

Q. Didn't you say you paid money to Captain Devery just before he left the precinct? A. No, sir; I did not say so.

Q. Never said a word? A. No, sir; I didn't know Captain Devery; but I say this, that I had in my own conscience it was like, something like that.

By Chairman Lexow:

Q. You believe it was? A. Yes, sir.

Q. And you paid it for that purpose; that was part of the payment to get protection? A. Yes; they did not tell me it was for that, but for a political organization.

Q. Didn't you tell to the man to whom you were showing the book, didn't you turn the book over to them to show the amount of business you were doing? A. Yes; that is right.

Q. These men came from Newark? A. Yes; that is right.

Q. And they wanted to buy the house in New York? A. Yes.

Q. And you told them you were doing a rushing business, but was willing to sell your house? A. Yes, sir.

Q. And in order to show the business you did, and were doing, you took out this book and other books to show the men what money you took in, and paid out? A. Yes.

Q. And you remember asking those men if they had to pay protection in Newark? A. No, I did not ask them, but they showed me their book, and said what they paid.

Q. And when they showed what they paid in Newark, you took out your book to show what you paid? A. I did not show but one.

Q. You showed them the two C's? A. No; it is a mistake; I did not show them the two C's.

Q. The two C's were here? A. It might stand for carpets and curtains I bought.

Q. It can stand for a great many things; a great many words commencing with C. A. A great many.

Q. Didn't you say it stood for captain; that is the point; will you swear you did not? A. I will not swear whether I said it or not.

Q. Come, now; right down to the truth. A. May be I did; but wouldn't swear to that.

Q. If you did you said, then, what was true? A. Yes.

By Chairman Lexow:

Q. When you told these men that the letter C here in front of the \$500 stood for captain, you said then what was true, didn't you? A. I showed them one C, and did not show them two.

Q. You told them that stood for captain, didn't you? A. I couldn't say.

Q. If you did say it, was it the truth? A. I never gave any money to the captain; I gave the money, as I thought, to a political organization.

Q. It is not a question as to whether that money went to the captain, but whether or not, when the entry was made, that C was made to stand for the captain, whether he got the money or not; that is the fact, isn't it, that it stood for the captain? A. I could not say about the second C.

By Mr. Goff:

Q. The first C represented the captain? A. It represented the political organization.

Q. You understood when you put down C it was for captain of the ward, or captain of the precinct? A. I did not put down the C.

Q. Didn't you tell these men that were wanting to buy the house; didn't you tell them that showed it was paid to the captain of the precinct? A. One C I did, but not the two.

Cross-examination by Mr. Nicoll:

Q. Where did you keep the house; what was the date on which you first commenced to keep the house? A. I could not say; it was the month of February I bought the house.

Q. What year; 1892? A. About that year.

Q. We are now in 1894? A. Last February I owned the house two years.

Q. That would be 1892; then you kept the house from 1892 until some time in August, when you finally went out of the business? A. I went out of the business twice; I had it for a furnished-room house twice.

Q. During the time you were there did you ever pay any money to the captain of the police yourself? A. No, sir; I would not know the captain, nor would I know the wardman; the head wardman, I do not know him.

Q. Did you ever give any money to any wardman and tell him to deliver it to any captain? A. No, sir; there never was any such thing named as the word captain.

Q. Do you know the name of any man on the police force, or can you identify any man on the police force, to whom you paid money? A. What do you say?

Q. Do you know any man on the police force, except the policeman on the beat, to whom, I think you said, you paid \$1 to get

a drink, and the ward detective you gave \$20? A. Yes, sir; I gave it to him for a present.

Q. Do you know the name, or can you identify the man? A. I do not know the man, and can not identify him; only I knew he had something to do with the ward station-house.

Chairman Lexow.—Is that all, Mr. Goff?

Re-direct-examination by Mr. Goff:

Q. Now, Mrs. Sandford, is your memory of saying to those men that came to you from Newark, these words, after asking you how much you paid for protection, you said, "Why, old man, I can make your hair turn gray;" do you remember saying that? A. No.

Q. And will you swear you did not say that? A. I would not swear I did not; I might have said that.

Q. "Old man I can make your hair turn gray; \$300 to the captain and \$25 a month, and besides to the officer on the beat;" do you remember saying that? A. Yes, I did.

By Senator O'Connor:

Q. Was that true, Mrs. Sanford; were you telling the truth at that time? A. I might have said that on that night.

Q. Was it true? A. I did not give \$25; I only gave \$250 for a couple of months, because I did not have it; I was shut up a couple of months; one of the captains came in there, before this one, and notified me to shut up the house; that the houses were going to be closed; and when I bought 22 the captain, I heard, said, "What did you buy the house for; there is not going to be any more houses here; the houses are going to be shut up;" I got that word from an official.

By Mr. Goff:

Q. Now didn't you go on and say, "Why, when Captain Cross came here he raised it to \$500 a month;" do you remember telling that? A. I don't remember; \$500 a month?

Q. He raised it to \$500? A. Yes; but if he did, I never gave nothing to Captain Cross.

Q. You knew it? A. I didn't know nothing about it; I heard that.

Q. Who did you hear that from? A. I heard it from people uptown.

Q. What people? A. People that kept these houses.

Q. People that kept the houses in the neighborhood? A. Yes, sir.

Q. You heard it was going to be raised to \$500? A. Yes, sir.

Q. You said when Captain Devery came it was \$500, and \$50 a month? A. I gave a couple of the \$50 a month, but to some officer; I didn't understand it was for any captain.

Q. You were subpoenaed for the trial, weren't you? A. Yes, sir.

Q. And do you remember saying you were not going to be a Lucy McCarty? A. Yes, sir.

Q. And do you remember saying that if they wanted to send you up, or were going to send you up, that there would not be enough in the Police Court to keep you from hollering for Dr. Parkhurst; do you remember that? A. Yes, sir; I said, it is too bad, after my spending all my money furnishing up this house, to think when I get going I get pulled every time, and I had two or three times to break up the house and send the inmates away; I did say that; yes, sir; I did.

Q. And you said, also, if they prosecuted you any further you would make a clean breast of everything? A. Yes, sir; I did say that.

Q. And you said, also, that Dr. Parkhurst was not down on the houses, but that the masses were more down on the people who were robbing them? A. Yes, sir; I said that; that is right.

Q. And you remember saying they could not turn you out of the court room as long as you had legs to stand on and as long as you could shout Dr. Parkhurst's name? A. Yes; that is right; and some of those gentlemen may remember that Dr. Parkhurst was not so very good; and I said I heard some young ladies went to him to give him some money, and his wife sent them down to the kitchen to get a piece of toast, and they said a cup of tea and a piece of toast was very poor for an empty stomach that didn't eat a bit for two days; have you got that in the print there?

Q. Yes, that is all right; I was coming to that, but you relieved me. A. You see I recollect that.

Q. It shows what a good memory you have, Mrs. Sandford, and you said if they pressed you, you only wanted an opportunity to tell what robbers the police were; do you remember that? A. Yes; well, they never robbed me much, because I never gave a cent to the police that I know; I gave this thinking it was to a political organization.

Q. You remember when you bought the house from French Charlie, you remember a man coming and ringing the doorbell? A. Yes.

Q. Don't you know he was the wardman? A. I didn't know who he was.

Q. Didn't you state he was the wardman? A. I thought he was the wardman; he brought me word I should shut up that house,

and there was no more houses to be in that street, and I was to shut up; I was shut up in the other house, and he said I should shut up that house, as the captain sent word there was to be no more houses.

Q. When you went to the door and asked him, "What can I do for you," do you remember saying that, and he said, "Come on, now, you know damned well what I am after;" do you remember him saying that to you? A. Yes, sir; and he told me on that very night that the captain sent word I should not open that house, and that my other house, the other house was supposed to be shut.

Q. And do you remember telling him you had no money, and he told you he would give you until next Tuesday to get the money; don't you remember that? A. Yes, sir; there was something to that effect.

Q. And he called on you next Tuesday? A. No, sir; he did not.

Q. Or soon after? A. No, sir; he did not call on next Tuesday, because the next Tuesday he was removed uptown; that is right.

Q. Now, this wardman to whom you gave the \$20 with regard to the silk dress to keep you out of the newspapers, you know his name, don't you? A. No; I don't know his name, only a wardman.

Q. Don't you know you said what his name was; don't you remember calling him Glennon? A. That might be his name; I never called his name from the time he came there with the party about his dress; I called him wardman; if I was to see the man I would not know him, I see him so seldom.

Q. Now, do you remember a fellow by the name of Charlie Keach? A. No.

Q. "Cock-eyed Louis?" A. Yes; those were the parties that came to me for the \$500 for political organization; I went to the door and put them out; "Can you get blood out of a stone," and put them out; that is right; they came to me for political purposes, for some new organization that was going to commence in the ward.

Q. Do you remember the name of the organization? A. No, sir; I do not, because I did not give them time enough, when they asked me for money to state it; I put them out mighty quick.

Q. Don't you remember his saying he called with the knowledge of Captain Cross, and he would make it all right? A. No, sir; they said something about Captain Cross, but what they said, I don't remember.

Q. Don't you recollect they said they came with the knowledge of Captain Cross? A. No; they did not say that; I remember Captain Cross was not in the precinct at the time.

Q. Do you know of other houses in the neighborhood there that gave money? A. No, sir; I don't know; because one's business was never known to another.

Q. Did you ever tell anybody you knew other houses? A. No.

Q. Did you ever tell anything? A. Sometimes I might have too much wine in and told it.

Q. Do you know Charlie Davis? A. Yes.

Q. Of 33 Bayard street? A. Yes, of 33.

Q. Don't you remember having a talk with Charlie about the money he paid? A. No, sir; we never have any such conversation.

Q. Don't you remember he told you he had to pay \$250? A. Oh, yes; for the political organization; that is right; and I said, "Oh, you are a fool;" I said, I put them out; out of my door they went quicker than they came in, with a club at them; I asked them if they was going to get blood out of a stone.

Q. Do you know another man, a friend of yours, who keeps a liquor store, that had to hock his diamonds to get the money to pay; do you remember that he got \$250 on the diamonds? A. I might have heard of such a talk and told it.

Q. Don't you know you have a particular friend that had to pawn his diamonds to get the money? A. For a liquor store?

Q. No, for this liquor organization you call it? A. I have heard of such things, and talked them over in the house.

Q. Don't you remember the man pawning the diamonds, particularly; a very fine diamond he had? A. Oh, no; I heard something of all that; anything I can bring to my memory, I am right here to state what I can.

Q. Do you remember whether you left your house, and went over to Madame Thompson's and said these fellows have been collecting for the political organization? A. Yes; they went over there.

Q. Do you know that Mrs. Thompson gave them any money? A. No; she did not see them; she saw them coming in the window, and she, looking through the window, seen the gentlemen crossing the street, and she was out, by the way; I was not out; I was there ready, but the—

Q. Don't you remember Mrs. Thompson telling you she went to see her lawyer to see whether she should pay to the Commanchee Club \$500? A. No; she told me—I went over to her; she saw me in a day or two, and said, "I saw them coming, and I shut my windows, and was out, by the way."

Q. What about your friend John Regan, who keeps the concert hall, 27 Bowery? A. I don't know him; I never spoke to

the man; I knew him as Regan, the oarsman, some years ago; but to speak to him, I did not know him; he had a place on the Bowery.

Q. Don't you know he had to pay to get his license? A. Sure.

Q. You told your friend he paid \$250? A. I can not swear what I told the man; there might have been talk about the neighborhood.

Q. They went over to Baldy Jones' to collect? A. Yes; they told me they were there.

Q. Did you ever ask anybody if you could sue the captains and get back your money? A. Oh, no; I never asked such a question—not as I—

Q. Let us see? A. Maybe, I did; I might; but I don't remember asking—

Q. Don't you remember that you said, that if the Senate Committee was very good, that they could get back your money for you; do you remember saying that? A. I might say that; I don't say I did or did not say it.

Q. You are on your oath? A. I know I am on my oath.

Q. And don't you remember stating you were told to keep quiet until the Senate Committee got through altogether, and things would open up again? A. No; I was not told that at all.

Q. Didn't you say that? A. I might have said that; it is what I read in the paper.

Q. Didn't you say that if the Senate Committee was any good, that they would get back the money for you, that you had paid to the captain? A. No; I never made such a remark.

Q. Do you swear to that positively? A. I don't know when I was talking to anybody of this committee was present or not; I knew the Senate Committee would not do anything to get my money back, or anybody else's money.

Q. Didn't you ask to find out of some lawyer that would get your money back? A. No, sir; I never did.

Q. Didn't you say you would like to get the money back from the captain? A. I never made such a remark.

Q. But you would like to get it back? A. I will swear I never made that remark at all.

Q. You would like to get your money back; you are a poor woman? A. No; I don't want it back.

By Chairman Lexow:

Q. Did the simple suggestion by the person who went around to those different houses that the captain did not want any more

houses open there, did that result in closing those houses? A. The captain sent me word to close my house, and sent word by this wardman what business had I to open that house when the houses were closed; I made the remark I did not buy that house; I may say I had it given to me for the paltry sum of \$200, which I did not consider much.

