committee adjourns, they do so until Monday, September 3, at 2 P. M. Which was adopted.

Alderman COWING moved that the Committee do now adjourn. Which was adopted.

Whereupon the Chairman announced that the Committee stood adjourned till Monday, September 3, at 2 P. M.

THIRD DAY.

SEPTEMBER 3, 1877.

Present—Alderman LEWIS,
 " SLEVIN,
 " COWING.

The minutes of last meeting read and approved.

Mr. COLE, Counsel to Committee, stated that in obedience to the resolution of the Committee, he had applied for and obtained a summons directed to Wm. M. Tweed, commanding him to appear before the Committee as a witness, and also a writ of *habeas corpus ad testificandum*, requiring the Sheriff to produce the said Wm. M. Tweed before the said Committee. And in compliance therewith the witness, Tweed, was now present.

Mr. CHURCH, clerk in office of John D. Townsend, Esq., then arose and said: "On behalf of Mr. John D. Townsend, who is Mr. Tweed's counsel, I respectfully submit to the Committee that Mr. Townsend is ill and confined to his bed, and I therefore request that the Committee shall not proceed with the examination of Wm. M. Tweed at this time." Mr. Church produced a certificate of Dr. W. J. Hartly to the effect that Mr. Townsend would not be able to leave his house for the next three days.

Mr. COLE said, "I consider it exceedingly unfortunate that this examination should be postponed, but under the circumstances of the case I hardly feel at liberty to oppose the request of Mr. Townsend."

Alderman COWING remarked that it was not necessary that a witness should have counsel at an examination of this kind.

Mr. COLE responded—"Ordinarily not; but in a matter of this nature questions will arise to which answers might tend to criminate the witness, in which case he would be entitled to the benefit of counsel. For that purpose only."

Alderman COWING inquired whether the writ handed to the Sheriff required him to produce the witness from day to day?

Mr. COLE replied—"No; I should have to apply for another writ."

Alderman COWING moved that when the Committee adjourn, it adjourn to Thursday next, September 6th, at 2 P. M., and that counsel to Committee be instructed to issue new papers to bring Mr. Tweed here as a witness, at the next meeting, and to provide for his continuous examination before the Committee.

Alderman SLEVIN moved that the Committee do now adjourn. Adopted.

Whereupon the Chairman announced that the Committee stood adjourned till Thursday, 6th, at 2 P. M.

FOURTH DAY.

SEPTEMBER 6, 1877—2:15 P. M.

Present—Alderman LEWIS.
 “ SLEVIN.
 “ COWING.

Meeting called to order by Chairman.

Minutes of last meeting directed to be read. Minutes read.

Mr. COLE—I see Mr. Townsend is now present. We will proceed with the examination of the witness, Tweed. Mr. Tweed will you rise and be sworn?

(Witness sworn.)

Mr. COLE—Mr. Chairman, I think, for convenience sake, that the witness, as well as the examining counsel, might be allowed to sit.

CHAIRMAN—I have no objection to that.

Examination by Mr. COLE :

Q. I believe you are not a native of the State of New York, Mr. Tweed?

A. I am, sir.

Q. When did you first enter into public life?

A. In 1852, I think, sir.

Q. Did you hold an office in 1852?

A. I was Alderman in 1852 and 1853.

Q. What other offices have you ever held in the City and County of New York?

A. I have been Supervisor, Commissioner of the Board of Education, Representative in Congress, and State Senator.

Q. Will you be kind enough to state during what period you held each of these offices respectively?

A. I was Alderman during the years 1852 and 1853; member of Congress from the fourth of March, 1853, to the fourth of March, 1855; member of the Board of Education in 1855 and 1856; I am not quite certain about that, I think it was 1856, and Supervisor from 1857 to 1870, and Senator from 1863 to 1871, inclusive; I was, also, Deputy Street Commissioner from 1863 to 1870, and Commissioner of Public Works in 1870 and 1871.

Q. You were a member of the Board of Supervisors from the year 1857 to 1870?

A. Yes, sir.

Q. As the law then stood, what were the duties of the Board of Supervisors of this County, with reference to financial matters?

A. Took charge of all county matters and raised the tax.

Q. Now, referring to the Board of Supervisors during the time you were a member of it, was there any combination or understanding between any of the members of that Board with reference to the conduct of the affairs of the Board?

A. There was.

Q. Was that combination for an illegal purpose?

A. It was not.

Q. Was it in any way a political combination, to further the ends of any political party?

A. In a measure it was.

Q. Will you please state exactly what that combination was formed for?

A. The original combination was formed for the purpose of appointing Inspectors of Elections; that is the first combination that was formed, that I know of.

Q. Will you tell the Committee what was the object of that original combination?

A. We were very anxious—the law had been passed by the Legislature, giving authority to the Board of Supervisors to appoint the Inspectors of Elections; I think that must have been in 1859 or 1860; 1859, I think, it was; the Democrats then made a combination with one Republican, for him to be away on the day of appointment, and give us the appointments; and he was away, and we made the appointments.

Q. Was that arrangement one which contemplated the payment of money to the person who stayed away?

A. I understood so, though I didn't know.

Q. Who was the person?

A. He is dead now; I don't think it is worth while to tell his name; I don't think it will advance any interest to mention it.

MR. COLE—Well, I fail to see why, because he is dead, that question should not be answered.

WITNESS—If the Committee insist upon it, I shall have to answer that question, I presume, but I prefer not.

MR. COLE—I think he had better answer.

WITNESS—Do the Committee insist upon it.

Mr. COLE—Yes.

WITNESS—His name was Voorhis ; Peter P., I think ; I don't recollect his first name.

Q. He was a member of the Board of Supervisors ?

A. He was.

Q. Who were the other members that made that arrangement with him—the Democratic members ?

A. All the Democratic members at that time ; I don't know their names, but I will mention whom I think : Walter Roche was one, I know ; Elijah F. Purdy, John R. Briggs, myself, and, I think, William C. Conner, and Isaac Bell ; I won't be positive about those last two ; it was all the Democratic Supervisors ; the records will show them.

Q. Do you know who made the arrangement with Voorhis ?

A. I think Mr. John R. Briggs was the gentleman who made the arrangement.

Q. Was it known to the other members of the Board of Supervisors that Mr. Briggs intended to make such a proposition to Mr. Voorhis ?

A. I think it was to the Democrats ; it was to me, I know.

Q. You are under the impression, you say, that money was paid——

A. I am under that impression ; yes, sir.

Q. Have you anything more than an impression as to that ?

A. Only what I heard at that time from Mr. Briggs concerning the matter.

Q. According to that impression, where did the money come from that was used ?

A. I think Isaac V. Fowler, who was Postmaster at that time, put it up.

Q. How much did you understand that to be ?

A. Twenty-five hundred dollars.

Q. Will you please state to the Committee upon what your impression was based, that money was used ?

A. Because Mr. Briggs told me so.

Q. That is all you know about it ?

A. Yes, sir ; I know what he said was to be done was done.

Q. What was the proposition that was made, as you understood it, to Voorhis, and what was done under that proposition ?

A. It required a majority of the Board of Supervisors present to elect these Inspectors, and Mr. Voorhis was to be away, and was away, from the meeting, when that was done, as I understood he was to be.

Q. Then, you say, that was the beginning of this combination ?

A. Yes, sir ; that was the first combination I know anything of.

Q. Was there any other combination in that Board of Supervisors, besides this one ?

A. From that time out it was all combination on every subject, most, that came up.

Q. With regard, now, to financial matters, did you know of any combination ?

A. In what regard ; as to financial matters ?

Q. In any way in which the City Treasury was ever defrauded out of money, or money was paid to the Supervisors, or any of them, for any action of the Board ?

A. We had nothing to do with the City Treasury.

Q. Well, the County Treasury.

A. There were combinations made ; yes, sir

Q. Who were the members of that financial combination ?

A. They kept changing so I don't know as I could say who they were.

Q. When was that combination first formed ; who first formed it ?

A. Myself, John R. Briggs, Walter Roche ; I can't say any further, for I don't recollect who was in the Board of Supervisors at that time ; if I had the record of the Board of Supervisors I could tell you just who they were ; I can't tell except by that ; give me the records from 1857 to 1870, inclusive, and I can tell you.

Mr. COLE—Will the Committee please send for the record of the Board of Supervisors for that time, and we will suspend the proceedings until the witness refreshes his memory.

(Records produced ; witness examines them.)

Q. Now, tell us as to the first formation of the Supervisors' Ring.

A. That I can't tell ; I think it was in 1859, but I am not certain ; I can't tell when that law was passed, and that is the only data I can go by ; whenever that law was passed the combination commenced ; it was the fall of that year when the law was passed, authorizing the Supervisors to appoint Inspectors of Election ; I think it was passed in the winter of 1858 and 1859, and then about the time we were called upon to act ; I think in the winter or spring of 1859, January, February, March, April, or May, was the first formation of the Ring.

Q. Who composed the Ring as first formed ?

A. All the Democrats, and this gentleman from the Republican side ; but it depends upon what year it was in ; they changed every year ; it wasn't in existence in

1857, because 1857 was the first year of the Board of Supervisors; I think it was in 1859 it was first formed; I see that Mr. Voorhis was a member of the Board of Supervisors in 1859, and not in 1860, and I recollect that Voorhis was defeated, or was about to be defeated, for reelection as Supervisor, and that made him more willing to act with the Democrats in that case.

Q. Well, say 1859; who composed this Ring in 1859?

A. According to the record, Purdy, Elijah F., John R. Briggs, William C. Conner, Isaac Bell, Junior, and myself; that is the first formation I ever knew of being formed in the Board of Supervisors, for any purpose.

Q. Were you present at any meeting of these persons who were in this combination when the matters of the combination to which you have referred, were discussed?

A. I was present, and I think everyone was present, except Mr. Bell and Mr. Voorhis; I never met Mr. Voorhis in connection with this matter; all I know about Mr. Voorhis was from Mr. Briggs, but subsequent actions of Mr. Voorhis were what Mr. Briggs said they would be, and therefore, I presumed it was as he told me.

Q. What was the substance of what was said in any of these meetings?

A. There was only one meeting held, in Mr. Briggs' house in East Seventeenth street; we were very anxious about the appointment of the Inspectors of Election, and Mr. Briggs said that for a certain amount, he could secure the absence of one Republican Supervisor from the meeting; he was authorized to go on and do it, and the money would be forthcoming; and that Mr. Isaac V. Fowler drove up, and stated that whatever arrangements were made, he would see carried out.

Q. Mr. Fowler was then postmaster?

A. Yes, sir ; at that time postmaster.

Q. What was done in pursuance of that ?

A. Mr. Briggs was authorized to have Mr. Voorhis stay away from that meeting ; the meeting was held according to statute, on a certain day—I forget what day, and Mr. Voorhis did stay away.

Q. Now, with regard to the money ; did you know anything more than that you have already stated ?

A. Nothing more than what Briggs told me, and what he said Fowler stated.

Q. You don't know where the money came from ?

A. Nothing more than what Mr. Briggs told me, and that Mr. Briggs said he would raise the money.

Q. Well, now, passing that, and referring to any combination, or any acts of this Ring, whereby the County Treasury—

A. That was the end of that Ring, if it was a Ring.

Q. By Ring, I mean a combination of men to do any improper thing ; now, was there any other combination of members of the Board of Supervisors while you were a member of it ?

A. There was ; John R. Briggs, Walters, Roche and myself always went together for anything.

Q. Did you three agree to do any acts whereby money was improperly diverted from the Treasury of the County, and received by you, or any of you ?

A. We did.

Q. Will you please state how that agreement or combination was formed ; how did it originate ?

A. Mr. Briggs, Mr. Roche and myself used to meet together nearly every day, at my office in 95 Duane street ; I had an office there ; we were all members of the various committees before which bills were brought, and all knew

the bills before the different Committees, and we agreed what bill we would go for; there was hardly a time when our three votes wouldn't carry most anything.

Q. Did you agree to pass bills which at the time were known to you three to be improper bills?

A. We passed bills excessive in amount.

Q. Did you have any understanding, you three, or any of you, to share with the claimants against the county treasury?

A. In some instances some of them did, or were presumed to have; and in other instances others did. In some I did myself.

Q. Well, how were these agreements with the claimants made?

A. Generally for a percentage of the bills.

Q. Persons who had claims against the county would present them to one of you three, and you would agree—

A. We would present them to the Board, and for a percentage agree to pass them.

Q. Did any other member of the Board of Supervisors, besides you three, know of the existence of this combination?

A. Not during the year 1860.

Q. This was during the year 1860?

A. Yes, sir.

Q. And during that year, you three were the only ones in the combination?

A. Yes, sir; that I know of. My counsel suggests that you should confine yourself to the different years just now.

Q. I am speaking of the year 1860. The next year, 1861, was there a similar combination among any of the members of the Board of Supervisors?

A. Same combination existed in the year 1861.

Q. And composed of the same three persons.

A. Yes, sir.

Q. In 1862, did this combination still exist?

A. In 1862 it was the same; yes, sir.

Q. Composed of the same persons?

A. The same persons.

Q. And of no one else?

A. No one else; I think there was no one else in 1862.

Q. Please satisfy yourself with regard to that?

A. As far as my memory goes, I have sir.

Q. In 1863, did the combination still exist?

A. The same in 1863, I think, sir.

Q. Composed of the same persons, and of none others?

A. None others, so far as I can recollect.

Q. Well, now, concerning the year 1864?

A. Henry Smith was added to us three.

Q. The combination still existed?

A. Yes, sir; with the addition of Henry Smith.

Q. As to 1865; the same question.

A. The same combination, with the addition of John Fox.

Q. Henry Smith was still in it, and you three, and John Fox, making five?

A. Yes, sir.

Q. As to 1866?

A. In 1866, James Hayes was added to it.

Q. Composed of the five already mentioned and James Hayes?

A. Yes, sir.

Q. In 1867; how was it then?

A. That is all I think there was in 1867.

Q. It existed in 1867, and these same six gentlemen composed it?

A. Yes, sir.

Q. Well, now, as to 1868.

A. Same parties, I think. I don't think there was any change in 1868.

Q. Same as in 1867?

A. I think so; yes, sir.

Q. Eighteen sixty-nine; how was it during that year?

A. In 1869, Andrew J. Bleakley and Isaac J. Oliver were added, although they didn't know all that was going on. They got some percentages out of the money, but they didn't know all that was going on.

Q. What do you mean when you say they didn't know all that was going on?

A. They didn't know what bills were being passed and what were not, they only knew they got their percentages once in a while.

Q. Did they know that any bills were passing which were not *bona fide*?

A. Well, I don't believe they could identify any bills of the kind?

Q. How much did they know, as far as you knew?

A. They knew they voted with the rest of us and got paid for it.

Q. From whom did they get their pay?

A. Sometimes from myself, sometimes from Henry Smith, and sometimes from the others.

Q. From some member of the Board of Supervisors?

A. Yes, sir; Henry Smith generally handed it to them; I sometimes did it myself, but generally Henry Smith.

Q. And it was understood by these two men that they

received the money for voting for bills which would not pass scrutiny if they were properly scrutinized?

A. Yes, sir; that is about it—without knowing exactly what the bills were?

Q. That brings you to 1870?

A. The Board was abolished in 1870.

Q. Abolished by law?

A. Yes, sir; as then constituted.

Q. Well, now, Mr. Tweed, can you at this time state any of the bills or claims against the county treasury, which were fraudulently passed?

A. It is about seven years since I have had my attention drawn to that matter, and I can't recollect.

Q. Do you think that you could, by having your mind drawn to the matter now and refreshing your memory, state to the Committee any of those claims, and what they were?

A. I am under the impression that I can, but I am not positive.

Mr. COLE—I shall ask you, at the next session of this Committee, to give the names of claimants, the dates of the transactions, as far as you can, as to all bills or claims which were presented to the Board of Supervisors, from the year 1861 to the year 1870, inclusive, which were passed by the Board of Supervisors by corrupt means.

WITNESS—As I am of my own volition unable to obtain those data, I shall have to ask you to furnish me with those books then?

Mr. COLE—Undoubtedly, sir; I shall be happy to give you every facility.

Mr. TOWNSEND—May I ask that a copy of that question be served upon me, between now and the next meeting of this committee?

Mr. COLE—Certainly, sir; Mr. Stenographer, will you please see that Mr. Townsend's request is complied with?

Q. Why did the Board of Supervisors want to get rid of Voorhis at this meeting to appoint Inspectors of Election?

A. The board were six Democrats and six Republicans, and we required a majority to appoint our inspectors; if all the Republicans were present we couldn't do that, because Voorhis would have had to vote with his own party; he wouldn't have dared to have voted any other way; if he was away, they had five Republicans and six Democrats; we had a majority, and appointed our own inspectors.

Q. Why was it so important that the appointment of the Inspectors of Election should be in the hands of one political party rather than the other?

A. Is it necessary for me to give my own opinion upon that, Mr. Counselor?

Q. Yes, sir; I think so; what was the motive that induced you to form this combination?

A. So as the other side shouldn't cheat us.

Q. What officers were being voted for at that election?

A. I don't recollect, sir—1859; it was eighteen years ago; I don't know whether the county officers were being elected or not.

Q. This was in 1857, wasn't it?

A. Eighteen fifty-nine.

Q. Do I understand you to say that this combination was made to appoint the Inspectors with a view of controlling the elections?

A. Oh, no, sir; with a view to have justice done on our side of the question.

Q. Was it an understanding of the Board of Supervi-

sors, or of those in that combination, that the inspectors so appointed should do their duty, or bring in returns one way or the other?

A. They were to be our friends; to see that our men were allowed to vote, and see that everything was done fair, so far as we were concerned.

Q. Was there any instruction given to the Inspectors to manipulate election returns?

A. I think not, sir; as far as I know, no election returns were manipulated that year.

Q. As far as you know?

A. As far as I know.

Q. Mr. Voorhis, you say, went out of office that year?

A. On the 1st of January next year, sir; yes, sir; the ensuing year.

Q. Was there, subsequent to his going out of office, any similar arrangement made with any other Republican Supervisor?

A. That is the only arrangement I know of, sir, with any Republican Supervisor? The next year the Legislature adopted or passed a law which required seven votes, instead of six to appoint, and we couldn't do it the next year; then we had to get a vote positively.

Q. Well, after that act of the Legislature, do you know of any such means being used to get a vote or a majority?

A. I do not, sir; I have no recollection of it, sir; I think the subsequent year they passed another law, taking it away from the Board of Supervisors altogether.

Q. This is all you know in this connection of—

A. That is all I know in this connection of this matter, sir.

Mr. COWING :

Q. I understand, Mr. Tweed, that Mr. Voorhis was the only Republican that the Supervisors were able to reach ?

A. Yes, sir ; the only one I can recollect, in connection with the appointment of Inspectors of Elections ; we are speaking of that one subject, I believe ; not of general subjects.

Mr. COLE :

Q. Do you know of any member of the Board of Supervisors, of either political party, who were reached for any other purpose, by the use of money, except such as you have already testified to ?

A. I have no recollection of any other, sir ; I don't know of any other, sir ; I want to say here, Mr. Counselor, and gentlemen of the Committee, that this matter—that I had no idea of what I was to be examined upon, and what I have stated is my present impression of the facts ; perhaps, after looking over these books, I may want to speak more elaborately, and change some things ; but not much, however, and I may desire these books from you on that account.

Mr. COLE—That is my purpose, sir.

WITNESS—I want you to understand that what I say now is said without any reflection, and I am giving just what floats through my mind after a term of seven years, where I have been through most everything but death, and pretty near that, some of it.

Q. Passing for a moment matters relating to the old Board of Supervisors, and coming down further, to the Board of Supervisors in 1870, I understand that the old Supervisors' Ring was destroyed by the passage of the act of the Legislature abolishing the Board ?

A. We quarreled among ourselves, and then abolished the Board, to show them they were not having everything their own way.

Q. Who quarreled among themselves?

A. Fox, Hayes, and myself.

Q. What was the nature of your quarrel?

A. They thought I had too much power and wanted to take it away from me, and I wasn't inclined to let them do it.

Q. Will you state what the exact nature of their complaint was—what power?

A. All power; they said I controlled everything in the Board of Supervisors, and I had a good deal to say about matters of elections; at that time the fight came up which is called the Young Democracy fight; Fox and Hayes and some other distinguished gentlemen were on one side, and myself and others were opposed to them.

Q. In consequence of that quarrel, I understand you to say, a law was passed abolishing the Board of Supervisors?

A. That was the reason; yes, sir.

Q. Was that the reason that was assigned, during the debates in the Legislature, at the time that that bill was passed?

A. I rather think not, although I am not certain.

Q. How did you make that reason inforce itself upon the legislative body?

A. I don't know that I did make that reason inforce itself upon the legislative body; I made the result from my reasoning.

Q. How did you get that bill passed?

A. I was chairman of the committee that had that bill in charge, and the Republicans were very anxious to pass

that bill; and I introduced a report into the Legislature, and the law was passed; it was passed by both houses on the same day, I believe.

Q. Was there any money used?

A. No, sir; that was one of the things they were only too anxious to pass—all of them—the Tammany, and Young Democracy, and Republicans; they tried it in the earlier part of the session, but I wouldn't allow them to do it; I had the bill in committee and held it.

Q. Did that old Supervisors' Ring, or combination, as we have called it, lead to the formation of the other Ring, which is popularly called the Tweed Ring?

A. That is a new name for it—the Tweed Ring.

Q. I mean what is popularly called the Tweed Ring?

A. It may have been called so in the newspapers in the last six months; I think not, sir.

Q. Then the Ring formed under the Board of Audit Bill had no connection with the Board of Supervisors?

A. None whatever, sir.

Q. Will you please state to the Committee how the Ring which, for convenience sake, I will call the Tweed Ring, was first formed?

A. What you now call the Tweed Ring was formed during the administration of Mayor Hoffman; during his administration the Street Commissioner, Mr. Cornell, myself, the Deputy Street Commissioner, and Mr. Brennan, who was then Comptroller, used to take our dinners every day in this building with the keeper of the hall; we paid him so much a month for it, and for three or four years this was kept up socially, and finally it formed itself into a political organization for politics entirely.

Q. Composed simply of you three men?

A. Four men; the Mayor was there; that was all

politics; no money was ever mentioned there; after a while Cornell's term of office expired, and he went out; Hoffman's term expired, and he went out, and Brennan went out; I was about the only one left of the original organization; then there came a new Mayor; I forget who succeeded Hoffman—Hall, wasn't it? Connolly succeeded Brennan, and Mr. McLean succeeded Cornell; we used to meet every day together; once in a while Mr. Sweeney (Peter B. Sweeney) would come in and dine with us; then I was elected to the State Senate; I found it was impossible to do anything there without paying for it, and money had to be raised for the passage of bills up there; that was the way the Ring first became organized, to pay for bills to protect ourselves in the city; I don't know whether I made myself understood or not, but I meant to be understood that when Mr. Hoffman, Mr. Brennan, Mr. Cornell, and myself met there, money was never mentioned; there was nothing but politics discussed; I would like that to be distinctly understood; I am afraid that if I don't mention that some one will take it up, and I don't know but what they will, even if I do.

Mr. COLE—Mr. Chairman, I hold in my hand a certificate from an eminent surgeon, stating that Mr. John D. Townsend's health is not yet sufficiently recovered to warrant his undergoing the fatigue of a long session, and, indeed, it is against this advice that he is present at all to-day; I therefore, as a matter of courtesy to him, suggest that the Committee rise, and adjourn until some day that may be named by the Committee. I think, in view of the fact that Mr. Tweed is about to inform himself on some very intricate matters, covering a number of years, I think it would be well to adjourn until some day next week, Tuesday or Wednesday, if the Committee approve.

VOICES—The Board meets on Wednesday.

MR. COLE—If the Board meets Wednesday, on Tuesday, or any other day, will do as well.

Adjourned until 1 P. M., Wednesday, September 12th.

FIFTH DAY.

SEPTEMBER 12, 1877—1:20 P. M.

Present—Alderman LEWIS,
 “ SLEVIN,
 “ COWING.

MR. COLE—Mr. President, I am ready to proceed.

MR. LEWIS—The meeting will please come to order. Do you desire to have the testimony read, Mr. Townsend, which was taken at the last meeting?

MR. TOWNSEND—Yes, sir; I understand that there was some remarks which required to be changed a little.

(Testimony proceeds to be read by clerk.)

MR. TOWNSEND—We might save that time, sir, if you would permit Mr. Tweed to take those minutes and correct them.

(Minutes handed to witness and corrected.)

Witness then said “the papers all had it that I said Mr. Bell was present at the meeting when Briggs said he had arranged to have a Republican Supervisor absent himself;

instead of that I said that every one was present except Mr. Bell and Mr. Voorhis.”

Examination by Mr. COLE (resumed) :

Mr. Tweed, at the last session of the Committee, I gave you the following warning: “I shall ask you, at the next session of this Committee, to give the names of claimants, the dates of the transactions, as far as you can, as to all bills or claims which were presented to the Board of Supervisors from the year 1861 to the year 1870, inclusive, which were passed by the Board of Supervisors by corrupt means.” Have you—

WITNESS—You recollect, also, Mr. Counselor, that you promised at that time to supply me with the documents. It is impossible for me to get on without them. I know you have endeavored to get them. These are the proceedings instead of the documents, and these documents I need, and I also have endeavored to get them, but I have been unsuccessful.

Q. Well, what books precisely do you want?

A. I want the documents of the Board of Supervisors for 1868, 1869, 1870, and 1871.

Mr. COLE—The documents I have not been able to obtain in this city, and I should be extremely glad if anyone could furnish us with copies.

WITNESS—I have heard, to-day, of a gentleman who is supposed to have them.

Mr. COLE—I think it would be well, Mr. Chairman, to ask the reporters to say that the Committee would be very glad to get copies of the printed documents of the Board of Supervisors from the year 1861 to the year 1871, inclusive. They are not in existence in any of the county offices.

WITNESS—It is impossible, Mr. Counselor, for me to get them ; I don't know how I can send, or how I am to do ; I can't obtain them myself ; once in a while I can get a messenger, but it is only once in a while.

Q. Now, Mr. Tweed, recurring to what we have designated as the Supervisors' Ring, prior to the passage of the act of 1870, which put those matters into the hands of the Board of Audit, who composed that Supervisors' Ring ?

A. I have got to go back to the records again.

Q. You have answered it already, in your previous examination ?

A. That is the proper answer.

Q. You have said that William M. Tweed, Roche, Henry Smith, Andrew J. Bleakley, Isaac J. Oliver, James Hayes, and John Fox.

A. At various times ; not all at one time.

Q. Now, I wish you would explain the manner—the *modus operandi*—in which these fraudulent claims were presented to the Board of Supervisors ; who made the arrangements with the claimants, and trace the whole proceeding from the beginning to the end.

A. Pretty nearly every person who had business with the Board of Supervisors, or furnished the county with supplies, had a friend in the Board of Supervisors, and generally some one member of that Ring ; and through that one member they were talked to ; and the result was their bills were sent in and passed, and the percentages were paid on the bills, sometimes to one man, sometimes to another.

Q. Some one of these men who composed the Ring ?

A. Yes, sir ; some one of these six or seven men.

Q. Would the claimant be informed by the Supervisor

whom you designate as his friend in the Board, that he must make his bill larger than it really was?

A. He must make his bill so he could afford to take off either fifteen per cent. or whatever per cent. had been agreed upon.

Q. And this fifteen per cent., or whatever was agreed upon, was paid to the Ring?

A. To the party who gave the information.

Q. Well, did all of these bills have any basis?

A. Up to 1870 and 1871, I guess they all had good basis; I think they all had good foundation; a large portion of them were proper bills, at least.

Q. That is, for some sum or another, they were *bona fide*?

A. They were probably *bona fide*, and for a large amount; very nearly the face, I guess.

Q. And the plan was to add fifteen or more per cent. to the face of the *bona fide* bill, which was to be divided among the members of the Ring?

A. Yes, sir; either in quantity or price.

Q. Either in quantity of materials or work?

A. Yes, sir.

Q. And this understanding was made between some one or more members of the Ring and the claimant?

A. Originally it was; and finally it drifted mostly into my hands; most all of it.

Q. Well, during that period, were any bills allowed to pass the Board of Supervisors which were entirely *bona fide*?

A. Oh, yes; a great many of them; a great many.

Q. And you think if you could get hold of the documents of the Supervisors for those years, that you could separate the good bills from the fraudulent ones?

A. I would know the individuals who paid the percentage, and I presume their bills would be fraudulent from that fact; I don't know that I could designate what portions of those bills were fraudulent and what were not, for I don't know that I ever knew; the aggregate, I know, was fraudulent, but I don't know the items.

Q. You mean to say you knew certain persons who were in the habit of doing work and furnishing materials for the county, were also in the habit of adding fraudulently to the amount of those bills, and you can designate those persons, and partially, I presume, some of those bills?

A. Some of the persons I can, but as to designating the bills, I am not so certain.

Q. Now, I have been unable to find those anywhere, although I have made most diligent search for those documents, but I have found, in the proceedings of the Board of Supervisors for those years, all the bills which were approved by the Mayor. Will you hand that to the witness? Please examine, if you please, that document, and see whether or not the data which you desire are to be found there. It is in scattered form, I know, but I hope in effect it can all be found.

A. I can find some names here right off. This is the year 1868. I find on page 557 here, the proceedings of the Board of Supervisors of 1868.

Q. Will you give the names?

A. George S. Miller.

Q. What was that bill?

A. Repairs to armories.

Q. Give the name, the bill, the date and the amount, if you please.

A. That is not here.

Q. What is not there?

A. The amount is here, and not the date.

Q. Well, the amount, then?

A. Four hundred and forty-eight dollars and twenty cents. Keyser & Co., repairs to armories, \$3,778.34; Ingersoll, Watson & Co., furniture for Court-house, \$40,507.09; Ingersoll, Watson & Co., \$5,800.00; I find, on page 578, Miller again, \$2,092.86; Keyser & Co., \$2,895.07; Ingersoll, Watson & Co., \$5,956.50; the same, \$7,814; A. J. Garvey, \$16,200. On page 579, J. T. Barnard & Son, \$5,053.50, for coal and wood. I find on page 581, Garvey, \$18,982.49; Ingersoll, Watson & Co., \$7,855.62; again, \$7,460.67. I find a bill also here of Gregg & Brothers, \$600.63. I don't know anything about Gregg & Brothers; we never had any dealings with Gregg & Brothers; that was probably one of Mr. Ingersoll's bills; that of Gregg & Brothers; Mr. Ingersoll, James H. Ingersoll. He used to use their names in his bills. The supposition is that that was one of Ingersoll's bills, although I don't know. That is my idea of it. Keyser & Co., \$11,528.34; Charles Jacobus, \$1,763.34; George S. Miller, \$3,177.68; again, \$4,669.03; again, \$4,963.54. I want it distinctly understood, Mr. Counselor, that I don't say that all these bills were fraudulent, but I say that what I am naming, fifteen per cent. came off from, never less than fifteen.

Q. Fraudulent in part?

A. I believe them to have been fraudulent in part; I don't know what these bills were; they must have been fraudulent in that part, at least.