Q. As soon as the captain sent you word to close the house it was closed? A. Yes; it was closed.

Q. And every other house was closed as soon as the captain sent word to the person they must keep the house closed? A. No; they must move away, and the houses were not to exist any longer in that street.

Q. In other words, as soon as the proprietors of these various houses understood the captain was going to close those houses, they closed them themselves? A. I was told to close.

Q. And didn't other houses that were told by the captain close them? A. Yes sir.

Q. And all that was necessary to close these houses was for a wardman to go around and state to the various proprietors that the captain wanted them closed? A. Yes, and if we didn't they would fix us; I had 24 closed at that time when I bought 22, and I was sent word not to dare do business in that house; and the captain would not have any more houses, and he didn't want any man to go in the side doors; if we didn't close he would pull us.

By Mr. Goff:

Q. When was that? A. Last August or September.

Q. That was when Dr. Parkhurst was making a noise around? A. I suppose so.

Q. It is very easy for the captains to suppress these places when they desire to do it? A. Certainly; I sent away my girls.

By Chairman Lexow:

Q. Places like this only exist by the confidence you have that you won't be closed; that the police won't bother you; that is the only reason you keep open, isn't it? A. No; we ain't open now.

Q. I understand; but when you were open the reason you kept open was because you had confidence the captain would not disturb you? A. If I get raided I would run out of the street; they sent me word to close up, and I closed up.

Q. And sent some of the inmates away? A. When I was told about 22 word was sent there not to do business in that house.

Q. While you were going on, and you were not being interfered with, you went on because you knew that these people at the station-house were not going to interfere with you? A. Yes, sir.

Q. Because you had paid your money to it? A. I never knew I paid it to the station-house; I thought I gave it to the organization.

Chairman Lexow.—Anything more?

Mr. Goff.—No, gentlemen.

By Mr. Nicoll:

Q. I will ask did you pay any money to Captain Cassidy? A. No, sir; Captain Cassidy was out before I came there.

Q. Did you pay anything to Captain Cross? A. No.

Q. Or Captain McLaughlin? A. No, sir.

Q. Did you pay any money to Captain Cortwright? A. Captain Cortwright? Never.

Q. Did you ever pay any money to the police force for the purpose of giving this money to them? A. No; I gave \$500 altogether for what was supposed to be a political organization starting in the ward.

By Chairman Lexow:

Q. Did anybody speak to you about this political organization after you were subpoenaed here to attend before the Senate committee? A. No, sir; I never knew I was to come here before the gentleman came this morning.

Q. Did you ever have any conversation with anybody before this subpoena was served on you? A. No; the gentleman went at my side until we got to the yard.

Q. Have you discussed what testimony you were going to give here with anybody? A. No, sir; I have discussed with nobody; I have not talked with anybody.

Q. Have you seen any policemen since the Senate Investigating Committee was appointed? A. No, sir.

Q. Has anybody asked you to testify one way or the other? A. No, sir; I never thought I would be called here any more than the dead in the grave; I was surprised this morning; I did not know the meaning of this, that this gentleman should come with a subpoena; I said, "Down in the General Session?" and I was surprised; and he said, "No; it is in the Senate Committee;" I did not know anything about coming here.

Chairman Lexow.—All right. That is all. Your next witness, Mr. Goff.

Emma Jones, called as a witness on behalf of the State, being duly sworn, testified as follows:

Direct examination by Mr. Goff:

Mr. Goff.—Mr. Chairman, will you act as interpreter.

Chairman Lexow.—Is Mr. Kempner here?

Mr. Nicoll.—Otto Kempner?

Chairman Lexow.—Otto Kempner. He was suggested as an interpreter.

Mr. Goff.—I think we can get along with this witness.

By Chairman Lexow:

Q. Don't you think you can understand enough English to answer the questions? A. Well, I will try.

Mr. Goff.—We will try.

Chairman Lexow.—You understand that whatever you say here before this committee can not be used against you in any prosecution or action that may be had hereafter; that nobody can use whatever you say here—the testimony you give before this committee. You are entirely protected, and it can not be used against you; so speak openly and frankly and loudly so the stenographer can get down everything you say.

By Mr. Goff:

Q. Where do you live, Mrs. Jones? A. I live in Brooklyn.

Q. You live in Brooklyn? A. Yes.

Q. Where in Brooklyn, Mrs. Jones? A. Morris avenue; I lived there under a different name.

Q. You live there under a different name? A. I did live there under a different name.

Q. Did you live in New York? A. Yes, sir.

Q. You are a married woman? A. I am married.

Q. What is your husband's name? A. It is Henry Jones.

Q. Is he the man that is called Baldy Jones? A. Yes, sir.

Q. Where did you live when you lived in New York? A. I always was mostly living out.

Q. Living out? A. Yes.

Q. Did you ever live in a house in Bayard street? A. I lived in 32-

Q. Thirty-two Bayard street? A. And 21.

Q. And 21 Bayard street? A. Yes, sir.

Q. Did you keep a house there, Mrs. Jones? A. Not myself; I always worked.

Q. Were you a housekeeper for anyone? A. I was cook.

Q. And for whom were you cook? A. In 21 was Lizzie Bynine; in 21.

Q. Lizzie Bynine? A. That is about two or three years ago.

By Chairman Lexow:

Q. Two or three years ago? A. Yes, sir.

By Mr. Goff:

Q. Didn't you keep a house yourself there in Bayard street?
A. No; I always worked for Mrs. Davenport.

Q. But you had charge of a house there, didn't you? A. Not full; she always looked out herself; she might leave for—

Q. You transacted business for her, didn't you; you conducted it? A. I done the work for her when she went out; she told me to look after things.

Q. Didn't you open up a house there? A. No; not for myself.

Q. Well, after this woman; after this Mrs. Davenport? A. No; there wasn't any more open after she left.

Q. When Mrs. Davenport opened up, you were the one that had charge of the house? A. When she opened up?

Q. Yes? A. I don't know how long ago.

Q. You opened up the house for Mrs. Davenport? A. I stayed there when she left.

Q. You stayed there when she left? A. Yes.

Q. You ran the business then? A. Well, I done the cooking and house work for her.

Q. After Mrs. Davenport left you took charge of the house?
A. Then there wasn't any more.

By Chairman Lexow:

Q. You said you opened up for somebody else; who was that somebody else? A. I didn't open up for anybody.

Q. Didn't you buy the house of Mrs. Arnge? A. No, I did not.

Q. Now, Mrs. Jones, do you remember going a few weeks ago to the Atlantic Garden one evening? A. I don't know.

Q. Don't you know where the Atlantic Garden is? A. Yes.

Q. Don't you remember going over to the Atlantic Garden to meet some men? A. No; I never meet any men.

Q. Weren't some men wanting to buy the house from you? A. No; the man wanted to buy a house I have bought in Great Jones street, a furnished-room house, and he wanted to buy a house in Great Jones street.

Q. In Great Jones street? A. Yes.

Q. Do you remember taking the bill of the play, or the programme, and writing your name and address? A. Five hundred and fifty-four Great Jones street.

Q. You remember writing your name on the bill of the play? A. Yes, sir.

Q. Well, this man you were going to sell the house to that was — he came from Patterson, didn't he? A. I don't know.

Q. Don't you remember him telling you he came from Patterson? A. I don't know.

Q. What sort of a house was this house in Great Jones street? A. A furnished-room house.

Q. And you had a two-years' lease of it, didn't you? A. No, sir; one year.

Q. One-year lease of it; what was the rent? A. Seventy five dollars.

Q. How many rooms were up stairs? A. Thirteen.

Q. Fourteen was it? A. Thirteen or 14; 13 or 14 rooms; I never lived there.

By Chairman Lexow:

Q. You never lived there? A. No, sir.

By Mr. Goff:

Q. Do you remember this man to whom you were going to sell the house, asking you if he bought it, what arrangement he could make with the police for protection? A. I said I could not give him any — I could not say anything about that.

Q. You told him you could not give him any guarantee? A. I said I can not, and he said several people give him so and so, and I could not do that.

Q. You could not guarantee police protection? A. I could not; I hadn't any myself.

Q. Do you remember telling him that he would have to make arrangements with the police himself? A. I did so.

Q. And do you remember telling him that he would soon find out, as soon as he opened, if he did not make arrangements with the police, that he would soon find out? A. I don't know.

Q. Don't you remember saying that to him? A. I don't know; he asked me, and I said he could not tell me anything; he would have to find that out himself.

By Chairman Lexow:

Q. Did you say to him that he would find it out very quickly if he took the place? A. I did not; I said he would have to find it out for himself; I could not tell him anything.

By Mr. Goff:

Q. Didn't you tell him you were afraid now—people were afraid; do you remember saying that? A. No, sir; I did not.

Q. Do you remember him asking you were you afraid, and you said the Republicans afraid; do you remember saying that? A. No.

Q. You don't remember what you said at all? A. I remember that I said I could not tell him anything; he would have to find out himself.

Q. Yes, but when he asked you about police protection? A. I said I could not tell.

Q. Didn't you tell him the people in New York had to pay for protection? A. No, I did not; he said people told him; and I said, I didn't know anything about it.

Q. Didn't you tell him that you had to pay for protection? A. No; I did not.

Q. You swear to that? A. Yes; I swear to that.

Q. You are clear about that, are you? A. Yes.

Q. Your memory does not fail you? A. No; he asked me, and I told him he would have to find out everything himself.

Q. Is that all you said? A. That is all I said.

Q. Didn't you say you had to pay \$500? A. No.

Q. Not a word of it? A. No.

Q. Will you swear to that? A. I will swear to that.

Q. Is your husband in court? A. He is not here.

Q. Where is he? A. He is working.

Q. What is he working at? A. He is working.

Q. Where does he work? A. He works in Coney Island; I think his name is Connell.

Q. You saw him this morning, didn't you? A. Yes, and he went there this morning.

Q. You remember last election day don't you? A. Yes.

Q. And you were running a house of prostitution at Bayard street then, were you? A. I worked there.

Q. Weren't you there? A. Yes, sir; I worked there.

Q. And you are living there now? A. Not steady.

Q. But you are living there; that is your place of residence? A. No; not steady.

Q. You are there; you sleep there? A. Sometimes, not steady.

Q. You slept there last night? A. Yes.

Q. There are a lot of girls there? A. No, not now.

Q. Closed since the Senate Committee was here? A. No; closed since last election; and it was not quite until the house got pulled on the 7th of February.

Q. It was not quite until the 7th of February; do you remember election day? A. I can't remember that.

Q. Don't you remember election day? A. I remember election day.

Q. Don't you remember the elections were held down stairs in your house as a polling place? A. I think — yes; but I didn't know anything about that.

Q. Then the day of the election, while the elections were going on in that basement, you were up stairs, were you not? A. Yes.

Q. And the girls in the house were up stairs? A. No; there wasn't anybody.

Q. Do you swear there wasn't anybody there? A. No; nothing.

Q. On election day? A. No; there wasn't any men in the house.

Q. Will you swear men did not come from the places where they voted, down stairs in the basement, up stairs into the house on election day? A. There is no entry at all.

Q. No entry from the basement? A. No, sir.

Q. Has it been closed up since? A. There is no stairway; you have to go out on the street.

Q. They went out on the street and went up on the stoop? A. No; they never came any man; the house was shut up.

Q. You were there? A. I was there; but the house was locked up.

Q. How many election days had you been in that house? A. I never lived there steady; worked between other people.

Q. Don't you know the voting has always been on election day in the basement of that house? A. No; only once.

Q. Last year was the only one? A. So long as I have been there.

Q. How long have you been there? A. Four years, but not steady.

Q. Where else did you live, if you did not live in the house 32 Bayard street? A. Two years ago I was at home, in Europe.

Q. Any other places you lived away from 32 Bayard street? A. Ninety-one Division street, with Mrs. Frank.

Q. How long with Mrs. Frank? A. About three months.

Q. Any other place you lived away from 32 Bayard street? A. Well, I was working; living out.

Q. Where did you live? A. In 33 Division street; and I worked once in 33 Bayard street; I didn't stay steady in 32.

Q. But that is your husband's place, and has been for the last four or five years? A. No sir.

Q. Didn't he run that house? A. No, sir.

Q. Don't you know he was the Tammany election captain last election day? A. No, sir; I know nothing about it.

Q. Didn't you see him standing on the sidewalk and giving out tickets? A. I know nothing about it.

Q. Didn't you see your husband? A. No.

Q. Didn't you see your husband last election day at all? A. I don't know.

Q. Will you swear you did not see your husband last election day at 32 Bayard street? A. I don't know.

Q. Will you swear he was either giving out tickets or ballots? A. I couldn't swear to anything; only I paid no attention; and some times he is away a week and two weeks.

Q. Don't you know he was working around the election? A. No, sir; I can swear to that; he did not work around election.

Q. Was he with you all election day? A. No, sir; but he was not around the house at all.

Q. How do you know, if he was not with you? A. He always went away from the house during election; he said he wanted nothing to do; he went to Philadelphia.

Q. What about Philadelphia? A. For a visit; to go away.

Q. You mean to say he went away last election day? A. I can not say exactly election day.

Q. Do you know where he was? A. He never was around there.

Q. Do you know where he was last election day? A. No, sir; I can not say.

Q. Didn't you see him? A. He came home to eat.

Q. He came home to eat during the day? A. Yes.

Q. Then what makes you swear he had nothing to do with election when you don't know? A. He was not around that place; sure I would know if he was around that place.

Q. You looked out through the windows? A. Sure I did; but I didn't sit there all day.

Q. You saw the men around the election place? A. I paid no attention who they were; there were too many around all the time.

Q. As a matter of fact, the basement of this house was selected by the police commissioners for the polling place on last election day.

The Witness.—There was a man had a clothing store that let the place out; my husband had nothing to do with the house.

By Chairman Lexow:

Q. You said that the house was closed up election day? A. It was closed before that.

Q. Before? A. Yes.

Q. And you said that it was then run on the quiet from that time on until the middle of February; is that right? A. The 7th of February.

Q. The 7th of February of this year? A. Yes.

Q. What difference do you make between a house being open and a house run on the quiet? A. I don't know.

Q. Is it in the one case that you have a promise of immunity or promise of protection from the police, and in the other place, you run it on the quiet, so the police should not discover you run it; is that so? A. When I run it, it was on the quiet, so the police should not discover it.

Q. And when you kept an open house, you kept it in such a way the police would know all about it; is that the difference you make in making the answer? A. I don't know.

Q. When you speak of a house being open, do you mean a house that is openly known to the police to be open? A. I don't know that.

Q. What do you mean by a house being run on the quiet? A. The doors are closed and on account it was pulled two years ago.

Q. Because the police told you to close? A. No; I don't know whom told us.

Q. A wardman? A. I never seen a wardman, because I did not deal with them, always the proprietor.

Q. The proprietor dealt with the wardman, did he? A. Yes, sir.

Q. Did you see the proprietor of the house you were in dealing with the wardman? A. No, sir.

Q. Never? A. No, never.

Q. Did you know that the proprietor was paying the wardman money? A. No; I never seen anything, and she never told me anything; and the basement is let out to a man that keeps a clothing store, and he lets the place out to the election; the basement don't belong to the house at all; it is by itself.

Q. It is separate? A. Yes; it is separate; there is no stairs inside.

Q. While you were working in these houses, did you know that the police knew of the existence of these houses. A. No, sir.

Q. Did you never see any police around there? A. I seen them walking outside the street.

Q. Don't you know the police knew that house was being opened and used for immoral purposes? A. I don't know.

Q. Why did you say that this house that you were in was being run on the quiet election day, until February 7? A. That is right inside.

Q. What is the difference you make between a house being opened and a house run on the quiet? A. I don't know the difference.

Q. Was it because they told you there that they were run on the quiet? A. That is all I am told.

By Senator Bradley:

Q. Who told you to close up the house? A. I was not told at all to close up the house.

Q. Who told you? A. Mrs. Davenport, the proprietor.

Q. Told you you would have to close the house? A. She got pulled on the 7th of February and then she left.

By Chairman Lexow:

Q. Seventh of February this year? A. This year; and since that she had nobody.

By Senator Bradley:

Q. You remained there? A. Some times.

By Chairman Lexow:

Q. Were you pulled, or was that house pulled before election day that made this difference between you running publicly and running on the quiet? A. It was closed most of the time.

Q. Before election day? A. Before election day.

Q. How long was it running openly before election day, until what time? A. I think only a couple of weeks; but I was three years ago I came from Europe.

Q. When did Mrs. Davenport start to run this house on the quiet when she commenced running it on the quiet? A. After it was pulled, two years ago.

Q. After it was pulled two years ago? A. Two years ago.

Q. And has been running it on the quiet ever since? A. Yes.

Q. Until the 7th of February? A. The 7th of February; yes.

Q. And before that she was running it openly and publicly, was she? A. Sometimes she had the door open, and sometimes not.

By Mr. Goff:

Q. Mrs. Jones, do you remember paying a hundred dollars one Saturday evening to Wardman Glennon? A. No; I do not.

Q. Do you remember when Captain Devery left the precinct?

A. I don't know anything about the captains; I don't know the captains.

Q. Do you remember saying to any one you had to pay a hundred dollars the Saturday before Devery left the precinct? A. No.

Q. You never said such a word? A. No.

Q. Do you remember telling those men that wanted to buy the house from you that they would do better by starting a one-dollar house than a two-dollar house? A. I don't know that; you ask them them questions yourself; I don't know.

Q. What did you go to the Atlantic for, anyway? A. On account he wanted to buy the place 54 Great Jones street from me.

Q. You wanted to sell a place to them? A. Yes; 54 Great Jones street.

Q. And you had never run this place 54 Great Jones street yourself? A. No.

Q. You knew they wanted to run that house as a house for women? A. No, sir.

Q. Didn't they tell you? A. Who?

Q. These men that wanted to buy a house? A. They said they wanted to rent it.

Q. They said they wanted to rent it for women? A. I said that is nothing to me.

Q. And you told them the number of rooms in the house? A. Yes; and I showed them the rooms.

Q. Didn't you tell them you had paid the police to allow you to do business? A. No, sir; I never run that house up there.

Q. I am asking you about the house in Bayard street; didn't you tell them you had to pay money to the police? A. No.

Q. Didn't you tell them you had to pay \$1,000 for a house in Bayard street — \$500 a house? A. I did not.

Q. You understood me, did you? A. I did not tell them.

Q. You understand what I am saying? A. I guess so.

Q. And you know you are under oath? A. I did not tell them anything.

Q. Do you know you are under oath? A. They would not ask me.

Q. Do you know you are under oath, Mrs. Jones? A. I did not tell them anything like that.

Q. Do you know you are under oath?

By Chairman Lexow:

Q. Just answer the question; do you know what you are doing

now; you are swearing under oath? A. Yes, I can swear I did not tell them anything like that.

By Mr. Goff:

Q. You know if you tell what is untrue that that is perjury; you know what that is; do you know what perjury is? A. No.

Q. Do you know what a false oath is? A. False swearing.

By Chairman Lexow:

Q. False swearing (repeating it in German)? A. Well, I never told them that.

By Mr. Goff:

Q. Do you know what false swearing is? A. Sure.

Q. Do you know if you commit false swearing what will become of you? A. I don't know; I don't swear falsely.

Q. Don't you know you will go to State's prison if you swear falsely? A. I do not swear falsely.

By Chairman Lexow:

Q. You know the punishment for false swearing is State's prison, don't you? A. I don't swear false; I never said anything like that.

Q. Did you ever say Captain Devery was the best captain you ever had in that precinct? A. No, sir.

Q. Never said anything at all? A. No; I did not; I never seen Captain Devery.

Q. Did you ever mention his name? A. I did not.

Q. How long did you sit with this man in the Atlantic Garden? A. It is about 10 minutes.

Q. Only about 10 minutes? A. Yes.

Q. Did you have some beer? A. No; I did not.

Q. Where did you see them before you went to Atlantic Garden? A. In no place.

Q. Did you meet them in the Atlantic Garden? A. No; they met me.

Q. Is that the first time you ever saw them? A. Yes, sir.

Q. What brought you to Atlantic Garden? A. They asked me to sell the place 54 Great Jones street.

Q. What made you go to the Atlantic Garden in the first place if you did not go to meet those men there? A. They told me to go there.

Q. When was it they told you to go there? A. I can not tell the date.

Q. Where did you see them before you went to the Atlantic Garden? A. I saw them no place.

Q. You saw them no place; how did you know then, that they wanted you to come to Atlantic Garden if you had never seen them? A. A man came and told me he knowed a man to buy a place; and I did not know he was the man.

Q. Where was you when the man came and told you that? A. I was in Bayard street.

Q. In Bayard street; it is a house you have been in there in the last four years, is it not? A. No, sir.

Q. Is it the same house — 32 Bayard street? A. Yes, sir.

Q. And a man went in and told you? A. He has a man to buy the place 54 Great Jones street.

Q. And you went there to the Atlantic Garden? A. Yes; and he wanted to see my husband; and I said he had nothing to do with it.

Q. Didn't you talk at all about the police? A. No, sir; he asked me, but I could not give him any information.

Q. Did you ever see a policeman or wardman at your house in Bayard street? A. No, sir.

Q. Never saw one in your life, did you? A. Yes, sir; I see them often on the street but they don't know me, because I never spoke to any of them; you can ask them; but I never spoke to anyone.

Q. Did you tell this man at Atlantic Garden anything about what your girls charged in Bayard street? A. No.

Q. Not a word? A. No.

Q. Nothing at all said about Bayard street? A. No; only about the other place, and the only place; I don't know much about it myself.

Mr. Goff.—That is all. You may question.

Mr. Nicoll.—No questions.

Charles Krumm, called as a witness on behalf of the State, being duly sworn, testified as follows:

Direct examination by Mr. Goff:

Q. Where do you reside? A. One hundred and sixty-seven Chrystie street.

Q. Chrystie? A. Chrystie street.

Q. You have come here under a subpoena? A. Yes, sir.

Q. You have not come here voluntarily? A. No, sir.

Q. Have you ever conversed with me or any of these gentlemen around me here? A. Never.

Q. Do you keep a place of business? A. Yes.

Q. At Chrystie street? A. I do.

Q. And what is the nature of your business? A. I keep a variety;

Q. A variety hall? A. A concert hall; the last 16 years.

Q. You obtained licenses from the various mayors of New York, didn't you? A. Always.

Q. Mayor Hewitt, even? A. Before the Honorable Grace was mayor, I had license already.

Q. Mr. Hewitt made a particular inquiry regarding your place, didn't he, if you remember? A. Yes; I do.

Q. And Mr. Grant, when he was mayor, he gave you a license also? A. Always.

Q. Have you a license now? A. No, sir.

Q. Has the present mayor refused you a license? A. He did.

Q. Do you know why your license was refused this time? A. On account of a bad report of the police, of this present Captain Cortwright.

Q. On account of the report of the present captain; did you ever have any trouble with the captains before that? A. With this precinct captain?

Q. Any before Captain Cortwright? A. No; never; except with Allaire.

Q. What trouble did you have with Allaire? A. Allaire was that kind of a man; I would not do what he wanted.

Q. What was that? A. He wanted of a dollar, 99 cents, and I would not do it.

Q. He wanted what? A. He wanted of a dollar, 99 cents, and I would not do it.

Q. You mean every dollar you made in your place, he wanted 99 cents? A. Yes; he wanted 99 cents.

Q. In other words he wanted money of you, you could not give? A. He wanted it, but I never paid a cent, because I am running a respectable place — a family resort.

Q. You felt you were not compelled to pay a police officer? A. Not a bit of it; I would not pay a cent.

Q. Was you troubled after that? A. Never; there was Captain McLaughlin, a nice gentleman; Captain Cassidy treated me like a gentleman, and he said you keep a very fine respectable place, and I am proud of it; and so did Captain Devery, and he came often in my place, and he said I am astonished you keep such a nice place in this street; I give you credit; you keep a very nice place.

Q. When Captain Allaire was there, who made the demand on you — himself? A. No; never himself; some of his men.

Q. Was that the only police captain there that either through himself or his men made a demand on you? A. That is all.

Q. Did he make a demand on you more than once? A. Yes; mostly every week, as long as he was there; when they found out they could not do what they wanted with me they arrested me every other day.

Q. They arrested you? A. They tried to break me up entirely and could not do it.

Q. When did your license expire? A. On the 1st of February.

Q. Of this year? A. This year.

Q. And you have been running the same kind of a place that you have run for the last 15 or 16 years? A. Yes, sir.

Q. Since February? A. Yes; since February.

Q. And since Captain Cortwright came into that precinct? A. Yes, sir.

Q. And you say Captain McLaughlin and Captain Devery and other captains went in there and expressed their satisfaction with your place? A. Yes; they were satisfied.

Q. Was Captain Cortwright in your place? A. Once in the afternoon, when I made an application for an excise license.

Q. What did he say? A. He did not say anything; and I said, "Have you anything against my boy taking glasses;" and he went out and did not say a word.

Q. Have you been told anything about keeping quiet while this investigating committee is in town? A. Yes.

Q. What is the effect of what you have been told? A. Well, there are lots of friends there.

By Chairman Lexow:

Q. Who told you? A. There was different parties.

Q. Policemen? A. No; private men; business men; they went down and asked the captain why they don't give that man a license, and give him a good report, and they gave him to understand I should keep quiet until you left the city.

By Senator Cantor:

Q. These were business men you speak of? A. Yes.

By Mr. Goff:

Q. These men went down to the captain, you say? A. Yes; they gave a good report for me and said I kept a respectable house for a good many years.

Q. And after they visited the captain they came and told you you should keep quiet? A. Yes; I should keep quiet until the committee left the city.

Q. And then you would receive your license? A. Yes.

Cross-examination by Mr. Nicoll:

Q. When was all this? A. This Friday; it was a week time —

Q. When was Captain Allaire in the district? A. Six or seven years ago.

Q. Of course, since then, we have had Captain Cassidy, Captain Cross, Captain McLaughlin, and Captain Devery, and Captain Cortwright? A. Yes; the present captain.

Q. He was prior to all those captains; he was ahead of all those captains? A. Who; Allaire was the first of all of them.

Q. Now, I understood you to say that when Allaire was there he raided your place on several occasion? A. He did not raid me; he only arrested me on account of the excise, and on account of my giving a concert Sunday; what we call a sacred concert; when the band played a tune that was lively he said it was no sacred concert, and if they played marches the next day I was arrested by a warrant; and Justice Duffy got sick of it, and said that it is a crime, and said what is the reason.