Q. They are bills which were all raised to the extent of fifteen per cent. to the members of the Ring?

A. That is the supposition I form, from the reason that

they gave the members of the Ring fifteen per cent. or more.

Q. You know they received that?

A. Yes, sir, I know as well as I can that they received anything, so long ago. That is the only way I can identify the bills. You see it was nine years ago.

Q. You say that those parties, as I understand you, were in the habit of paying the members of the Ring fifteen per cent. or more upon all bills which they presented?

A. That was the understanding.

Q. You know these parties were in the habit of paying this, and the Ring never would allow, if they knew it, any bill upon which the fifteen per cent. had not been paid?

A. Yes, sir.

Mr. COWING—Do I understand that that fifteen per cent. was in excess of the demands of the claimants, or taken from their legitimate bills?

A. I don't know; I am unable to state positively about the legitimate bills; I only know that the percentage was taken off from those bills.

Mr. COWING—Under instructions from the Board of Supervisors to add fifteen per cent. more than the legal face of their bills?

A. Under instructions to present their bills so that they could stand that percentage being taken off. Those instructions weren't given in every individual case, but it was the general understanding.

Mr. COLE—Mr. Tweed, with regard to these claims, do I understand that the members of the Ring, or some member of the Ring, had an understanding with these claimants, that they should so arrange their bills, as that the Ring could have fifteen per cent.?

A. That was about the amount they received ; that is what I desire to say.

Q. And this understanding was had by the Ring, or some member of the Ring, with the persons who were about to present claims against the city government, for materials furnished, or for labor done ?

A. Not in each individual case, but as a general understanding.

Q. With each individual ?

A. With each individual, but not in each individual case.

Q. You didn't make the arrangements as to each bill, but with these individuals as to any bill ?

A. As to any bill ; page 612, Jacobus again, \$1,447.58 ; Keyser & Co., \$9,075.83 ; Miller, \$4,281.59 ; Garvey, \$8,029 ; Ingersoll, Watson & Co., \$14,915.36 ; same, \$1,161.25. Page 620, Ingersoll, Watson & Co., \$3,023 ; again, \$926 ; then here follow a lot of small bills, two or three or four hundred dollars, of those same parties ; then Ingersoll, Watson & Co., \$7,828 ; then follows a lot of bills on page 613, not amounting to much, of the same parties again.

Mr. LEWIS—Mr. Tweed, it is suggested by members of the Committee, that under the present aspect of this case, it will not be necessary for you to name the same parties more than once. You will go over it, if you please, and every time you come to a name you have not yet named, you will give that ; but you need not repeat names over and over again.

Mr. COWING—I understand you have taken all these parties whose bills were fraudulent ?

A. The understanding was, these bills were to take fifteen per cent. off, to go to the Ring, as you call it.

Q. In every one of these cases you have mentioned?

A. Yes, sir; I don't specifically recollect every case; no human man could do it.

Mr. COWING—But it was the rule?

A. Yes, sir; it was the rule.

Mr. COLE—You can go ahead and state them *seriatim*.

WITNESS—Page 631, John T. Barnard & Sons, fuel, \$5,025.50; same firm, \$1,962. Page 632, Ingersoll, Watson & Co., furniture, \$4,934.46; and again, the same, \$4,109.63; Keyser & Co., \$5,429.49; page 639, E. V. Haughwout & Co., \$74,966.91; J. B. & W. W. Cornell, \$75,805.39; John H. Keyser & Co., \$31,242.06; Andrew J. Garvey, \$33,582; now, here is a concern I guess I won't mention; I will leave it; I think they paid fifteen per cent., but I am not sure; I will submit it to the counsel; I will mention this with the reservation that I am not positive at the present time.

Q. Well, you may mention it; go on.

A. Eastchester Quarry Co., \$60,609.50.

Q. Who composed the Eastchester Quarry Co.?

A. A gentleman by the name of Masterson was President, and did all the work; he resides at Eastchester.

Q. What is his first name?

A. That I have forgotten; it will probably come up in some of these books again, and I will see it; Ingersoll, Watson & Co., furniture, \$59,531.27; again, \$16,872.06; Barnard & Sons, for coal and wood, \$3,003; there are some of these that, after looking over the list, I think paid the percentage agreed upon, generally fifteen per cent., but I am not certain; I won't mention them without being morally certain of the fact. On page 643, Ingersoll, Watson & Co., \$9,439.43; Keyser & Co., \$2,738.37. Page 644, Ingersoll, Watson & Co., furniture, \$8,364;

same, \$8,267.19 ; Garvey, repairs—well, they are small bills, let them stand ; Keyser & Co., repairs, \$2,747.29 ; again, Ingersoll & Co., \$8,673.28. Page 645, Ingersoll & Co., \$9,277.54. Page 686, Garvey, \$15,934.73. Page 687, Garvey, \$11,499.99 ; when I say Garvey, I mean A. J. Garvey. On page 687, Ingersoll & Co., furniture, \$4,608.35 ; furniture, again, \$42,240.32 ; Ingersoll & Co., \$2,891.62 ; again, \$4,608.35. Page 709, Ingersoll & Co., again, \$23,508.18. Page 712, same, \$39,600 ; Garvey, \$12,009.82 ; Miller, George S., \$19,489.70. I think I have exhausted that book (another volume handed witness). This is the same year.

Mr. COLE—But the other half of the year ; it is published every half-year.

WITNESS—Page 617, Garvey, \$37,537.21 ; same, \$17,877.90 ; Ingersoll & Co., \$129,013.02 ; again, \$28,464.50 ; George S. Miller, \$10,440.31 ; Gregg & Co., \$22,463.30 ; Keyser & Co., \$15,684.84. When I say Gregg & Co., the same remark applies as before ; I think it was James H. Ingersoll's bill, not Mr. Gregg's ; I think I have seen it somewhere that he has sworn that all of those bills were his own ; I mention this because I see Gregg & Co. have been exonerated by the counsel for the prosecution in these cases ; what I say concerning that I don't know of my own knowledge, and I don't want to say anything against any man in this matter ; but I believe that to be the fact, and so, when I mention Gregg & Co., I mean that to be understood as James H. Ingersoll.

Q. You mean to say that wherever Gregg's name appears, in your judgment, it meant James H. Ingersoll ?

A. Yes, sir ; Jacobus—small bills ; Rowe & Co., stationery, \$62,907 ; again, \$10,010 ; J. O. Seymour & Co., stationery, \$71,351 ; again, \$10,008.

Q. Is Seymour the real name?

A. It was the real name at that time, but Seymour has since gone out of the firm; it has since become Kennard & Hay; it was afterward changed. Page 624, Ingersoll & Co., \$97,610.57. Page 642, Ingersoll \$2,988.76; again, \$45,098.28; Keyser & Co., \$9,877.65; again, \$11,597.94; George S. Miller, \$26,100; A. J. Garvey, \$32,871.05. Page 708, J. O. Seymour, Kennard & Hay, \$14,908.16. Page 745, George S. Miller, \$40,325.94; Ingersoll & Co., \$104,660.77. Page 750, T. W. Rowe & Co., \$12,667.75; again, \$12,812.50; J. O. Seymour, Kennard & Hay, \$13,332.95; again, \$12,787.45. Page 751, Ingersoll & Co., 40,873.17. Page 752, Garvey, \$13,298.01. Page 796, T. W. Rowe & Co., \$12,265.80; again, \$12,706.25; J. O. Seymour, Kennard & Hay, \$12,503.10; again—small one; never mind. Page 798, Edward Jones, \$43,343.83. Page 801, Garvey, repairs, \$25,892.35; Ingersoll & Co., furniture, \$90,681.70; Keyser & Co., repairs, \$9,383.89. Page 802, Keyser & Co., repairs, \$26,829.97; Ingersoll & Co., furniture, \$38,906.71; A. J. Garvey, repairs, \$38,953.06; George S. Miller, the same, \$15,415.45. Volume 1, 1869, page 429, Ingersoll & Co., furniture, \$55,791.56; J. A. Smith, \$15,786.40; that, I think represents James H. Ingersoll; A. J. Garvey, repairs, \$41,810.28; Gregg & Co., \$19,233.17; Keyser & Co., \$54,397.60; George S. Miller, \$27,937.51. Page 442, Rowe & Co., stationery, \$10,351.50; again—that is very small; William C. Rogers & Co., stationery, \$25,826.96; J. O. Seymour, Kennard & Hay, \$9,456.55; again, \$9,893.63.

Q. Mr. Tweed, who composed the firm of William C. Rogers & Co.?

A. I don't know that I could say; I think Edwin Jones was that company.

Q. Was it William C. Rogers and Edward Jones .

A. I think so.

Q. Was J. Jarvis Jones a member of that firm ?

A. I don't think he was a member of the firm of Rogers & Co. ; he was a member of the original firm of E. D. Jones & Company, but I don't think he followed him ; there was another gentleman, whose name I can't remember, who was a partner of Jones & Co., but Rogers & Co., I understood were only Rogers & Jones ; they were the only two, I understood, and that I don't know, except inferentially. Page 433, E. V. Haughwout & Co., for gas fixtures for the court-house, \$36,142.68 ; J. B. & W. W. Cornell, \$65,599.18.

Q. Those are the iron men ?

A. Yes, sir ; Eastchester Quarry Company, stone, \$67,961.75. Page 492, second volume, George S. Miller, \$93,848.40 ; again, \$18,639.76 ; Ingersoll & Co., \$30,000 ; again, \$48,654.52 ; A. G. Miller, who was also James H. Ingersoll, \$47,459.56 ; Keyser & Co., \$17,614 ; Philip F. Donnarumma, who was A. J. Garvey, \$59,795.85.

Q. Please indicate each time, by a word or two, what it is for.

A. That is for repairs ; it doesn't say here, but I know ; Donnarumma was Garvey ; A. J. Garvey himself, \$39,706.16 ; Keyser & Co., repairs, \$34,474.90 ; again, repairs, \$79,280.55 ; William C. Rogers & Co., stationery, \$47,280.15 ; Garvey, repairs, \$153,855.50 ; Ingersoll & Co., \$18,823.14. Page 494, Keyser & Co., plumbing, \$17,614 ; Donnarumma, \$59,795.85 ; that is the same amount as the other ; Ingersoll & Co., \$48,654.52 ; A. G. Miller, who was James H. Ingersoll, \$47,454.07 ; A. J. Garvey, \$39,706.16. Page 592, Ingersoll & Co., furniture, \$28,608.68 ; A. G. Miller, who was also Ingersoll, \$22,612.10 ; A. J.

Garvey, plastering, etc., \$30,975; Keyser & Co., \$12,395; George S. Miller, \$25,948.38; again, \$8,147.88. (Witness examines proceedings of 1870.) Nothing more in these; I will want to refer to that book again, Mr. Counselor, at some time pretty soon.

Mr. COLE—Mr. Chairman, that exhausts the printed documents that we have?

A. All the larger ones; there are small bills of the same parties through there, that I didn't mention.

Q. The rest of it, down—

A. From 1860 to 1868; I don't pretend, Mr. Counselor, that I am thorough in that, but I took them as I saw them in the books; I think I am correct in everything except some small amounts; wherever those names are found in the book, you can rest assured that a percentage came off.

Q. Who made those arrangements with regard to the percentage, with these parties?

A. Will you give the names of these parties? I made it with Ingersoll, Watson & Co.

Q. Who made the arrangement with A. J. Garvey?

A. I think I made that; I know I did.

Q. With Keyser & Co.?

A. I made that also.

Q. C. D. Boller?

A. He was Ingersoll, and I made the arrangement with Ingersoll; there are two Ingersolls—Ingersoll & Co., and James H. Ingersoll, I made the arrangement with James H. Ingersoll.

Q. Who made the arrangement with George S. Miller?

A. That was done through Ingersoll.

Q. And who made it with William C. Rogers & Co.?

A. That floated along; that was a kind of natural

sequence ; I can't tell who made the arrangement ; I got the money generally from him.

Q. With regard to these persons you say you made the arrangements with, will you state what was the nature of that arrangement ? What did you say to them, and what did they say to you ?

A. They was to prepare their bills and send them in, and we passed them ; and when the money was received they were to pay the 15 per cent. to me.

Q. Was the understanding to the effect that they should send in their bill for a larger amount than the proper one ?

A. The understanding was that they should cover the fifteen per cent. in addition to the regular bill. They should make the bill able to stand fifteen per cent. off, which was about twenty per cent. added to the regular bill.

Q. The understanding was that they should add about twenty per cent. to their legitimate bill, in order that the fifteen per cent. might be taken off and paid to the Ring, as was done in all these cases ?

A. Yes, sir.

Q. Now, with regard to J. B. & W. W. Cornell, the iron men ?

A. I had something to do with that, but most of that was done by the man who was Superintendent of the Court-house at that time. I have talked to one of the brothers in the firm.

Q. Which one ?

A. I can't tell him by name.

Q. Can you indicate, by describing him, as between the two ?

A. He was a gentleman that was always laughing, and

was always around the Court-house; appeared to be doing the work there.

Q. Did you make this kind of an arrangement with him?

A. Yes, sir; the same exactly as the others; but after a while that floated out of my hands, as did most of this part of the work, and floated into the hands of Mr. Tucker—Cummings H. Tucker—superintending the construction of the Court-house; and during the last year or two Mr. Tucker used to receive the percentage from Cornell and pay it to me, or to Mr. Smith, which was the same thing.

Q. You say Cummings H. Tucker was superintending the construction of the Court-house?

A. Yes, sir.

Q. What do you mean by saying it floated into his hands?

A. I had so much to do, and so many things to do, that I couldn't attend to it; he had charge of everything there, and we had to do something through him; we knew what the bills were, and weren't afraid of being cheated at all.

Q. That was before the appointment of the County Court-house Commissioners?

A. That was while the Board of Supervisors had the construction of the Court-house in their hands.

Q. What did Cummings H. Tucker do with regard to this matter? Did he collect the percentages?

A. He approved the bills, presented them to the Board, and, after the lapse of a few days, he handed the percentage to me, or to Mr. Henry Smith; generally to myself, however.

Q. How were the percentages collected with regard to

these other claimants, apart from those that you have stated Mr. Tucker had charge of and collected?

A. They were either handed to me, or to the Supervisor who had the matter in charge.

Q. By whom was the percentage handed to you?

A. By the claimants themselves, in case Mr. —

Q. How was this percentage divided among the members of the Ring?

A. Two-and-a-half per cent. each, or whatever amounted to one-sixth.

Q. The one who received it would divide with the others?

A. Yes, sir; he would divide it either that day or the next day, one-sixth to each.

Q. These payments were made in money?

A. Yes, sir, or checks; sometimes they would run along for a dozen bills, or twenty bills, and then one percentage would be paid to them.

Mr. COWING—You say they were paid in money or checks; are any of the checks, by which these payments were made, in existence?

A. Yes, sir.

Q. Have you any of them?

A. I have.

Q. Are any of those checks indorsed by any of these parties by which they can be identified?

A. Yes, sir; some of those checks are indorsed by the parties; but there is a better way of identifying them: they are made payable to bearer, and, when presented at the bank, the teller of the bank put upon the back of the checks the name of the person to whom he paid them; that was the best evidence; I presume it was the teller.

Q. And, in some instances, the names of these parties

were the names of the claimants who made this division with the Ring?

A. Yes, sir, in a great number of cases; the Supervisors, not the claimants.

Mr. TOWNSEND—He is speaking of the percentages paid on these checks.

Mr. COLE—Now, the County Court-house—the construction of the County Court-house was, during the existence of the Ring, under the charge of the Supervisors?

A. Yes, sir; originally it was, and then went into the hands of a commission, and then into the Supervisors' hands again, and then to the Commissioners again.

Q. Can you trace the dates of those several changes? Can you now remember during what periods the Supervisors had charge, and what periods the Commissioners?

A. No, sir, I can't tell the years; the Supervisors had charge of the original construction of the building, and at the termination of the Board of Supervisors; these two last years I think—the first and last.

Q. Work upon the Court-house, and materials furnished for the construction of the Court-house—were claims for those fraudulent in part?

A. Yes, sir; the same as the others.

Q. Some of them were?

A. Yes, sir; a great many of them; all of Mr. Cornell's, and the Eastchester Quarry Company, at least.

Q. Who else besides those?

A. Some of Garvey's bills were.

Q. And were Barnard's?

A. Some of them, for coal furnished.

Q. And didn't Briggs do something in that line?

A. Briggs supplied—he was to supply—one-half of the

marble—I think he did; about one-half; John R. Briggs; that is the claim we were connected with.

Q. He supplied some of the marble?

A. Yes, sir.

Q. Well, were all the bills presented by these persons, and this corporation, that you have named, increased in the amounts, in order to pay the percentage to the Ring?

A. That was the understanding; Mr Briggs' were not; Briggs paid no percentage.

Q. Was his accounts all straight?

A. As far as I know; I know only of the cases where I received something; I can't tell about the other bills, because I never examined them.

Q. The Ring, as far as you know, did not receive from him, and did from all the others?

A. Yes, sir; with this reservation as to the Eastchester Quarry Company; I am as certain as I can be about it, but not morally certain.

Q. I would be glad if you would refresh your memory with regard to that, so as to be positive at the next meeting, if you can.

A. I think I can do that, sir; that was my idea in wanting the books during the week, that I might bring up the surrounding circumstances.

Q. I regret exceedingly that you have not got the books. Well, now, as to all these bills that you have testified concerning, you say that there was more or less basis for them?

A. I think in every one of these bills there was a large basis for every thing; my idea was, at the time, that the bills supplied pretty nearly the amount called for.

Q. Well, now, during this time, did the Board of Supervisors have charge of the fixing and payment of salaries for County Officers?

A. Yes, sir.

Q. They fixed the salaries of County Officers, and provided for their payment?

A. Some of them; yes, sir.

Q. Was there any percentage levied upon the salaries of County Officers during that time?

A. I think not; they were mostly political friends, and we didn't tax them.

Q. Were there any sums of money paid in bulk, or in any way, for making the salaries of county officers large?

A. I think not.

Q. Do you know anything about the salaries of the clerks of the District Courts, in 1864, having been raised, and then set back again and then re-raised?

A. I have an indistinct recollection of it, but I have no positive knowledge of it.

Q. Do you know whether any money was paid for that change?

A. I don't think there was.

Q. Well, do you know of any money having been paid, in any way, in connection with the fixing or raising of the salaries of any officers of the county?

A. I have no recollection of it; I don't think it occurred.

Q. Do you know of any money having been paid to the Supervisors, or any member of the Board of Supervisors, during this time, as consideration for the appointment of any county officers?

A. We had no power to appoint that I recollect of.

Q. Well, then, were there no county officers whose appointment depended upon you?

A. We appointed to fill a vacancy

Q. What vacancy was that?

A. The vacancy of Recorder; and, also, once of Surrogate; it was occasioned by the death of the Surrogate, Mr. West, and the other was occasioned by the resignation of Mr. Hoffman, who was elected Mayor, I think.

Q. Whom did you appoint in place of Mr. West?

A. Gideon J. Tucker.

Q. Was there any money paid for that?

A. Not a dollar; I am satisfied of that; Tucker was my personal friend, and I was very anxious to have him appointed; the other was the Recorder, to fill the vacancy occasioned by the resignation of Mr. Hoffman.

Q. Who was appointed in his stead?

A. John K. Hackett, or John T. Hackett—I forget exactly.

Q. Was there any money paid for that?

A. I am positive there was not; I think that appointment was made to please Mayor Hall, who was very anxious he should have it; I am confident no money could be paid without my knowing it, and I am confident none was paid; it might have been paid through third parties, but I saw nothing of it; I think Mr. John E. Develin was then Corporation Counsel, and Mr. Hall was District Attorney, and they were very anxious to have him appointed, and we were anxious to have the good will of both those parties, and we appointed him.

Q. As to the Sheriff's bills—who was Sheriff then?

A. Mr. Lynch was Sheriff part of the time; Mr. Kelly, I think, first; then Mr. Lynch; then Mr. Kelly again; then Mr. O'Brien, and then Mr. Brennan.

Q. Did the Supervisors, during the existence of the Ring, have anything to do with the Sheriff's bills?

A. I understood they had; I had nothing, myself, to do with them.

Q. Well, was it their duty to pass them?

A. Oh, yes, sir; we passed all the bills; they couldn't receive a dollar without we did.

Q. Did you ever know of any money being paid to any member of the Ring, in connection with any Sheriff's bills, with any of these Sheriffs?

A. There was nothing during the time of Mr. Kelly or Mr. Lynch or Mr. Brennan; during the connection of Mr. O'Brien I did; Mr. Hayes was a warm personal friend of Mr. O'Brien.

Q. You mean Supervisor Hayes?

A. Yes, sir; and at various times he brought me a percentage out of the bills, saying it was part of what he received from Mr. O'Brien; but that stopped after the first year.

Q. Did you ever have any conversation with Mr. O'Brien yourself on that subject?

A. No, sir.

Q. All you know about it is what Hayes told you?

A. What Hayes told me.

Q. Do you know whether the bills presented by any of those sheriffs were fraudulent and excessive in amount?

A. The bills of Mr. O'Brien were very much in excess of any we paid prior to that time.

Q. Were all of those sheriff's bills paid? take them in order; were all of them paid?

A. I don't know; we passed everything, but I don't know whether they were paid; I don't know whether Mr. Kelly's or Mr. Lynch's bills were paid; I believe Mr. Brennan's were not; I saw an account of a suit he had against the city; Mr. O'Brien's I know were not; he had a bill of some \$350,000 against the city, after the Supervisors' Board was abolished.

Mr. COLE—There is a suit now pending; Joseph A. Monheimer against the Mayor?

A. Those were the same bills, I think, sir.

Mr. COLE—The basis of this is a claim of \$285,585.41, with interest from the 30th of April, 1874, based upon the claims of James O'Brien as Sheriff, which is alleged to have been assigned by him to Joseph A. Monheimer.

WITNESS—When was that assignment dated?

Mr. COLE—I don't know; it was before the commencement of this action.

WITNESS—Before May, 1876?

Mr. COLE—Yes, sir.

WITNESS—Well, there was that bill, and also another of seventy-five thousand dollars which Mr. O'Brien had, and which Mr. Connolly paid him during the month of June or July, 1871; this bill, I presume—I bought one-half of that bill from Mr. O'Brien in 1872, and paid him for it; I paid him \$150,000 for one-half of that claim; that was the only claim I believe he ever at that time had against the city. He had another claim of \$75,000 which I got Connolly to pay him.

Q. What was your motive in prevailing with Connolly to pay that \$75,000?

A. I wanted to stop his tongue; he was running around talking.

Q. Did Connolly pay that claim in full?

A. Yes, sir; Mr. Connolly paid that in full?

Q. Did Mr. O'Brien approach you with solicitations to get Connolly to pay that \$75,000?

A. He did; Mr. O'Brien wasn't against me at that time. I was with him, had been his friend in every way, and he professed to be very friendly to me.

Q. Do you know Monheimer?

A. Very well.

Q. Just state, now, when you purchased that half of O'Brien's claim and all the circumstances attending it?

A. Along in the fall of 1871, when we were persecuted and driven from pillar to post, Mr. Bixby—I believe now Senator—called on Mr. William O. Bartlett, who was then one of my counsel—as Mr. Bartlett told me—and desired that I should buy that claim of O'Brien, which was the only claim he had at that time, and I declined having anything to do with it; told Mr. Bartlett I wouldn't have anything to do with it; shortly afterwards Mr. William E. King, who was Deputy Commissioner of Public Works under me at that time, called on me and stated that O'Brien wanted me to buy the whole or half of that claim, even if the money never came back to me.

Q. What reason did he give for you to buy it?

A. I asked him what reason Mr. O'Brien had given him; he said O'Brien told him that Mr. Tilden, who was then prosecuting a great many people, wanted to be a candidate for Assembly in his (O'Brien's) district; the nomination depended entirely upon him and the election also; Mr. Tilden had been of great service to the prosecution, and had been the party who had first developed the Ring frauds; that he would get Mr. Tilden to let up on me, and also could influence Mr. Barrett, who was then the counsel of the Committee of Seventy, to let up—Mr. George Barrett, who is now judge. I hung off from that and told King I wouldn't have anything to do with it; it was too much money to put out that way, and I didn't want to buy it, and didn't want to put so many eggs in such a basket; that went on for some days or a couple of weeks; finally Mr. King wanted to know if I would see Mr. Bixby, Mr. Frank Bixby, now Senator; I told him

no, I didn't want to see him at all ; in a day or two Mr. Dewey, the then clerk in the Department of Public Works, asked me the same question ; I said no, I didn't want to ; Mr. Dewey had confidential relations with me at that time ; the thing hung along that way for some more days again, and finally Dewey and King persuaded me to meet Mr. Bixby ; I met him by appointment in the Metropolitan Hotel ; I had a room prepared for Bixby and for myself ; I think Mr. King told me where I could find Bixby, and took me there and introduced me to Mr. Bixby ; I think that was the first I ever spoke to the gentleman ; the matter was discussed and arranged and Mr. Bixby told me what Mr. King had told me, what Mr. O'Brien would do if I purchased his claim, and I finally consented to do it ; I gave him twenty thousand dollars in money and the balance in good mortgages, which, I understand, have since been paid ; mortgages on a piece of property opposite to Fernando Wood's house ; the mortgage was \$128,000 and interest, and the mortgage has since been paid, I understand ; it amounted to over \$150,000 altogether ; the assignment of those mortgages which I was going to give in part payment, was given to Mr. Dewey or Mr. King, and a check, I think was given to Mr. Dewey or Mr. King for the balance ; who informed me that he called at Mr. Bixby's office, and there paid the money to Mr. Bixby, and that Mr. Monheimer was present. That deed of one-half of that claim of the value of \$150,000, was assigned in blank, and witnessed by Mr. Monheimer ; when my troubles commenced I put that deed away with other papers.

Q. You mean the assignment ?

A. I mean the assignment for the money from O'Brien was put away with other papers ; when Mr. O'Brien was

in the Senate, he had a resolution passed referring the matter to a committee—referring his claims to a committee; about the time that committee was to meet I told Mr. Dewey to take that claim and hand it to Mr. Rufus F. Andrews, and see if there were any assignments ahead of it in the Comptroller's office, and, if not, to insert a name, and file it in the office; he said he thought that was an unwise proceeding at that time; he said, "Just let O'Brien go on and get his award, and before the money is paid we can present our claim;" Mr. O'Brien, I think, never took advantage of it, but while that paper was in the hands of Mr. Andrews, and at his suggestion, Mr. Dewey's name was inserted in it—S. Foster Dewey; the money was to be mine—was to come to me, but nothing ever came of it; when I commenced negotiations in the matter I told Mr. Dewey that it must be assigned to me, and he assigned it back to me, and it is now in my possession—the original assignment and Mr. Dewey's assignment to me.

Q. The assignment from Mr. O'Brien to Mr. Dewey, and Dewey's assignment to you, are in your possession, you say?

A. Yes, sir; it was made in blank; then Mr. Dewey's name was put in.

Q. Have you got those assignments?

A. Yes, sir.

Q. Can you produce them?

A. I can.

Q. Have you them with you?

A. No, sir; I don't carry such things around with me.

Q. I shall call for these at the next meeting.

A. Well, what will be the result of my handing them to you; I suppose they will be handed back to me?

Mr. COLLE—Oh, certainly, sir; I can assure you of that; the object I have in view is this: Monheimer is suing the city for these very claims, to the amount of some \$300,000, as Sheriff's fees assigned to him by O'Brien, and if it can be proved that he assigned half of this claim to you, it cannot of course be recovered by Monheimer in his suit, and is equivalent to so much money in the treasury.

Mr. TWEED—I thought the other half was sold to Richard B. Connolly; Mr. Monheimer was present when Mr. Dewey paid the money to Mr. Bixby and O'Brien, and he witnessed the assignment of that claim in the amount of \$150,000.

Q. And Monheimer is the witness to that assignment—the same Monheimer who is now suing upon these claims, as the assignee of the same O'Brien?

A. It is the same name, and I suppose the same party.

Q. I understood you to say that the other half of this claim was assigned——

A. To Richard B. Connolly—I have been told so.

Q. Who told you so?

A. I don't recollect that; about the time I understood Mr. O'Brien had made an assignment to another party; and that Connolly had got one-half of the claim. I tried to find out about it, and to get information, and could never discover, but I firmly believe he did. I know Connolly was negotiating with him at the same time.

Q. How did you know that?

A. Mr. Bixby told me they were trying to sell one half to Connolly—the other half of these claims.

Q. That the other half of these claims they were trying to sell to Connolly?

A. Yes, sir; and that was one of the inducements of buying, because if he bought half, I would have got my

money back ; Connolly would have paid himself and me at the same time.

Q. Was it Mr. Bixby who represented to you that if you would buy this claim and give this money to him, for O'Brien, that Mr. Tilden would let up on you ?

A. If I would buy one-half of Mr. O'Brien's claim for \$150,000, they would do so and so.

Q. They would do what ?

A. That they would get Mr. Tilden to let up, and use their influence with Mr. George Barrett ; they said they had him under their control.

Q. You paid the money ?

A. I paid the money.

Q. Did Mr. Tilden let up on you ?

A. It don't look as though he did ; that is only one of the times I have been fooled, however ; it don't make much matter ; it is only only one of the many times.

Q. About Judge Barrett—who represented he would let up on you ?

A. The same man ; he wasn't judge then ; he was counsel to the Committee of Seventy, which was a more important position than that of any judge on the bench at that time ; it was worse than the Council of Ten in the days of Venice, you know.

Q. Did Mr. Barrett let up on you ?

A. I think not ; he always decided against me on everything that came up before him ; it was too late then to remedy what I had done ; I had carried out my part of the programme.

Mr. COWING—I would like to ask you one question. Alluding to your last examination, after having stated that Mr. Voorhis was paid \$2,500 to stay away, this question was put to you : " What was the motive that induced you

to form this combination?" You answer, upon your oath: "So that the other side shouldn't cheat us." Do you now still adhere to that answer?

A. Yes, sir.

Q. Did it occur to you at that time, that the six supervisors who were paying \$2,500, or who were cognizant of \$2,500 being paid—that they possibly might not be safe parties to select inspectors of election?

A. Oh, no; I don't think men are governed in those matters by correct ideas of what should be between man and man; I have never known a party man that wouldn't take advantage of such a circumstance.

Q. Do you now recollect any instance, in active political life, when the other side, as you call them, took any advantage of the kind?

A. I don't know, sir, that we gave them any chance; we always had our men there, and had them drilled.

Q. You didn't think at that time that possibly these inspectors of election who should be selected by the six, might be susceptible of taking percentages?

A. I didn't think anything of it; we didn't know but what they might take one of our men that way, and we didn't propose to have it fixed that way.

Alderman LEWIS—It is moved that this meeting be adjourned until 11 A. M. next Saturday, 15th inst.

SIXTH DAY.

11:30 A. M., SEPTEMBER 15, 1877.

Present—Alderman LEWIS.
 “ SLEVIN.
 “ COWING.

Meeting called to order by Chairman.

Mr. COLE—Mr. Tweed, at the close, or near the close, of the proceedings at the last session of the Committee, I asked you to bring with you to-day the assignments of the O'Brien claim against the county, of which you then testified. Have you done so?

A. I have, sir; with the same explanation I made at our last meeting, that the assignment was made in blank, and afterwards filled up in the name of Mr. Dewey.

Mr. COLE—I suggest that the clerk be requested to read that, that the stenographers may get it.

WITNESS—In connection with that, I would say to the committee that I have also the assignment Mr. Dewey made to me. That will probably form part of that.

Mr. TOWNSEND—And I will say that Mr. Tweed is ready, at any time, if you will prepare the proper papers, to make the assignment to the county.

Mr. COLE—That is what I meant when I made the remark, at the last session, that it was so much money in the city treasury.

(Assignment read, as follows :)

“KNOW ALL MEN BY THESE PRESENTS, That I, James O'Brien, of the City of New York, of the first part, for and in consideration of one dollar to me in hand paid by S. Foster Dewey, of the second part, the receipt whereof is hereby acknowledged, have sold, assigned, transferred, and set over unto the said party of the second part, not less than one-half of any and all claims, demands, debts, and sums of money due and owing to me by the city and county of New York, it being understood and agreed that the amount hereby assigned is not less than \$150,000 of said claim against said city and county, to have and to hold the same unto the said party of the second part, his heirs and assigns, with full authority to the party of the second part to take all lawful ways and means for the recovery of the amount hereby assigned to him, and in case of payment of the amount so assigned, to discharge the same as fully as I might or could do if these presents were not made.

“Witness my hand and seal this 20th day of
October, 1871.

“JAMES O'BRIEN.

“In presence of
JOS. A. MONHEIMER.”

WITNESS—In connection with that, if the Committee will allow me to speak, I would say that I have been informed by one of the parties who was present when the money and mortgages were delivered to Mr. Bixby in his office—I am informed that Mr. Foster Dewey, Mr. William E. King, Joseph A. Monheimer, and a brother-in-law of Mr. Bixby's, who was clerk for Mr. Bixby at that time, in his office at Warren street, at which place this transfer took

place, can testify as to the genuineness of the signature and the transaction ; and I think I am on the way of finding where the other half has been assigned to. I have received notice from a gentleman who can be brought here, if his presence is required, that I can get that information, if I desire it, and if I get the information, the Committee shall be furnished with it.

Mr. COLE—This paper is a formal assignment by S. Foster Dewey unto William M. Tweed, of all his right, title, and interest in the one half of, and all claims, demands, debts, and sums of money due and owing to James O'Brien by the City and County of New York, which claims, demands, debts, and sums of money were assigned to him under the written assignment of James O'Brien, duly sealed, and witnessed by Joseph A. Monheimer, on the twentieth day of October, 1871 ; it being understood that said assignment was made to him by said O'Brien, in order that Mr. William M. Tweed's name should not appear in the paper ; but that he was the real party to whom said assignment was made ; the rest of the paper is formal—printed form of assignment—and it is sealed and delivered, and witnessed by John D. Townsend.

Mr. TOWNSEND—Mr. Chairman, I have noticed in the papers that Mr. O'Brien has denied that he ever made this assignment, and it is very possible that such may be the case ; it may be that it is a forgery entirely, and certainly we do not want to do any person any injury. I propose, before handing this to you, to hand this to some paper which will present it in its own form for the press ; the *Graphic*, or some other paper, is in the habit of doing that. If it is a forgery, it ought to be understood to be one ; if it is not, that should also be understood.

WITNESS—I have various papers signed by Mr. O'Brien, which almost verifies, in fact, that that is his signature; I am prepared, by numbers of witnesses, to prove his handwriting, and I have never heard it doubted that that was his signature, until a few days ago.

Mr. COWING—You have seen him write frequently, Mr. Tweed?

A. Yes, sir.

Q. You have seen him write his name?

A. I have seen him write his name, and believe that to be his name on the papers; it has never been called in question, to my knowledge, until within the last week.

Mr. COLE—It seems to me, Mr. Chairman, that we may put this matter at rest, right now and here. I suppose there must be, within the sound of my voice, some who are familiar with the handwriting of Sheriff O'Brien, and have seen him write over and over again. If you will indicate some of his old deputies, or some one who knows his handwriting, I think it would be well to call him.

WITNESS—I have got some very expensive signatures of his, that I can produce, which may be compared with that one. (Witness produces cancelled checks.)

Q. Mr. Tweed, where did you get this paper (the first assignment) from?

A. That paper was handed to me by Mr. Dewey, at the same day it was dated, or the day after; shall I go on and state the history of it?

Q. I believe you have stated it on your former examination?

A. That was placed among my papers, and filed away. After Mr. O'Brien was elected Senator, a bill was intro-

duced in the Assembly and the Senate, and was passed by the Legislature, referring this matter to a committee. About the time that committee was to meet—it was fixed by statute when it should meet—I took this paper out and handed it to Mr. Dewey, and told him he had better employ counsel to collect it, and suggested Mr. Rufus F. Andrews. He took it, and then I never saw it after that until it came to my possession at the date I tried to make my arrangements with the Attorney General. I tried to get in everything I possessed, and what I could claim in any form, manner and shape, and I retained it in my own possession. It was opened in the presence of Mr. Townsend.

Q. You say that the consideration-money for this assignment was paid to James O'Brien partly in money, and——

A. The party who made the deal tells me in this communication I have just read to you, that he paid it to Mr. Bixby, at Bixby's office in Warren street, in the presence of Mr. King, Mr. Monheimer, and a young man who was brother-in-law to Mr. Bixby, and was the clerk in Mr. Bixby's office.

Q. How did you pay, or how was paid, the consideration-money for that assignment?

A. I paid \$20,000 in cash, by a check; \$128,000, with some accrued interest, on bonds and mortgages, on property lying directly opposite Fernando Wood's house, on the Bloomingdale road.

Q. To whose order was the check drawn?

A. The check was drawn to blank, I think, but I am not sure; I can't determine now, because my stub-book has been unfortunately destroyed, and I can't tell positively.

Q. To whom were the mortgages conveyed?

A. I think they were assigned in blank at that time, but the dates of the mortgages—they bore date the same date as this assignment, and the Register's office probably will show the assignments of mortgages of mine of that date. They are on various parcels of property, but all situated in that block.

Q. And you delivered those mortgages in blank, to whom?

A. To Mr. William E. King, in the presence of Mr. Dewey.

Q. Do you know how the blank in those mortgages was filled subsequently?

A. I am not able to tell of my own knowledge; I will state all I know about it is only from the party who transacted the business, and tells me this, and would tell it here, if he was here. (Witness reads memoranda.) “The mortgages that were given in payment of one-half of the claim were delivered to Mr. F. M. Bixby by Mr. William E. King, in the presence of S. F. Dewey, and Mr. Monheimer, at Mr. Bixby's office in Warren street, and the assignment there delivered in blank for the one-half interest, and afterwards filled in to S. F. Dewey, and by him reassigned in blank, and delivered to W. M. Tweed. The mortgages were placed by Mr. F. M. Bixby in the hands of his brother-in-law, a clerk in his Warren street office.” Maybe his brother-in-law wasn't there; I may have stated in the first part of my testimony that he was there. “They were paid off to him in full, or assigned on sale to other parties; I think some of them were paid to Benjamin Wood and John Morrissey by O'Brien, in payment of his indebtedness to them.”

Mr. TOWNSEND—That is a communication from you to Mr. Dewey?

A. Yes, sir; where I have stated his brother-in-law was present at the delivery, I may be mistaken, because it comes from this, and I have read all that says.

Q. Mr. COLE—Now, Mr. Tweed, look at this paper. Are you familiar with the hand writing of James O'Brien?

A. I am, sir.

Q. Did you ever see him write his name?

A. I have seen him write his name a thousand times—a number of times.

Q. Do you believe that to be his signature?

A. Yes, sir; I do. The thing has never been questioned until within the last week.

Mr. COLE—Mr. Chairman, I think it well to put this beyond all dispute. Will you call upon some gentlemen who have no interest at all in this matter, who are familiar with Sheriff O'Brien's hand-writing?

Mr. TWEED—I would suggest Joel Stevens, who was deputy under him.

PATRICK H. MAGUIRE, being sworn, testifies as follows:

Mr. COLE—Mr. Maguire, are you familiar with the handwriting of James O'Brien, formerly Sheriff of the county?

A. I have seen him write it over thirty or forty times.

Q. Will you look at that signature (presenting assignment), and tell me whether or not, in your opinion, it is his signature?

A. To the best of my knowledge, it is his signature.

Mr. COLE—It would be well to identify the paper some way.

Mr. TWEED—Yes, sir; that is the assignment.

(Assignment marked Exhibit A, of September 15, 1877.)

JOEL O. STEVENS, being sworn, testifies as follows:

Mr. COLE—Mr. Stevens, are you familiar with the handwriting of James O'Brien, who was formerly sheriff of this county?

A. I am, sir.

Q. Have you seen him write often?

A. I have, sir.

Q. You were his deputy, were you not?

A. No, sir; I was his under-sheriff.

Q. Will you look at the signature to this paper, which is marked Exhibit A, and state whether or not that is the signature of James O'Brien?

A. That is his signature, sir.

Mr. COLE—That is all, sir.

Mr. COLE—Now, with regard to what is known as "general supplies," Mr. Tweed, was it a part of the duty of the supervisors to furnish general supplies for the different departments?

A. For the county departments it was, sir.

Q. What departments were those?

A. The Sheriff's office, County Clerk's office, the various branches of the judiciary in the city, the Register's office, the Surrogate's office, all that was known as the county offices.

Q. What was the nature of these supplies ?

A. Everything they required ; pens, ink, stationery, all kinds of fuel—furniture——

Q. Everything ?

A. Everything ; everything that they required for their use.

Q. Did the item of supplies form a very considerable part of the expenditures which the supervisors authorized ?

A. It was a large part, sir.

Q. Who were they purchased from, as a rule, in those days ?

A. Generally from those firms that were mentioned in the last statement I read the other day. From 1860 to 1870 of those books were to be furnished me to-day, are they here ?

A. They are here ; yes, sir. Well, generally, can you remember the names of most of the firms ?

A. Yes, sir ; Jones & Co., Kennard & Hay, Seymour & Company, Barnard, Keyser—Keyser was generally for stoves and matters of that kind—Ingersoll, furniture ; Ingersoll, Watson & Co. at one time, and Ingersoll & Company afterwards.

Q. All these items form part of the items concerning which you testified at the last meeting ?

A. Yes, sir.

Q. Mr. Tweed, do you know anything about the passage of the Charter of 1870 in the Legislature ?

A. Yes, sir.

Q. Were you a member of the Legislature at that time ?

A. I was.

Q. You were a Senator, were you not ?

A. I was, sir.

Q. Well, now, I would like for you to state the origin of that charter, as far as you know—who prepared it, and how it was passed—by what means?

A. It is a long history.

Q. Well, condense it. Who prepared it?

A. It was prepared partially by Mr. Hall, Mr. Peter B. Sweeney, Mr. Cornelius Corson, Mr. Alexander Frear; I had a little to do with it; Mr. Hitchman had something to do with it; most all the prominent people connected with the Tammany organization had something to do with it, either by direct or indirect action, or by suggestion.

Q. Well, was that Charter passed through the Legislature fairly, or was money used to procure its passage?

A. Money was used.

Q. Do you mean to say that members of the Legislature were bribed to vote for it?

A. I mean to say that I paid for it; in the Assembly they were paid to vote for it; in the upper House, the Senate, they were paid to control the Republican caucus, so that we should be sure of having the vote, not only of those who were paid for it, but of some who were not.

Q. Do you know personally of any member of the House, the Assembly, being paid for his vote on that Charter?

A. I don't think I do, of the Assembly.

Q. Do you know personally of any member of the Senate ever having been paid for his vote in that regard?

A. I do.

Q. Was it by this charter that the Board of Supervisors ceased to exist?

A. No, sir; that was a special law, as my memory serves me.

Q. It was in the tax levy, wasn't it?

A. No, sir ; it was a special law, I think, abrogating the Board of Supervisors, but I am so utterly unable to obtain books to bring back my recollection, that I am at the mercy of my memory, which, as a matter of course, through what I have been, is pretty nearly correct, but perhaps may not be altogether so, and these things happened so long ago that I may be mistaken, but I don't think I am. And just here I want to make a correction. At the last meeting of the committee I stated that I thought the Board of Supervisors had appointed as Surrogate, in the place of Mr. West, who died, Gideon J. Tucker. I have since had a communication, by which I am informed, and I know from my own memory now, that after the death of Mr. West no person was appointed, but the Presiding Justice of the Court of Common Pleas, who was Mr. Charles P. Daly, according to the statute, acted as Surrogate up to December; at the November election Mr. Gideon J. Tucker was elected, and on the certificate of the Board of County Canvassers took his seat in December of that year ; therefore the only appointment of a county officer, that I know of, made by the Board of Supervisors, was that of Recorder, and that, I think, was in March, 1866.

Q. That was in 1870, that the act was passed, whereby the old Board of Supervisors ceased to exist; and then what was done ?

A. Then the powers were placed in the hands of what was called an Auditing Committee.

Mr. LEWIS—All the power that had theretofore been exercised by the Board of Supervisors ?

A. The power to audit the bills; I can't recollect the exact powers ; first the charter was passed, then the abrogation of the Board of Supervisors, and then the tax-levy,

if my memory is correct, and I think in the tax-levy was this Board of Audit.

Q. Well, now, who composed the Board of Audit?

A. I think, if you have the Session Laws of 1870, I will read exactly what it was. (Laws produced; examined by witness.) It is chapter 382, section 4, county tax-levy for that year: "All liabilities against the County of New York, incurred previous to the passage of this act, shall be audited by the Mayor, Comptroller, and present President of the Board of Supervisors." That last was myself.

Q. Who was the Mayor?

A. A. Oakey Hall.

Q. Who was the Comptroller?

A. Richard B. Connolly.

Q. And you were——

A. I was the then present President of the Board of Supervisors.

Q. Who prepared those clauses in the tax-levies of 1870, which gave the control to you three men?

A. The first time that I ever saw it I think was in one of the ante-rooms Mr. Sweeney had in the Delavan House, at which were present Mr. Sweeney, Connolly, Hall, and myself, and I believe it was prepared by Mr. Hall.

Q. Well, was the matter talked over at that meeting, what powers they gave, and——

A. It was; yes, sir.

Q. At that meeting was there any intimation that the powers given to the Comptroller, the Mayor, and the President of the Department of Public Works, would enable them to make money for themselves?

A. I don't know that there was anything said in reference to making money for themselves, but it was to reim-

burse them, and those who had advanced moneys for the passage of the charter. By the passage of that charter, which cost a great deal of money, nothing could be returned. That standing alone, nothing could happen of any great harm, but the powers that were afterward given by the subsequent acts of the Legislature gave them the power to make the money.

Q. The object, as I understand you, of the acts which are known as Tax-Levy acts of 1870, was to enable you three men to reimburse yourselves and others for money which had been expended in the passage of the charter?

A. That was one of the reasons talked of.

Q. Who had furnished the money to be used in procuring the passage of the charter?

A. Various tradesmen and ourselves.

Q. Well, by "ourselves" you mean——

A. Connolly, myself, Mr. Hugh Smith, who represented at that time Peter B. Sweeney, and at times Mayor Hall, and the various tradesmen—Ingersoll, Garvey, and Keyser, some.

Q. The tradesmen you have mentioned in other connections?

A. Yes, sir.

Q. Will you be kind enough to mention in this connection all the tradesmen who furnished money, so far as you can recollect, to bribe the Legislature of 1870 to pass the charter of that year—the tradesmen and all other people too, whether tradesmen or not.

A. Garvey, James H. Ingersoll, Keyser & Co., E. A. Woodward, James Watson, Edward Boyle, Edward Mariner. I can't recollect all the names; most everybody who

had connection with the furnishing of supplies to the county at the time.

Q. Can you recollect any others?

A. I don't recollect any others at the present time.

Q. Is there any way that you can refresh your memory so that you can recollect more of those?

A. I don't know that there is, but those books that I desired to see would be of service to me. What I read the other day, and what I am now reading, is not the proceedings of the Board of Supervisors; it is the approved bills. I think Jacobus paid something towards it.

Q. Full name, if you please.

A. Jacobus—Charles H. Jacobus. I think Kennard, & Hay paid something to do it, through Henry Smith. Oh, Henry Smith paid considerable towards it; he was then Police Commissioner. I may mention a name here that didn't contribute, but my impression is that they did; if they didn't, they at least paid their per cent.—up to 1868 fifteen per cent.; and after that whatever amount was charged them, but generally fifteen per cent. I mention no man's name who hasn't done one or the other. The Erie Railroad contributed something to that fund. I never got it.

Q. Through whom?

A. Jay Gould or Fisk, or both. When I say Gould I mean both, and when I say Fisk, I mean both. When we commenced conversation with two in the room, we were generally left with one, no matter which it was; but they generally spoke as one man. I think that that money was handed in through Mr. Peter B. Sweeney, although I am not positive. I don't know as I can see any other names here. Mr. Henry Smith raised a good deal for us.

Q. Didn't you get some of the money from different heads of the departments in the city and county?

A. Not in connection with that; we did for the insertion of certain items into the tax levy which they required; they contributed for items in the tax levy, although I believe they did help us a little in that; I don't know; I don't recollect distinctly.

Q. How was that money raised, to buy through that charter of 1870?

A. A large part of it was raised by the notes, jointly, of Connolly and Smith, made payable to my order, or Connolly and myself, made payable to Smith's order, or Smith and myself, made payable to Connolly's order, as the case might be, and discounted at the Broadway Bank. I think some were discounted in the National Central; as a general thing, made payable to my order, and discounted at the Broadway Bank.

Q. You had them discounted in the Broadway National Bank?

A. Yes, sir.

Q. Well, then, the money having come into your hands, did you use it personally in influencing members of the Legislature?

A. I did, sir.

Q. Did you pay it out yourself to them?

A. To some Senators; yes, sir; what was paid in the Assembly was paid, almost all of it, by Mr. A. D. Barber, who was then doing a great deal of that business in Albany.

Q. Did you ever give any money to Mr. Barber, for the express purpose of paying members of the Legislature to vote for this charter?

A. Yes, sir.

Q. How much money did you pay ?

A. I have no idea ; hundreds of thousands of dollars.

Q. As much as two hundred thousand dollars ?

A. Just about three times that—about six hundred thousand dollars, I think, sir.

Q. Did you pay that money over to him in money ?

A. I paid that to him in money, direct, because I think after the session adjourned, there was some thirty, or forty, or fifty thousand dollars that required to be paid afterwards ; that he came to my office, and I gave him my check for it.

Q. The check came back to you indorsed ?

A. Yes, sir ; I think it was \$36,000, the balance of work done in Albany that winter.

Q. Did you ever have any transactions with Mr. Barber, except as a go-between between yourself and those whom you wished to influence in legislation ?

A. Mr. A. D. Barber, when I was in the street office as Deputy Commissioner, was appointed by Charles G. Cornell as Deputy Collector of Assessments, a position which was a fee office worth from ten to fifteen thousand dollars a year—very seldom less than ten thousand, and very rarely over fifteen, although sometimes ; the office was established for collecting money raised for assessments, and paid for assessments ; Barber seldom was in his office ; the work was generally done by the collector himself, who was Mr. Starkweather ; that is the only other business I know of besides what I have mentioned before ; once in a while—he kept a crockery store—and I would buy crockery of him, but never for large amounts.

Q. What would you call a large amount ?

A. Anything over five thousand dollars, a large amount, I did then ; now I call anything over five dollars.

Q. Was there any transaction between you and him of a legitimate nature—I mean apart from his business of

A. Except that I bought a few bills of crockery.

Q. Amounting in whole?

A. Not to \$1,000; I think not to \$500; I was also connected with him for a while in the Avenue C Railroad.

Q. What is understood to be Mr. Barber's business in Albany?

A. I believe he has sworn there, before the committee, that his business is to walk up and down the hill and talk to members. Mr. Barber is a very smart man, very well posted, and very conversant with matters of legislation, and is very valuable for advice in those matters. He has spent a great many years there, knows a great many members, and his advice is sound, generally.

Q. After the legislation which placed the power to audit bills in this Board of Audit, composed of yourself, Mayor Hall, and Mr. Connolly, did you three men have any understanding with each other as to how you were to make money out of that legislation?

A. We did.

Q. Well, now, what was that understanding, and all about it?

A. The understanding was that the parties to whom we advanced moneys, and whom we had confidence in, should, through our influence, advance bills for work purporting to be done for the county or the city; more particularly for the county, and they should receive only fifty per cent. of the amount of their bills.

Q. Well, this plan didn't necessarily contemplate that the bills should be *bona fide* at all?

A. Well, we presumed that they would be, of course;

any supposition was that they would have some basis, however slight.

Q. Well, how did you communicate to your proposed confederates the design that you had conceived?

A. Connolly had in his office a very confidential man at that time; one who had his utmost confidence, Mr. Watson; and he also had my confidence to the utmost limit; he had done a great deal of business for both of us in other matters. Mr. Woodward was a very active, energetic young man in the Board of Supervisors, whose fidelity was undoubted. I proposed that these two should prepare the bills, and present them, and Connolly should pay them. That was agreed upon.

Q. When you say that no one doubted the fidelity of Mr. Woodward, what do you mean?

A. I meant I had the utmost confidence in his fidelity in every way; in his judgment and discretion.

Q. You mean fidelity to any person with whom—

A. With whom he was identified.

Q. Well, now, tell us what instructions were given to Woodward in the beginning of this thing?

A. Mr. Woodward and Watson both—I think I spoke to them both, and I think Mr. Connolly told me that he had spoken to them, together or separately, to the same effect—I think I spoke to them separately—I instructed them that they should go on and introduce bills, have them paid, and as fast as the payments were made, fifty per cent. should be deducted from the amount—that the parties receiving the bills should hand them back fifty per cent. of the amount.

Q. That the parties should receive the face of the bill, and hand back to Mr. Woodward or Mr. Watson fifty per cent.?

A. Yes, sir.

Q. Well, then, what were they, according to that understanding, to do with the fifty per cent.?

A. They were to give ten per cent. to me, ten per cent. to Mr. Connolly, ten per cent. to Mr. James Sweeney, for Mr. Peter B. Sweeney, and ten per cent. to Mr. Sweeney or Mr. Smith, for Mr. Hall; and of the other ten per cent. they were to retain five themselves, two-and-a-half to each of them.

Q. Of the other ten per cent. they were to retain five per cent.?

A. Yes, sir; and the other five per cent. was to be put back as a sinking-fund for other expenses.

Q. What do you mean by "other expenses?"

A. The obtaining of legislation, or other expenses which might be necessary.

Q. Who was to hold it?

A. They were to hold it. Watson was a man of considerable wealth, and he was to hold it; I think the understanding was that I was to approve the bills, and I was to approve them as either Chairman of the Committee or Chairman of the Board of Supervisors. Shortly after this understanding was completed, probably a week or ten days afterwards, Mr. Woodward brought me over a batch of bills on which I wrote my name, "Wm. M. Tweed, Ch., Chairman." He also brought with him some certificates to be signed by each member of the Board—to be signed in blank, with the proper title. Those I signed, and drew them off in blank—quite a number of them, and certified "approved and correct;" some of those I wrote those words over myself. Then that paper authorizing the Comptroller to draw the warrant for the amount of the bill had to be signed by the Mayor and the Comptroller.

Mr. Watson or Mr. Woodward—I can't recollect now ; I don't know which one—took them and had them signed, and after they were signed, the warrants were drawn. I think before any bills were paid, but if not before, after payment of the first batch of bills, or some of them, Watson came to see me, and said that Connolly wasn't satisfied with the ten per cent.; he wanted twenty. I asked him what was the reason of that. He said that Connolly said that he had to take all the responsibility and the risk, and the thing couldn't be done without him. I said: "It couldn't be done without me either." I asked how he could do it that way anyhow. He said: "The way we can do it is this: These people would be satisfied with less percentage; I think they would take one-third, instead of one-half, because they are giving nothing for it; I can make that arrangement with them, I know." "Well, very well," said I, "go on and make the arrangement, if you can, and I am willing. Give Connolly twenty, and you must give me twenty-five, and give Mr. Sweeney ten per cent. 'That would make fifty-five.'" He said: "'Then if I give Hall his ten per cent., where would we be?'" I said: "'That's so; see Hall and tell him that expenses are so heavy we can't afford to give him but five.'" He said he would, and so it was arranged that way. Whether I was paid the twenty-five per cent. on the first two or three bills I am not positive, but I am positive that I got twenty-five per cent. on all other bills after the first batch. I think, between the signing of the bills and the payment to him of the percentage, Connolly had objected to receiving ten, and wanted twenty; that caused the new deal, and we had no more talk about the bills, except at one time Mr. Hall said to me, when I saw him in his office: "Your people are very slow settling up our matters." I

inquired about it, and I found out they hadn't settled with Mr. Hall's friends for the amounts. I made them hurry up and pay it, that ended it, and I never heard any more complaints.

Q. You say Mr. Hall said he never received his per cent.?

A. No, sir; he never said anything about the percentage; he never came to me about it; I was in his office; I went over there to see him about a bill of Garvey's, in which there had been some delay about his signature. He said: "your folks are slow in settling up;" I told him I didn't know anything about it, but I would inquire. I found they weren't squaring up with him as fast as they ought to; I said that would be remedied, and the bill was signed by him that day.

Q. Did you ever have any conversation with any other member of the Ring with regard to their payments?

A. About the time this tax-levy was put in the charter—the tax-levy was to bring in money—about the time this was put in, Mr. Sweeney, Hall, Connolly and myself met in a room of Mr. Sweeney's in the Delavan House, and decided to divide the money as we first suggested—ten per cent. to each.

Q. All four of you decided upon that ten per cent. for each?

A. Yes, sir.

Mr. COWING—Which Mr. Sweeney are you speaking of?

A. Peter B. Sweeney; as regards the payment of money by these clerks to any body else except myself, I know nothing about it.

Mr. COLE—But the agreement was that you four men in the beginning should have each ten per cent., and the others were to have five?

A. Four equal parts of ten per cent. each for us; for these young men five per cent., and the rest to be kept for a reserve-fund, to meet any expenses—to be put in the hands of Mr. Watson as a treasurer.

Q. Well, now, Watson and Woodward were go-betweens; Woodward represented you, didn't he?

A. Yes, sir; he particularly represented me, because we had to have somebody in the Board of Supervisors to do this work.

Q. And Watson, I understand you, represented Connolly?

A. Yes, sir; financially.

Q. Who represented Sweeney?

A. James M. Sweeney or Hugh Smith, as the case might have been.

Q. Who represented Hall?

A. Mr. Smith particularly; my conversations on all these matters were generally with Watson or Woodward; either both personally, or one or the other; the conversation I had with one was precisely the same as I had with the other; I think they were both present at most of the conversations.

Q. Well, who, now, were the outside parties who presented these bogus bills?

A. Ingersoll was the prominent outside man, working, as I afterwards understood, with Mr. Woodward—James H. Ingersoll; Garvey was one; Keyser was one; pretty much everybody who drew money out under that Board of Audit had the arrangement, and paid it; I think I can safely say everybody.

Q. What did you mean when you said that almost everybody in Tammany Hall had a hand in preparing the charter of 1870?

A. I don't know that I did say so.

Q. Did you mean that everybody who belonged to Tammany organization had a hand in it?

A. I meant everybody who was looked upon as a leader or a representative man in the association had something to say about it.

Q. Tell us every name that you know of, that had anything to do with the contents of that paper?

A. In the first place the Senators were all spoken to about this charter of 1870; in the first place Senator Bradley and myself; and then the members of the Assembly, pretty nearly every one except Mr. Lawrence D. Kiernan, who represented O'Brien; and then everybody who came from New York at that time; I think pretty much the leading men of the organization in each ward.

Q. Did I understand you to say that the charter by itself was ineffectual for the purpose of raising money at all, and it became necessary to pass these subsequent acts to make it efficacious for that purpose?

A. I desired to be so understood, sir.

Q. Well, now, besides the five men you have named, who knew of these clauses which were inserted into the tax-levy, giving this power to the Comptroller, and the President of the Department of Works, do you know any who were aware of the power conferred upon you by those acts?

A. I don't know of any one except ourselves, who knew how far the power went.

Q. I am speaking now of these clauses in the tax-levy, which were used by the Ring for the purpose of making money illegally?

A. I don't think that, as a general thing, they knew how

far that reached ; we didn't know ourselves, but that was the only way we thought of at that time.

Q. Well, now, did nobody except you five men know that these clauses were inserted into the tax-levies, for the purpose of raising money at the expense of the city and county treasury or not ?

A. I don't think we ever told them ; I don't know what their opinions were.

Q. Did you ever hear anybody else say so ? Were you ever in consultation with anybody else ?

A. I was in consultation as to the passage of the tax-levy ; I was in consultation with every member of that committee whom I could get to, but I never told them the object of this amendment.

Q. Was it discussed between anybody else except the men you have mentioned ?

A. I think not.

Q. Well, then, so far as you know, do you or do you not know, that any other persons were informed of the object of this clause of the tax-levy ?

A. Of this clause ?

Q. Yes, sir ; this clause in the county tax-levy, which put the power in the hands of you four men to raise money illegally.

A. I don't think they did ; I am not positive, because, at that time, I talked with a great many persons on that subject ; I think Mr. Hugh Smith knew it.

Q. Yes, you have mentioned him. Anybody except those you have mentioned ?

A. That is all.

Q. Did anybody else, except those persons that you have mentioned, have a part of the money of which you defrauded the city or county ?

A. I think not directly ; that is, not knowing where the money came from, and not as being part of that money ; the money, of course, was distributed around in every way, to every body, and paid for every thing, and was scattered through the community.

Q. Not knowingly, nor with any idea that they participated in your plans and your practices ?

A. No, sir.

Q. Now, Mr. Tweed, you say that you paid money to certain members of the Senate, for the purpose of influencing their action with regard to the Charter of 1870 ?

A. I do say so ; yes sir.

Q. Personally ?

A. Yes, sir ; when I speak of no other persons knowing of this thing, of course Mr. Barber knew about this amendment, and it was talked about frequently before it was passed.

Q. Before it was passed ?

A. Before it was passed.

Q. Well, now, will you state what members of the Senate you paid money to in this very connection, with regard to this Charter of 1870 ?

A. My relations with members of the Senate were so delicate, and so many different operations transpired, that I would prefer having a copy of the Manual of that year before I answer.

Mr. COLE—Mr. Chairman, will you send for it, please ? (Manual produced ; examined by witness.) Now, Mr. Tweed, please be careful, for you are dealing with the reputations of some prominent public men. This question is intended to bring out such matters as you yourself personally know about, and such as you yourself personally paid, and no others at present.