Q. You felt pretty bitter in consequence of all that, didn't you; you felt pretty sore of Allaire? A. Did I; can you blame me?

Q. You felt sore of Allaire? A. Not very sore; I only wanted justice.

Q. You never had any conversation with him, did you, on the subject? A. Oh, very often.

Q. Did he ever demand money of you? A. He never said that himself; the only remark that he made was when he left me, he said, "Don't forget me."

Q. Did he ever ask you for a dollar? A. He never asked me for a cent.

Q. Tell me the name of any of his ward detectives who, six or seven years ago, asked you for a cent? A. Ward detectives; Oh, well, of course, they are all out of the ward now; they are all different men now; some of them they discharged and some they assigned, and some went into other business, and one of them is Ducal, who keeps a place on Clinton place and bowling alley on Sixth avenue.

Q. These men are not on the force now? A. They are not on the force now.

Q. This year you applied for a license? A. I did, always.

Q. And you did not get it? A. Not for the last four months; my license expired the 4th of February.

Q. Did your license expire with the board of excise? A. I got that.

Q. What other license did you apply for? A. A concert license.

Q. That has to be applied for to the mayor? A. That comes from the mayor; the mayor has to sign it.

Q. Has an investigation been made of your place? A. Very often; yes.

Q. And an adverse report made against it by Captain Cortwright? A. Only by him.

Q. And on his report the mayor has refused to grant his license, hasn't he? A. Yes.

Q. You are sore about that, aren't you pretty sore? A. Well, there is no reason there whatever.

Chairman Lexow.—Any further question? That is all.

Mr. Goff.—One moment.

Q. You remember, Mr. Krumm, you remember who the wardmen were there? A. Lately?

Q. Under Allaire? A. Yes; there was different men detailed for private duty; one man by the name of Stafford, one by the name of Ducall who keeps a hotel or lager beer saloon on Eighth street near Sixth avenue; and Stevens.

Q. Do you remember Sullivan? A. Sullivan was under Cassidy, not under Allaire.

Q. Do you remember Ernest Byer? A. Yes; he was under Allaire and he never arrested me under such questions.

Q. Do you remember the man Wilson? A. Yes.

Q. He is there now? A. He has resigned, on half pension.

Q. Aren't you mistaken? A. No, sir.

Q. Isn't it Beyer that has resigned on pension? A. Mr. Wilson is one week on pension.

Gustave Prell, called as a witness on behalf of the State, being duly sworn testified as follows:

Direct examination by Mr. Goff:

Q. You heard the testimony here to-day, haven't you, from many of the witnesses on the stand? A. Yes, sir.

Q. What business are you in? A. No business at all now.

Q. Were you ever in the liquor business? A. Some four years ago.

Q. You are aware that any witness who testifies here is protected from prosecution for anything he may testify to under this investigation; you are aware of that, are you? A. Yes; I understand that.

By Chairman Lexow:

Q. You understand anything you say here can not be used against you? A. Yes.

By Mr. Goff:

Q. Were you in business for yourself in the liquor business?

A. Yes; in 1890.

Q. Where was your place of business? A. Eight Avenue A.

Q. It was an ordinary liquor saloon, was it? A. It was a saloon.

Q. Had you a license for that place? A. Not my own license; there was a license there; the license was not transferred at that time, and this license was not signed on the back side of it from the owner of the license, so I had to keep the same license, and I did not calculate to take a license out anyway.

Q. How long did you run the place that way? A. About three or four months.

Q. So, practically speaking, you ran your place without a license? A. I did not have my own license.

Q. You did not have a license for that place? A. No, sir.

Q. Did the policemen on the beat know that? A. The excise inspector did.

Q. The excise inspector did? A. Yes.

Q. At one time, with him, to keep quiet about it? A. I paid him so much a month.

By Mr. Nicol:

Q. Paid who? A. The excise inspector; I paid five dollars a month, I think.

Chairman Lexow.—Is this applied on the police banks or the excise board?

Mr. Goff.—I don't know what it will develop, Senator, so far.

The Chairman.—Let us take the testimony, and if the excise board want to be represented, they can be.

Mr. Goff.—We have got to make use of the material that comes to our hands.

By Mr. Goff:

Q. You paid the excise inspector, you say? A. Yes, sir.

Q. How much did you pay him? A. I think I paid him probably three times, \$5 each month.

Q. What was his name? A. I couldn't say.

Q. He was excise inspector for that district? A. I forget, now; I knew where he lived; I don't remember his name.

Q. Where did he live? A. He lived on Avenue A and First street, I think.

Q. Did he go to your place to collect the money? A. To collect the money?

Q. Did the policeman know anything about your running a place without a license? A. I think that, as long as he got it, nobody else got that money; I was not bothered otherwise.

Q. Did you have any friends with the wardman there? A. Not as I remember, exactly.

Q. What? A. I don't remember exactly; it was in 1890.

Q. Don't you remember that you had some connection with a wardman about that time? A. I don't know who the wardman was at that time.

Q. Didn't you pay somebody else some money besides the excise inspector? A. Well, I couldn't say that, exactly; I don't think so.

Q. Now, Mr. Prall? A. I do not think so.

Q. Don't you think you would know if you did? A. It is so long ago; I would not—

Q. It is only four years ago? A. I didn't calculate to come here to testify.

Q. Don't you know you did pay money to a wardman there; now, you say under oath, Mr. Prall, and you are an intelligent man, and you know the penalties of perjury, and you don't want to commit perjury, I am sure—isn't it a fact that you did pay money to the wardman? A. Well, I did not know who the wardman was.

Q. You did pay money to somebody else besides the excise inspector? A. I think I paid once \$5; it was not the wardman; I think it was the sergeant.

Q. We will take the sergeant; who was the sergeant? A. I don't remember.

Q. Where was it you paid the sergeant? A. Right in the saloon.

Q. Wasn't it the sergeant of that precinct? A. In the Fifth street station-house.

Q. Do you remember the captain's name that was in the precinct at that time? A. I don't know; I did not know anybody.

Q. Was that all the money you paid? A. That is all the money I paid.

Q. That sergeant knew you had no license? A. Well, what I remember, I think that he came in with the excise inspector, together; he and the excise inspector came in together.

Q. And you gave each of them \$5? A. Yes; that is what I remember.

Q. Is that all the money you paid? A. I paid more to the excise inspector.

Q. Where? A. On Twenty-second street, between Third and Second avenue; I kept a place once; I didn't have no license;

there was just a new license taken out, and that was in 1891; I think it was.

Mr. Nicoll.—I don't know anything about representing the excise board here, and he has exhausted the police part of it.

The Witness.—The police never bothered me there.

Chairman Lexow.—This evidence does not seem to be against the excise board, but against an inspector.

Mr. Nicoll.—No; against an excise commissioner.

Chairman Lexow.—Inasmuch as you do not represent the excise board, I do not see why you object.

Mr. Nicoll.—I simply address myself to the committee in the sense of fairness.

Senator Cantor.—I suggest it to the committee, that the testimony affected the excise board, and the excise board ought to be represented. I do not see any objection to taking his testimony, however, as the witness can be got again.

By Mr. Goff:

Q. Will you proceed? A. There was a license in Twenty-second street, between Second and Third avenues; I did not incline to keep that place; it was such a rough place there; I did not get out a license, but kept the license just the same, and one night the excise inspector came there; and one night I came home and the bartender told me they were going to close up the place, because I did not have the license, and I gave each one of them \$5.

Q. Each of the inspectors? A. Each of the inspectors, and the place was kept open, until I sold it again.

Q. Was that all the money you paid? A. Yes.

Q. Did you pay any more money at any other time? A. Never. that is the only two places I kept any liquor business.

Q. What business are you in now? A. I keep a restaurant for two years, and last I kept a summer hotel.

By Senator Bradley:

Q. Where do you live now? A. Two hundred and fourteen Thirty-sixth street, Brooklyn.

Chairman Lexow.—Do you want to ask any questions?

Mr. Nicoll.—No.

John McElroy, called as a witness on behalf of the State, being duly sworn, testified as follows:

Direct examination by Mr. Goff:

Q. What is your business? A. Produce business.

Q. Produce? A. Yes.

Q. Where are you engaged? A. Six and 7 Manhattan Market, Thirty-fourth street.

Q. West Thirty-fourth street in this city? A. Yes.

Q. You have got a nephew on the police, haven't you? A. I have not, sir.

Q. Have you a son or any relative on the force? A. No, sir.

Q. What is your full name? A. John McElroy.

Q. Have you got any nephews? A. Nephews; yes.

Q. What are their names? A. There is one of the name of Leffels; there is another of the name of Scanlan.

Q. Where is your nephew Scanlan? A. He lives in Spuyten Duyvil.

Q. What is his business? A. Workingman.

Q. When did you see him last? A. It must be two months ago, I think.

Q. He was then working? A. I couldn't say.

Q. He was then in the same occupation he was? A. I suppose so.

Q. Laboring man? A. I suppose so.

Q. Was he ever on the police, do you know? A. No; he was never on the force.

Q. Did you ever have a nephew on the force? A. No.

Q. Is that the only nephew by the name of Scanlan you have? A. Scanlan and Leffels; Leffels is in Brooklyn.

Q. That is the only nephew of the name of Scanlan? A. Yes.

Q. Did he ever live in Yonkers? A. No.

Q. Is he a married man? A. No.

Q. A single man? A. A single man.

Q. Do you know if he ever tried to get on the police force, to your knowledge; if your nephew Scanlan ever applied to go on the police? A. I think he did.

Q. How long ago? A. Well, I could not say how long since he applied to go on; I could not say that.

Q. Did you sign his papers? A. No; I did not.

Q. Had you anything to do with trying to help get him on? A. Nothing at all, sir.

Q. Do you know why it was he did not get on? A. I do not.

Q. Was it within a year he applied to get on? A. I couldn't say.

Q. Within two years? A. I couldn't say.

Q. Within five years? A. I couldn't say.

Q. Within a hundred years? A. I do not know.

Q. Do you know anything? A. I don't know anything about what he did; I have not been to Spuyten Duyvil within 12 or 14 years.

Q. Where did you see him in the last two months? A. I saw him in my house.

Q. Where and when did you see him at the time he applied to go on the police force? A. I believe he came down to be examined, and he called that afternoon in my house, as he was going home.

Q. How long is that ago, as near as you can recollect? A. About two months, I think.

Q. About two months? A. Yes; it may be two months, or less or more.

Q. You said a little while ago you did not know how long it was since he applied for appointment on the police force, and now you say about two months ago? A. No; I did not; when he applied first I do not know.

Q. Do you know when he applied first? A. I do not.

Q. Did he tell you when he applied first? A. He did not.

Q. Did you hear anything at all about his going on the police force except when he visited you about two months ago? A. This is the first.

Q. And the only time? A. That was the only time he came to me going home; he was down getting examined, and he called and got dinner, and I think went home then.

Q. And that is the only time you heard about his trying to get on the police force? A. That is the only time I believe I heard.

Q. Not what you believe, do you know it was a fact? A. I know it as a fact.

Q. That is the only time you heard about his going on the police force? A. Yes, sir.

Q. Wasn't you a little surprised when he told you he was down to be examined by the doctors? A. Not at all.

Q. You have not got any sons of your own, have you? A. I have.

Q. How many? A. Two.

Q. Two sons? A. Yes.

Q. Did you ask him when he had applied for appointment? A. I did not.

Q. You took no interest in him whatever? A. No, sir.

Q. Did he ever owe you any money? A. He never did; no.

Q. Does he owe you any money? A. He does not.

Q. Did he ever borrow any money? A. No.

Q. Do you keep a bank account? A. I do.

Q. Where do you keep a bank account? A. In the West Side Bank.

Q. A bank of deposit? A. Yes.

Q. That is Forty-second street and Eighth avenue? A. Thirty-fourth street and Eighth avenue, right around the corner.

Q. Did you have a bank account at the time your nephew called on you? A. Yes; I have had a bank account the last 25 or 30 years.

Q. Did you draw a check to the order of your nephew? A. Never.

Q. Did you ever have a check cashed for him? A. Never.

Q. Did he ever ask you? A. He did not.

Q. Did he say anything to you about it being difficult to get on the police? A. He did not.

Q. Did you ask him whether it was difficult? A. No.

Q. You were thoroughly indifferent whether he got on or not? A. Yes.

Q. Thoroughly indifferent? A. Thoroughly indifferent.

Q. Took no interest in him whatever? A. Not a bit.

Q. And you say, you never drew a check to his order? A. Never.

Q. Do you remember if you drew a check on the same day he called on you to anyone's order? A. I might; I sometimes draw three or four.

Q. It was done in trade, perhaps, if you drew a check? A. If I did, it was in trade, perhaps.

Q. In money you took in for the sale of produce, you banked every day? A. No; I may be for a week.

Q. When you get large sums of money, you pay it out, do you give it out; don't you, by checks? A. Yes, sir.

Q. You do not deal by giving out bills? A. No.

Q. Did you have any talk at all with your nephew about going on the police? A. I did not.

Q. He merely told you, he came down to the surgeons'? A. That he came down to get examined.

Q. Did you ask him to be examined for what? A. He told me he came down to get examined to go on the police.

Q. Is that all he told you? A. That is all.

Q. Did you say to him, "I did not know you were applying for appointment on the police;" didn't you say that to him? A. No; I did not.