A. It must be told in the form of a little narrative, as there are little points bearing on the subject, which, if alone and distinct from other matters and relations, could not be answered by "yes" or "no," and their significance might not be properly understood. The origination of this charter was from the fact that a great many Democrats in New York had become dissatisfied, and under the lead of Mr. Norton, Creamer, and Genet in the Senate, L. D. Kiernan and others in the Assembly, had made up their mind to oust all the Democrats who then held office, that is, the Mayor, the Comptroller, the Street Commissioner, the City Chamberlain, and all the officers under them, the Counsel to the Corporation and others; for that purpose they had introduced, in the early part of the session, a charter, and on the heels of that they introduced five or six other charters. Finally, the matter became very violent among ourselves, so a meeting was called of the Tammany Hall General Committee of that year, by myself, who was then chairman of that committee. That for the first time convinced us how far these parties were proceeding, and how strong they were, for I think that paper was signed by a majority of the committee. I, of course, was forced to call the meeting, and on the day the meeting was to be called, the sachems, who controlled the organization, decided they wouldn't have a meeting that night, from the fact that there was trouble apprehended, and they feared that if they held a meeting, there would be a riot. We communicated with Henry Smith, and a large force of men were present, and no meeting was held. Either that night, or the next day, the charter as prepared, was placed in the hands of Mr. Frear, who was then a Member of Assembly, and was identified with our interests; and while they were trying to get into Tammany Hall, Mr. Frear

introduced that bill in the Assembly, and had it referred to the committee he desired to have it referred to. I remained in New York that night, and the next day, when I went to Albany, I found that Mr. Hastings and others, republicans, were very anxiously at work to keep up this rivalry in the democratic organization. I found he was very bitter, and I sent for him, and he came to my room. I stated my business with him, which was to ask his advice about the passage of the charter, and to get him to aid us in helping it along. After some little discussion, he finally consented to aid me, dropping his opposition to our side of the house, and suggested that the best way to do it would be that I should see certain Senators, and, if possible, have a caucus of the Republican Senators called, and get them committed to our charter. We had arranged it so as to have no difficulty to pass it in the lower house. We passed it in the lower house, and at Mr. Hastings' suggestion, I saw a number of Senators, more particularly Senators Norris Winslow, William Woodin, Bowen, Minier, and Senator James Wood.

Mr. COLE—Please supply the first names with regard to all of those?

A. Norris Winslow, William B. Woodin, Theodore L. Minier, George Bowen, and James Wood. I didn't know how to reach Winslow particularly, although he had been hanging around my room a good deal, being a member of a Committee of which I was chairman. He was said to be a wealthy man; president of a bank where he lived; president of an insurance company. I guess, in the county he came from, he was the most living of all the living men there; he was looked up to a great deal, and was a very active and energetic man. I didn't know just how to tackle him; at Hastings' suggestion I spoke to

Mr. Bowen, Wood, and Minier; Mr. Woodin I had never had any talk with before; he was a quiet man. Rather a reserved man; I never had spoken to him much, except passing the time of day with him; but, on the day I came from New York to Albany, a gentleman I had had dealings with at the time, came to me and said that he understood I was trying to reach some Senators in this business, and he believed he could help me or give me some valuable suggestions. He said: "I know the brother-in-law of one of the Senators, and I think I can bring you together." I asked him the name of the Senator; he told me it was Winslow; I did see the brother-in-law, and it brought Mr. Winslow and me together. I talked the matter over with Mr. Winslow, and he thought they ought to have \$50,000 apiece. I said we would pay for it, but I said we couldn't afford to pay that; finally we talked the matter over, and, in one or two days, Hastings suggested that if I got Woodin it would be well for me, as he was an influential man, a powerful speaker, and stood very high in his party.

Q. What Hastings do you mean?

A. Hugh Hastings, here, of *The Commercial Advertiser*; after thinking the matter over, one day I met Mr. Woodin; I think I met him in the library-hall of the Senate Chamber. I said to him, "I hope that you are not going against me in this matter; it is a personal fight against me." He said no, he wasn't. I said, "They have threatened to remove me from my position as Deputy Street Commissioner; I feel it as a personal fight," and that I felt bound to win, and I felt sure that I should win. He said it wasn't a personal fight as far as he was concerned. He said, "Norton is a very clever gentleman, a friend of mine, who always helps my measures, and I want to help him

when I can, and I would like to help Mr. Genet in this thing, too." I said, "Don't you want to help me? It has become a personal fight against me, and I would rather lose my life than lose a fight." He said, "You take it very earnest." I said, "Yes, I take it very earnest, and I will do almost anything a man can do to prevent myself being beaten. I was always earnest in everything I undertook, but I am particularly so in this matter, which I regard as having taken the form of a personal fight against me." He said, "I haven't got anything against you; I don't want to injure you in any way." "Well," I said, "this is injuring me." Then he spoke about my position and so forth; that it ought to be worth a great deal of money to me, and I said it was, and I was willing to pay for it. I don't know who brought in money first, but money came up in the course of our conversation. I talked around him to get him to make some proposition, but that was the whole of our conversation. He said he would see me the next day; I reported that meeting to Winslow and Hastings separately, and they said "I guess you can get the old man; stick to him;" and I did stick to him. Next place I met him I talked to him again. He said he would come to my room and see me that night; then I felt pretty sure of him. I talked with Mr. James Wood and Winslow; they thought it was better the money should all be placed in one man's hands. I spoke to Woodin, and said, "I will win anyhow; I have got the thing all fixed, but I would rather win by a very large majority, and have all the Republicans go with me, and be on my side." Then I suggested the caucus, and suggested that the Republicans should resolve in the caucus to support me in this measure. I said, "Here is a way of getting over it, if money matters are mentioned: If you go in caucus,

and if the resolution is arrived at, you can say, 'I was governed by the caucus, and had to do it because the caucus did, and I personally went against it.'" I said, "Whatever I know about it I will keep to myself, and you needn't fear anybody learning anything from me." He said, "No; I am not afraid to trust you; I know you are all right. What other Republicans have you got?" "Well," I said, "if I don't get you I don't want to tell you the others." I spoke to Winslow about it again, and Winslow said, "You can mention my name and the other names." I had an interview with Mr. Woodin the next day, and I said the same thing to him that I had said to Winslow in the course of conversation, that I was to give each of them forty thousand dollars; he wanted to know if I wouldn't give fifty.

Mr. COLE—Who asked that?

A. Mr. Woodin. I said I didn't propose to give more—I couldn't afford it; finally he consented to go with the others. I said, "Shall I hand you \$40,000?" He said, "Do the same with this as you are doing with the rest." I said, "I am going to hand the rest to Mr. Winslow." The Republicans held their caucus, and resolved to stand by the charter. A short time after Mr. Hastings informed me that they had had a caucus, and that was the result; and, in fact, I knew already, for I kept myself pretty well posted on all that went on. The result was the caucus did pass the resolution that they would stand by the Charter and agree to the caucus determination; when the bill came up every Republican voted for it except Mr. Thayer, and every Democrat voted for it except Mr. Genet. The Senate was full—thirty-two Senators; thirty of them voted for it, and only two against it.

Q. This was the charter which had been prepared by the leaders of Tammany Hall?

A. Yes, sir.

Q. Were these the only Senators whom you had dealings with in connection with this matter?

A. No, sir; I bought some of the others also.

Q. How did you buy them?

A. I bought some of the Democrats by giving them places?

Q. What Democrats, and what places? All about it.

A. I couldn't tell what places. Places—employment of men in the department, where they put their name on the pay-roll, and drew their money once a month.

Q. I want to know all members of the Senate whom you approached with reference to their votes on this bill, where you used any arguments except the legitimate arguments, which might have been seen by an examination of the bill itself—I mean promises of money, position, place, or what not?

A. Samuel H. Frost, in the First District, I gave places to—places to his friends, you know—appointments.

Q. When you name a man, tell all that transpired between you?

A. I appointed quite a number of men for him in different positions—small positions, \$2.50 or \$3 a day—who did no work, but their name was on the pay-roll, and they drew their pay every month.

Q. Was that understood to be the consideration with which you controlled his vote?

A. There was no understanding had about it at all. I agreed to do that, and he agreed to vote for the bill.

Q. You know what I mean, Mr. Tweed. Was there an understanding that he should vote for that consideration?

A. I don't think he would have voted with me if I hadn't given him that consideration; I think there were quite a number—fifty or sixty, I believe. Senator Michael Norton I agreed to help in his business matters in New York.

Q. If he would vote for the bill?

A. Yes, sir; Thomas J. Creamer—some arrangements were made with him by Mr. Connolly; I don't know what the arrangement was, though it was understood that he was to vote for it. Genet voted against us. Senator Cauldwell—I gave a place to his partner, Mr. Whitney, to be not less than \$20,000 a year; if it was less, I was to make it up. He was appointed Deputy Collector of Assessments, a place worth fifteen thousand and some hundred dollars; I did make up the rest of it at the end of the year. William M. Graham I gave money to.

Q. How much, and all about it?

A. I can't recollect; I was giving him money all the time. It was \$1,000 to-day, \$500 to-morrow, \$10,000 the next day, to get him out of business difficulties. He was in trouble with his bank matters, and borrowed money from me to help himself out; but that didn't help him. He lost his money and mine too.

Q. He had an agreement with you that if he voted for this bill, you would give him money, and you did give him money?

A. Yes, sir. Mr. Winslow I gave money to, as I said before. Augustus Elwood, I think, I gave money to for that—for something else, if not for that. William H. Brand I gave money to for that; I think it was five thousand dollars; I am pretty sure it was. I gave money to Mr. Woodin, in the matter of Winslow.

Mr. COWING—You gave it to Mr. Woodin personally?

A. I gave it to Winslow, as I said before. I am sure he got it, because I asked him afterwards if my matters with him were all satisfactory, and he said "Yes." Abraham V. Harpending I gave \$5,000. Theodore L. Minier I gave money to in the same way. George Bowen I did the same to.

Mr. COLE—What did you do?

A. George Bowen I gave the same as I did to Minier and Wood; they were three of the five I gave money to in that matter. That finishes all, I believe.

Q. Now, are those all the members of the Senate that you recollect?

A. All that I recollect in regard to this charter; I didn't buy them to vote for the charter; I bought them to vote to sustain our charter in their caucus.

Q. Well, Mr. Tweed, I want you to be precise about this thing, because you are now dealing with reputations of honorable men.

A. I am, except in the case of one man, and if I didn't pay him for that, I did for other work of the kind. I don't want to do the slightest injustice to any man.

Q. You testified that you had a conversation with Winslow, in which you agreed to pay him money, and that you did pay him money into his hands?

A. Yes, sir.

Q. Did you have a conversation with Woodin?

A. Yes, sir.

Q. And did you agree with Woodin that you would give him money for his vote?

A. Well, there may not have been the very words used, but it was understood that he was to vote for the charter, and I was to give him \$40,000 for doing it.

Q. Well, now, Mr. Tweed, the question is this: Did

you in words say to Mr. Woodin that you would pay him money through Mr. Winslow, if he would vote for the charter; and did he agree upon those conditions, to vote for the charter?

A. I said to Mr. Woodin I had four votes already, at a certain price, the money for which was to be paid to Mr. Winslow. He asked me if it wasn't to be \$50,000 for each. I said \$40,000 was all I could pay. This was not the vote for the charter; this was to sustain the charter in caucus.

Q. I think you misapprehend it. State what transpired between you personally and Senator Woodin personally.

A. We had a number of conversations in relation to the passage of this charter. I explained to him what I desired—that the Republicans in caucus should agree to stand by this charter, and I would agree to pay each of them forty thousand dollars, the same as I did Norris, Winslow, Bowen, Minier, and Wood.

Q. That you did agree to pay them forty thousand dollars apiece, and money was paid?

A. Yes, sir, paid through Mr. Winslow; I wanted him to be my friend in the caucus, and help put the charter through. He said he would, and it was understood, as directly as an understanding could be, without plain language, that \$40,000 was to be given Mr. Winslow for him, and he would sustain it.

Q. As near as you can recollect, what was his words?

A. "Do the same with Mr. Winslow with me as you are doing with the others, and I will be with you."

Q. That was after you had informed him that the amount agreed upon was \$40,000?

A. Yes, sir; that was after three or four conversations.

Q. And did you pay \$40,000 to Mr. Winslow for Mr. Woodin?

A. I paid Mr. Winslow, in bulk, \$200,000 in cash, to be distributed among those five, he being one of them.

Q. In money?

A. Yes, sir.

Q. Did you have a subsequent conversation with Senator Woodin on the subject?

A. I did.

Q. What was the substance of that conversation?

A. I happened to meet him, and asked him if our matters were all satisfactory, and he said they were.

Q. Did you ever talk with Winslow subsequently, and ask him what he did with the money?

A. Never.

Q. You never heard directly that that money was paid to Woodin?

A. No, sir; I presume so, from his answer, that those matters were all satisfactory.

Q. Did you carry this large amount up there in money?

A. Some was carried up by me and some by different parties.

Q. Name all the parties that took it up to you.

A. Garvey's brother brought me up one hundred and odd thousand dollars at one time.

Q. What was Garvey's brother's name?

A. John, I think. A messenger in the Board of Supervisors came to New York and got money in the Tenth National Bank; he came up two or three times, I think; brought \$50,000; I took some up myself; Watson got me some; Connolly got me some. I guess I took the balance myself.

Q. Was that money drawn from the bank here in New York by checks?

A. A large portion of it was drawn in money, but some was raised by our notes, as I have explained before.

Q. Are those notes in existence?

A. Some of them are, but I put them in the hands of a gentleman who had a portion of my confidence, and who has retained them.

Q. Who is that gentleman?

A. A man by the name of Carolan O'Brien Bryant, who pretended to be a lawyer, and got those notes into his possession, making me think he could do something to help me.

Q. Do you say he failed to return certain of these papers?

A. Yes, sir; he failed to return them.

Q. I shall ask you subsequently, further on, in this connection, to give me a description of the papers retained by Mr. Bryant. Did you ever have any conversation with Mr. Senator Minier about his vote?

A. I talked positively and directly with him about it. We met, and the understanding was I was very anxious to pass this charter. He said: "It ought to be worth a good farm to do that; you are all rich down in New York, and all getting rich, and you have all got plenty of money, and you ought to pay well to have anybody stand by you." I told him I would stand well by him; I said I would give him \$10,000; he said \$10,000 wouldn't do. Then I offered twenty, and that wouldn't do either. "Well," he said, "how would twenty-five thousand do?" "Well, all right," I said, "twenty-five." "Well," said he, "I will see you again about it." He did see me again, and it got up to fifty, and finally we settled upon forty thousand.

Q. Did you have any conversation with James Wood on the subject?

A. My conversation with Mr. Wood and Mr. Bowen was of the same nature, and generally took place in my room, or in the hall of the Senate chamber.

Q. Did you ever have any conversation with Mr. Bowen?

A. I did—about the same as with the others.

Q. Well, please state just what you said and what he said.

A. He came to me and said he understood that I wanted to have the charter passed very much, and wanted Minier and him—who generally traveled together—to have them sustain my charter. I told him I was very anxious to have it passed, and in the course of conversation we talked about amounts. He left without any definite conclusion the first day.

Q. What do you mean by “amounts?”

A. As to whether I would give him ten or twenty or twenty-five thousand dollars for his support. We didn't agree about the amount then—that wasn't agreed upon; he came to see me the next day, and, in the course of conversation, he mentioned \$50,000. I told him that would be a matter of impossibility; if it couldn't be obtained without that, I thought I could beat them anyway, and finally we settled on \$40,000.

Q. And was \$40,000 for him paid to Winslow?

A. Yes, sir.

Q. With regard to Senator Wood, just state, as nearly as you can, precisely what transpired between you?

A. Senator Wood and I had had dealings before. I met him and said to him: “You say you always wanted to help me; now here is a chance.” He wanted to know

how. I said: "By standing by my charter; I want to have your Republican caucus decide to stand by my charter; then, if I happen to lose a Democrat or two, I am all right." I wasn't certain, then, of Norton and Creamer. Bradley had always been anxious to secure the charter as I was. I told him I would pay him well for it.

Q. You told whom?

A. Mr. Wood. He kept talking about how poor he was; he said if I would take some interest in a rectifying distillery—he had an interest in some establishment for making new whiskey old, or old whiskey new, or something of that kind, and he wanted me to buy it. I said no, I didn't want to; I didn't know anything about the business, and I didn't want to put any money into a business I didn't understand. I told him I had secured others, as I told them all, for \$40,000, and that was all I was willing to give. He finally consented.

Q. And \$40,000 was paid for him to Winslow?

A. Yes sir.

Q. Now, with regard to the other Senators whom you have mentioned, did I understand you to say that it was in every case understood between you and them, that you should give them money or place to influence their votes, and that they did vote for you in this matter?

A. Yes, sir; I did say so.

Q. And those conversations were held with you directly, and that money passed directly from you to them, wherever it passed?

A. Yes, sir; or positions were given to them.

Q. How did you first come to consult with Mr. Hastings about this matter?

A. From the fact that I had employed him in other

matters; he was a very valuable man in every way; he was very active, enterprising and energetic, and also controlled the paper.

Q. What do you mean by "employed him?" Employed him to do what?

A. To procure bills to be passed.

Q. What I mean is this: Did you employ him as a journalist?

A. I employed him as a lobby agent—as a lobbyist.

Q. To persuade votes?

A. Yes, sir; to persuade certain persons to vote in my interest.

Q. Did you employ him in regard to this charter?

A. I did, sir.

Q. Gave him a fee, I suppose?

A. I agreed to pay him well for it.

Q. Did you pay him?

A. I did pay him.

Q. What did you pay him?

A. Twenty thousand dollars.

Q. Well, was he present at any of these consultations with any other of the Senators?

A. No, sir; nobody was present.

Q. What did he do in this connection?

A. He was the one who first advised me to secure the Republican caucus, and suggested whom I should see.

Q. Did he know you were influencing votes with money?

A. I don't know as he did in this charter business, because it was a particular matter; he knew I was trying to.

Q. As to this charter?

A. He must have known. Everybody talked about it.

Q. You paid him \$20,000?

A. Yes, sir.

Q. How?

A. He called upon me after the Legislature adjourned; that was the time I generally paid those gentlemen, who were not members of the Legislature, who worked for me in Albany—he said he wanted some money. I wanted to give him a smaller amount, and finally gave him \$20,000; I gave him a check for \$20,000, payable to him or order.

Q. Where is that check?

A. I have it now in my possession.

Q. Payable to whom?

A. To Hugh J. Hastings; perhaps payable to bearer, endorsed by him.

Q. Are you certain that his name is on it anywhere?

A. Yes, sir.

Q. Have you got that check?

A. Yes, sir.

Q. Have you got it with you?

A. No, sir.

Q. I shall want that check next time.

A. I can produce it.

Mr. COLE—Mr. Chairman, I would like to put in, as part of the proceedings to-day, an extract from the complaint of Monheimer against The Mayor, etc. This Joseph A. Monheimer, who sues The Mayor, etc., upon an assignment of James O'Brien's claim against the city for sheriff's bills, is, I understand, the witness to the assignment which was made to Mr. Tweed, which has already been put in evidence. This complaint of Monheimer's alleges that during the years 1868, 1869 and 1870, James O'Brien was sheriff of the city and county of New York, and that during said years certain moneys

became due him as sheriff's fees, and that these claims were assigned to Monheimer; and he thereupon sues. The assignment to Tweed, which has already been put in evidence, was made in October, 1871.

Mr. COWING—Was it delivered on the day it was made?

Mr. TWEED—I received it the same day, I think.

Mr. COLE—And this one was made in May, 1876.

Mr. TWEED—Mr. Counselor, the assignment to Mr. Dewey was in October, 1871, and the one from Dewey to me was in 1876. I have a little statement of Mr. Dewey with regard to it.

Meeting adjourned to Tuesday, September 18, 1877,
at 2 P. M.

SEVENTH DAY.

SEPTEMBER 18—2:8 o'clock P. M.

Present—Alderman LEWIS.

“ SLEVIN.

“ COWING.

Alderman LEWIS in the chair.

Mr. LEWIS—The meeting will please come to order.

(It is moved and seconded that the reading of the minutes of the proceedings be dispensed with. Motion carried.)

Mr. COWING—Mr. Chairman, while we are waiting for Mr. Townsend, I would like to make a few remarks on several subjects. During the last week I have been the recipient of several letters from gentlemen, and have had some interviews with parties who desire I should put personal questions to the witness. I have to state, that so far as I am personally concerned, I am not on this Committee as a partisan. If I catch a Republican guilty of stealing, I will punish him as quickly as I would a Democrat; and a great deal quicker, because I would expect more from him. As far as I am personally concerned, I have put myself on record here as saying I thought that any man who should be guilty of committing a breach of trust ought to be shot. I did make use of that expression, and I still adhere to that view. I think until some such law as that is enacted in this State, and, in my judgment, more certainly within the city, you will never have an economical or an honest government; and I will state now, for information of the public generally, that any questions they will send in here, for me to ask, pertinent to the question, I will ask them, whether it hits Republican or Democrat, Tammany Hall, or any other; it don't make any difference to me; and I will do the utmost in my ability to see that the examination disposes of those gentlemen who have been guilty of speculation in office, that they may be punished. People write to me, or ask me in conversation, why I don't go into an examination here, without directing my examination, and without stating what particular questions they desire asked; now if they will indicate their questions, they shall be asked forthwith.

Mr. COLE—Mr. President, I am not surprised, but

decidedly pleased, that Alderman Cowing has seen fit to make these remarks. I have long since caused a letter to be printed in the newspapers, stating that in my judgment this Committee, without reference to the politics of any member of it, was sincerely and honestly desirous to make this investigation entirely thorough, and asking newspapers and private individuals to direct my attention to any man or any subject which, in their judgment, needed investigation, and saying that I had been directed by this entire Committee, and all the members of it, to propound all pertinent questions to which my attention might be turned, which in any way might throw light upon any frauds upon the city or county treasury. I notice to-day that the newspapers still are saying, editorially and otherwise, that there are suspicious circumstances connected with this investigation. I have certainly tried to make the investigation, so far as I could, absolutely thorough and absolutely impartial; and I can say, in my own behalf, and in behalf of the Committee, that any question which shall be sent up to me, or to any member of the Committee (for I am so instructed), shall be asked in the very words in which they are propounded by the persons propounding them; and hereafter, when this matter is closed, it doesn't lie in the mouth of any honest man, or of any honest public journal, to say that it has been a partial and one-sided examination, if they didn't choose to accept the public invitation of this Committee, to aid the Committee, as the representatives of the people of this city, in ascertaining who committed the frauds, when, and how, and all about it, without reference to Tammany Hall, anti-Tammany Hall, Republicanism or Democracy. I am instructed by the Committee to say that any gentleman, or any journal who will propound

questions over their own signatures, or by their own authority—that those questions shall be asked to the witness now on the stand, and such other witnesses as may succeed him on the stand. Anonymous innuendoes against citizens will not be noticed by the Committee necessarily.

Mr. TOWNSEND—I think it is proper for me to state here, gentlemen, that Mr. Tweed long since has stated that he would prefer very much any persons who know anything in regard to these affairs, which perhaps he may not recall, if they would send such questions to him, or put them into the hands of the Committee beforehand, so that he can have an opportunity to answer them. He desires, certainly, to state all that he knows in reference to this matter, from beginning to end, no matter whom it may affect.

Mr. COLE—Now, just in this connection, I notice that in *The New York Sun* of the 17th inst., Mr. John Morrissey has suggested certain questions to be propounded to this witness. I propose to propound them.

Mr. TOWNSEND—Mr. President, will you allow me? I have not had an opportunity of seeing Mr. Tweed within the last twenty-four hours. If you will allow me five minutes with Mr. Tweed I should be very much obliged. It is rather important that I should have it before he commences on this statement. Five minutes is all I want.

(Witness and counsel retire. After return :)

Mr. COLE—In asking these questions, Mr. Chairman, I shall follow the words and the order of *The Sun's* article. It throws my line of examination somewhat out of order, but I think it, perhaps, will be as valuable to show that these—

WITNESS—I would ask, Mr. Counselor, if you intend to pursue the examination by asking questions in that way without knowing whom they are from ?

Mr. COLE—Yes, sir.

WITNESS—Well, then, you will never get through.

Mr. TOWNSEND—I do think, Mr. President, that Mr. Tweed ought to have the opportunity, at least, of receiving the question a day or two prior to the time of his making the answer, because he certainly cannot be expected to be entirely ready at all times to answer.

Mr. COWING—Anything that anybody chooses to ask him we will ask him, but we cannot in the manner in which Mr. Townsend proposes. That very mode would cause great trouble, for the reason that it has been suggested in the papers that all these questions are propounded a week beforehand.

Mr. COLE—I think it would lose its pertinence if we gave the witness time to fix his answers.

WITNESS—Well, I will answer everything I can, and I am ready to answer at any time.

Mr. COLE—The first assertion is this: “There are now
“on the Tammany Hall General Committee at least fifty
“men who served under the city in Tweed’s time, in the
“Boards of Aldermen, Councilmen, and elsewhere.” Mr.
Tweed, can you at this time name any men who are now
in the Tammany Hall Association, who, during your
terms of office as a city officer of any kind, served under
the city government in the Boards of Aldermen and
Councilmen, or elsewhere ?

A. I know nothing about the Tammany organization, or any other organization at present.

Q. If I shall give you a list of all the persons who are in the Tammany General Committee, or in anywise connected with the Tammany organization, will you, at the next meeting, point out all persons who held city offices or city appointments during your time?

A. I will, as far as my memory serves, but with the thousands of men I have had in my employ, and been connected with, I couldn't tell half.

Q. Do you know anything about the Brooklyn Bridge?

A. I do.

Q. I shall examine you on that at a subsequent period of this session.

A. That I would be perfectly willing to answer to-day, but I have no recollection of the whole matter.

Q. Passing the Brooklyn Bridge for the present, "Will he tell," says Mr. Morrissey, in *The Sun*, "how much was paid for the Aldermen's confirmation of three gentlemen who at different times filled the office of City Chamberlain, and two of whom filled the office of Commissioner of Streets, and who got the money?" Who held the office of City Chamberlain during the time you were connected with the city government?

A. Mr. Sweeney, the most of the time.

Q. Were there two others?

A. Yes, sir; Bradley and Palmer.

Q. Give first names in every case.

A. Peter B. Sweeney, John J. Bradley, and Francis Palmer, I think.

Q. Did two of these gentlemen ever hold the office of Commissioner of Streets?

A. Neither of them, I think.

Q. Be sure about that ?

A. I am sure.

Mr. TOWNSEND—That is the reason why I object. Six or seven years have transpired now since Mr. Tweed has been called upon to recollect any of these events, and to call upon him now to remember about this thing, or to recollect any afternoon, for instance, and say what did occur then, is asking too much of any witness. If you will submit those questions to me, I will submit them to Mr. Tweed, and he will answer what he can at our next meeting.

Mr. COLE—I want you to answer these to the best of your knowledge, information and belief, under your oath. If you make a mistake, it is the misfortune that every witness must be placed under ; but I cannot consent to any time being given the witness, because the allegation is that you fix up your answers.

WITNESS—Well, so I do fix up my answers, I must do so if I want to give you any information that is reliable. These things happened eight or nine years ago, and if I gave my first impressions and without reflection, you could not depend upon such testimony being reliable.

Mr. COWING—Wasn't Mr. Stout Chamberlain at that time ?

A. He was in 1853 ; then came a man named Pratt, and then, I think, came Mr. Sweeney.

Q. Who held the office of Commissioner of Streets during your connection with the city government ?

A. The first man who held it was John T. Dodge ; that was in 1852 or 1853 ; then James Furey ; then, at a later date, Mr. Charles G. Cornell in 1861, he was succeeded

by George W. McLean. During a period of two or three months after Cornell's time was out, I was Deputy Street Commissioner, and acted as Commissioner.

Q. Do you know whether or not the Board of Aldermen was paid, or any member of the Board of Aldermen was paid, any money for the confirmation of Peter B. Sweeney as Chamberlain?

A. I do not, sir. I heard so. I know nothing of my own knowledge.

Q. What did you hear?

A. I heard he paid \$60,000 for the confirmation. My relations with Mr. Sweeney were not intimate at that time. In fact, they were rather opposed to him.

Q. Tell all you heard about it?

A. That is as far as I have heard—that they paid \$60,000 to the Board of Aldermen for his confirmation.

Q. Who paid it?

A. His friends.

Q. To whom did they pay it?

A. To the Board of Aldermen.

Q. Do you know what Aldermen received it?

A. No, sir.

Q. Can you find out by refreshing your memory on that point?

A. I can't find out, because I never knew.

Q. Do you know anybody who would be likely to know?

A. Mr. Hugh Smith or Mr. Sweeney; Mr. Hugh Smith would be likely to know. Mr. Morrissey seems to know all about that; I don't see why you mightn't let him be called; I guess he knows all about it.

Q. Do you know of any money having been paid to the Board of Aldermen, or any member, to induce the con-

firmation, by the Board of Aldermen, of J. J. Bradley as Chamberlain?

A. I do not; I think he was appointed. The power at that time rested in the Comptroller directly.

Q. Did you ever hear of any money being used in connection with his appointment or confirmation?

A. I did not, sir.

Q. Do you know of any money having been used to induce the Board of Aldermen, or any member of it, to confirm Francis Palmer as Chamberlain?

A. That was after these troubles commenced; I know nothing about Mr. Palmer's connection with the office; I didn't take any notice at the time.

Q. Did you ever hear of any money being used in that connection?

A. I did not, sir.

Q. Do you know of any money having been used to induce the Board of Aldermen, or any member of it, to vote for the election of J. T. Dodge as Street Commissioner?

A. I do not, sir; he was in office when I went in office in 1852.

Q. Do you know of any money having been used in connection with the election of James Furey as Commissioner of Streets?

A. Nothing except legitimate election expenses as Commissioner. He was a candidate, and was elected.

Q. Well, what do you know about that?

A. Well, I know that Tammany Hall gave so much to each district for his election—so much for boxmen, so much for canvassing, printing, and so forth. I know in our ward we raised money for the election expenses by subscriptions—five dollars from one man, two from another,

three from another—as much as we could get from any one.

Q. Apart from what you call election expenses—posters, boxes, men to distribute tickets, men at the polls, and that sort of thing—do you know of any money being used in that election?

A. I do not, sir.

Q. Do you know, generally, of any money having been used in that election, in an illegal manner for illegal purposes?

A. I do not; it is twenty-two or twenty-four years ago.

MR. TOWNSEND—Now, gentlemen, that is what I object to. It does seem to me that such questions to this witness are not exactly right. They are questions which would not be permitted in any Court in this State. Does he know by hearsay what this one or that one got, or what they did? If he knows of any information, or can show that he has corroborative evidence of what he has done, or somebody else has done, it is well and good; I don't object to his testifying in that regard, but when you put a question, as: "Have you heard this and that thing?" in regard to the reputation of individuals, it is carrying it too far. Mr. Tweed is willing to give an answer to anything relating to the Ring transactions, as far as he knows, and that I don't object to; but when it comes to asking him concerning what he heard, or some one else said *he* heard, and request him to give a definite answer on subjects which took place twenty or twenty-five years ago, I *do* object, and I hope that he will follow my instructions in regard to this matter, not to answer those questions which are simply hearsay matters.