Q. Did you pass any remark at all upon it? A. No remark that I remember at all upon it.

Q. Was it at the dinner table? A. I could not say whether it was at the dinner table or at the store.

Q. Do you know what precinct he is in? A. I do not.

Q. You know nothing at all about it? A. No.

- Q. You have never seen him since? A. Not in two months.
- Q. Since the time he told you he was applying for the police department? A. Yes.
- Q. Nor did you hear from him? A. No; nor didn't hear from him.
- Q. Do you swear positively you never gave him any money? A. Yes; I do, positively.
- Q. You never gave any other person any money to give him? A. Never.
- Q. Did you ever give any money to any person with the knowledge it was to go to him or for his use? A. Never.
- Q. Never a dollar? A. Never.
- Q. You are a lucky uncle? A. All the same I give them money when they want it.
- Q. Give who money? A. His mother, or father, when they lived.
- Q. His father is dead? Q. He is.
- Q. And his mother is your sister? A. Yes.
- Q. He lives with your sister? A. Yes.
- Q. Did you ever give his mother any money? A. If she came to the house and wanted any money, I gave her \$5 or \$10.
- Q. Did you give her any money in the year? A. I did not; she was in the house one day, and I made her a present, I think, of \$10.
- Q. Is that the last money you ever gave her? A. That is the last.

Mr. Goff.—We have had some witnesses subpoenaed, Mr. Chairman, and they have left the court-room, I am informed, under the impression, they would not be called to-day, and others have disobeyed the subpoenas, and we have not got any further evidence to go on this evening.

Senator O'Connor.—Disobeyed subpoenas?

Mr. Goff.—Yes.

Senator O'Connor.—We shall take proceedings against them.

Mr. Goff.—We shall do so.

Proceedings of the nineteenth meeting of the committee in the city of New York, Monday, June 4, 1894, at 10:30 a. m.

Present.—Senators Lexow, O'Connor, Cantor, Bradley and Robertson.

Counsel on both sides present.

Mr. Goff.—Is Mr. Swartzenfeld in court?

Chairman Lexow.—Is Mr. Swartzenfeld in court? (No reply.)

John Oscar Kline was also called, but did not appear.

Timothy Donohue, called as a witness on behalf of the State, being duly sworn, testified as follows:

Direct examination by Mr. Goff:

Q. What is your business? A. Junk business.

Q. Did you have a son recently arrested on charge of a crime?

A. Yes, sir.

Q. On the complaint of an Italian woman? A. Yes, sir.

Q. Having stolen some locket? A. Yes.

Q. Do you know the officer's name who arrested your son? A. I don't know his name, sir.

Q. What station-house? A. Fourth.

Q. That is Oak street? A. Yes.

Q. Fourth precinct? A. Yes.

Q. Don't you know his name was Oakley or Oakland? A. Oakley or Aikley; I can't tell you which it is.

Q. It was a name like that? A. I can not say, what is the officer's name.

By Chairman Lexow:

Q. Do you know his number? A. No, sir.

Q. Could you identify him if you saw him? A. Yes.

By Mr. Goff:

Q. You know you are under oath? A. Yes; I am under oath, and I will testify to nothing but the truth; it is a bitter thing to fetch me right here to-day.

Q. Did you pay any money to any person upon your son's arrest? A. I did, to a lawyer; my wife gave it to a lawyer.

Q. Outside of a lawyer, did you pay any money? A. No, sir; I did not.

Q. Was any money asked of you? A. There was none asked of me; not a solitary cent.

Q. Did you say anything to anyone of any money having been asked? A. No, sir; I did not.

Q. What? A. No, sir; I did not.

Q. Not even to your wife? A. I spoke to my wife; this Italian woman that got this boy arrested, she said the locket was only worth \$7.50, and she wanted \$20 to settle it, and I said I would not give her 20 rotten buttons to settle it, and I said I would fight it, too; I seen the officer that arrested my boy, and I said, "Officer, what has my boy done;" he said, "He has done nothing, and he ran into my arms, and was accused of taking a locket, and the Italian woman ran right into the station."

Q. Didn't you say sooner than pay the Italian woman any money you would pay it to the officer? A. I said I would better pleased to give it to the officer, if there was anything at all to be given; yes, I did.

Q. Have you seen that officer since? A. No, sir; I have not seen the officer since.

Q. Have you seen the officer since you were subpoenaed here? A. No, sir.

Q. What were you going to do on your way to the Oak Street station? A. I told you I was under oath now.

Q. What did you go for? A. I went to see the officer. my boy was arrested by with some pawn tickets on his person.

Q. After you got the subpoena to come here before the Senate committee, didn't you go to the Oak Street station? A. I did not.

Q. Weren't you on the way going there? A. I went down to buy shoes for my wife and two children.

Q. Weren't you going to the Oak Street police station after you got the subpoena? A. Not at all.

Q. When did you get the subpoena? A. I got it about half-past seven Saturday evening.

Q. Have you seen anyone since that time? A. No, sir; I have not seen anyone.

Q. Or talked to anyone? A. Talked with none.

Q. Where do you live? A. No. 98 Essex street.

Q. you were to the district attorney's office on your son's trouble, weren't you? A. I was not.

Q. Didn't you come down here to the district attorneys? A. No; the man that gave that is false.

Q. Didn't you go to the district attorney's office here? A. I did not.

Q. Did you go to any court? A. I did not, only to this court here, and I am thirty years in this city, and don't know my way to this court.

Q. Is this the only court you have been in? A. I was right in the next court in 1868 with my papers.

Q. Were you in any court when your son was in trouble? A. I was in this court, sir.

Q. In that building? A. Yes.

Q. Didn't you go up-stairs where your son was to be tried? I did, sir.

Q. And who went up-stairs with you? A. My boy.

Q. And who else? A. My wife, and a man of the name O'Hara.

Q. Who else? A. I don't know any person that went up with me.

Q. Did you see the officer that made the arrest that day? A. I see him right in the court-room.

Q. Did you talk with him? A. I talk with him?

Q. Yes. A. I went right outside.

Q. You went outside with him? A. Yes; and I asked the officer —

Q. Just wait a moment; you went with the officer outside in the hall, didn't you? A. Yes.

Q. And you saw the officer in court? A. I saw him in court sitting down in the court.

Q. And did you ask him to go out in the hall with you? A. No, sir.

Q. Did he ask you to go out in the hall? A. No, sir; I saw the officer and asked him if the trial was to come off that day; he said, I don't know; it might come off this afternoon.

Q. Didn't you tell the officer the Italian woman had applied to settle it with you for seven dollars? A. I did not; I said the Italian nodded to me; my wife wanted to know what my boy was arrested for; my boy was supposed to be arrested for this locket.

Q. Didn't you tell the officer that the Italian woman offered to settle it for money? A. Yes, sir.

Q. And didn't you tell the officer if you were to pay any money you would sooner give it to him than to give it to the Italian woman? A. I did, sir.

Q. And after you told the officer that, didn't you slip some money into his hand? A. I asked the officer to have a cigar or drink, and he said no, I am obliged to you, but I don't drink or smoke; I am under oath.

Q. You have not answered my question, sir; when you told the officer you would sooner give him the money than give it to the Italian woman so as to help your boy, didn't you slip some money in the officer's hand? A. I told him it was for a drink, when he wouldn't take a cigar.

By Chairman Lexow:

Q. Didn't you put money into his hand; don't you remember you put money into his hands? A. I put a few dollars in his hand.

Q. How much? A. Five dollars; that is not saying —

By Mr. Goff:

Q. Never mind; now, Mr. Donohue, why didn't you tell that first and save us all this time; are you afraid to tell the truth?

A. I think it is outrageous to put a citizen on this stand; I have been 33 years in the city, and never was put in a court before.

Q. Are you afraid to answer? A. No, sir; I am not.

By Chairman Lexow:

Q. Why did you decline to answer, or refuse to state the fact that is now stated when it was first enquired about; why did you first state you had not paid any money; were you afraid? A. No; this officer is a good-hearted man; this officer said — I said it, and what I have said I have got to stick to it; I said, "Officer, won't you have a drink?" he said, "I don't drink or smoke;" you told me my boy was arrested for stealing, and I slipped a \$5-note in the officer's hand, not with the intention of bribing him or anything of that kind.

Chairman Lexow.— We don't care anything about what you intended.

By Mr. Goff:

Q. After you did that the officer closed his hand on the bill?

A. I did not see, sir.

Q. You did not get back the bill? A. I didn't want the bill back anyway.

Q. Your boy was discharged after that, wasn't he? A. Yes; my boy was discharged.

Q. Did the officer go on the stand and testify in your boy's case? A. Yes, sir.

Q. And after the officer's testimony was heard, your boy was discharged? A. It went to the jury, sir.

Q. He was acquitted? A. Yes.

Q. Are you sure it was a \$5-bill? A. Yes; I am sure it was a \$5-bill.

Q. How much did you have left on your person? A. I hadn't a solitary cent on my person but a \$5-note, and I would give it to you or any other fine man any time.

Q. I am not talking of that; from whom did you get the \$5? A. From my wife.

Q. She changed some money, didn't she, that morning? A. Yes, sir.

Q. And what money did she change? A. I can not tell what she changed; in the name of God, I can not tell what my wife would do in the whole day.

Q. You asked her for some money? A. No, sir; I did not; she gave me the money.

Q. What did she give you the money for? A. She did not give it to me to bribe anybody; she gave it to me to go and get a drink — or smoke — I did not drink, but smoked.

Q. If you don't drink, why did you require \$5 from your wife that morning? A. I wanted a little money in my pocket, sir; when I am in business, I may need it; I was in the junk business.

Q. You were not going to the junk business, you were going to court? A. I was going to both.

Q. What did you want the money for to go to court? A. I wanted to treat the officer, if he smoked, to a cigar.

Q. You told your wife you wanted the money for that purpose? A. I did not tell her what I wanted the money for; I told her to give me a few dollars.

Q. You and your wife had been talking about it? A. Not in court.

Q. Not in court, but in your house.

Chairman Lexow.—Just answer the question.

Q. Weren't you and your wife talking about the subject, that it would be better to give the officer a little money than to give the Italian woman the money? A. I was not in the house.

Q. Did you or your wife? A. No, sir; I did not; I was not in the house.

Q. Didn't you and your wife talk together that it would be better to give the money to the officer than to the Italian woman that claimed the property was stolen from her? A. No, sir.

Q. Not a word between yourself and your wife? A. No, sir.

Q. You swear to that? A. I am swearing to that, and know I am under oath; not for the city of New York would I like to take the stand.

Chairman Lexow.—Never mind that. You only make your examination longer by making these explanations.

Q. Don't you remember the first day you gave the officer the money the case was postponed? A. Yes.

Q. When the case came up for trial the next time, did you give him any more money, A. No, sir.

Q. Was that all the money you gave him? A. That was all the money I gave the officer to take a drink, but not with the intention of giving him a bribe.

Chairman Lexow.—We don't care anything about your intentions, that you was prompted by giving your testimony. Do not try to excuse yourself, but give facts.

By Mr. Goff:

Q. You are in the junk business, and buy old iron and scrap metal, and thing of that kind? A. Yes, sir.

- Q. Have you a hand-cart and psuh-cart? A. Yes, sir.
- Q. You go from house to house collecting these things? A. I do not, sir.
- Q. Do the police ever visit your yard for stolen property? A. No, sir.
- Q. Have you a license? A. I have, sir.
- Q. Did the police ever stop you on the street to look for your license? A. No, sir; for I have a badge on my breast with the number on it.
- Q. When did you get your license? A. Last May, 12 months.
- Q. How long is the license good for? A. It expires the last end of May, of this month.
- Q. Did you go to the City Hall yourself for the license? A. Yes.
- Q. Yourself? A. Yes.
- Q. And paid your money there? A. Paid my money there.
- Q. You haven't got a license now? A. No; I have not; I told you that I had no license now.
- Q. And have you been doing your business? A. Yes.
- Q. Without a license so far? A. Without a license so far; yes.
- Q. And have the policemen asked you anything about whether you had a license? A. No, sir; they have not; I am going to renew my license, but I haven't got money to renew it.

By Senator Bradley:

- Q. One question; you said that the officer told you that he neither smoked nor drank? A. Yes.
- Q. What is the idea of giving a \$5-bill for getting a drink after he told you he did not drink? A. When I saw the man was right, and told me my child was not guilty, I am built that way.

By chairman Lexow:

- Q. Had you been told before you went to the court-room that day that you could use money in that way? A. No.
- Q. Had you any conversation with that officer before? A. Never in my life, I swear; one evening I came down and asked him if he was the officer arrested my boy, and he told me he was; says I, "Did you catch him in the act?"
- Q. Did you speak to him about money there? A. No, sir; I did not; the officer never asked for money.

By Senator Bradley:

- Q. How old is your boy? A. Going on 23 years, he was born 1872, August 9th.