WITNESS—Well, you must recollect that if I don't

answer them they will say that I don't want to answer them.

Mr. TOWNSEND—Well, never mind that. Put yourself under my guidance, and let me take the *onus* in regard to that.

WITNESS—Yes; but they won't blame you for it. They will only blame me.

Mr. COWING—I don't think we ought to do it, because it is not legal testimony, nor wouldn't be introduced in any court of the world, and therefore I think it is perfectly absurd for him to come out and say, "So-and-so "heard such-and-such a thing."

Mr. COLE—I am under the instructions of the Committee; my desire and duty is to find out all I can.

Mr. TOWNSEND—In the way of testimony, yes; but not in the way of hearsay evidence. That certainly is not necessary.

Mr. COLE—I don't understand that the rules of evidence (I mean with regard to hearsay evidence) ought to appertain to such an examination as this. It is more in the nature of a committee of investigation.

Mr. TOWNSEND—Mr. Tweed has placed himself in a position, now, where he cannot retrograde; and, in giving information to this Committee, where he informs them as to what he himself has done, or what he, of his own knowledge, knows others have done, I say nothing of it; but I think it is an outrageous thing to put a man on the stand and ask him what some one has told him concerning some one else. I see that the subpoena,

by which this witness was brought here, is a subpoena directed from the Supreme Court of the State of New York, and means that he should tell here just what he would be called upon to tell in that court, and nothing more, and certainly such hearsay evidence would not be permitted in any court.

Mr. COLE—We are not sitting here as a Court, but as an inquest.

Mr. TOWNSEND—From what little I know, Mr. Tweed knows enough, from his own actions, to satisfy this Committee, and the people of the State of New York, that great wrong has been done, and it is not necessary to spread it outside of his information.

Mr. COLE—I am under the instructions of the Committee.

Mr. TOWNSEND—Mr. President, there is one thing I would like to have understood. If there has been an understanding between Mr. Tweed and any member of the Ring, that a certain thing should be effected, and that Mr. Tweed had done it, or that any other member did it, under instructions from that Ring, I don't object to that, and to his telling the result of that thing; but if it is anything that he said he has heard somebody outside of the Ring say some person was to receive, that I must and do object to.

Mr. COLE—Well, Mr. Townsend, you will state your objections *seriatim*, as the things come up? Of course you don't want to object to the investigation altogether?

Mr. TOWNSEND—I don't want to be placed in a position that will make me appear as wishing that this examination

shall not be as general as can be, but I do hope that persons' names may not be brought in here, whose names cannot be brought in fairly before the public. I certainly will object to any man's name being brought in, where there is no opportunity to refer to something more tangible than hearsay.

Mr. COLE—If I think there is anything against them, I shall certainly try to get that out, if I can, without being strictly bound by the rules of evidence. The only reason hearsay evidence is not admissible in courts of justice, is that either the life and liberty, or the money of anybody is at stake; but this Committee does not constitute a court of justice, nor is it under the same limitations. It seems to me that it can ask that class of questions just as the Grand Jury might.

Mr. TOWNSEND—Yes, but the Grand Jury is a different affair. It is a private body.

Mr. COLE—With regard to Charles G. Cornell, Mr. Tweed, do you know of any money having ever been paid to the Board of Aldermen, or any member of the Board of Aldermen, to effect his election, appointment or confirmation, as the case may have been, as Street Commissioner?

A. My connection with Mr. Charles G. Cornell was of a most confidential and friendly nature. I was his deputy from the time he was appointed until he served his full time out, and I am as confident as I am of anything I am personally, that he never paid a dollar for his confirmation.

Q. You don't know that he ever did?

A. I don't know.

Q. You don't believe that he ever did?

A. I don't believe he ever did; I am confident he never did.

Q. Now, as to Mr. George W. McLean?

A. Same answer, exactly.

Q. You never knew nor heard that he paid?

A. No, sir; nor believed that he did.

Q. Did you pay anything to be made Street Commissioner?

A. I was only acting Street Commissioner.

Q. That completes the list of Street Commissioners?

A. Yes, sir; there were some between Furey and Cornell, but I don't recollect who they were; Sheppard Knapp was one, and General Smith and General Lovell was there, but I don't know anything much about them.

Q. Well, do you know of any money having been used in connection with the election, appointment, or confirmation of anybody as Street Commissioner, during the time that you held office?

A. I do not, sir.

Q. And now the same as to Chamberlains: Did you ever know, during the time you were connected with the city government, of any money being used to appoint or confirm a City Chamberlain?

A. Not of my own knowledge, sir.

Q. Did you ever hear anybody say that they did?

Mr. TOWNSEND—That I object to, unless the question is put to him: "Was he told by any of those persons with whom he was associated in crime?"

Mr. COLE—Were you ever told so by anybody?

A. I was told so by somebody.

Q. Will you tell us who told you so?

A. I cannot. I was told so generally. It was a matter generally commented upon.

Q. Do you mean you don't know?

A. Yes, sir.

Q. Was it a matter of general rumor?

A. Of general conversation and general rumor.

Q. And you don't know who told you?

A. I don't, sir.

Q. As to which of these several chamberlains was the general rumor so prevalent as to reach your ears, that money was used?

A. Mr. Peter B. Sweeney.

Q. Do you know how much money was used?

A. I heard \$60,000, sir.

Q. And that is the only Chamberlain that you ever heard of money being used with regard to his appointment or confirmation?

A. I heard that money was paid for the appointment of Mr. Platt or Pratt (Pl or Pr; I forget which) President of the Artisans' Bank.

Q. How did this reach your ears?

A. In the same way; it was the talk around the City Hall.

Q. Can you aid the Committee in tracing that rumor?

A. I cannot; if I could do so I would willingly.

MR. TOWNSEND—What is the action? Do the Committee determine that that shall be the action of the Committee?

MR. COWING—I think not. That is, I am only one of the Committee. As far as I am concerned, I think it

ought to stop right here, for such questions, I am sure, would never be permitted anywhere.

Mr. COLE—Well, if we are going to confine ourselves to legal testimony, and submit to its rules, we had better shut up at once, and adjourn *sine die*, for there has hardly been a dozen questions I have asked here which would not have been objected to if I had been in a court of justice. But you know the case is different in this instance. This Committee are not to be governed by the rules of a court of justice, but rather by those of an investigating committee. The evidence brought before them is to be used no farther than to inform the consciences of this Committee. If the result of this examination is to implicate individuals, and indictments are brought against them, or civil suits are brought against them, then they will be brought up in a court of justice, and they will have the benefit of all the rules of evidence in that case made and provided; but this Committee, I submit, are sitting here as an inquest, to ascertain whether or not there is probable cause for commencing suit against persons, and if we are, in this preliminary investigation, to confine ourselves to the rules of evidence which would appertain to the suits themselves, when they are once started, we might just as well stop right here and now, for we would never get at anything; because the witness would constantly say: “Of my own knowledge I know nothing.”

Mr. COWING—If he don't know anything, and can't inform this Committee of anything, within his own knowledge of it, we don't need it. If our report be composed of hearsay evidence, which is the most unreliable evidence that can be used, I want to stop here. Mr. Cole, I don't want to be captious in this matter, and I don't want

my actions misunderstood. I would have every fact come out here, that is brought out in the way of testimony.

MR. TOWNSEND—Will you permit me to say one word more? When this examination was called on, I supposed that perhaps Mr. Tweed might be of service to himself as well as to the public; otherwise I should not have advised him to have occupied the position he has done. When he was called upon to give the names of certain parties, whether connected with the Board of Supervisors, or the Board of Audit, or the Legislature, whichever it might have been, and was, I felt that Mr. Tweed was not acting altogether simply as a person speaking his own mind on the subject, but that he did have evidences of it, and that those evidences remained in his own hands, in case persons came forward to dispute the statements he made. In that way Mr. Tweed stood safe, and I am satisfied, from the knowledge I have of Mr. Tweed's information, that he has just such knowledge as will place him in a proper position when these persons, if they desire, come forward to dispute what he says. But when it comes to a question as to whether Mr. Tweed has heard Tom, Dick or Harry say something against John Jones and William Brown, it places them in a position in which it is impossible for them to place themselves right before the community, and it injures them; and I don't think it is right for the Committee of the Board of Aldermen to place any person, I don't care whether good, bad or indifferent, in a place where he has no opportunity at all of offering any opposition to what is said against him. If Mr. Tweed has acted in any way in conformity with any decision of the Ring, whether it be the Ring of the Super-

visors, or Audit, the Legislative Ring, or whatever it may; if he has acted in conformity with any decision on their part; then I am perfectly willing he should testify, and take the cross-examination in any way it may choose to come. But, as I said before, when hearsay evidence is attempted to be introduced, then I say he ought not to be obliged to answer.

Mr. COLE—Well, now, Mr. Tweed, with regard to any other gentleman who held the office of Chamberlain during your term of office, do you know of any money having been paid to secure their election or confirmation?

A. I do not.

Q. The next question which is suggested by Mr. Morrisey in this communication, is the following: “Will he tell how much it cost for the passage by the Legislature of the Erie classification bill, the bill legalizing Erie’s fraudulent stock, and the act legalizing the New York Central scrip, and how and to whom the money was paid?”

A. If you will please divide those questions, I will answer, sir.

Q. Do you know anything about those three matters?

A. I do, sir; I know something about it.

Mr. COLE—I propose, if the Committee please, to reserve that question until I come to it in the regular course. “Will he say whether or not a man, who is now high up in the councils of Tammany Hall, did not negotiate for the passage of the New York Central bill?”

A. I don’t know who it refers to. I don’t know anything about Tammany Hall or any other organization.

Q. Suppose it referred to Mr. John Kelly. Do you know anything about it in that connection?

A. I do not, sir.

Q. Do you know whether or not he had anything to do in that matter?

A. I think not; he did not, to my knowledge.

Mr. COWING—Well, that is not all in Tammany Hall, high in the organization. Do you know any such a one who was connected with this matter?

A. I have no knowledge of who is high up in Tammany Hall meetings, or in any other organization. I don't know anything but what I read in the papers. I never bother my head about politics. I don't expect ever to vote again, and I don't notice anything of the kind that is going on.

Mr. COLE—Do you know anybody at all who negotiated for the passage of the New York Central Bill?

A. I don't; I know no one connected with Tammany Hall.

Q. If I gave you a list of the persons connected with Tammany Hall, could you then tell me whether any of those gentlemen had anything to do with the passage of the Central Bill?

A. I don't know. I could look over it with a great deal of care, and I may tell you then, at the next meeting.

(At the next meeting a correction was made, to be inserted here in these words: "I don't know any one connected with Tammany Hall who negotiated for the passage of that bill.")

Q. I shall provide you with a list at the next meeting.

Mr. TWEED—I hear some one behind me mention the name of Mr. Schell. Now, it was said in a tone loud enough for me to hear, and I presume it was meant for my ears. I am ready to answer any question about Mr.

Schell. If I don't listen, they will go away and say they said it loud enough for it to come to my ear, and I didn't listen to it because I didn't want to.

Mr. COLE—Do you know anything about Mr. Schell in connection with the Erie Classification Bill?

A. I do not, sir; I never had any connection with him of any nature.

Mr. COLE—Well, Mr. Tweed, it is not necessary for you to attend to all the suggestions of the lobby.

WITNESS—Well, I mention that because if I don't they will go away, probably, and say they mentioned it to my ear, and say I didn't pay any attention to it. I don't propose to let them have it that way.

Mr. TOWNSEND—Well, my dear sir, if you take it upon yourself to answer everything everybody says—

WITNESS—Well, I don't want to have anything of that kind said.

Mr. COLE—Do you know whether James Watson, who you testified had a good deal to do with the Ring frauds—what connection he had with John Kelly?

A. He was clerk for John Kelly at one time, when Kelly was Sheriff.

Q. Was he appointed by Kelly, do you know?

A. I presume so; Kelly had all his own appointments; of course, he must have appointed him.

Q. Was he in the Sheriff's office before Kelly was Sheriff?

A. I don't know.

Q. What else do you know about the connection that existed between Watson and Kelly?

A. I don't know anything. I know they were very friendly, and that is all I know.

Q. Now, Mr. Tweed, do you know anything in connection with the bills of John Kelly when he was Sheriff—whether there was any frauds concerning their collection, any money used to induce their collection, or in anywise, whether there was any frauds connected with them, so far as you know, or have heard?

A. I mentioned at the last examination, I think, that I didn't—either as to Mr. Kelly, Mr. Brennan or Mr. Lynch.

Q. What do you mean by saying they were very friendly—Watson and Kelly?

A. I mean, he attended to his business a good deal for him; he was a thorough-going business man, prompt, accurate, and very attentive.

Q. Do you know, when Kelly went out of office, what he did about Mr. Watson going into office with his successors?

A. I don't know. I understood he was in with Mr. Brennan all the time during his administration, on Mr. Kelly's recommendation.

Q. And you recommended him also?

A. Yes, sir. I think almost all the prominent Democrats at that time did. I knew nothing against Mr. Watson at that time.

Q. What business, so far as you know, did Watson do for Kelly when he was Sheriff?

A. I guess he made out his bills against the county, attended to the collections, and, as a general thing, made out the bills.

Q. Did he present them to the Supervisors in person?

A. As a general thing, he did.

Q. Was any money presented to him as a percentage or share on those bills, or did he pay any to any parties?

A. Nothing to him or from him. I am satisfied of that, because I was either Chairman or a member of the Committee on County Offices, to which all Sheriff's bills were referred.

Q. Do you know anything connected with Mr. John Kelly's course as a public man, which, in anywise, connected him with the Ring, or whereby he got any money out of the City Treasury or County Treasury, to which he was not entitled?

A. I don't know anything of the kind; on the contrary, he was always quarreling with the Ring, and was well known to be opposed to us; so much so, in fact, that when they wanted some one to beat us, they nominated him for Mayor. He left shortly after that—in 1868, I think—and didn't come back until after these troubles—I think so, at least. I understand that is the case.

Q. Now, when Kelly was elected Sheriff—when he ran against Michael Connolly—I want you to tell me anything you may know with regard to that election, that wasn't straight?

A. I don't know anything about that election. I don't think Mr. Morrissey had introduced his system of repeaters from Philadelphia at that time. He hadn't on our side of the town, at least—east side of the town.

Q. Can you explain how Kelly came to get the majority which he did get in the Fourth Ward?

A. Only from the fact that he represented that ward in Congress for a number of years—two or three years; he had been Alderman of the Fourteenth Ward. That was a ward populated by the same class of people—about the same feeling, generally.

Q. Do you believe that the majority he got in the Fourth Ward was an honest majority or not?

A. I think so; no doubt of it.

Q. You know nothing to the contrary?

A. I know nothing to the contrary.

Q. Now, as to the Sixth Ward?

A. The same reply. The Fourth, Sixth, and Fourteenth Wards formed the Congressional District he had represented, and the same applies to those.

Q. Do you not know any frauds connected with his election in those wards?

A. No, sir.

Q. As regards the Seventh Ward?

A. No, sir.

Q. Did you cheat for Kelly in that election?

A. No, sir; but I would have done it if it had been necessary.

Q. Was it necessary? Did you do it?

A. No, sir; but I would have done anything to beat Connolly at that time.

Q. Do you know of any instructions being given to the canvassers in that election?

A. I don't know of anything.

Q. I want you to be exceedingly careful in dealing with this matter. I want to know, generally, whether you know of any irregular or illegal practices in that election, when Kelly beat Connolly?

A. I do not, sir.

Q. Did you ever hear there were any?

A. I don't think I did; I was so prejudiced against Connolly that anything that was done against him would have satisfied me.

Q. Then I shall repeat my question. Do you know anything, or did you hear of anything, irregular or illegal in that election?

A. I do not, sir ; I have stated positively and unequivocally that I do not.

Mr. TOWNSEND—Won't you be kind enough to put that question to Mr. Tweed more directly in reference to the Fourteenth Ward? That seems to have been the most decided and decisive suggestion—that the Fourteenth was used as against Mr. Kelly, and that is where Mr. James Hayes was at that time in charge, and it was said there openly that the ward was illegally obtained.

Mr. COLE—Well, I will call your attention to the Fourteenth.

A. I know nothing about any irregularities there, but I think the Fourteenth would have been more likely to have had them than any other ward, because Mr. Hayes had charge in that ward, and Mr. Hayes would have done it for Mr. Kelly. They were very intimate. Kelly had known him from boyhood, and, in fact, looked upon him as one of his own boys at that time.

Q. Well, now, Mr. Tweed, let me put this question to you : If you were in my position, and wanted to find out whether or not that was a fair election or a foul election, tell me who would be most likely to know the facts in the Fourth Ward ?

A. Alderman Thomas Coman, who was then Alderman of the Fourth Ward.

Q. Who else? Some one I can get hold of?

A. You can get hold of Thomas Coman any day.

Q. In the Sixth, who would be apt to know about that?

A. Judge Brennan—Matthew T. Brennan.

Q. Anybody else? Give me two or three.

A. Well, Morgan Jones.

Q. As to the Fourteenth?

A. I couldn't name a man there connected with the matter whom I would believe, so therefore it would be unwise for me to name one to you.

Q. Who would be apt to know the facts?

A. Mr. Hayes would know them.

Q. And the Seventh?

A. Myself, and Mr. Alderman Sheils would know it.

Mr. COLE—Mr. Chairman, I think I have exhausted the suggestions of Morrissey. If I have not, I hope that Alderman Cowing, who, I see has the matter before him, will call my attention to any omission.

Mr. COWING—I don't see any, Mr. Tweed, excepting one here, Mr. Cole has missed. "How much money was paid to pass the first appropriation of \$1,500,000 for the Brooklyn Bridge, and to whom was the money given?"

WITNESS—The question was asked, and I said I did know something about that. I would like to speak a word, if you please.

Mr. COLE—Mr. Chairman, these questions I have asked so far—my examination has been entirely taken up with questions which I see have been suggested by Mr. Morrissey, and printed in *The Sun* of the seventeenth of September, and this I have done, although it has taken me out of my regular course, because I want the newspapers and the public to understand that I mean what I say when I invite them to put interrogatories.

Mr. TWEED—May I speak a few words here? I read that article in *The Sun* yesterday and have carefully pre-

pared myself, presuming I would be interrogated upon it. I desire to say a few words concerning the man who puts these questions. (Witness proceeds to read a paper concerning Mr. Morrissey).

Mr. COWING—Mr. Tweed, I am very sorry that you have felt called upon to read such a thing in public and before this Committee. We are not authorized to let a matter of that kind emanate from this body, and I for one, and as a member of the Committee, am strenuously opposed to it. In saying this, I have nothing to say for Mr. Morrissey; but to use this Committee for the purpose of making such a thing public is wrong. I don't think we should sit here and allow you to take such advantage as you have.

WITNESS—Must I sit here and be abused by every thief that stands on the corner, and who chooses to wag his tongue at me, and then be told that I can have no opportunity of defending myself? I am tied hand and foot; I am in jail; I have got no means of communication with any one outside; I cannot send out a messenger. This man is in the streets, free, haunting the public houses, hotels, bar-rooms, and restaurants. He says he has given me one dose, and shall give me another. Then I shall give him another. This man has taken me when I am at a disadvantage, and he has sent this paper here to hurt me all he can. I shall fight back at everybody that fights me. I can't be crushed out because I am unfortunate.

Mr. TOWNSEND—Mr. President, it does seem to me that when Mr. Tweed places himself here as a witness, to give all the evidence he can here upon the Ring, that when a gentleman attacks him in the paper, that it is fair that he

should suggest to the Committee, if he knows, what the character of that gentleman is. It seems to me, that when newspapers, such as *The Times*, for instance, copies extracts from another paper, as being evidence of what Mr. Tweed is, from the mouth of another individual, it is but fair that Mr. Tweed should get up and say that it is not right that the public should judge him out of the mouth of such an individual. If all this is true, it seems to me that we have lost much time in listening to the thing at all.

Mr. COWING—Possibly not, sir. I am not speaking of the fact of Mr. Tweed defending himself against any attacks made upon him, but I object to his using this Committee as a means of making his defense public. He has the same resort as Mr. Morrissey has taken—the newspapers.

Mr. TWEED—I beg leave to apologize to the Committee, if I have done wrong, and beg to say that I cannot meet the man who does this. I am not in a position to do it, and I would like the Committee to allow me to defend myself from the attack.

Mr. COLE—The most pertinent questions may possibly be put by even the greatest thief, and we hail with satisfaction questions which are suggested by anybody; and there comes this very serious objection to these strictures, that if persons who propound questions are to be attacked, it will deter everybody from accepting the invitation of this Committee to propound questions.

Mr. TOWNSEND—Some time ago I objected to your asking questions of this kind, and said that they were all

necessarily hearsay questions. Mr. Morrissey doesn't pretend that he knows anything in regard to those matters. He simply says: "Will Mr. Tweed tell so and so?" He doesn't say that he knows that if Mr. Tweed answers fully, he can tell you anything about them. He is placing himself before the community as one of those men who should be the governing class of the community, and he supplies no answer to the questions he puts. Mr. Tweed tells you: "Those questions are not correct," and he tells who the gentleman is who propounds the questions. I think that is no more than fair. These things are matters of record, and if Mr. Tweed is not correct, it can be easily proved.

Mr. COWING—I move that what Mr. Tweed read be expunged from the record. Motion carried.

Mr. TOWNSEND—I have no objection, whatever, if Mr. Tweed has the same privilege—that it will go to the press in the same way.

Mr. COWING—I have no doubt it will go to the press in full to-morrow morning, Mr. Townsend.

Mr. TOWNSEND—That is about all I desire, except that I want the public to examine and find out the correctness of it.

Mr. COLE—I hope that the witness will not hereafter do any more than give answers to my questions.

Mr. TWEED—I will endeavor to be governed by the decision of the Committee and the counsel.

Mr. COLE—Now, Mr. Tweed, with regard—there are two or three questions I have reserved—with regard to the

Brooklyn Bridge. What was your connection with the Brooklyn Bridge?

A. Well, it is a long story.

Q. Condense it; just tell me your connection with it.

A. I was at one time trustee and stockholder.

Q. How much stock did you own?

A. I think it was 420 shares I owned, as far as I paid the instalments on it.

Q. How did you first become a stockholder, or in anywise become connected with the Brooklyn Bridge scheme? You can tell the story in your own words.

A. I don't know the year; I can't name the year, nor can I be very well exact in amounts; but, after I was in the Senate, either in 1868 or 1869—I am not sure which; 1868, I think—Mr. Henry C. Murphy, who was a brother Senator, called on me and stated he was president of that bridge, and desired to have the Common Council authorize the Comptroller to issue the bonds, or give them money to the amount of one and a-half million dollars for the benefit of the bridge. I told him I had nothing to do with the Common Council at that time, and wasn't a member of it. "But," he said, "can't you influence them?" I told him I hadn't done any lobbying business there, but I might, if necessary. Shortly after he called again. In the meantime I had conversed with a gentleman occupying a position in the Board of Aldermen which entitled him to credence, and he told me the appropriation could be passed by paying for it. I asked him how much was necessary, and I forget how much he told me; it was either fifty-five or sixty-five thousand was agreed upon. I informed Mr. Murphy of that fact. He told me to go ahead and make the negotiation. I did so, and the money was authorized to be appropriated or bonds

issued. I can't tell the manner in which it was done, but that was the result. The Brooklyn Bridge got \$1,500,000, or were authorized to get a million and a-half. The bonds were issued, and after that Mr. Murphy called upon me and said he had so much—five or ten thousand dollars short—and I then proposed that Mr. Sweeney, Mr. Smith, and myself should pay that, and go into the direction of the bridge. He finally agreed, and we did, and subscribed to the stock; not directly, but a little while after that. I paid the balance of the money into Mr. Thomas Coman's hands—either fifty-five or sixty-five thousand dollars.

Q. Did you tell Mr. Henry C. Murphy that you were going to get the necessary ordinance passed by paying for it?

A. That was the understanding.

Q. Did you tell him subsequently that you had done it?

A. Yes, sir.

Q. And that you had paid either fifty or sixty thousand dollars to the Board of Aldermen?

A. I think it was sixty or sixty-five.

Q. What members of the Board of Aldermen got the money? Do you know?

A. That I know nothing about, except as far as regards the gentlemen with whom I had dealings.

Q. With whom did you have dealings?

A. Mr. Thomas Coman.

Q. You gave him the sum of money to be paid, in bulk, to the members of the Board of Aldermen?

A. Yes, sir.

Q. And you informed Mr. Henry C. Murphy that you had done so?

A. Yes, sir.

Q. Did you pay for your subscription to the stock?

A. I paid twenty per cent.

Q. How much in money?

A. Eighty-four hundred dollars, I guess—twenty per cent. of four hundred and twenty shares. I am speaking about what I paid for my four hundred and twenty shares.

Q. What Board of Aldermen was it that made the appropriation, and in what year was it?

A. I can't tell now from my memory. I ask to be furnished with the books to answer that question.

Q. Will you find out from the books?

A. I will find out from the books, if I am furnished with the books.

Q. Who were all the members of the Board of Aldermen at the time this ordinance was passed?

A. Well, that, of course, I can't tell you. It is a matter of detail that may be very easily settled. I will read them off to you from the book.

Q. I see in a list of the subscribers to the Brooklyn Bridge—individual subscribers—William M. Tweed, forty-two thousand dollars. Did you pay forty-two thousand?

A. I paid forty-two hundred—one-fifth of it; no, I mean eighty-four hundred.

Q. What became of your stock?

A. I sold it.

Q. To whom?

A. To Mr. Devlin. My son sold it to him; I gave it to my son.

Q. What, Devlin?

A. Charles Devlin.

Q. I see also in that list of individual subscribers, Peter B. Sweeney, \$42,000. Do you know whether he did pay that?

A. Nobody paid \$42,000, for before the subscriptions were called in, the bridge passed out of the hands of stockholders into the hands of the two cities, by a special law.

Q. And these stockholders—yourself, Hugh Smith, Richard B. Connolly and Peter B. Sweeney—

A. I don't know anything in connection with this bridge, except as regards myself.

Q. As far as you are concerned, you only paid twenty per cent. on the \$42,000.

A. Yes, sir.

Q. And it is your information that the others did the same thing?

A. Yes, sir.

Q. What inducement was held out to you to become a stockholder in the Brooklyn Bridge?

A. As the law then read, \$500,000, subscribed by individual stockholders, would control the entire bridge—the appropriations, expenditures of money, and supplies and everything.

Q. According to the law, as it then stood, my understanding is this—see whether it was yours: That the City of New York subscribed \$1,500,000; that the City of Brooklyn subscribed \$3,000,000, and the other \$500,000 was subscribed for by individual subscribers, of whom you, Smith, Sweeney, and Connolly were four?

A. My memory to-day—because I have not refreshed my memory on that point—is that we three—Mr. Smith, Mr. Sweeney, and myself—first subscribed for 560 shares, and then we gave an equal portion of all our shares to Mr. Connolly, who afterwards subscribed.

Q. According to the law, as it then stood, the individual subscribers controlled the action of the entire corporation?

A. If my memory serves me right, the man who sub-

scribed ten shares had as much to say as the City of New York, with its one-and-a-half millions, or the City of Brooklyn with its three millions of dollars. That is my understanding.

Q. Now, how did you expect to be benefited by becoming one of the subscribers to this bridge?

A. I expected that when the bridge was built by the citizens of New York and Brooklyn, and with their money mostly, it would be a well-paying dividend stock. Then we expected to get the employment of a great many laborers, and an expenditure of the money for the different articles required to build the bridge.

Q. You mean to say you expected to get a percentage out of the materials and labor upon the bridge?

A. Yes, sir.

Q. Was there an understanding with anybody that you should do so?

A. There was no direct understanding—a kind of an implied understanding.

Q. How did it come to pass, or did it come to pass, within your knowledge, that Mr. Kingsley should have a percentage upon all the moneys which were expended in behalf of that bridge?

A. At that time it was understood by myself, and, I guess, by the others, that architects who superintended the erection of the building should get a per cent. upon everything; and Mr. Kingsley had advanced considerable money to affect legislation in Washington, and in Albany, and in New York and Brooklyn, I think; and he was really superintending everything, and attending to pretty much everything—buying everything—and he agreed with the board of directors to do it for a percentage—with the directors or trustees.

Q. Did the board agree to give him a percentage on all this?

A. Yes, sir.

Q. What percentage?

A. Fifteen per cent.

Q. Well, suppose the records of the directors of that company should show that there is an erasure wherever the words "fifteen per cent." occur, and "five per cent." written in, as the pay to be gotten by Kingsley, what is your recollection about that circumstance, if any?

A. My recollection is at present that it was fifteen per cent.

Q. As his commissions upon all purchases made for the bridge?

A. Upon everything.

Q. Did it strike you gentlemen that that was a sort of stiff commission to pay?

A. I don't know that it did. I don't know that we ever figured it up.

Q. Was he to divide the fifteen per cent. with you?

A. I had no understanding with him, sir; I don't know anything about the rest.

Q. He was to have the whole of that fifteen per cent.?

A. Yes, sir; the only understanding I had with Mr. Kingsley was that he was to pay the balance of my stock, after I paid the instalment of twenty per cent. of my stock.

Q. Oh! he was? After you paid the twenty per cent. on your stock, Mr. Kingsley was to pay the balance of it?

A. Yes, sir.

Q. Was he to do that for the others?

A. I think he was, but I don't know.

Q. Did he pay the balance on your stock?

A. He did, as far as it was called for. In two cases, each for ten per cent., making twenty per cent. in all.

Q. Without any reimbursements by you?

A. After my troubles commenced I think I assigned the whole of the stock back to him, the whole four hundred and twenty shares with forty per cent. paid on it, in order that he might have what he advanced to me. The matter didn't go through, and I paid him what he paid on it for me, that is he paid one-half of what was paid, and I gave him one-half of my interest. He afterwards transferred to me or my son, I forget which.

Q. Were those transfers to you or your son, and back again, without any further consideration?

A. Without any further consideration whatever.

Q. And did you consider that these assignments from you to him, and from him back again to your son, had any connection with that matter in the board of directors for voting him this fifteen per cent. on all expenditures?

A. I did not. He had no benefit for doing what he did for me. I repaid him what he paid, and he paid it for the full face of it, I think.

Q. Do you know of any action of the Board of directors or trustees of the bridge company, whereby Kingsley's original percentage of fifteen per cent. was reduced?

A. I have seen an account somewheres, that it was reduced.

Q. Do you know it as a director or trustee?

A. No, sir; it was done after my troubles commenced, and I left the direction.

Q. Well, now, was that fifteen per cent., Mr. Tweed, all intended to go to Kingsley?

A. To the best of my knowledge and belief it was.

Q. How much did you trustees or directors expect the bridge to cost at that time?

A. I think young Mr. Roebling made an estimate that it would cost in the neighborhood of \$6,000,000.

Q. Fifteen per cent. upon \$6,000,000—

A. Is \$900,000.

Q. And were you directors to give that much to Mr. Kingsley, for simply buying the material for that bridge?

A. That was the idea; he was to pay for the balance of my stock, I told you. I was to have four hundred and twenty shares of stock, at \$100 a share, and pay only \$8,400 for it.

Q. Now, Mr. Tweed, with regard to elections—to the management of the elections for the city and county officers—and generally, the elections for the city and county: When you were in office, did the Ring control the elections in this city at that time?

A. They did, sir; absolutely.

Q. Please tell me what the *modus operandi* of that was. How did you control the election?

A. Well, each ward had a representative man, who would control matters in his own ward, and whom the various members of the general committee were to look up to for advice how to control the elections.

Q. The General Committee of Tammany Hall?

A. Of the regular organization.

Q. What advice? What do you mean by that?

A. Why, what to do.

Q. What were they to do, in case you wanted a particular man elected over another?

A. Count the ballots in bulk, or without counting them

announce the result in bulk, or change from one to the other, as the case may have been.

Q. Then these elections really were no elections at all? The ballots were made to bring about any result that you determined upon beforehand?

A. The ballots made no result; the counters made the result.

Q. That couldn't have been done without local aid somewhere, could it?

A. That was generally done in every ward by the gentleman who had charge of the ward.

Q. I wish you would just take up the wards, from the First Ward down, and tell me who it was who were kind enough to fix the election for you?

A. I will name who had charge of each ward. They didn't all of them do that kind of work, however.

Q. I would prefer you to answer the question as I put it, and name only those men whom you know to have something to do with what is vulgarly called "stuffing the ballot-box," in other words, controlling the elections?

Mr. TOWNSEND—Then I object to his answering the question at all. It is something he must have been told by somebody, and it must be nothing but hearsay evidence. He tells you the general practice and you may draw your inference from that; but asking him in each case, for a series of years, "Who did it?" why, he can't tell it. He can tell those who had charge of the wards.

Mr. COLE—I am trying to inform myself simply as to what this witness knows, and I don't care what the form of the witness' answer is.

Mr. TOWNSEND—What I object to is this: I object to

anything he says anyone had to do with the stuffing of the ballot-boxes. It was necessarily done when Mr. Tweed was absent, and it must be from hearsay information, and he must have heard it. But then I don't object to his giving the names of the persons in charge of those wards.

Mr. COLE—Mr. Tweed, did you ever give any directions to any persons, to falsify or change the result of the actual *bona fide* ballots cast in any election?

A. More in the nature of a request than a direction.

Q. Did you ever suggest to anybody—

A. Yes, sir.

Q. Did any of the persons to whom you made this request or suggestion, agree with you that they would do so?

A. My impression is that they did. In fact, the result carried it out that they did, anyhow.

Q. Well, now, after such a request, did the results in any case indicate to you that your request had been complied with?

A. They did, sir.

Q. Well, now, will you state to the Committee the names of all persons, so far as you can recollect, to whom you made such requests, when the results indicated to your mind that your request had been complied with?

A. It is a matter of perfect impossibility. I have talked to pretty much every man in the ward, who was a politician or an active man, and the leaders in every ward; but I cannot tell the general conversation, nor the results which came from such conversations. I can give the names of the parties who controlled.

Mr. COLE—But we might do a great injustice to individuals, and I am seeking to avoid that, as I have all along.

I shall take the wards *seriatim*, and ask you. With respect to the First Ward, will you please state if you ever gave any directions to anybody in the First Ward, during any time that you were connected with city politics, the indication of which was to induce anybody to falsify the ballot?

A. I say I can answer "Yes" to that, to every ward in the city—the whole twenty-two wards.

Q. To whom did you give such directions?

A. I cannot recollect the names, because we were changing every year. One year one man was in control, and another year another man; and we had to go to the man in whom we had the most confidence.

Mr. COWING—Are there any lists which would refresh your memory?

A. No, sir; my papers are all destroyed.

Q. Can you think of any list that the Committee can furnish you, which will help you?

A. I do not.

Q. Would the Tammany list of the General Committee furnish you with information on that point?

A. If I could bring my mind to remember who was the controlling man in the different wards I might point them out to you. But they kept coming and going every year, like shadows. One day a man would be in power and the next day out of power.

Mr. COLE—Can you recollect at this time any persons?

A. I can give you the names of persons who controlled in the various wards. Beyond that I can't go, and I couldn't tell what year it was they had control.

Q. Do you mean to say that these persons you say had control of the organizations were persons to whom you gave these instructions, or made the requests?

A. As a general thing.

Q. Will you state the names of all persons to whom you gave such instructions, or made such requests?

A. I don't recollect anybody. I can't give any names. I am perfectly willing to give the names, because there is no man whom I have any regard for or would screen in any position. I am here to tell the whole truth, and I will do it. It is hard to do it, but I will bear it.

Mr. TOWNSEND—The questions might be asked as to what particular individual he gave the instructions. He couldn't tell you. As far as I can understand certain persons controlled the organizations in the different wards; that whatever instructions were given were through those leaders in certain wards.

Mr. TWEED—If I supposed any man guilty, that I could give his name, I would give his name, but I haven't got any name that I suppose. I shall think the matter over between now and next meeting, and if I can think of any other names I shall give them, but I can't now and don't think I can by the next meeting.

Mr. COWING—Mr. Tweed, have you any personal knowledge of fraudulent naturalization papers being issued in 1868?

A. I have no personal knowledge of it, sir. I have no doubt but what such was the fact, however.

Mr. COLE—Now, Mr. Tweed, you said at the last meeting that you paid Mr. Hugh Hastings \$20,000.

A. I did.

Q. For his services in relation to the passage of the Charter of 1870, and that you paid him in a check, and

that you could produce the checks, and I asked you to do so. Will you do so?

A. I will, sir, with pleasure. (Check produced.) Since the last meeting, I have posted myself a little upon dates in those matters, and I find the charter passed upon Tuesday, the fifth of April, 1870. On the ensuing Saturday I was in New York, when Mr. Hastings called on me and got that check. So he didn't wait long for his money.

Q. What did you give Mr. Hastings this check for?

A. For his advice, information, and exertions to pass what was called the Tweed or Frear Charter.

Q. What was his advice?

A. I have narrated exactly, at the last meeting. His first advice was to make sure of having all the Republican Senators. We should have the caucus and he would act with me in effecting that result. That was what was effected. He then asked me if I had Mr. Woodin. I said "No." He asked me whom I did have. I told him Mr. Winslow I thought would go with me, and Wood and Minier. He said "You had better get Mr. Woodin, because he is a very powerful active man, and a good talker." I asked him if it was safe to talk to him. He said: "Yes." I said I would try to have a talk with him, and I did the next day.

Q. Did you tell him that you intended to pay the Senators money for supporting this charter?

A. That was understood—that I had to pay.

Q. Are you certain you talked of it?

A. I am not positive that I told him so, but I am positive as I can be of anything that happened several years ago.

Q. Did you ever have any other dealings of a similar character with Mr. Hastings?

A. I had such dealings with him for the passage of the city tax-levies for years.

Q. What kind of dealings?

A. Employing him to work for us, and had articles inserted, and paid him for it.

Q. Was he then editing the newspaper?

A. Yes, sir.

Q. Was it a Democratic or Republican newspaper?

A. Republican paper.

Q. Was this bill—this charter of 1870 was the charter that you say emanated from Tammany Hall?

A. Yes, sir.

Q. It was a Democratic measure?

A. Yes, sir.

Q. And all the Republican Senators voted for it but one?

A. Yes, sir.

Q. And that was—

A. Mr. Thayer, of Troy, Rensselaer County.

Q. What other dealings have you had with Mr. Hastings?

A. I frequently employed him for legislative purposes.

Q. Do you recollect any other Democrats?

A. I hold in my hand a check—two checks. As Mr. Hastings said, the money was handed over when anything was to be done, and that was the end of it. That check, I am not sure, was paid to Hastings; I think it was. The other I am sure was—that draft. I am as positive of that as I can be of most anything.

Q. For what other bills did you ever employ Mr. Hastings?

A. To defeat the bill taking the Dock Department out of the Street Commissioner's office.

Q. Pay any money for that?

A. Yes, sir.

Q. How much?

A. Oh, I don't recollect. I was constantly doing that kind of work with him, and constantly paying him, and I don't recollect. He was only one of a great many there doing that kind of business.

Q. You have handed up a draft drawn by Henry Smith upon William M. Tweed, to the order of Hugh J. Hastings, dated 29th April, 1865, endorsed "accepted" by yourself, and endorsed "Hugh J. Hastings," for \$5,500?

A. That must have been a draft of the same nature, paid for legislative purposes.

Q. Do you recollect what this was for?

A. I do not, sir. I only found that among my papers.

Q. How often did the Board of Audit meet as a Board of Audit? The Board of Audit under the tax-levy—yourself, Hall, and Connolly?

A. It never met.

Q. Well, now, in the Ring suits, a paper has been offered in evidence, which purports to be the minutes of a meeting of the Board of Audit, which was held at the Comptroller's office on the 5th of May, 1870?

A. If I speak about that I will have to tell the whole history of it.

Q. Will you look at this paper? (Paper handed to witness.) Now, it has been testified in the courts, in all these Ring suits, that that paper was found in a safe in the Comptroller's office, by the Deputy Comptroller, under the administration of Connolly. What do you know about that paper?

A. After the attack was made upon the Ring in 1871, by the *Times*, we were in the habit of meeting daily, or

at least three times a week—sometimes daily—at my private office, 85 Duane street—that is, Mr. Sweeney, President of the Commissioners of Parks; Mr. Hall, as Mayor, and Mr. Connolly, as Comptroller, and myself, as Commissioner of Public Works, and our clerk Mr. Corson. Shortly after the *expose* in the *Times*, Mr. Hall came to one of those meetings with this paper, which is, I think, in his own handwriting. He submitted it to me, and I said I didn't know anything about it, and asked what would be the effect of it. He said if we signed that paper (he had already signed it)—he said that if Mr. Connolly and myself signed it, it would be of great use to us if any prosecution should be commenced against us in these Ring transactions. I consulted Mr. Connolly, and he and myself both signed it, and it was handed to Mr. Hall. I heard nothing more about it after that until the trial of Mr. Hall, or my own trial, for misdemeanor, I think it was my own trial, when Mr. Storrs testified to the manner in which he found it, where, I think, it had been placed for him to find by Connolly or Hall.

Q. When was it that it was first shown to you by Mayor Hall, and signed by you?

A. I think it was in August or July, 1871; I think it was in August, 1871, at my office in Duane street, 85.

Q. And no such meeting ever took place?

A. No such meeting ever took place.

Q. And no meeting ever took place?

A. No meeting ever took place.

Q. And the audit of all those bills was no audit at all? That is, by the Board of Audit, except by individuals?

A. Except by individuals.

Pretended minutes of the meeting of the Board of Audit are endorsed: "Meeting of Commissioners Hall,

“ Tweed, and Connolly, May 5, 1870. Plffs. Ex. ‘ No. 1.’

“ Feb. 7, 1876. W. F. B.”

The contents of the paper are as follows :

“ COMPTROLLER’S OFFICE, }
“ May 5, 1870. }

“ The undersigned meet as a Commission under and by
“ virtue of section 4 of chapter 382 of the Laws of 1870.

“ On motion of the Mayor, it is

“ Resolved, That the County Auditor collect from the
“ Appropriate Committees of the Board of Supervisors all
“ bills and liabilities against the county, incurred prior to
“ April 26, 1870, and amounts now due thereon, and that
“ the evidence of the same be the authorization for the
“ same by the said Board or its Appropriate Committees on
“ certificate of clerk or president, and that thereupon the
“ said County Auditor annex the voucher to the appro-
“ priate blanks for our signature and action as directed
“ by the section aforesaid and payment.

“ A. OAKLEY HALL,
“ Mayor.

“ WILLIAM M. TWEED,
“ Present President Board of Supervisors.

“ RICHARD B. CONNOLLY,
“ Comptroller.

Meeting adjourned to Friday, September 21, at 2 P. M.

EIGHTH DAY.

FRIDAY, September 21, 1877—2:30 P. M.

Mr. LEWIS—The meeting will please come to order.

(It is moved and seconded that the reading of the minutes of the previous proceedings be dispensed with; motion carried.)

(Witness makes certain corrections in the testimony given at the last session as reported.)

Examination by Mr. COLE (resumed):

Q. Mr. Tweed, at the last session I propounded to you all the interrogatories which were suggested by Mr. Morrissey, except one, which I was obliged to omit on account of the want of time. Now, with regard to the Erie Railroad; what connection, if any, did you ever have with the Erie Railroad?

A. I was a director in the Erie Railroad Company.

Q. When did you become a director in the Erie Railroad Company?

A. My mind has not been called to that. I can't tell within a year or two. It is a matter of impossibility for me to carry dates and amounts in my head, and I defy any living man to do it. I am very sensitive about answering

questions from recollection where data can be found in the books. Now just the other day I made some errors in testifying about the Brooklyn Bridge, when, if I had had the books half an hour I could have answered correctly.

Q. You can think in two minutes when you were a director.

A. I think it was 1870 or 1871 ; no, before that, 1868 or 1869.

Q. Were you a stockholder ?

A. I was, that is, there was stock standing in my name.

Q. Were you a stockholder before you became a director ?

A. That I don't know.

Q. Will you state how you came to be a director ?

A. Before the Legislature adjourned ; either that of 1868 or 1869, or about the time they were adjourning, Mr. Hastings brought me in connection with Mr. Gould, whom I had been opposing all the session, and after I came to New York Mr. Gould called and stated he would like to bring Mr. Fisk to see me. I said I had no objection, and he brought him ; and we had a long talk together—Fisk, Gould and myself. That was the first time that I ever came into connection with Mr. Fisk.

Q. What was that first talk about ?

A. They wanted an injunction at that time against Mr. Vanderbilt and Mr. Drew and some others who were opposed to the Erie direction. They proposed to get some advantages by it. I do not know now what the advantages were, but I knew at the time.

Q. What did they want you to get ?

A. They wanted me to see Judge Barnard, or some other judge, and have it granted.

Q. Did they offer you an inducement ?

A. I declined having anything to do with the matter then, but I consulted Mr. Sweeney that day some time, and also Mr. Connolly I think—certainly Mr. Sweeney; and they called the next day to see me again, and we talked over the matter. They said they would bring me into the direction, and said they would bring me some stock and give me a chance to make money in them. I consented to go in with them and I did. At the next election I was elected a director; and I don't know but what I was a director before. At the time I was elected I had no stock of my own, but they had five or ten shares, I understood, that they kept to elect directors on. If they wanted a director they transferred one share of this stock to the man they wanted to make director; two, two; three, three; four, four; five, five. I don't know but what they had ten or fifteen shares for that purpose.

Q. Just as near as you can, repeat the first conversation you had with Gould?

A. I can repeat nothing but generalities.

Q. Tell us what was the substance of the conversation then?

A. That I cannot do, except as I have already stated.

Q. They wanted an injunction, and they wanted you to go to some judge and procure the injunction, and that subsequently they would make you a director in the road if you would do it for that purpose?

A. If I would work with them in other matters.

Q. Was this injunction one of the matters?

A. I suppose so, that was what they wanted done.

Q. And thereafter you were made a director?

A. Yes, sir.

Q. And your impression is that some stock was put down to your name?

A. I was told that some stock was put in my name.

Q. You never paid any money for that stock at that time?

A. No, sir.

Q. Well, did you carry out your part of the bargain with regard to the injunction?

A. I did, sir.

Q. Tell us what you did.

A. I took the papers which they had prepared by their Counsel, and took it to a Judge—a friend of mine at that time.

Q. What Judge?

A. One of the Judges of the Supreme Court.

Q. Name?

A. Barnard.

Q. George G.?

A. Yes, sir.

Q. (By Alderman COWING)—Who were the counsel?

A. I don't recollect. The Erie Railroad was constantly changing their counsel in the variety of the suits they had.

Q. Well, tell us what transpired with the Judge?

A. I spoke to George Barnard about it, he looked over the papers, and said, "it was all right,"—they were entitled to it, and he granted it.

Q. Well, did you offer any sort of inducement to Judge Barnard to do it?

A. I asked him to do it as an act of friendship for me.

Q. Was that all?

A. Yes, sir; at that time I was the best friend he ever had. I nominated him, and stood by him and he owed his position to me. I risked my life to get it for him.

Q. Did he ever get anything, as far as you know, for this injunction?

A. I do not know that he did. I do not believe that he did.

Q. Well, now, you say that was the first transaction with the Erie Railroad Company, in managing the Erie Railroad Company. When was the next time that you came into contact with them?

A. I cannot state; it went right along from that time till I got in trouble, and all the time I was in trouble while Mr. Fisk lived.

Q. Did you do any more work with the judges for them?

A. Never direct. Shortly after that, I introduced Mr. Fisk to Mr. Barnard, and he became as intimate as I was with him, and attended to that part of the business himself. He had more time to waste on him than I did, and Barnard was a man who needed that kind of thing.

Q. What do you mean by "Wasting time on him?"

A. Oh! well, you had to waste much time with him—be around with him a good deal, coax him, and make him believe he was a great man—pat him on his back.

Q. That was the only time you ever got any favors from judges for the Erie Railroad?

A. That is the only time I recollect.

Q. Did you ever serve the Erie Railroad in any capacity, at Albany?

A. Yes, sir; I was their agent in Albany.

Q. Well, in what capacity?

A. I was their agent in Albany?

Q. What kind of agent?

A. I did all the business they had to do there.

Q. You mean with the Legislature?

A. Yes, sir; anything they had to do in Albany, I attended to for them before the Legislature. Any matter that required management, I generally managed for them.

Q. Did you ever, by the directions of any officer or director of the Erie Railroad, seek to influence Legislators in their official duty?

A. I did, sir.

Q. Well, now, will you tell me as to what bills, and—

A. I can't; I am in the same condition as a man who is a good swimmer—you tie his hands and throw him into the water, and say: "Swim, you know you are a good swimmer," but he will drown. I cannot say anything without the information from books and data; give me those, and I may be able to refresh my memory, and I will tell you all I know in that connection.

MR. COLE—We will try and give them to you one of these days.

Q. Don't you remember any bills in the passage of which you acted as a lobbyist for the Erie Railroad?

A. I don't recollect distinctly; no, sir.

Q. No particular one?

A. No, sir.

Q. Did you ever have any conversation with Fisk or Gould, with regard to influencing the Legislature?

A. I did, sir.

Q. Did you ever receive any money from either Fisk or Gould to be used in bribing the Legislature?

A. I did, sir.

Q. Can you remember any particular occurrence of that sort now?

A. I cannot now. They were of frequent occurrence.

Not only did I receive money, but I find by an examination of the papers, that everybody else who received money from the Erie Railroad charged it to me.

Q. You say that you received money from either one or the other—did you ever receive money from both?

A. I received from each of them; yes, sir. They were both about the same, as I said the other day.

Mr. COLE—Yes; but I want to call your attention to the fact now, Mr. Tweed, that there were really two distinct persons; one is dead now. Did you ever receive any money from Mr. Fisk?

A. I have, sir.

Q. With instructions from him to use it for the purpose of bribing members of the Legislature to pass bills?

A. We never had instructions. They would come to me and ask me “Can you do so and so with so and so?” and if I thought I could, I would say “Yes,” and the money would be given me to do it with.

Q. Did Mr. Jay Gould ever give you money which he suggested to you should be used for the purpose of——

A. He has, sir, frequently.

Q. And did he also at times suggest the names of Legislators?

A. I don't think he did. I was pretty well up in that myself, and I didn't require information. I don't think he thought he could inform me on that point.

Q. And now with regard to the bill widely known as the Erie Classification Bill: Do you recollect about that?

(Revised Statutes produced. Handed to witness.)

A. I presume, Mr. Counselor, that you refer to chapter 916 of the Laws of 1869, an act to amend chapter 278 of the Laws of 1868, entitled “An act in relation

to the Erie, New York Central, Hudson River and Harlem Railroad Companies," and which reads as follows:

" No stockholder, director or officer of either the New York Central Railroad Company, the Hudson River Railroad Company or the Harlem Railroad Company, shall be a director or officer of the Erie Railroad Company; and no stockholder, director or officer of the latter company shall be a director or officer of either of the three first named companies. The Board of Directors in each of the said companies may so classify the members of such board, by lot or otherwise, that, as nearly as may be, one-fifth of their number shall go out of office at each annual election; and at the next election of directors in each of the said companies, directors shall be voted for only in place of those whose term shall then expire under the classification aforesaid."

A. I recollect distinctly money being paid for the passage of that act, but I couldn't tell to whom or how much.

Q. Did you pay out any money to members of the Legislature?

A. I am under the impression that I did.

Q. Do you remember any person to whom you paid it?

A. I do not, sir.

Q. Whom did you receive this money from for this use?

A. That I am not positive about; either from Mr. Fisk or Mr. Gould, or both together—more likely from Mr. Gould; he generally did the financial business.

Q. Do you remember the circumstances connected with that particular transaction?

A. I do not.

Q. Was this the only bill for which you used money in behalf of the Erie Direction?

A. No, sir; not by many. Those matters were of such frequent occurrence I kept no tally of them. I did keep a tally at first after I got in trouble, but my books were burned up by my friends, thinking it would be to my interest.

Q. Well, can you, at this time, remember any other bills for which you used money for the Erie Railroad?

A. No, sir. I wouldn't have remembered that if you hadn't brought my attention to it.

Q. I shall recur to this again when you have the statutes before you to refresh your memory. In all these matters for the Erie Railroad, did you receive the moneys direct from either Mr. Gould or Mr. Fisk and pay them yourself to the Legislators?

A. I did in most of the matters, and in some of the matters I handed the money to Mr. Abraham Van Vechten and Mr. Barber.

Q. To be used by them?

A. Yes, sir; they had charge of all the Assembly matters. I very rarely had anything to do with the Assembly.

Q. You dealt with the members of the Senate only?

A. Yes, sir.

Q. Now, recurring to the Brooklyn Bridge matter, Mr. Tweed, for a moment, will you state who composed the Board of Aldermen at the time that you say that money was used to induce the Aldermen to make the subscription of one and a half millions?

A. I used my utmost endeavors to obtain a copy of the proceedings of the Board of Aldermen for 1866—the year in which that passed. The messenger of the Board of Aldermen brought me the books yesterday, and said he was told to remain there until I was through with them. My wife and family were visiting me at the time, and

I couldn't give the attention I desired ; so I looked over them, and as far as my memory would I tried to retain the matter as well as I could.

Mr. COLE—I want to call your attention to this matter for the purpose of ascertaining which members of the Board of Aldermen—

A. I don't know that I ever knew at that time, or, if I did, I didn't know in connection with that. I only did my business with one man.

Q. Do you know of any man except the one you have already testified concerning, receiving money at that time ?

A. I don't know anything about it, sir. As I was coming into the room to-day a messenger from Mr. Barnes handed me a quantity of questions. I don't know what they are and haven't had an opportunity to look at them. I will state that Mr. Barnes is a gentleman I have never seen or spoken to. I find, however, that the testimony reads the other day, that a resolution was offered, paying Mr. Kingsley fifteen per cent. Mr. Barnes, in his report as chairman of the Investigating Committee of 1873, states that the resolution was offered by me, and it also reads that it was for his services and advances on behalf of the company, up to the completion of such and such foundations, which was three feet above high water mark. I see now that my memory was wrong there, I thought it was for the entire building ; but I know the amount was put in the neighborhood of six millions. I also see in one of the papers yesterday that I had subscribed to five hundred and sixty shares of stock, whereas I subscribed to only four hundred and twenty. I thought I said "Mr. Smith, Sweeney and myself subscribed to five hundred and sixty shares of stock each," and that one hundred

and forty shares was taken off from each one, Sweeny, Smith and myself, for Mr. Connolly's share, and that made three times five hundred and sixty—equal to four times four hundred and twenty. That is to show that if I made any errors I should be happy to correct them.

Mr. COLE—I understood you to say that the charter of 1870 in itself was inefficient as a money-making machine?

A. Yes, sir. I think it was the most perfect charter that ever was produced upon earth for the government of the city.

Q. And in order to enable the members of the Ring to raise money, that it became necessary to pass certain other bills—the tax levies of that year especially?

A. Yes, sir.

Q. Now, was any money paid to the members of the Legislature to induce them to vote for the city tax levy and the county tax levy of 1870?

A. I don't know that there was for the city tax levy, although there was for the county tax levy, I know, and I guess for both.

Q. Is this in addition to the large amount of money you testified was paid for the passage of the charter?

A. It is, sir.

Q. Well, about how much would you think was expended to secure the passage of the tax levy?

A. I don't know. I think in the neighborhood of fifty or one hundred thousand dollars. I don't think it would be less than that.

Q. Did you personally pay out any of this money to members of the Legislature?

A. I did.

Q. Will you state any transactions of that nature?

A. I can't state positively to whom I paid it. I have

no direct data to go on as to how I spoke or talked about it. I have a general impression.

Q. No, I mean to whom did you pay any money?

A. I don't know as I can give the name, but I would like to have the red book. Give me the legislative—

Mr. COLE—Will the Committee send for 1870, and 1871, too.

(Manual produced ; handed to witness.)

Q. Now, as to members of the Senate—to whom did you pay any money to induce them to vote for the tax-levy?

A. Senator William M. Graham, Norris Winslow, William H. Brand, A. V. Harpending, Theodore L. Minier, George Bowen, and James Wood.

Q. You paid these sums of money to each of these Senators yourself?

A. To each of these Senators myself, personally.

Q. And this was under an agreement between you and each of these Senators, that each should vote for bills, and that this should be the compensation?

A. That was the understanding.

Q. Now, as to the Assembly, Mr. Tweed?

A. That matter was generally left, as I said before, in the hands of Mr. Barber, who had deputies under him—Mr. Van Vechten and others—Charles Edwards, I think his name was; Edwards I know, Charles, I think, is his first name—but Mr. Barber was the principal man for the Assembly.

Q. Do you mean to say that you paid money to Mr. Barber with instructions to him to pay it over to men

bers of the Legislature, to induce them to vote for the bill?

A. I do, that is what I mean to say.

Q. Well, did he ever make any report of that to you?

A. He did.

Q. How did he do, did he tell you to whom he paid it?

A. He brought me in what they call a tally list of the members. It was a piece of paper with the names of the members on, and arranged in a certain way with marks on it, one mark to denote one hundred dollars, another, two hundred dollars, another, five hundred dollars, and so on. The names of the members would be checked off against the amount they received. We had hieroglyphics to mark the outlays, I understood them, and anybody who found it wouldn't know anything about it.

Q. Did you ever have any conversation with any members of the Assembly, to whom amounts of money had been reported to you as having been paid?

A. I did, sir; with most all of them.

Q. I want you to tell me what members of the Assembly for that year, 1870, were reported to you by Barber, or any other of your lobby agents, as having received money to influence their votes, who, subsequently, in conversation to you, practically admitted the fact?

A. That I am unable to state. The thing happened seven years ago, my papers have been destroyed, and I have no way of refreshing my memory.

Q. You wouldn't be able to refresh it by the Manual of that year?

A. No, sir; and they have kept me from refreshing my memory pretty well by keeping me locked up, so that I can't see any people or get any books, and I can't refresh my memory. The way is very effectual.

Q. Have you named all the Senators to whom you paid money for the purpose of influencing their votes for that year?

A. I think I have, sir.

Q. Now, with regard to other bills: Were there any other bills concerning those or any other matters which passed during that year for which money was paid. Do you remember any other?

A. No, sir. There were a great many bills granting charters, etc.; charters for a savings bank, or for a railroad, for which members were bought by their friends. Smith would stick in Brown's name as stockholder, and then Brown would get the bill passed for Smith, and after that, if there was anything in it, Brown would sell his share out.

Q. Have you named all the members of the Legislature, in both houses, to whom you personally, as far as your memory serves you now—to whom you paid money?

A. Yes, sir; as far as my memory serves me.

Q. I shall recur to this matter at a subsequent time, and I want you to refresh your memory?

A. I can't refresh my memory except by these books; I am prevented from talking with those who could tell me, and those who desire to tell me can't get to me.

Q. Now, I understand that under the manipulation of the Board of Audit, that many claims were paid which had no foundation at all. Is that true?

A. To the best of my knowledge and belief, it is, sir.

Q. Well, have you been able to refresh your memory so as to give me a list of fraudulent bills which were passed?

A. I have not been able to look it up; I stated to the Committee that it would be impossible for me to look it

up between Tuesday and Friday. My family came and saw me two and three days. I am willing to tell it, but I can't make an examination every other day.

Q. Are there any other cases in which bills which were presented to the old Board of Supervisors, and passed by them, were subsequently altered by forgery?

A. Not that I know of.

Q. Adding figures?

A. Not that I know of. No, sir; it wasn't necessary to do it, and therefore I don't think it was done; we had the votes and passed what we pleased.

Q. Mr. Tweed, what was the *New York Printing Company*?

A. That was an offshoot of a paper called the *Transcript*—the *Transcript Association*.

Q. What was the *Transcript Association*?

A. It was originally a newspaper, professing to publish all the legal proceedings of the city. It afterwards became the corporation newspaper of the city and of the Supervisors.

Q. Who formed the *Transcript Association*?

A. It was started, I think, by Cornelius Corson, and two young gentlemen by the name of Stout, who were reporters; in fact all three were reporters, one on the *Express*, one on the *Times*, I think, and the *Tribune*.

A. What do you mean by saying that the *New York Printing Company* was an offshoot of the *Transcript Association*?

A. Well, after two or three years the two Stouts got out. One sold his interest to me, and the other to James B. Taylor. During the war times there was a great deal of printing done, and a great deal of blanks were to be made out and printed. Through my influence I got that

for them, as they had all the facilities for the work. About the close of the war Mr. Sweeney and Mr. Hugh Smith came in; I thought Mr. Sweeney came in under his own name, but I have since been informed that he came in under the name of James M. Sweeney, his brother.

Q. But it was Peter B. Sweeney and not his brother James M. Sweeney, who was in it really?

A. Yes, sir.

Q. It was Mr. Peter B. Sweeney who came into the meeting of the Board of Directors?

A. We never had any formal meeting of the Board of Directors; we met informally and discussed matters.

Q. You are speaking of the New York Printing Company?

A. No, sir, of the *Transcript Association*.

Q. The *New York Printing Company* came out of that?

A. Yes, sir.

Q. Tell us the origin of the *New York Printing Company*?

A. Well, everybody furnishing stationery for the city were getting rich. Jones & Co. were being paid enormously, and other people were getting large sums of money; and Mr. Wilbour I think it was, stated as we had such facilities we might as well go on and do all the printing, and get as much money as anybody else; and we formed that company for that purpose.

Q. For the purpose of doing the public printing?

A. Yes, sir.

Q. Who composed that company?

A. The same persons; I don't think Mr. Taylor was in it, although I don't recollect—Mr. James B. Taylor. He

was in so I am informed ; all the rest of us were at any rate.

Q. You think now you say, that all the members of the old *Transcript Association* were into the *New York Printing Company*?

A. Yes, sir.

Q. Well, you did the printing for the different departments?

A. Yes, sir ; and then from the *Transcript* came another offshoot called the *Manufacturers' Stationers*, that furnished stationery to the different departments.