By Mr. Goff:

Q. After you gave the officer \$5, the officer said he would do what he could for you? A. No, sir; he did not.

Q. Did he say a word at all? A. No, sir.

Q. Didn't he tell you he would not be hard on your boy? A. He said what he said he would stick to; he said he did not catch my boy in the act of stealing anything, and I thought the officer —

Q. He told you he would not be any harder on the boy than he could help? A. No.

Q. Did he say words like that? A. In the name of God, he mentioned no such thing.

Q. Didn't he say he was sorry for him? A. He said the complaint was right —

Chairman Lexow.—Just answer the question.

Q. Didn't he tell you he was sorry for you? A. No, sir.

Q. Didn't he say he would be as kind as he could to you? A. Well, certainly he did.

Cross-examination by Mr. Nicoll:

Q. What was the charge against your boy? A. My boy being drunk, and he was arrested in the street for a little bit of a locket on this lady's neck.

Q. What was he indicted for? A. I could not tell you, I was in the city for 33 years.

Chairman Lexow.—Answer the question.

Q. You don't know what the charge against him was? A. For petty larceny, I believe.

Q. Upon whose complaint was he indicted? A. This Italian woman, that this locket was taken off her neck.

Q. What had the officer's testimony to do with the case; did he make the arrest? A. He arrested my boy.

Q. Did the officer detect him in doing that alleged crime? A. No, sir; he did not; he ran into his arms; the boy was drunk.

Q. He had nothing to do except arrest him for it? A. No, that is all.

Q. Was the warrant against your boy issued on the affidavit of the officer or the affidavit of the Italian? A. The affidavit of the Italian.

Q. Well, all the testimony of the officer then was to describe the circumstances under which he had made the arrest of the boy? A. Yes.

Q. And that he had sworn to in the magistrate's court, hadn't he? A. Yes.

Q. And he repeated that testimony before the jury in general sessions? A. Yes.

Chairman Lexow.—Don't lead this, Mr. Nicoll, that is a little too leading.

Mr. Nicoll.—Why shouldn't I lead? Mr. Goff does nothing else but lead.

Chairman Lexow.—You are putting a story right into the witness's mouth.

Mr. Nicoll.—Haven't I the worst example in the world to do that. I have fallen into that fault from listening to the transactions of the committee.

Chairman Lexow.—They are substantially adverse to the committee, and Mr. Goff's examination is the ordinary cross-examination and yours is the direct.

Mr. Nicoll.—That is, when a witness comes on the stand and makes a charge of corruption, my position is that of direct-examination.

Chairman Lexow.—This witness does all he can to cover up a large corruption, and properly then he is a witness against the committee and not for the committee.

Mr. Nicoll.—I suppose my position was the position of counsel for the department against which the committee is making a charge.

Chairman Lexow.—Exactly.

Mr. Nicoll.—I am not examining in chief.

Chairman Lexow.—There is a clear distinction between ordinary cases and this case.

Mr. Nicoll.—I appreciate what is in your mind, but where the witness —

Chairman Lexow.—I am sorry if I cannot express it.

Mr. Nicoll.—You are getting me in a very bad habit here. That is all, Mr. Donohue.

Chairman Lexow.—Is that all of Mr. Donohue?

Mr. Goff.—Yes. Is Mr. Swatzenfeld in court?

(The witness does not answer.)

Augusta Thurow, called as a witness on behalf of the State, being duly sworn, testified as follows:

Direct-examination by Mr. Goff:

Q. What is your full name? A. Augusta Thurow.

Mr. Goff.—Mr. Chairman, will you please inform this lady of the protection which the law affords her.

Chairman Lexow.—Any testimony that you may give before this committee, you are absolutely protected in giving; it cannot be used against you in any other proceeding, or in any other jurisdiction. The only protection you do not receive is if you

swear falsely. If you swear falsely before this committee it is just the same as if you were committing perjury in any court of law, and the fines and penalties of perjury will be meted out to you.

Mr. Goff.—I deem this, Mr. Chairman and gentlemen of the committee, a proper and suitable occasion to call to the attention of the committee the very injurious effects that already have been produced, and which may in all probability be further produced by reports circulated through the public press that witnesses who have testified before this committee may be called upon to verify their charges and to testify before other tribunals, or before other officials. The result, Mr. Chairman, has been so far disastrous, and may be disastrous to us. Two witnesses that we had under subpoena on Saturday have left the State sooner than come before this committee, and I may give the words uttered to the subpoena server, that one of them said that if he went on the stand he would never know when to end; and if witnesses are to be harassed and turned from one court to another, and from one authority to another whenever they testify before this committee, such a course will have the effect of intimidating any witnesses which come before this committee. Witnesses ought to —

Senator O'Connor.—Will you suggest some way in which we can control the papers.

Mr. Goff.—I am not suggesting any way of controlling the newspapers.

Senator O'Connor.—They have given notice that if the witnesses did testify there might be intimidation, and they might be put under trial, and they would have to put the testimony of the officers against them. All such publications and threats have such effect of intimidation; that is the purpose of it.

Mr. Goff.—So far as the newspapers are concerned they are publishing news; that is their profession. I call the attention of the chairman to the effect.

Chairman Lexow.—I understand that it is denied by Mr. Byrnes.

Mr. Nicoll.—So far as the district attorney's office is concerned we have nothing to do with that. He has a right to take notice of any testimony given here, but so far as the police department is concerned, I was interrogated yesterday by the commissioners as to whether or not some notice should not be taken by them of the testimony of one of the witnesses, or two of the witnesses examined before the committee at this last session. I told them that I thought some notice ought to be taken, and that some investigation should be had; but this morning, on conferring with

the superintendent I told him — advised him that it would not be proper to have any examination of witnesses while this committee was in session and going on with this investigation; that he ought to communicate with Mr. Goff in relation to the matter and ascertain from him whether or not any action on his part would in any way interfere with his laborious task of getting evidence for the committee; and that will be the policy of the department. While it is necessary that the heads of the departments should notice matters of that sort any investigation by them, by my advice would be suspended until such time as Mr. Goff, acting as counsel for the committee, says that it will not in any way embarrass him in his labors.

Chairman Lexow.— The proper place to try a case of that kind is here, is it not? These charges are made here; the witnesses are sworn here. Now, if the police department wants to protect itself against matters of that kind they will have an opportunity here of discussing that question and producing witnesses, instead of allowing it to be insinuated that witnesses going on the stand here will be harassed and tried before another tribunal.

Mr. Nicoll.— At the same time the commissioners can not ignore anything transpiring before the committee.

Chairman Lexow.— You understand on the other side if evidence is adduced here that seems to reflect on that department that just as soon as we get that testimony our witnesses are harassed.

Mr. Nicoll.— I said that that will not be done until Mr. Goff said it would not in the slightest way embarrass the testimony of the committee.

Chairman Lexow.— And then through the medium of Mr. Goff.

Mr. Nicoll.— Through Mr. Goff.

Q. Mrs. Thurow, you have heard what the honorable Senator has said to you about the protection of the law for any testimony you may give before this committee? A. I have.

Q. You understand that, don't you? A. I understand.

Q. And the only thing required of you here is to tell the truth and the whole truth; you understand? A. I understand.

Q. What is your occupation? A. Now; dressmaker.

Q. And you have been a dressmaker in the years gone by? A. Yes.

Q. Have you ever seen me, Mrs. Thurow? A. Never.

Q. Until this moment? A. Until when I see you, coming in the court-room.

Q. Where do you reside? A. Sixty-three Fourth street.

Q. In this city? A. In this city.

Q. How long have you resided there? A. Since the first of February.

Q. Of this year? A. Of this year.

Q. Where did you reside before residing in Fourth street? A. In 23 Second avenue.

Q. Twenty-three Second avenue; where did you go to reside at 23 Second avenue? A. I left — when did I go — about 3 years ago.

Q. What sort of a house is that on Second avenue? A. The first five years I kept it a straight house and the last four years it was a house of ill-repute.

Q. Did you rent the whole house? A. I rented the whole house.

Q. So that would be about 1890, four years ago, since the house was — A. About that; I could not say sure.

Q. As near as you can recollect? A. Yes; it must have been six months before or six months after; but to the best of my ability I can remember that the house was used for immoral purposes from about four years ago.

Q. Now, after the house was converted into one for immoral purposes did you have a visit from a police officer? A. I did not have a direct visit; I could not get tenants to occupy the rooms, and I took in women that said they lived with men that were their husbands; and certainly when I was sewing in the daytime; I was then making dresses and sewing with five girls; and in the night they would bring men in; one of the officers told me of it, which one I can not recollect, and says —

Q. One of the officers on the beat? A. On the beat; and says, "there will be trouble" if I did not stop that; I said, "How can I stop it when I am asleep?"

Q. That was in the Fourteenth precinct? A. That was in the Fourteenth precinct; I have never had a house outside of the Fourteenth precinct, only after the raid when Captain Cross raided me, then I was told to take a place down in Broome street; but I will tell about that afterwards.

Q. Fifth street and Second avenue, that is the station-house; now, at the time you speak of when this officer called upon you, what captain was in that precinct? A. McCullough.

By Chairman Lexow:

Q. What time of the year was that? A. I can not tell the date.

Q. What time in 1880? A. I can't tell the date.

Q. About what year? A. About four years ago.

Q. Three or four years ago — about 1890? A. Yes.

By Mr. Goff:

Q. Now, you say one of the officers on the beat called upon you, and what did he say? A. He did not call on me; he met me; I was on the stoop, or around the house somewheres; he said, "There are women in the house there, and they are doing it, and you have got to attend to it;" and I said, "How will I attend to it;" he said, "I will send Bissart."

Q. The wardman? A. Yes; "I will send Bissart around, and you can make arrangements with him;" he came around within a week after; Bissart came around, and I told him, and he seemed to be informed before; and he said —

Q. Pardon me a moment; did you ever meet Bissart before? A. Never seen him before he came there.

Q. And when he came into the house, do you remember what he said? A. Yes, sir.

Q. What did he say? A. He says, "Well, where this house stands you never can put a church, and you can go on in business, and I will see you in a month."

Q. What is that? A. He would see me in a month; let the girls do business for a while, and he will see me in a month; there would never be a church put where this house is, and that settled it; he says, "There never will be a church put where this house is, and you can go on in the business;" he called in a month after that, and asked me if I could afford to pay anything; I said I could not afford to pay much, as many of the rooms were empty, and I gave him \$10.

By Chairman Lexow:

Q. That was Bissard you gave \$10 to? A. Yes, Bissard; and sometimes he called regularly every month, and some times I gave him \$21, \$13 and \$15, and once I gave him \$20, but only once.

Q. And you gave him various sums from \$10 to \$20? A. From \$10 to \$20; I only gave him \$20 once.

Q. Every month; A. Every month; he called every month; the lowest I ever gave him was \$10, and the next month after that \$12, and then I gave \$13, and \$15, and once \$20.

Q. How long did that continue? A. Until the police were all shuffled and transferred, and Captain Dougherty came in the precinct.

By Chairman Lexow:

Q. Do you remember how long that payment was before the shuffle you talk about? A. I could not remember how long.

Q. About how long? A. From the time he came; that was very often; when Bissard came I did not have any rooms occupied for such a purpose, and then I told him "I have not got any money," and he said all right, and you say you can not.

Q. Was it a year or two years? A. It must have been two years; well, I will say I sent him away without money about four times.

Q. During the whole two years? A. During the whole of those two years I sent him away without money four times.

Q. What was the reason you paid on one occasion \$20, on other occasions more than \$10; making up for having months you had not paid him anything? A. At the time I paid him \$20 there were four girls in the house doing business at one time; he says, "About \$5 for every girl you have in the house is what we will charge."

Q. That was the tariff? A. Yes.

By Mr. Goff:

Q. And the tariff rose according to the number of the girls you had in the house? A. I never paid more than \$20.

Q. Five dollars each girl? A. Yes; there was four girls doing business there then.

Q. Was your husband present at any time when you paid this money? A. My husband was never present when I gave Bissart any money.

Q. You gave the money to him in bills? A. In bills, or in silver, or anything; if I gave him bills and silver both, I wrapped the bills around the silver, so there would be no click; he cautioned me that way, and I have known Bissart to come down in the basement when the girls were at the table taking their dinner; and I went in the hall, and the door was opened, and he says, "You have not got silver;" and I says, "No;" and then he took the money; otherwise he would have turned back, I suppose, and not taken it.

By Chairman Lexow:

Q. He did not want the click to be heard? A. He did not want the girls to hear the click.

By Mr. Goff:

Q. He preferred the bills? A. He did not say he preferred them; I hadn't anything else to give them; he took what I had.

Q. He preferred the bills, rather to the silver; is that the fact, that he said he did not want the click to be heard? A. He did

not want the click; he said, "You have not got silver;" and he informed me before to pay him in bills if the girls were around, as he almost always came down in the back basement where we were taking our meals; and he said, "Don't let them hear the click."

Q. After Captain McCullough left that precinct and Captain Dougherty went there, did a new wardman call upon you? A. The new wardman came around sometimes when I was in front of the door and talked to me, and asked me if there was any business being done in the house, and I said no, there was no business doing in the house, because I had an idea I had to pay money right down, and I could not afford it; I hadn't money I could afford to pay the initiation fee, which I had heard other people had to pay; and I said, "I am not doing any business, and when I am doing any business I will let you know."