Q. And for this work and stationery you rendered bills to the different departments, and they were passed by whom?

A. We rendered bills to the different departments. In 1868 or 1869—I am not sure which—the resolution was passed in the Board of Supervisors, directing the Comptroller to pay the bills of the *New York Printing Company* upon the certificate of the Clerk of the Board of Supervisors, and they were, and upon that certificate they didn't go before the Board at all.

Q. The Board of Supervisors passed a general resolution that the certification of the Clerk was sufficient to audit and authenticate any bill of the *New York Printing Company* ; and after that the bills were presented to the Clerk and certified by him?

A. Yes, sir.

Q. Did the Board of Supervisors receive any money to induce them to pass this general resolution for the *New York Printing Company*?

A. I think not ; I had it passed, I was interested in the company some.

Q. Well, were these bills which were rendered and

passed upon by the clerk *bona fide* bills, or were they fraudulent bills?

A. There were bills good I presume, and there was some foundation for the claims.

Q. Were they greatly in excess of what they ought to have been legally?

A. Not greatly in excess, I think.

Q. Well, how much?

A. Well, probably twenty-five per cent.

Q. There was generally twenty-five per cent. added to the face of the bill?

A. I don't know what was added; I never made the bill out in my life; I don't think I have seen more than a half a dozen of them. We got very heavy dividends, probably fifty or sixty or seventy thousand dollars a year, for some years.

Q. What, that amount to each of you?

A. Yes, sir; I think one-fifth to each.

Q. Do you know how much capital was entered into the *New York Printing Company*?

A. No, sir.

Q. Can't you give us any idea about it?

A. I can't. My impression is that it was ten thousand; I can't say.

Q. And the dividends were as much as seventy-five or a hundred thousand dollars to each of you?

A. From fifty to seventy thousand dollars, I think—that is, each of us one-fifth. Some owned more and some less than a fifth.

Q. One-fifth rendered that amount?

A. Yes, sir; that is my impression,

Q. How were these dividends declared?

A. Mr. Wilbour had charge of the entire financial mat

ters, and after the company came into possession of the money, he divided that around as he thought best.

Q. There was no meeting of the directors then?

A. No, sir; not that I know of in the direction of the finance.

Q. Where did the company keep its bank account?

A. I think in the *Broadway Bank*, and a short time in the *Tenth National*, a short time in the *Ocean Bank*, and part of the time in the *Guardian Savings Institution*.

Q. I call your attention, Mr. Tweed, to chapter 57 of the Laws of 1871—will you look at that for a moment?

(Volume handed to witness; examined by witness.)

A. I have looked it over casually, sir.

Q. Now, Mr. Tweed, this is an act in relation to the widening and straightening of Broadway in the city of New York, and regulating the practice in that proceeding—do you know of any money being used in connection with the passage of that act?

A. I don't know anything about that act, sir, at all.

Q. Did you never know anything about it?

A. I never knew anything about it except that it was an act, and passed, and created a great deal of excitement at the time.

Q. I call your attention to the fifth section of this act, which reads as follows:

“The costs heretofore taxed in this matter shall be paid to the persons mentioned in the said proceedings as entitled thereto, in the like manner as if said order of confirmation were not vacated.”

A. I don't think I ever knew anything irregular about that matter; I couldn't call my mind to it; I am satisfied I know nothing irregular about it.

Q. I asked you at a former session whether you would be able to refresh your memory, so that you could testify as to those leases for armories and drill-rooms, concerning which there were illegal practices?

A. Well, there were illegal practices about most all of them. I think I speak properly when I say most all of them.

Q. I should like, Mr. Tweed, for you to look over the records and testify as to such of those leases for drill-rooms and armories as your memory now enables you to say were fraudulent?

(Proceedings of the Board of Supervisors for 1872 handed to witness.)

A. Here is one, 1870—lease of premises known as numbers 141, 143, 145, and 147 East Fourteenth street, with a rent of \$36,000 per annum.

Q. From whom is that lease, do you know? Does it say?

A. Charles Johnson, George Shepherd, and Francis A. Palmer. All of fourth floor of premises numbers 281, 283, 285, 287, Ninth avenue, and 410 West Twenty-seventh street, at \$18,000 per annum; same parties.

Q. The names you mentioned in the 14th street lease?

A. Yes, sir. Two upper stories of 208 and 210 West 24th street, \$17,000, Alexander T. Compton, who was James H. Ingersoll at that time, North Hall Building on Sixth avenue and Broadway, between 35th and 36th streets, \$9,000; again, \$9,000 and again, \$5,000. The first, second and third stories of the building in 14th street, known as Palace Garden, May 1st, 1863, to May 1st, 1873, Valentine G. Hall, Executor, \$4,600. George W.

Sauer, 291 and 293 Bowery and 1st street, June 1st, 1870, to March 1st, 1873, \$5,000. Compton I have given. L. Ingersoll and W. W. Watson, third and fourth floors of No. 53 Chrystie street (unoccupied), November, 1868, to November, 1873, \$5,000. Frank W. Sterry, who is James Ingersoll, upper floor of No. 694 Broadway (84th Infantry), \$11,000 for first year, \$13,000 for second and third years, and \$15,000 for fourth and fifth years. Conrad Bollar (that was Ingersoll), third and fourth floors of Nos. 216 to 226 West 23d street (unoccupied), May, 1871, to May, 1881, \$36,000; building not yet finished; Grand Jury recommend that the lease be annulled. Levi S. Stockwell, second floor of 699 Broadway, \$6,000 per year (unoccupied); again, third and fourth floors of the same building, \$8,000 per year (unoccupied). That is about all I know anything about, sir. I don't mean that is all the leases, but that is all I know anything about.

Q. Now, Mr. Tweed, in what did the illegality or frauds connected with these leases consist?

A. In paying so much for having the resolutions adopted.

Q. Well, do you mean the lessors paid the Supervisors?

A. Yes, sir.

Q. Do you know, in any or all of these cases, what would have been a proper rental for these premises?

A. I don't know in any of them, sir.

Q. Were these negotiations for the leases made directly between the lessors and the members of the Supervisors' ring?

A. In some cases they were; Mr. E. A. Woodward and James H. Ingersoll can give you all information upon these points.

Q. Well, as to these that you have testified concerning,

can you state which of the lessors mentioned by you dealt directly with the Ring, or a member of the Ring?

A. If you read the names I will give the information as far as possible. In the premises West Twenty-seventh street, I think Mr. Woodward attended to that; I am pretty certain he did, and I think in all the rest Mr. Ingersoll. I don't know of anybody else attending to any matters of those except Mr. Ingersoll and Mr. Woodward. I may be wrong; but I don't think I am. That they all paid for the leases there is no doubt. That is positive in my mind; but who did the work I don't know.

Q. Well, now, as to the Stockwell lease which you have mentioned: do you remember anything concerning that especially?

A. I don't especially; no, sir. It is on the corner of Fourth street and Broadway.

Q. You know there was money paid for that lease?

A. I know there was.

Q. You don't know to whom it was paid?

A. I think it was Mr. Woodward, although I don't know.

Q. Did you share the money for that particular lease? Do you remember?

A. I presume I did, sir. I shared it in every case where there was money paid, that I knew anything about at all.

Q. You have no distinct recollection of its being separate from the others?

A. No, sir.

Mr. COWING.—I will ask you a few questions. How is your memory, Mr. Tweed, at this day, as to facts which took place between 1859 and 1870? Good or bad?

A. Pretty good, I think.

Q. Is it any better than it was five years ago, to your memory and recollection?

A. It is not as good.

Q. Your testimony, then, five years ago, if it had been given then, would be more likely to have been correct than that to-day; would it not?

A. You must judge that; not me.

Q. What is your judgment, sir?

A. I think not. I think what I testify to I know, and it is just as positive as if I told it ten years ago.

Q. Were you examined as a witness in a matter before the Senate in 1872, in which Senator Wood came up for investigation?

A. I think I was; yes, sir.

Q. Do you remember whether you were or not?

A. I am satisfied I was.

Q. Was this question asked of you on that occasion: "Do I understand you to say that you don't know of any influence being brought to bear on republican senators?" Do you remember that question?

A. I don't remember it; no, sir.

Q. Do you remember similar questions being asked?

A. I remember similar questions. Let me ask you a question. Is that the report of the Committee of the Senate?

Q. It is an extract from the Senate Documents of 1872.

A. Well, I have read that report, and it is mainly true.

Q. Did you make the following answer to the question? "Only through their advocacy of the passage of the Registry Law."

A. I presume I did, if it was there.

Q. Was that true, if you did say it?

A. No, sir.

Q. It was false?

A. Yes, sir.

Q. You testified under oath?

A. Yes, sir.

Q. Was this question asked you: "Do you know A. D. Barber?" and did you answer: "Yes, sir"?

A. I did know him; it must be true.

Q. Was this question asked you, regarding the charter of 1870: "Did he make any efforts to secure the passage of that bill?" and did you answer as follows: "I don't recollect that he did. He was my friend, and I presume assisted."

A. Who is that in reference to?

Q. Mr. Barber. Do you remember that question and answer?

A. I don't. I don't remember of the questions or the answers, but I did read at the time that report of the committee, and it was mainly true.

Q. If you made that answer to that question, was it a true answer?

A. No, it was not.

Q. Was this question put to you: "Was he ever employed by you or any one else, to your knowledge?" and did you answer: "He was not"?

A. I don't know.

Q. If you did so answer, was it true?

A. No, sir.

Q. Was this question put to you: "Do you know, or have you been told, that any money was used, or attempted to be used, to secure the influence of any member of the Legislature for that measure"? (meaning the charter.) Your answer purports to be, in the records be-

fore the Senate: "I don't know, and haven't been told, except through newspaper reports, or in casual conversations. That I have not treasured in my memory, and cannot answer."

A. If that is stated in the report, I did say so.

Q. Was such answer true?

A. No, sir. Let me say right here, in regard to that examination that took place immediately after the difficulties first commenced. The understanding was that men's families and themselves should be protected all through. They agreed to stand by that, and they all did. My testimony was given on that occasion, in accordance with the agreement made with these people. Most of it was false—done to save men and their families—and did save a great many men and their families.

Q. You state that most of it was false?

A. Yes, sir; and I stated my reason for giving it.

Q. When were you first apprised that you would be examined as a witness by the Board of Aldermen?

A. A short time after the passage of the resolution.

Q. Have you any idea of whatever started this investigation?

A. Not at all, in any manner, way, or shape. I was opposed to it then, and am now, and I have not answered a single question because I wanted to.

Q. Have you been advised that your testimony given here is substantially, owing to the circumstances that surround you, voluntary?

A. I have not been apprised of it, nor was it voluntary.

Q. Was there a committee which came here from the State Senate, in the spring of this year, for the purpose of asking you questions, or investigating, with reference to Senator Woodin?

A. Yes, sir.

Q. Did you refuse to appear as a witness?

A. I did.

Q. And refused to answer any questions?

A. I declined to be examined as a witness.

Q. Were you advised that there was nothing to compel you to answer?

A. Yes, sir; I was informed by my counsel, John D. Townsend, that the Attorney General said I need not answer any questions in the matter.

Q. How did you understand that this committee stood differently from that committee, with reference to the power of compelling you to answer?

A. I was given to understand that this Committee had power to appeal to the Supreme Court Judge, and put me in close confinement.

Q. Being already in confinement, what other or more severe punishment did you suppose this Committee could inflict upon you?

A. I was told they could keep me in closer confinement, and keep my friends away from me.

Q. What testimony did you write previous to the time this Committee came here? Did you write, or cause to be written, a paper called a confession?

A. No, sir; I made a statement.

Q. Is the testimony you have given here substantially the same as that in the statement?

A. I propose to hand the statement to the Committee, when they get through with me, that you may compare it with my testimony now.

Q. When did you come to the conclusion that you would come here voluntarily and give testimony?

A. After the first meeting of this Committee. Not voluntarily; I have never testified voluntarily.

Q. You think you have testified so far under compulsion?

A. I do, sir.

Mr. COLE (To Mr. COWING)—Do you think you have no right to have him here?

Mr. COWING—Of course, I think we have a right to have him here; but it is a question whether we can compel him to testify. Certainly, I think, we have a right to compel him to come here.

WITNESS—Doesn't one right follow the other? Doesn't the right to bring me here imply the right to make me testify?

Mr. COWING—Oh, no, Mr. Tweed. I hardly think so. You know you may lead a horse to the water, but you may not be able to make him drink.

Q. Now, Mr. Tweed, at the time the Committee came here from the Senate, to ask you, with reference to Senator Woodin, had you any different feeling towards Senator Woodin from what you had then?

A. I had none but kind feelings towards him then, and I have no others now; and I am very sorry that I had to mention his name at all. He was always very friendly and affectionate to me, and I have always felt so to him, as I have towards many gentlemen whose names I have mentioned.

Q. I understand you to say that you have never personally paid any money to Senator Woodin?

A. Not personally.

Q. Have you ever been present when any money was paid to him?

A. I have stated I was not.

Q. And all the knowledge you have is from inference drawn from statements of his?

A. From what I have heard in conversation with him, and with Mr. Winslow, and with other parties.

Q. Is your conversation that the money was paid based almost exclusively upon your knowledge?

A. And what Mr. Woodin said to me—that it was all right—when I asked him about it.

Q. Did you ask other Senators?

A. I think I did; it was my custom.

Q. Was it your custom to visit them afterwards and ask them if they were satisfied?

A. Not to visit them; when I met them casually. I made very few calls on Senators.

Q. Have you refreshed your memory since the last meeting as to whether there are any officers in the city government who were associated with you between 1859 and 1870, during the time when you were in power and managing affairs?

A. I haven't thought of it since the last meeting; I haven't been furnished with names and dates I was to have and I couldn't tell anything about it without them.

Q. During the time you were in power, or a portion of the time, was there a club known as the Americus Club?

A. Yes, sir; and long before my time?

Q. When was it organized?

A. Eighteen hundred and fifty-nine, I think; I don't know.

Q. For what purposes was it organized?

A. Social purposes.

Q. Did it have to do with political matters?

A. Nothing at all. We had politicians of all sides there; never heard politics talked there that I know of.

Q. Were any members of the Americus Club intimately associated with you in running the city government at that time?

A. There were.

Q. Any that you have not given the names of at this time?

A. None but what I have given the names of.

Q. Can you now recollect so as to give the names of any you have not given?

A. I cannot; give me the list and I will see what others there are.

Q. How was that club supported?

A. By subscriptions—by dues.

Q. Do you know or can you state at this time any considerable number of members of that club that held sinecures under the city government.

A. I think not.

Q. Can you positively state that none of them did?

A. I cannot, but I think not; show me the names and I will pick out those that had, and what positions they held.

Mr. COLE—Now, Mr. Tweed, I understand you to say that the testimony you gave before the Senate Committee, upon the Wood investigation, was false?

A. Yes, sir, most of it.

Q. And I understand you to say that the testimony you have given before this committee, as to bribing those senators is true?

A. I do.

Q. Do you still say so?

A. I do. In that examination I tried to save persons : In this I am not trying to save or injure them.

Q. That examination was made before the frauds of the Ring were discovered, wasn't it?

A. Yes, sir—fully discovered. At the time I supposed they would never be proven.

Q. And that is the case with regard to all the senators both democrat and republican, whose vote you have testified to, within the house, you bought?

A. Yes, sir.

Q. And when you testified at the time, that you bought neither republican or democratic senators, that wasn't true?

A. No, sir, I was trying to save those people.

Q. And the list you have given before this committee is true?

A. Yes, sir.

MR. TWEED—Gentlemen of the Committee, I desire to say one word : the voluntary part of my testimony, if there is any voluntary part, is, that I am willing to save the city some of the sums that have been taken from it, and get back some of the sums.

MR. COLE—I would certainly desire to know whether the minority of the committee is of opinion that the committee has no right to have this witness here to testify. If this is a voluntary investigation, brought about by the witness, I shall dissolve my connection with this committee.

MR. COWING—If you ask that question from me, I would like to state that I asked those questions for the purpose of finding out whether Mr. Tweed be here to give his testi-

mony in a voluntary manner; inasmuch as he had refused on a similar occasion, when requested by a body which had as much power as this committee. He could with equal force have refused to testify here, I think.

WITNESS—I stated that I refused to answer them under instructions from the Attorney-General, and under his instructions I did not answer. I was perfectly willing, as I am now; more than now, because I thought then it would do me some good. But the Counsel for the State said I shouldn't answer questions. I saw afterwards that he didn't want me to answer questions. That was my reason for not answering before.

Mr. TOWNSEND—When Mr. Tweed was called upon to testify before that Senate Committee, I received a telegram from one of the State Senators, asking whether he would object to testifying. I sent word he would object; and the testimony there given was under the understanding that Mr. Tweed objected to it, and didn't do it voluntarily. I understand he is subpoenaed by the Supreme Court of the State of New York, and is brought here by writ of *habeas corpus*, and he has no choice. I am of opinion that the committee has power to restrain him, not as he is restrained, but closely; and I do not think Mr. Tweed is, at this time, with his infirmities of body, able to undergo such penalty.

Mr. COLE—Mr. Tweed, were you subpoenaed to appear and testify before the Senate Committee?

A. Yes, sir.

Q. They went to you in jail, didn't they?

A. They did, sir.

Mr. COWING—My object in asking the questions, Mr.

Tweed, was to find out how you were here, and whether you were here of your own volition, and whether you were here voluntarily or not.

WITNESS—I should suppose it was a very queer question for a member of the committee to ask me. I thought it was by the action of the committee. I have no desire to answer any questions, and if the committee will agree with Alderman Cowing, that I shall not be brought here again, I shall say “Amen” with all my soul.

Mr. COWING—I didn't understand until to-day why Mr. Tweed didn't tell all he knew before, to a committee who had similar power to this committee.

Mr. COLE—Now, Mr. Tweed, I want you to understand, before we adjourn, that I shall give you, this afternoon or to-morrow morning, a complete list of the Tammany Hall organization, and I want you to refresh your memory as to every man on it.

WITNESS—I shall do so, unless I receive other counsel. If I find the suggestions of Mr. Cowing are right, I shall refuse to answer.

Mr. COLE—Then I shall appeal to the Supreme Court to put you in contempt of court.

WITNESS—Then I shall be placed in a proper position. I think it is hardly right for you to place me in a position where I appear as a willing witness when I am not a willing witness by any means.

Mr. COWING—The only question suggesting itself to my mind was whether, having brought him here, we had any means to compel him to testify. The sheriff would be likely to have something to say, he being under six mil-

lions of bail, whether he could be placed in close confinement and taken out of his hands.

Mr. COLE—Is there any question in the minds of the committee, that this witness, whom they have brought here, need not testify unless he is willing to do so?

Mr. COWING—No, sir.

Mr. COLE—Then why is this brought up. Unless the witness refuses to testify, why should the right of compelling him be discussed?

WITNESS—I was told that if I didn't testify, I could be placed in close confinement, and therefore I felt it was best to answer. I am prepared to refuse to answer at any time.

Mr. COLE—The anomaly seems to me to be, that a suggestion should seem to come from one of the committee who caused this witness to be subpoenaed, that he needn't answer questions, unless he chooses to do so. He is here under a subpoena of the Supreme Court, which provides that if he doesn't answer, he will have to bear the pains and penalties of the law. Now, if he refuses to answer, there would come a time when we should consider what to do with him next. But he has not refused; and certainly Alderman Cowing, less than any one, should not throw any obstacle in the way. I assume that Alderman Cowing didn't intend to intimate that perhaps the witness ought not to answer; that some of the committee don't want him to speak; I am quite sure he is entirely in accord with the rest of the committee in desiring that this thing should be a full and fair investigation. But I apprehend that these remarks may be misconstrued by the witness.

Meeting adjourned till Friday, September 28, at 10 A. M.

NINTH DAY.

 SEPTEMBER 28—10 o'clock A. M.

Present—Alderman LEWIS.

“ SLEVIN.

“ COWING.

Alderman LEWIS in the chair.

Mr. LEWIS—The meeting will please come to order.

(It is moved and seconded that the reading of the minutes of the proceedings be dispensed with. Motion carried.)

Alderman COWING read as follows :

“ The object of cross-examination, says Mr. Bouvier, and also Mr. Greenleaf (two highly respectable authorities in the law upon the subject of evidence), “ *is to sift evidence and try the credibility of a witness,*” and both of these authorities say “ *it is one of the principal tests which the law has devised for the ascertainment of truth, and also one of the most efficacious.*”

At the last meeting of this Committee I applied this test of cross-examination to the witness before us only and solely with the view of ascertaining the *truth*. I notice that two of our city editors differ with these two highly respectable authorities on evidence, and state its object to be “to suppress the truth and the facts,” and, most un-

fairly and unjustly, measure my motives by their definition. I may be supposed to know my motives better than the two city editors, and I most emphatically declare that no such motives as they attribute to me ever entered my head; but I do on the contrary desire that the truth and the whole truth, in reference to the subject matter before this Committee, may be brought out, let it hit where it may and whom it may.

In the laconic words of the late President of the United States, I, for one member of this Committee, state, "Let no guilty man escape."

The Chairman remarked that information having been received of the indisposition of Mr. Cole, the Assistant Corporation Counsel, it would be necessary that the Committee adjourn until another day.

Alderman COWING moved that when the Committee adjourns, it do so to meet to-morrow, the 29th inst., at 10 o'clock A. M.

Which was adopted.

Alderman SLEVIN moved that the Committee do now adjourn.

Which was adopted.

Whereupon the Chairman announced that the Committee stood adjourned until to-morrow, Saturday, the 29th inst., at 10 o'clock A. M.

TENTH DAY.

SATURDAY, September 29, 1877—10:30 A. M.

Present—Alderman LEWIS.

“ SLEVIN.

“ COWING.

Alderman LEWIS in the Chair.

Mr. LEWIS—The meeting will please come to order.

(It is moved and seconded that the reading of the minutes of the previous meeting be dispensed with. Adopted.)

Mr. COLE—Mr. Chairman, I owe a personal apology to the Committee; I was quite unwell day before yesterday. I thought that the Committee understood that I was not to be on hand, or I should not have kept the Committee waiting, but would have had some one here for me to make my excuses.

Mr. TWEED—Will the Committee allow me to inquire from the counsel if I furnished him with the questions Mr. Barnes furnished me some time ago?

Mr. COLE—Yes, sir; you have.

Mr. TWEED—Mr. Barnes desired I should do so. I couldn't find the papers, and therefore I thought I had handed them to you.

Mr. COLE—Well now, Mr. Tweed what are the facts concerning the method by which the tax-levy of 1870 was passed? You have corrected your testimony; what are the facts?

A. It was paid for. The facts are just as I stated at the last meeting—that money was paid for the passage of the tax-levy. I stated in the fore part of the question that I was unable to state to whom I paid the money. I stated in the after part of the question I presumed I paid them for the tax-levy.

Q. You stated, or you are reported to have stated, in answer to a question as to what members of the Senate you paid money to, to induce them to vote for the tax-levy, that you paid Senators Graham, Winslow, Brand, Harpending, Minier, Bowen, and Wood. Did you or did you not?

A. I paid money to each of those gentlemen for some purpose; I think for the tax-levy. We found out after that, if their votes were required. Men sometimes were paid for supporting a bill in Committee of the Whole when they voted against it, but I don't know whether it was so in that matter. We paid for a great many bills about that time and I think for the tax-levy.

Q. Are you clear on that point?

A. Yes, sir; either to vote for bills or support them in committee.

Q. Bills concerning the City of New York?

A. Yes, sir; for their votes or support, or their promise to vote if it was needed.

Q. Do you know anything about—

Mr. TWEED—Allow me to say right here, sometimes we paid those men in Committee of the Whole. We paid some men, who wouldn't vote for us, when they wouldn't

go against us on the record. No record was kept of any bill in the Committee of the Whole.

Q. So that the recorded vote of a member of the Legislature doesn't always indicate whether or not—

A. It shows the final vote, but doesn't show the manipulations to get that final vote.

Q. There is a suit pending against the city, brought by one Navarro, or rather by the assignee of Navarro, to recover for a large number of water meters. Do you know anything about that suit?

A. I do.

Q. While you were a member of the Senate of 1870, was your attention particularly called to a claim in the tax-levy of that year, authorizing the Commissioner of Public Works to place meters in all buildings in the city of New York?

A. It was done after a consultation with me.

Q. Were you consulted with regard to that clause before it was inserted in the tax-levy?

A. I was.

Q. Do you know Jose F. Navarro personally?

A. I was introduced to him during the winter of 1870 in Albany.

Q. About this time---about the time of the passage of the tax-levy?

A. A little before that, I think. I saw him about the passage of the tax levy. He was there quite a number of times during the winter.

Q. While you were a member of the Legislature during the winter of 1870, and before the passage of the act of March 29th of that year, relating to the distribution of Croton water, was your attention directed to a clause in

that act authorizing the Comptroller to pay for water-meters?

A. Yes, sir.

Q. Did you, before the passage of those acts, repeatedly converse with Mr. Navarro upon the subject of the clause in the tax-levy referred to?

A. I did.

Q. Did you, in 1871, as Commissioner of Public Works, sign a contract with Mr. Navarro, by which he was to supply ten thousand water-meters at seventy dollars apiece?

A. I signed a contract; I don't remember the price.

Q. For a certain number of water-meters?

A. Yes, sir.

Q. Do you remember what the price was?

A. I have no recollection about it.

Q. Had any official of the City of New York any interest in that Navarro contract at the time it was made?

A. They had.

Q. Well, now, who had an interest in it?

A. Well, I have been directed by my counsel not to answer that question, for the simple fact that I have been subpoenaed as a witness in the Navarro suit. He thinks it would be unwise for me to tell now what I know, and I think the counsel for the city also desires me to tell that in the suit before I tell anything further here.

Mr. TOWNSEND—Mr. Cole, I have had a consultation with the gentlemen who appear on behalf of the prosecution in that case, and it is desired that Mr. Tweed should not give any information that would injure the prosecution in the case. He is called upon as a witness in the action itself, and can speak for himself, that it would be unwise for him to give the details except where he is called upon to give testimony in the case itself.

Mr. BANGS (Counsel for the city in Navarro suit)—Mr. Chairman, I understand that the witness has gone so far as to state that the water-meter contract was one in which city officers, whom he has not yet named, had an interest, and that it was a corrupt contract; and that it is proposed to push the inquiry beyond that, so as to get at the name of such officers whom the witness refers to. The fact is as stated by the witness. There is a suit pending upon that water-meter contract against the city, in favor of Mr. Baird, to recover a sum now amounting to about one million of dollars. Mr. Whitney, the Corporation Counsel, has done me the honor to associate me with himself in the defense of that suit. I, as one of the city's advisers, the city being the common principal of myself and the Honorable Committee, I feel bound to say that I do not think that the inquiry should be pressed further, when the witness has said that city officers had an interest in the contract, and that it was a corrupt contract, I think that it may be regarded as unfair to the plaintiff in that suit. He may consider it, perhaps rightfully, as an attempt, in effect, if not in purpose, to prejudice his case before the referee who is engaged, in trying it or before, any other court before which it comes hereafter; and regarding the pecuniary interests of the city, which I certainly am bound to regard, and to which, I take it for granted, the Committee will not be indifferent, I think those interests would be best subserved if the natural order was followed until that point is reached, and, therefore, I advise (and I think I may take the liberty of using that word, I being of the same side with the Committee and its examining counsel), I think I may advise that the Committee and Mr. COLE desist from further pushing this inquiry.

Mr. LEWIS—I understand the counsel to say that the

interests of the city would be endangered by pressing this investigation here. The Committee have no desire to jeopardize those interests in any instance. It is their part rather to protect them.

Mr. COLE—Then I shall, under the instructions of the Committee, not push the investigation of the Navarro suit any further at this time. Mr. Tweed, do you know William Nelson, Jr.?

A. I do not, sir.

Q. Do you know whom I mean by William Nelson Jr.?

A. I do, sir.

Q. Do you know the contract made with William Nelson, Jr., by the Commissioner of Public Works, about April, 1871, for sewer-pipes?

A. I do, sir. I know there was a contract made with him in 1871; the date I am not positive about.

Q. He has sued upon a contract, which he alleges was made on the 29th day of April, 1871.

A. I have no doubt that the record will show in the Department of Public Works.

Q. And the amount for which he sues is \$54,550.60, with interest from the twelfth day of December, 1872; now, do you know anything about that contract?

A. I do.

Q. Was there any corrupt arrangement between Nelson, the plaintiff in this action, and any city officials, concerning that contract?

A. There was.

Q. What city officials were concerned in that?

A. I stand in the same position in regard to that case as I do in the Navarro claim.

Mr. COLE—I think the Corporation Counsel has no objection to that investigation being pressed.

Mr. TOWNSEND—I don't think that case stands the same as the other cases. Mr. Tweed is now on the stand before the referee in that case. These other cases stand in a different light.

WITNESS—Well, it was made with me—the corrupt understanding. I was then Commissioner of Public Works.

Q. What was the arrangement?

A. That every bill that the contract should call for—that the specification should call for large amounts of certain pipe that would not be required, and small amounts of pipe that would be required, allowing a bid for a large price for what they would use and a small price for what they would not use.

Q. And the agreement was that the large profits to be derived from this unbalanced bid should be divided between Nelson and yourself?

A. Ten per cent. of it was to come to me, of the amount of the bill.

Q. Was this ten per cent. to come to you as a compensation to you for giving Nelson the contract by this improper agreement?

A. They arranged it so that he could obtain the contract and the work to be furnished for it.

Q. You told him how it could be arranged that he should obtain the contract by this improper agreement?

A. Thus, for instance, we had thirty-six, forty-eight and fifty-two inch pipe required, which we were going to use, a small quantity of each, and that is a high-priced pipe,

naturally. We then wanted eight, ten, twelve, and fourteen inch pipe, of which we would use large quantities. The contract was awarded upon the whole amount of pipe mentioned in the specification. Well, we would call for a very large amount of high-priced pipe we did not want and for a very small amount of the low-priced pipe which we did want, or for a very large amount of the pipe we did not want or the other way, as the case might be. The contract also had a clause allowing us to call for more or less of the pipe as we desired.

Q. More or less than the specification called for?

A. Yes, sir; when the bid came in the high-priced pipe, say a thousand feet of high-priced pipe called for, and twenty dollars was paid for it, say, and the small amount of low-priced pipe called for, which say would be one dollar, one dollar ten, or a dollar twenty. The aggregate of what that amounted to was taken as the bid, and of course the man knowing that point, much of the high-priced pipe being called for, had the opportunity of making his aggregate amount to much less than any other. No outsider could compete at all.

Q. And was there between yourself and Nelson an arrangement of this nature?

A. He was informed that the specifications were not to be followed when the pipe was actually called for to be delivered, and there was a clause in the contract which allowed the Department of Public Works to call for what they pleased.

Q. Not to be guided by the specifications?

A. No, sir. My negotiations were not directly with Mr. Nelson.

Q. Not in person?

A. No, sir. Through my deputy, Mr. King.

Q. Did Mr. King represent to you that he had seen Mr. Nelson in person ?

A. He did, sir.

Q. And that Nelson had agreed to this arrangement ?

A. Yes, sir.

Q. And after that, were the amounts called for under those specifications changed in accordance with the agreement which King told you he had had with Nelson ?

A. Yes, sir; the contracts were made on small amounts of pipe, on prices to suit the amounts this contract was made on. The Attorney General has Mr. King in his hands, I see, conducting the prosecution. I see the *nolle prosequi* in all his suits have brought him back. Probably he will be here to testify to it himself in a few days.

Q. Now, before this contract, do you know whether Nelson had any other contracts for articles of this kind ?

A. Prior to that time the contracts were all made in the Croton Water Department, which, by the Charter of 1870, was all vested in the Street Department.

Q. Do you know whether he had ever had a contract before ?

A. He had a contract, but I don't know what it was. I think he had those from the Croton Water Department.

Q. Was this arrangement which King told you he had had with Nelson, and which was subsequently carried out, made before or after the proposals were advertised for ?

A. Made before the specifications were prepared. The specifications were prepared, and then the advertisements were made.

Q. And the specifications were prepared in accordance with that understanding, and for the purpose of carrying out that understanding ?

A. Yes, sir. I think the books will corroborate what I tell here. I know Mr. King would.

Q. Who actually made up those specifications?

A. They were generally made up by Mr. Tracy, or in Mr. Tracy's department—the engineer's department.

Q. Of the Department of Public Works?

A. Yes, sir.

Q. At that time, who was the Chief Engineer in charge?

A. Mr. Tracy. I think Mr. Stevenson Towle was his assistant, and did the work.

Q. That being the duty of the engineer, was it done by the engineers of their motion, or did you direct them?

A. I directed them. They prepared their specifications and I directed them to be prepared.

Q. You directed the engineers to change the specifications, so as to meet the requirements of this understanding between you, King and Nelson?

A. Yes, sir.

Q. To whom did you give those directions to alter the specifications?

A. Mr. Tracy, and, I think Mr. Towle, but I know Mr. Tracy. He was the chief.

Q. And the alterations were made in accordance with your directions?

A. Whatever I ordered in the department was done.

Q. Did you tell either of these engineers your purpose in making these alterations?

A. I think not, sir.

Q. Did anybody in the department oppose your influence or direction?

A. They might have done so, but I don't recollect it. My will was law, and if I ordered a thing done, it was generally carried out.

Q. Do you recollect any opposition on the part of the officers in your department?

A. I do not, but if they made any opposition, they would not have been there next day. There would have been some one who would have done it.

Q. Now, after that contract was awarded to Nelson, under the specifications which were subsequently altered, how long was it before the alterations were actually made?

A. I think the very first—they were not all called for at the time. There were two ways of his delivering this pipe. One was delivering it by requisition at the Corporation yard, foot of Twenty-third or Twenty-fourth street. Another way was, the contractor was obliged by the contract to build the sewer with a certain kind of pipe. We got an order from him for that. Everything that was wanted he would come to us—to the Department of Public Works—and get a permit from them to go to Mr. Nelson. Mr. Nelson delivered that pipe upon the order from the Department of Public Works. At the expiration of a month or whenever necessary—whenever Mr. Nelson desired it—he presented his bill for that pipe, with the receipt of the contractor to whom he delivered it, and the order from the Department. That bill whenever it was presented was looked upon the same as a bill for articles furnished to the city. We would then take the amount called for in his bill, which had been furnished to the contractor, we reserving in all our contracts for sewer building either thirty or thirty-five per cent—thirty, I think—and that bill we would allow as expenditures paid the contractor, and we finally would take off the amount of that pipe. That was one way. Another way was to deliver in specified quantities to the order of the contractor,

to be supplied at the yard, and the pipe furnished from there would be charged to you the same as that furnished by Mr. Nelson.

Q. Now, do I understand you to mean that the changes in the specifications, so as to suit this arrangement, were made as the different bills came in?

A. No, sir; it was done as a general thing. We knew, when the specifications came in, that the large-priced pipe would never be required.

Q. That was understood between you three?

A. Yes, sir.

Q. And were these changes made immediately upon the contract being awarded, or was it an afterthought of somebody altering the style of the sewer, which made it necessary?

A. I have stated it was made before the specifications were ever prepared, and for the express purpose of carrying out this agreement.

Q. Now, your share of the profit to be derived from this arrangement between yourself and Nelson was to be paid you, I understand, in the shape of a percentage?

A. Not a share; I was to have a percentage of the gross amount of the bill.

Q. Ten per cent. upon the amount of the bills?

A. Yes, sir.

Q. Who was to share that ten per cent. with you?

A. Nobody.

Q. This was an arrangement of your own?

A. Yes, sir; I think Mr. King was to be paid something, although I have no distinct recollection of that. I understood that Mr. Connolly was paid, but that was not done through me.

Q. How did you know, when these bills were presented, whether the articles had been delivered or not?

A. There was a certificate that had to be received, given to the head of the Bureau, through either Mr. Tracy or Mr. Towle—Towle, I think, for those articles used by the contractor. That was done by the man who had charge of the corporation yard.

Q. Do you mean to say that you depended entirely upon a certificate by somebody in the engineer's department?

A. Entirely, sir.

Q. Do you know, in point of fact, whether all articles certified by the engineer's department were delivered or not?

A. No other way except the certificate from the engineer's department.

Q. And which appears upon the foot of the bills?

A. Foot of the bills.

Q. Then do I understand that as far as you were concerned, or as far as you knew, there was no corrupt arrangement as to the certification of the amounts actually received?

A. I know of nothing beyond my own matter, sir.

Q. Were you to get ten per cent., not only on the material which was delivered directly to the department, at the department yard, but also upon material which, upon requisition, was delivered to the contractor?

A. That was the same thing—all paid out of the same fund, and in the same way.

Q. And it came out of all bills?

A. Out of all bills.

Q. Now, you connect Nelson with this agreement through King?

A. I do.

Q. King made the proposal to you? He said he had seen Nelson, did he?

A. Said he had spoken to Nelson.

Q. Did he subsequently tell you he had seen Nelson, and it was all satisfactory with Nelson?

A. That was the understanding.

Q. And the figures, you think, will carry out what you have described?

A. As far as I have seen the figures, they will.

Mr. COLE—We have no doubt that they will. Do you know whether any of the city departments, during your term of office, had any dealings with Jones & Company, who are stationers?

A. All of them, I think.

Q. And the firm was composed of whom?

A. Used to be Edward Jones—Edmund or Edward, I don't know which it was—and William C. Rogers. I know they often used the name Edmund Jones, although, I think, his name was Edward. There is another gentleman whose name I do not know, but I can connect him with the Johnson Rotary Lock Company. Understand, I don't know of any other than those two gentlemen, but I think the other two were in it.

Q. They allege, in their numerous complaints, that the firm was composed of Edward Jones, William C. Rogers, and J. Jarvis Jones. Don't you know of another name there?

A. No, sir. Recollect I only tell this from my memory of what happened seven years ago.

Q. There are four suits brought by Edward E. Jones & Company against the city for stationery furnished to, and printing done for, the several departments, amounting in

the whole to \$801,800.85, with interest from different dates, ranging from 1868 to 1870. I shall take them up *seriatim*, and examine you with regard to each. The first is a suit brought by Edward Jones & Company against the Mayor, etc., for printing, and stationery furnished to the Common Council in the year 1868, and it amounts to the enormous sum of \$268,490.03. Now, was there any corrupt agreement between Edward Jones & Company and any city official for them to get anything by it?

A. Well, he was to pay a percentage on all the work he got.

Q. Well, what percentage?

A. Fifteen, I think.

Q. Who got that fifteen per cent.?

A. It was received sometimes by me, and sometimes by others.

Q. You were not only to get it, but did get it?

A. We did get it.

Q. Now, Mr. Tweed, do you think that two hundred and sixty-eight thousand four hundred and ninety dollars' worth of stationery could be used by the Common Council in a year.

A. That is a good deal of money.

Q. Do you know, in point of fact, whether, in that first bill in 1868, there was any fraud in any way?

A. I can't give you any definite date or any definite information on that subject, because that was a matter I could not hold in my mind. I have never seen the bill, and don't know the items, and if I did, I don't think I would be able to tell you about them.

Q. Well, generally?

A. My idea is that no bill of Jones' was ever a legitimate bill.

Q. You know that as to all bills of Jones' there was this fifteen per cent. to be paid?

A. I know there was a per cent. to be paid.

Q. Do you know of any other matter, in their dealings with the city officials, that makes you think their bills were not just what they ought to be?

A. During the years 1868 and 1869—I think both years—Mr. Jones had a large batch of bills Connolly would not pay. After that Jones was up in Albany, and wanted us to get them inserted in the tax-levy, but it was so much money we didn't dare to put them in. He wanted to know if I couldn't get them in, and he thought we could get them in. We agreed to do it in committee—to divide them, and each put in what he could, but we wanted so much money he wouldn't pay it. I was blamed for not having them in. They thought I could if I wanted to, and on that was the original foundation of the Young Democracy. Mr. Jones was the original financier of the Young Democracy.

Q. With regard to the bills about which you are speaking, were they *bona fide* bills?

A. I think not, sir.

Q. Do you think that the charges made for stationery and printing—

A. I knew nothing about that; that is, the bills themselves, I know of, but I don't know anything of this particular bill, but I know when any one from any of the city departments called on Jones & Company with a requisition for stationery for any of the different city or county departments they would make them presents for such requisition—blankets, saddles, jewelry, crockery, harness, and trunks, and everything they wished in that line. There used to be a store three or four doors below Mr.

Jones'. It was a fancy goods store—crockery and fancy goods—I can't think of the very firm. Jones used to take persons who called with requisitions for stationery or supplies into this place and make these presents to them, and that was all charged in the bills for stationery, I suppose. I recollect one case particularly. There was a brother of a former Police Commissioner of the Ninth Ward. He was Police Commissioner for a short time, I forget his name. Let me see—what was it? Oh! Cholwell his name was, George Ring Cholwell, in Maiden Lane, next door to Nassau street, on the south side. I only mention the Police Commissioner to bring me back to the name, and I know Jones would often take me—or Rogers or any of them—and buy anything in the way of fancy goods I wanted—Russian leather. I don't know that Mr. Cholwell knew anything about it. Robes for carriages, and sleighs and everything—fancy writing desks. We would get there anything we wanted in the way of fancy goods. I can't name anything man would require that he wouldn't furnish if they asked him for it.

Q. And these were never paid for?

A. Not as far as I know.

Q. And they were inserted in his bills for stationery?

A. That was the understanding; they were to be. Fine pictures, and—Oh, I can't name them. Almost everything.

Q. Well, do you recollect anybody except yourself who obtained articles from Jones and Company to be paid for by the city as stationery?

A. Oh, I don't know that it was to be paid for as stationery. I suppose it was paid for in that way.

Q. Who else do you remember as having received goods in that way?

A. Mr. Connolly received a good many little favors of that kind, and I guess pretty much everybody who went there with a requisition. He would present them with something of that kind ; either a nice gold pen or a nice knife worth five or six dollars, or something of that kind. For instance, any department in the city, say your department, required stationery ; a requisition would be made. Some young man from your department would go over to them and deliver the requisition. Jones would say, " Well, this is a very nice requisition," and then he would try if possible to have a larger requisition made out ; and whether or not, he would invite this young man to go in and show him a lot of fancy goods and make him presents of them and enlarge the requisition that way, or else not furnish the full amounts of the requisitions. I think Mr. Rogers and Jones were about the departments all the time, and called upon everybody. I think Mr. Sweeney received fancy articles from them in that way.

Q. Will you please think this matter over, and state the names of everybody that you can, that you know of having received these so-called presents ?

A. I know so many that I really can't think of them. I won't state anything upon that subject because the names of men I have mentioned may be connected with the matter so that I couldn't connect them with any one thing.

Q. Do you know any person except yourself whom you know to have received presents from these persons ?

A. I know Mr. Connolly did, and I know Mr. Sweeney had presents from them. I know pretty nearly all the heads of the bureaus in my department had presents from them. I know Mr. King did.

Q. Well, now, name the members of the bureaus that

you know did ; not those that you may have a vague idea did so, but that you know did so ?

A. I don't know that I can come nearer to the mark than to say everybody. I may say that everybody who furnished requisitions to Jones & Company for stationery and supplies received such presents. Received furniture, bridles, saddles, and everything. I think I would be right in saying everybody.

Mr. COWING—Everybody connected with the city government at that time ?

A. Yes, sir.

Mr. COLE—Have you any idea how Jones & Company carried those expenditures of the presents into their bills for printing ?

A. By putting in large amounts where they furnished but small.

Q. I turn at random in one of these complaints to this item : " 1869, November 19th ; fifteen reams of official note-paper—\$210 ;" that is how much ?

A. Fourteen dollars a ream.

Q. Is it your idea that in making such an enormous and palpably erroneous charge, that they did it in that way ?

A. That is my idea.

Q. That they put in things they didn't give at all in some instances ?

A. Yes, sir.

Q. And that they increased the prices in more cases when they did give anything ?

A. I know they did.

Q. Their bills were not only tainted by this arrangement of fifteen per cent., but were also absolutely false as to quantities, amounts and prices ?

A. Yes, sir.

Q. You say you know that in some cases; can you at this time specify any particular case?

A. Oh, no, sir; I cannot. I know those articles he furnished to me and to others, for he told me so himself. I am not specifying any exact bill, any more than I can tell I paid a bill in gold or silver on a certain day.

Q. You say members of the firm of Jones & Co. themselves told you of these practices?

A. Yes, sir; Mr. Rogers and Mr. Jones both told me they did it.

Q. Is that, in your judgment, as to all bills presented by Jones & Co. against the city, in the years 1868, 1869, and 1870?

A. Large percentages were paid on all the bills. Large percentages were paid on what they furnished, for I know persons, bringing requisitions, got what they desired in that line—books and everything. When I say books, I mean novels—libraries.

Q. And all these matters, outside of printing and stationery, were not furnished to the city—no pretense of that—but were given to individuals connected with the city departments, for their own personal use?

A. Yes, sir; city and county both.

Q. And charged to the city and county?

A. Yes, sir.

Q. William C. Rogers and Company—who were William C. Rogers and Company?

A. I always supposed Jones was the Company in Rogers. After a few years Jones, who was a nephew of Rogers, went pretty much out of the business. Jones' health became very poor, and he went away. I think that is the same firm, only a different heading. I know one firm was merged in the other.

Q. They brought two suits pending against the city, amounting in the aggregate to \$418,522.72. The first of those suits is for \$323,609.42, for stationery furnished to various city and county departments from January, 1869, to May the 1st, 1870; and the second one is for stationery furnished to the county between 1868 and 1870, for \$94,913.30. The printed complaints in these two actions allege that the firm of Rogers & Company is composed of William C. Rogers, Edward Jones and J. Jarvis Jones, the same persons.

A. As I supposed, one concern was merged in the other and changed the name. Every remark I have made about Edward Jones & Company is the same with regard to William C. Rogers & Company. They were about the same firm and they were the same parties, as I supposed they were.

Q. Well, these operations that you have described went on between the county, and city and county officers, from 1868 down and through 1870, didn't they?

A. Up to the passage of the new charter. Mr. Jones was a very active adherent of what was called the Young Democracy, the opponents of the parties in power at that time, and as a matter of course he had no more bills or anything else.

Q. The parties in power, who composed the Ring at that time? And you didn't give him any more of this kind of work to do?

A. We didn't give him anything.

Q. That ended his connection with the city as a purveyor of printing and saddles and bridles and everything else?

A. That ended it through me, and everybody else, I think. The two firms were exactly the same, and what I

say about the one I say about the other. I can't distinguish the two.

Q. And as to all their bills, namely, from 1868 until the passage of the Charter of 1870; were they tainted with this fraudulent agreement?

A. No less than fifteen per cent., and often much more.

Q. Who else that you can name, besides you, knew about this agreement with Rogers & Co. and Jones & Co., concerning the percentages?

A. I think Mr. Woodward, who is now in the hands of the prosecution—in the hands of the State authorities as their witness—knew it; and Mr. King I know did, and Mr. Woodward I am certain did.

Q. Well, with regard to the presents that were made and the pictures that were furnished, and the gold pens and pen-knives, and all that sort of thing; there must be numerous persons who can testify to that?

A. Oh, yes, sir; I think everybody connected with the city department can tell that.

Q. I wish you would think that matter over carefully and state the names of some persons you think would be good witnesses in the matter—simply those persons whom you think had knowledge of the matter and would be valuable witnesses?

A. Take most any member of the Board of Aldermen or the Board of Assistant Aldermen for those years, I think.

Q. I would very much like for you to furnish me with the names of such persons as you think would be good witnesses—to be used as witnesses only in behalf of the Corporation in these cases.

A. Any information I can give I will give, and give willingly.

Mr. COLE--Now, the Tenth National Bank has a suit pending against the city for two hundred and fifty thousand dollars, for money loaned to the city. Do you know anything about that?

A. Except what Mr. Ingersoll told me.

Q. Well, tell me all you know about that?

A. Ingersoll told me they had borrowed a large amount of money from the Tenth National Bank, but I understood at the time that he had borrowed it on his own individual responsibility. I presumed he did, as Mr. Palmer, who was then cashier of the bank, and afterwards president, told me he intended commencing suit against Mr. Ingersoll for the balance. The money was borrowed, as I understand, by depositing in the bank, as collateral, bills against the Court-house, approved by the Commissioners, which, when the money was transferred from the Comptroller on requisition of the Commissioners, to the bank, the bank would pay, thus making certain of paying themselves.

Q. The bank was one of the depositaries of the city treasury?

A. Yes, sir; two hundred thousand dollars of that, I understand, was afterwards paid in that way. The money was transferred from one of the other banks to the Tenth National Bank, and a requisition was drawn by the Court-house Commissioners for this money, and it was paid, and they surrendered some of the collaterals for it.

Q. Well, the collaterals were, you say, the approved bills for the erection of the Court-house?

A. Approved bills of the Commissioners.

Q. Were they *bona fide* bills?

A. I think not, because Mr. Ingersoll told me they

were not, and he was very anxious to get every one from the bank.

Q. Ingersoll told you they borrowed this money from the bank for his own purposes ?

A. He didn't say for his own purposes, but on his own credit, I understood, and for the purposes of the Commissioners. I was more convinced of that from what Mr. Palmer told me—that they intended to commence suit against the city. He was cashier then.

Q. Is he connected with the bank now ?

A. I don't know whether he is or not ; he was president afterward, but the bank has changed hands in every way.

Q. And subsequently he brought suit against the city ?

A. Yes, sir ; and Ingersoll was very much frightened about it, I know.

Q. Did he tell you so ?

A. Yes, sir.

Q. Why was he frightened ?

A. On account of having these bills approved by the Commissioners in the hands of the bank. Part of that money that they borrowed, \$112,500, was paid to me to expend in Albany in this way : They were appointed Commissioners in 1870—December, 1870, I think—and there were bills then for all the money which was appropriated for that year—I believe six hundred thousand dollars. The commission consisted, I think, of Mr. Walsh, Mr. Coman, Mr. Ingersoll, and Mr. Norton. They were appointed in December, 1870, under a provision of the tax-levy of the county, in 1870. It held over and nobody was appointed from the passage of the charter until December—November or December. Then these four gentlemen were appointed. In 1871 they wanted another

appropriation — they wanted one million dollars. They talked of a million dollars, and came to Albany, and endeavored to get it into the tax-levy of that year. Norton was then a member of the Senate. It was impossible to have the appropriation made for a million dollars. Finally, after much talk with Ingersoll, who wanted me to get what I could put in the tax-levy, I told him it was a matter of impossibility to get anything in unless they paid for it, because the tax-levy then was overloaded, and the Republicans were about making a party question of it—what they afterwards did. Finally, he consented to pay for it, and said: “Any amount you can get in I will pay fifteen per cent. of.” At that time I think he paid me one hundred thousand dollars. That was put in pool along with the other money for the passage of the things we wanted in the tax-levy of 1871, and expended. After the Legislature adjourned or a short time after that he paid me \$112,500, which made up the fifteen per cent. on \$750,000. That remained that way until the troubles commenced, somewhere along in 1871. Ingersoll and I had a settlement one day at my house. We had had a good deal of business between us before that. I had borrowed a good deal from him—two or three hundred thousand dollars. I can fix the day very well. I am quite satisfied of the day because it was the day of his first arrest. He was arrested that evening first. In the settlement he allowed that \$112,500 as money he allowed to me—to be used for his purposes, but since then—since he has been released—he has commenced a suit against me in Connecticut for that \$112,500. The suit is still pending.

Q. And this \$112,500 was part of the money which was

obtained by him from the Tenth National Bank by the deposit of these bills as collateral?

A. So he informed me.

Q. Who were the directors of the Tenth National Bank?

A. I don't know; I can't name them; I think Mr. Fisk was one, I was one, Hall was one, Connolly was one, Ingersoll was one.

Q. Ingersoll was a director?

A. Yes, sir.

Q. And you, and all of you, were directors?

A. All directors.

Q. Did the directors, or any of them, except you and Ingersoll, know that this money, or part of it, was borrowed for the purpose of affecting legislation in Albany?

A. I think Palmer knew; the cashier, I think he made the loan himself; I don't think it was done by the directors; I think it was done by Mr. Palmer himself.

Q. What makes you think that Palmer knew the purpose of that loan?

A. Because he talked to me about it frequently after it happened.

Q. Was there anybody else, except you and Ingersoll and Palmer, connected with the bank, that knew about it?

A. Mr. Sweeney knew about it at that time, and Mr. Connolly.

Q. Was any of the money borrowed from the Tenth National Bank at that time used for the legitimate purposes of the city?

A. I wasn't a member of that commission, and I don't know how they spent their money.

Q. Do you know whether any of that money was legitimately expended for the purpose of the construction of the Court-house, or for any other governmental purpose?

A. I do not, sir.

Q. There is a suit now pending, brought by the people against Thomas Coman. It is an action against him for damages on account of his allowing fraudulent bills to be paid. Do you know anything about that case?

A. I do.

Q. Well, do you think that from the information that you have, that the city has a good cause of action against Coman in that matter?

A. I do.

Q. Do you think that you can furnish the testimony which will enable the city to succeed in that suit?

A. I do.

Q. Are you ready to do so?

A. I am.

Mr. TOWNSEND—In that case——

Mr. COLE—I don't propose to ask the witness anything in that matter. I am instructed by Messrs. Barlow and Olney, who appear for the people in that matter, that it would not be prudent to bring out the facts in that matter before the trial. *The People against O'Donnell*: This is an action brought by the People against O'Donnell, for damages for \$350,000, for fraudulent bills to the Street Department.

Mr. TOWNSEND—May I ask you what was the amount of the other—the one against Coman?

Mr. COLE—Four hundred thousand dollars. To the witness. Do you know anything about this matter of *The People against O'Donnell*?

A. I do.

Q. Do you think that the people can succeed in this action against O'Donnell?

A. I think they should.

Q. Do you think that you have in your possession facts which will enable them to so do?

A. I either have them myself or can furnish them.

Q. Are you willing to testify yourself and give such information as will enable the people to obtain other witnesses in order to prosecute that suit?

A. I am.

Mr. COLE—For the same reason, I don't propose to ask the witness anything in regard to this suit. (To the witness). In the statement that you made to the Attorney General, did you proffer to give evidence yourself, and to furnish other necessary witnesses in any of the cases concerning which I have examined you this morning?

A. I think I did in the Navarro, the Nelson, and the Rogers case, and I farther expressed willingness to be examined upon any case I might be called upon to testify in, that I knew anything concerning. Those were the only ones that I knew of at that time.

Q. Did you in that paper indicate what the information you would furnish to the Attorney-General would be?

A. I have not read that paper as a whole since then, therefore I cannot speak positively upon the matter, but that is my impression. I know I asked him to come and examine me on those subjects and any information I could give him, I would, and I know he never came. Mr. Peckham came to see me in reference to the Sweeney case, and Mr. Whitney, I think, in the Navarro case, and I know in the examination I made fuller statements to Mr. Whitney and Mr. Peckham, and went further into the de-

tails and told more than I did in the statement, or can here, because my memory had been refreshed, and my statements were consequently more full. I had had conversation with persons about it, and I state in reference to this that the day after Mr. Sweeney's arrival from Europe, he published a card, in which he said he had nothing to settle with, but as soon as his case was brought to trial, he immediately *did* settle for an amount agreed upon between himself and the prosecution in the case, and I am satisfied that if I had been used as a witness, and if they had taken my suggestion to the Attorney-General, according to the information I gave in my statement to him, no such amount would have been settled upon.

Q. Did the Attorney-General have that paper in his office at the time of or prior to the settlement?

A. He had it for nearly two months before.

Q. At the time the settlement was made with Mr. Sweeney?

A. Yes, sir; it was returned to me after about a week or ten days afterwards.

Mr. TOWNSEND—Three days, I think.

Mr. COLE—Did you disclose the fact that Peter B. Sweeney was the actual man who was concerned in the Ring, and that James M. Sweeney was not?

A. I stated in that paper what I have stated here, and they are as full on that point as I have stated them here—the Transcript Company, Manufacturing Stationers, and Jones & Company as fully, and, I think, more fully than I have here.

Mr. COWING—Pretty much everything that you know

in reference to these frauds—were they contained in that statement?

A. Everything my attention was called to. I couldn't remember everything at the time and my attention has been called to many things since; for instance the Brooklyn Bridge matter. I didn't think of that at the time, and when it was brought up here, I drew my facts from memory.

Mr. TOWNSEND—Mr. Chairman, will you permit me to say that that paper was prepared by myself, without information from any person whatever as to what was desired, but simply to show the fact that he was to make a statement.

Mr. COWING—Mr. Townsend, the witness has, I believe, intimated that he intends to present that statement to the committee. I suggest, Mr. Townsend, that we would like to have it furnished before we finish with him.

Mr. TOWNSEND—I have no doubt Mr. Tweed will furnish you with the statement when you have finished your examination of him.

Mr. TWEED—When you say you are through with me, I will hand you the papers, and that I am ready at any time to do. There is no doubt in my mind that the Sweeney people thought I was going to be used in that case as a witness, and that I would give all the information I had, and so they agreed to the compromise.

Mr. LEWIS—Do you recollect the date that the Attorney-General handed you back that paper, or about the date?

A. I think it was June the 8th.

Q. That was after the interview between the Corporation Counsel, Mr. Whitney, and Mr. Peckham was it not?

A. Yes, sir; they had two interviews, that I can give you the date of, all upon this matter. Mr. Peckham's other interviews, three of which were on the Sweeney matter, were prior to the settlement of the Sweeney case—after his return, but prior to the settlement of his case.

Q. How long after that interview did the Attorney-General turn that paper over to you?

A. I think it was a week.

Q. After the interview with these gentlemen?

A. I think it was three or four weeks, but one week after the settlement.

Mr. COWING—You think your statement was used to make Mr. Sweeney think you were to be used as a witness in the case?

A. I know it was. The supposition was that I was to be used on that trial, and everybody thought I was until the settlement was made; I know Mr. Sweeney's folks thought so. Mr. Sweeney, I think, knew pretty well what was in that statement, for I know his friends approached some friends of mine, and wanted to know why I had said this thing and that thing, which never could have been known outside unless there was a leaky vessel somewhere.

Mr. COLE—During the existence of the Ring, were there not quite a number of persons upon the pay-rolls, who were regularly paid as if they were doing service to the city in one capacity or another, who actually didn't do any service at all?

A. Or very little.

Q. Was it understood that they shouldn't do any service at all?

A. Yes, sir.

Q. Now, at this time, can you recollect any such persons?

A. In my time, I also had a private pay-roll of my own—some forty or fifty, or sixty thousand dollars paid out of my own pocket, but letting them think that they were paid by the city. Disbecker, who used to be Police Commissioner, I paid forty or fifty dollars a month, out of my own pocket, for a year or two. He thought it came from the department.

Q. What was he supposed to do?

A. He was appointed Inspector of something or other, he thought—something that didn't exist at all. All the work he did was to get his pay every month.

Q. Where did you get the money to pay that?

A. From the city.

Q. Who else, now, can you recollect on that pay-roll, if anybody?

A. Well, away back seven or eight years ago, I can't remember but a few. I had Mr. E. K. Apgar, I think, the Assistant Secretary of State. He didn't do anything but stump the State.

Q. What was he on the roll for?

A. To draw his money.

Q. I mean in what capacity?

A. In the Street Department. I think he was on the direct roll. The books will show.

Q. What were these men on there for?

A. Because they were electioneering for us.

Q. For the Democratic Party or for the Ring?

A. Apgar was in the State—

Q. Well, what work was he doing?

A. Spouting—talking—making speeches.

Q. Who else besides those two can you remember?

A. Those are the only two I recollect distinctly. I recollect them because their names have been brought so prominently forward; but there were many others.

Q. Who else? Can you remember any one else?

A. I had a brother of Hugh Hastings, who did nothing; I forget his name—William, I think it was. These are the only prominent men I think of at the time, but there are hundreds of them.

Q. Is that private pay-roll in existence?

A. No, sir; Mr. King, I know, could give you information upon that matter, and I think many of the clerks in the Street Department could.

Q. Do you think of any others at this time? If you do, I want their names.

MR. TOWNSEND—I asked on two or three different occasions that if you would only give Mr. Tweed an intimation beforehand, he could give you an answer when called upon. May I ask that the stenographer place that question in my hands? Heretofore I have received several distinct promises that such interrogatories would be furnished to Mr. Tweed in time for him to prepare for them, but I have never got them.

MR. COLE—Mr. Stenographer, will you see that Mr. Townsend receives such questions? (To the witness). Who were on your private pay-roll, concerning which you have testified, and who were on what you call the regular pay-roll, who did no service, or but little service, for the compensation that they received? I consider that a matter of considerable importance, and I want you to answer that as well as you can.

A. I will do the best I can, but men who could inform me and come in to see me are afraid. When they come

in they tremble all over until they get out. They think they are going to get hurt. They think it is the next thing to being indicted to come where I am.

Q. And those persons who were on the regular pay-roll who didn't perform any service, but were simply there as an excuse for them to get money which they didn't earn?

A. Then I must ask the Committee, who possess the power that I do not, that they send me the books in the Department of Public Works and the Department of Streets, and some clerk who was there with me and knows all about it. I am physically unable to do that work myself, and no man could do it alone. There are probably one million names—one name fifty times over. I cannot recollect them—it is impossible. The clerks can help me in performing the manual labor which I cannot do. Whatever information I can furnish myself, as regards my private pay-roll, I shall cheerfully give, but what is in the hands of the Committee, I must ask the Committee to furnish me with.

Mr. COLE—I suggest that a communication be sent to the proper departments, asking for such papers and such clerical assistance as will enable Mr. Tweed to perform this work.

Mr. TWEED—Gentlemen of the Committee, I would suggest the man who is chief clerk there now, I believe, and who was chief clerk in my time, Mr. Clifford, and Mr. McClenachan, who was there then, is there now. I would like that those clerks be sent to me. It may take them two or three days to do it, but I cannot do it alone.

Mr. COLE—I think a request made to the head of the department would have the desired effect.