Q. You had heard from other people in the same line of business that an initiation fee had to be paid, because there was a new captain came into the district? A. Yes; but he never asked me for an initiation fee.

Q. So you told the wardman you had no money to put down for initiation? A. I said, "I am not doing any business, and haven't any money, and will see you after some time;" it was about six months I did not see him; he came in one day and said, "I am going to raid the house;" I said, "You must raid it, then; I can not help it;" and he raided the house before I had paid one penny.

Q. Do you remember when that raid was? A. That raid was on the 25th of October.

Q. Do you remember the year? A. Well, the first year—

Q. 1892 wasn't it? A. It was 1892; it was when Dougherty was there the first year.

Q. How many girls were arrested that raid; do you remember? A. I think there were seven girls and myself.

Q. And yourself? A. But the girls were not all girls that were in the business; as I said I had some people living there that said they were actors, and so on, and I never tried to find out whether they were or not, but they were arrested with the rest of us.

Q. And all taken down to the station-house? A. Yes.

Q. And were you bailed out that night? A. I was bailed out.

Q. Who bailed you out? A. The saloon keeper next door.

Q. Were the girls bailed out? A. No; the girls, I don't think—no; the girls were not bailed out at that time, I think.

Q. Will Captain Cross produce the blotters of October, 1892, if you please; while they are getting the books, do you remember

the name of the detective that came to you when Captain Dougherty went into the precinct? A. Barney Neeham.

Q. Now, you were brought before the police court, were you? A. Yes, sir.

Q. That is at Essex Market? A. At Essex Market.

Q. And were you fined at Essex Market? A. I was put under bonds.

Q. What was done with the girls? A. The girls, I think, were discharged — no; the girls each paid \$10.

Q. Ten dollars fine? A. Yes.

Q. And what officer testified against you at Essex Market? A. It was Meehan.

Q. And was there an officer there by the name of Myers? A. Maney Meyers.

Q. And they were the ones that testified you kept a disorderly house? A. What they testified I did not hear.

Q. They appeared before a judge? A. They appeared before a judge against me.

Q. And after their testimony your girls were fined \$10 each? A. Ten dollars each.

Q. And you were put under bond? A. Five hundred dollars bonds.

Q. Five hundred dollar bond? A. No; \$300 bond.

Q. To answer at Special Sessions? A. Yes.

Q. At Special Sessions were you brought to trial afterwards, before the three judges down at the Tombs police court? A. Before three judges.

By Chairman Lexow:

Q. Were you brought to trial? A. Barney Meehan said it was best for me to plead guilty, and make a long story short.

Q. You appeared before the three judges? A. Yes; I hadn't a word to say; the lawyer plead guilty.

Q. The lawyer you employed? A. The lawyer says, she pleads guilty.

Q. What lawyer did you have? A. Mr. Osborne.

Q. Did you employ him yourself? A. Yes.

Q. Did anyone tell you to employ him? A. He was there in court.

Q. In the Essex Market court? A. In the Essex Market, and he came up to me, and asked me if I had engaged counsel, and I told him no, and he said he would take the case.

Q. How much were you fined at Special Session? A. Twenty-five dollars.

Q. After you were fined at Special Sessions you returned to your house in Second avenue; did you open up again? A. Yes.

Q. How soon after? A. Well, coming out of the Special Session me and my husband went out first, and we were standing at the bottom of the stairway, and Barney Meehan came down stairs, and I said, well, I have to stop business now and remove from the neighborhood without doing business; he said, "Go and see the old man;" I said, "I am not acquainted with the captain;" I said, "Can't you fix it for me?" he said, "No; you go and speak to him;" I went to the captain and spoke to him.

Q. At the station-house? A. Yes.

Q. What captain? A. Captain Dougherty; and I went there twice and could not see him, and I asked the sergeant at the desk whether the captain was in, and he said no, the captain is too busy with the election; you will have to come to-night; I said I must see him on business, and I went there again and found the captain in, and spoke to him and told him I was willing to do the right thing, and had not much money, and could not pay any big sum, and he said I will send the wardman around and you do as he tells you.

Q. Yes; did you go to your house? A. I went back to my house; it was shortly before election; Mr. Meehan came around there.

Q. Now just let me bring you back to Special Sessions; do you remember Meehan's saying anything to you at Special Sessions about your getting off lightly? A. Barney Meehan?

Q. Yes? A. No; he did not say that; but the lawyer told me that.

Q. It was the lawyer told you you got off lightly? A. Yes.

Q. Go back again to where Barney Meehan visited you after you had seen the captain? A. The election procession was passing, and Barney Meehan came along the sidewalk, and I said, have you any message from the captain to me; he says, "Yes; you wait until after election, and after election is over you start right in and do business; that was only a few days before election then.

Q. Let me see; when you called to the captain's station house, did he invite you into his private room? A. The first two times he was not there, I only see the sergeant.

Q. When you saw him the third time? A. The second time he opened the door, and said, come right in.

Q. That was in his private room? A. That was into his private room.

Q. Did you say to him then you would like to do business with him, as you have done before? A. Yes, sir; I said I had not much money to pay down, but I will do the right thing, according to the business I done; I gave him to understand I hadn't any money to pay right down; he did not answer as to that, and he said he would send his wardman.

Q. Did you mention to him the name of the wardman you had done business with before? A. I did.

Q. That is Bissart? A. Bissart.

Q. You told him you had done business with Bissart before?
A. Yes, sir.

By Chairman Lexow:

Q. Did he answer anything to that? A. I told him I did business with Bissart and got on very nice; he said I have no doubt you will get on with Meehan; he is a nice fellow.

Q. I have no doubt you will get on with Meehan, he is a nice fellow? A. Yes, sir.

Q. Did you say what percentage, or what per capita you paid, how much you paid, by the head, for the women you had there?
A. No; I did not say anything of that kind to him; I do not remember telling the captain anything about that, because I thought I would see what he was going to charge me; I did not mention any amount; I did not say I would give him once \$20 and once \$12.

Q. Did you say anything about having given so much per woman? A. No; I did not say anything of that kind to the captain.

By Mr. Goff:

Q. Now, we come to the point where Barney Meehan called upon you? A. Yes.

Q. When this political procession was passing? A. After election day he came around; he came right into the hall, and he says, "Now we will come to terms;" he said it right in the hall of the house.

Q. He said, "Now we will come to terms?" A. Yes; he said you give me \$25 a month and there will be no trouble either for me or for you, something to that effect; he made it very light and friendly, and, as I had a little money with me, I gave him the money.

Q. You gave him the \$25 then? A. I gave him the \$25, and I had no more trouble, not as long as Barney Meehan was there.

By Chairman Lexow:

Q. Did you give \$25 every month? A. Well, Barney Meehan was not there very long.

Q. How long was he there? A. I gave him \$25 in November, and gave him \$25 in December, and the 6th of January he was transferred.

Q. He was transferred? A. Yes; I only gave Barney Meehan \$25 two months, twice.

Q. Did he tell you first he would call about the tenth of every month? A. He said about the tenth of every month; he used to come around that neighborhood the fifth of every month, he told me; I said I won't be ready the first of every month, as the first is rent day, but will be ready about the tenth; I only get money as I make it; and then he called on me every tenth.

Q. After Meehan was transferred the 6th of January, were you visited by another man? A. I was down in the basement about 7 o'clock, and there was a man came in the hall, and one of the girls called down, "Mrs. Thurow, are you there?" she says, "There is a man wants to see you;" I says, "Let the man come down stairs;" so there was a big, tall man came — he had a light — I don't know whether he was very blonde, or whether he had gray hair, I couldn't tell that; he opened a little paper, and he says, "You are Mrs. Thurow," and I said, "Yes."

Q. Opened a little paper? A. A little package of papers, folded over like this (indicating), and he went over them like that (indicating).

Q. Went over the leaves? A. Yes; and he says, "You are Mrs. Thurow?" and I says, "Yes;" "23 Second avenue?" I says, "Yes." "You come down to the captain's, he wants to see you;" I don't know what was the matter; I sent out after the husband and found him, and said the captain sent for me; I wonder if there is any trouble; I was not living in the house, but lived in the flat in Twenty-third street; and took \$25 with me, and when I got to the stationhouse there was several other ladies waiting and two gentlemen waiting; the gentlemen went in first, and I —

Q. Let me ask — stop right here; did you know any of those ladies? A. I didn't know only one.

Q. Was she a keeper of a house similar to yours? A. She was living at 18 First street, and the landlady of that place was very ill, and she took the place of housekeeper during the time that the landlady was sick.

Q. But she kept a house? A. She was doing the landlady's work, while the landlady was ill.

Q. She represented the same kind of house? A. I thought she was there for the same purpose, I was told.

By Senator Bradley:

Q. Did she keep the same kind of house as yourself? A. Yes, certainly.

By Mr. Goff:

Q. Did you know any of the men you saw there? A. I did not know anybody.

Q. Will you go on and state — when you went there you saw a number of ladies and two men? A. The two men went in to see the captain first; I took a seat near the door, and got in right after the men, and I says, "Captain, did you send for me?" he said, "Yes."

Q. Was there anybody in the room with you? A. The captain was all alone.

By Senator Bradley:

Q. Captain who? A. Captain Docharty; the captain told me he had orders from the central office to close all the houses in the precinct, and for me to keep on doing business very carefully, and not let any lady friends in, and not take money myself, and if I took money, I might get in trouble, and they might raid me from the central office; I said, "I supposed you wanted money;" "I am not supposed to take money," he said, "but you can give the money;" he put out his hand and took out an envelope, and said, "put down the word Hoch;" I promptly took my pencil, and put down "Hoch," and put the money in it, and the captain put it back in the pigeon hole, with the twenty-five dollars I gave him.

By Chairman Lexow:

Q. How many of these little slips did this wardman have, when he came around to see you? A. I don't know; there was quite a number.

Q. How many would you say to your best estimate? A. It was in the hall, and there was no light in the hall of the basement; the papers were something like you would see the papers put together, small papers like in a butcher store, like the bills.

Q. Like a file of bills? A. They weren't any larger than half of this (indicating the cover of an ordinary court Bible).

Q. About square? A. Yes; and they seemed to be fastened at one end, and they looked like this, and opened them, and said, "You are Mrs. Thurow, 23 Second avenue;" I said "Yes."

Q. Did he appear to be looking over names when he took each one of these slips out? A. He did not seem to try to read the names like that; he did not appear to read those slips, he said, "You are Mrs. Thurow, 23 Second avenue;" I don't think he had much of a chance to read it; he could not have read anything.

Q. Did anyone of those slips appear to contain the names of persons? A. I did not see them.

By Mr. Goff:

Q. Did the captain tell you at this interview he had with you, that you have told the Senators of, that if you took money, or kept open, that some central office man might be around? A. He says, "I have orders from the central office to close every house in the precinct; now, if you take money, they might send some one from the central office, and if you took money, they would have you, and they might raid you from the central office."

Q. Did you know who John Hoch was, whose name he put on the envelope? A. I did not know at the time; I heard of John Hoch as being the policeman in the Bowery; I did not know he was a wardman; the next morning it was in the paper that John Hoch was the wardman.

Q. Was he wardman there in place of Barney Meehan? A. Yes; he was made wardman in place of Barney Meehan.

Q. Now, after you left the captain's office — and by the way, did he seal this envelope? A. No; he did not close it; he left the envelope open, and put it in the pigeon hole.

Q. Did he write the name of John Hoch, or you write the name? A. I wrote the name.

Q. Did he tell you what to write? A. He says, "Put down Hoch."

Q. Did he tell you his Christian name? A. No; he said only, put down Hoch; I spelled it in German, H-o-c-h.

Q. Did he hand you a pencil? A. Out of his vest pocket.

Q. And did you place the envelope upon the desk before him while you wrote? A. Put it right in front of him.

Q. Were the bills in the envelope when you wrote the name on it, or did you write the name on before the police went in? A. I put the name on first, and then put the bills in; the bills were lying on the desk, while I was writing the name.

Q. Then you took up the bills and put them in the envelope? A. Yes; I don't know whether I handed it to him in his hand, or put it on the desk; anyhow, he took the envelope and put it in one of the pigeon holes.

Q. Did he say anything further to you? A. He only told me to be careful and not take any money from anybody that comes in, or else they would have me from the central office.

By Chairman Lexow:

Q. Were there any other envelopes in the same pigeon hole? A. There was a lot of empty envelopes, but I did not see any with money in them; I did not see any that looked as if they had anything inside of them; I did not see anything; but he put it back from where he got it.

By Senator Bradley:

Q. Was it a printed envelope? A. No; it was a plain envelope.

By Mr. Goff:

Q. You returned to your home and kept quiet, as the captain told you? A. Until he was on trial before the commissioners, a day or two afterwards, I do not know how soon; and I watched the papers, and I read in the papers the trial was over, and I opened my house again, and went on as usual, and nobody interfered with me.

Q. From the time you saw the captain in the station-house, until you opened your house again, were you visited by any officer or messenger? A. I was visited by nobody.

Q. No one visited you, but when you saw his trial was over, you opened up? A. I opened up.

Q. After you opened up, were you visited by any one? A. I was not well one day, and I went over to the flat and stayed there all day.

Q. Over where? A. Over to my flat, and stayed there all day, because I was not feeling well; and when I went over, it must have been half-past 11 or 12—it might have been even after 12—the girl said to me: “Say, there was a big stout man in here, and I think he was from the station-house,” and I commenced to think, and there it was about the date that I had said that I would see the wardman every time; then—

Q. That is about the 10th of the month? A. Yes; and then there was one girl that knew Mr. Hoch personally, and she called me in the corner, and she says, “Mrs. Thurow, you need not worry; it is Mr. Hoch; I suppose he wanted to see you,” she says; when I went over, I says to my husband, when we were in the home, I says, “There was somebody there from the station-house; I guess the best thing for me to do is to go down and see who it was, because Hoch, the one that this girl described, is the wardman now; but I guess I will settle it and go down;” I went down the next evening then and asked for the captain, and went into his room, and I said, “Captain, did you send Mr. Hoch?” He said, “I could not send anybody else;” I says, “Then he wanted money,” and while saying that I opened my pocketbook and laid down the \$25; he handed me an envelope again; this time I can not really say whether he put down the name Hoch, or I did not put down the name of Hoch at all; I am not sure of it; I am sure he handed me an envelope, and I put in the money, and he put it back the same as the month before in the pigeon hole; I am not sure that I wrote down the name Hoch, as I don’t remember him giving me a pencil.

Q. When you visited him this time, did you say to him you had brought the money with you? A. I said to the captain, "Did you send Mr. Hoch?" And he said, "I can not send anybody else," and I said, "I have got my money with me," and then he put down the envelope.

Q. Now, do you remember what month that was in? A. Well, I went to the station-house the sixth of January; that was a month afterwards; that was in January.

Q. That was in February, 1893? A. Yes.

Q. After that you continued to do business? A. To do business right straight along.

Q. And were you visited the next month by any one? A. I was not visited; Mr. Hoch sent in a little boy for Mrs. Thurew to come out, or the landlady of the house, and he was standing in a dark place there by John Luhr's grocery store; then I passed, and while passing, I handed him the money, and went home again.

Q. Did any words pass between you? A. He says, "How much is that?" I says, "\$25 for the captain and \$5 for you."

Q. Twenty-five dollars for the captain and \$5 for you? A. Yes.

Q. So you handed him \$30? A. Thirty dollars.

Q. Were the bills all together? A. They were bills.

Q. All rolled up in one pile? A. They were rolled up.

Q. Did he say anything when you told him? A. He said nothing; he went right away.

Q. You continued to do business? A. I continued to do business; yes, sir.

Q. Now, did Hoch visit your house after? A. He never was in my house after that; only once, on one occasion, and I will tell that later on, when I had some trouble.

Q. Did Hoch tell you anything about the captain refusing to stand for your joint? A. He would not stand for the notoriety of that joint for the price I was paying, and after that he said he would pull the ranch, and so on; and then I said I would give him \$10 for himself next month, and I gave him \$10 dollars for himself once, and I could not afford to be paying like that; I gave him \$10 after that for himself, and the next time I paid him I gave him the roll of money, and I said, "Five dollars," and he said, "Didn't you promise to give me \$10;" and I said, "I can not afford to pay as much as other people around here; look what they are doing in First street; I had a quiet business; there is nobody there gets robbed in my house, and nobody ever gets treated bad, and for that reason I can not pay as much as other people;" he did not answer on that, and went away, and the next

day he passed the house, and the girls were soliciting from the stoop, and he said to the girls, "I want you to tell the landlady I must see her; now, the captain says you have got to close that house right straight up; he is not going to stand for his house any longer;" I then thought to myself, because I am not doing as they do in First street, I am not doing that sort of business that is happening in First street, and I thought that must have got the captain very angry that I mentioned such a thing, and I went to Roesch.

Q. Before you come to that point, did Hoch say how much it was worth to protect such a house? A. "And a ranch like that is worth \$60 to \$75 a month, and here you are only paying \$25, and give me only \$5;" he said, "And you promised me \$10, and only giving me \$5;" I said, "Hoch, I can not afford it."

Q. What did he say when you said you could not afford it? A. He says, "You have got the house, and why don't you make money? it is your own fault, and that house is situated in the right spot, and you can do all the business you want and we won't interfere with you, but you must do better than this."

Q. Did he make any threats then to pull you, if you did not pay a higher rate? A. He said, certainly, if I could not do better than that, he would raid the house.

Q. After he said he would raid the house, you went in and talked with your husband? A. I went in and told my husband; I sent out for my husband, and says to him, "See here, Hoch says we positively —

Mr. Nicoll.—Shall we take the conversation of the husband?

Mr. Goff.—I think we had better take this narrative.

Chairman Lexow.—Subject to a motion to strike out.

The Witness.—I sent to my husband and said, "Now, you go up and see Roesch to the club-room.

Q. Who is Roesch? A. Well, the judge in the Fourth District Court; he was not judge then, he was Senator then.

Q. And he is judge in the Fourth district now? A. Yes, sir; he has been elected since.

Q. Do you know — did he occupy any other position but being a Senator? A. No; not that I know of; my husband got acquainted with him in the club-room; my husband belonged to the club.

Mr. Nicoll.—Will your honors permit this; a judge of this city and a former Senator to be attacked by hearsay evidence?

Mr. Goff.—It will not be hearsay at all. We have a right to know if this witness sent anyone to have an interview with Mr. Roesch.

Chairman Lexow.—That is all right, if it is limited to that. There is no objection to that, Mr. Nicoll, that we can see.

Mr. Nicoll.—I think any conversation she had with her husband is immaterial.

Chairman Lexow.—It may be so. I do not say that it is.

By Mr. Goff:

Q. Did you know of Mr. Roesch being a political leader in that district?

Senator Cantor.—How is that material? He was a Senator of the district.

Mr. Goff.—He was not a Senator of the district. He was a Senator.

The Witness.—He was a leader of the Seventh Assembly district at the time.

Mr. Goff.—The mere fact that a man holds the mere position of a Senator is no warrant for a woman of this kind to send a person to fix it. I want her to testify when she sent to him; to give the fact.

Senator Cantor.—She says he was a Senator.

Senator O'Connor.—She says he was a leader.

The Witness.—He belonged to the same club with my husband.

By Mr. Goff:

Q. What club was that? A. The — I don't know what they called it; it was a political club for Tammany Hall; my husband has the —

Q. What is the name of that club; the Oriental (speaking to Mr. Thurow).

Mrs. Thurow.—He does not understand English enough.

Mr. Goff.—We will get the name of the club.

The Witness.—It is the Tammany club, 94 Second avenue.

Q. You knew that your husband belonged to the club of which Senator Roesch was a member? A. He was the leader of the district there.

Q. Did you give your husband any instructions to go and see Senator Roesch? A. I told him to see Senator Roesch and tell him what Hoch had told me, and ask him if he could do anything for us, because I could not afford to close up the house, and I did not think it would be fair for him to close me up and let all the other ones run, and Senator Roesch says to my husband —

By Chairman Lexow:

Q. Don't say anything about that; we don't want, Mrs. Thurow, anything that your husband said as to what Senator Roesch said, unless you were present. A. Well, Senator Roesch said for me to come down to his office.

Q. We will come to that in a moment; after you sent your husband — I want to state that I will be careful and scrupulous that no man's name be dragged into this unwarrantably; when it comes in the narrative, I will try to observe the strict rules of evidence; if we take it in relation that her husband was acting as her agent, it would become admissible in a court of law under strict rules of evidence here; after your husband left you, did he return —? A. To the house?

Q. After he left you to go to this club? A. Yes.

Q. He returned to your house? A. Yes.

Q. You had a conversation with him there? A. Yes.

Q. I do not want you to state what that conversation was, but I want you to tell the Senators, after you had the conversation with your husband, and in pursuance of that conversation, did you go to any place? A. I went down to Roesch's office, Chambers street, Stewart building.

Q. And was it from directions that your husband gave you that you went to Mr. Roesch's office in Chambers street? A. I went down there with my husband; he told me Roesch wanted to see me there.

Q. Was that the next day; how soon after, as near as you can remember? A. I went the next day and waited in Roesch's office all the morning, until 6, and he did not call.

Q. Mr. Roesch's office is in the Stewart building? A. Stewart building, on Broadway and Chambers street.

Q. You say you went around with your husband and waited in Mr. Roesch's office? A. He did not come that day; we went the next day and waited again, and we waited again; and I then wrote him a letter telling him I had been there two days, and waiting for him, and did not want to go down and stay there again, unless he would see me; I wrote that during the day, and sent my husband in the club room in the evening to get the answer on what he had to say on that letter; he says, "You be down there with your wife to-morrow, and I will surely see her."

Q. That was the message your husband brought back to you? A. Yes, after my writing the letter; I sent him there to see whether Mr. Roesch would see me; I went down there the next day and Roesch was there; it was Saturday.

Q. Was your husband with you? A. My husband was with me; and I told Roesch; he said, "I will fix that."

Q. Just tell the Senators what you said to Mr. Roesch? A. I told Roesch I never could give Hoch money enough; he says, "What did you give Hoch;" I gave him \$25 for the captain, and gave him \$5, and he wanted \$10 for himself, and he does not seem to be satisfied now; and I told Roesch I was doing a

quiet business, and there was nothing ever happens in my house, and I can not pay as much as Hoch is asking for; but I did not mention the amount that Hoch did ask for, only I told him I did not give Hoch enough to satisfy him; so Mr. Roesch said, I will go and see somebody and fix that thing up for you; it will cost you \$100 or \$150; I said, well, then fix it up as soon as you can, and me and my husband went home; and on the way I said, "That is an awful tony price for me to raise, \$150; I will go and get \$100, and you give \$100, and tell him in a couple of weeks you will let him have the \$50;" so I got the money and had it home in the house with me; my husband was not there in time to go to the club, when there was a man came in and says, "Is Ernst Thurow here?"

Q. A man came into your house? A. Into my house; I don't know where the girls were; I found him on the ground floor in the back room, asking for Ernst Thurow — that is my husband's name — I went in and said, "I suppose Mr. Roesch sent you;" "Yes," he said, "Mr. Roesch wants Mr. Thurow to come up to the club room; he wants to see him."

Q. Did you inquire his name? A. I did not.

Q. Did you ever afterward find out his name? A. I found out after my husband came back from the club room, I found out who he was.

Q. Go on? A. Then I called my husband, and I says to my husband right in front of the man and two girls that had run into the room to see what was the matter, I said, I suppose Roesch is after the money, are you ready to go to the club house, and he said, "Yes," and I went outside, and got the money, and came back into the room, and handed the \$100 to my husband, and this man seen it, and the two girls.

Q. What was this man's name? A. When my husband got back, I asked him who is that man that came after you; he says, it is Secretary John Faye; that is what my husband told me.

Q. Secretary of the club? A. Of the club — John Faye.

Q. Now, when you said that you would send up the hundred dollars to Mr. Roesch to the club room, where had you the money? A. I had the money — where did I get it from in the evening?

Q. No; where was it; was it in a trunk? A. It was on my person.

Q. In bills? A. In bills, where I had it put, I could not take it out in front of the man, and I went out in the hall and got the money from where I had it.

Q. That is, you did not like to take it from where you had the money in the presence of Mr. Faye? A. Yes; and so I went out

in the hall, and got it there, and went back and gave it to my husband in front of this man and two girls.

Q. Had you this hundred dollars in one roll? A. In one roll.

Q. Had you that prepared to send up to the club house? A. I had that prepared, and had it with me.

Q. Had it with you to send up to the clubhouse? A. Yes.

Q. Did your husband go with the amount? A. My husband went away with the amount, and when he came back he told me he gave the money —

Mr. Nicoll.—I object to that.

The chairman.—That is excluded.

Mr. Goff.—I think it would be perfectly competent, but under the circumstances, I will not press it.

Chairman Lexow.—I do not think that would be fair. You can prove it by the parties who made the transfer.

Q. Well, now, after this transaction that you speak of, did you continue to do business? A. Yes, after the money was paid, we did business right away the same night; yes.

Q. Continued and opened up business the same night? A. Yes, sir.

By Chairman Lexow:

Q. Were you interfered with? A. Not after that; for a while.

Q. How long? A. It was only a very short time; I think the first time when Hoch came, after that, I gave him \$25 and nothing for himself.

Q. That is after you paid — A. After I gave the —

Q. Take your time? A. I gave my husband the \$100 to take away; Hoch came after that.

Q. Was it a month afterwards? A. No; it was not a month; it was not more than a week, or something like that; and Hoch came, and I gave him money; only gave him \$25, and gave him nothing for himself, and he didn't ask, either; he did not ask how much it was, as he usually did, but just took the money and went; that was about the time the captain went to Europe.

By Mr. Goff:

Q. Captain Docharty? A. Captain Docharty went to Europe; I think it was a few days before Captain Docharty went to Europe, and he came around and said, "Now, as the captain is going to Europe, and the acting captain won't stand for this notoriety here, he will pull the house;" I says, "All right, if you pull the house you will pull it, that settles it;" I was so used to hearing him coming and saying he would pull the house, at last I did not mind it anymore when he said it, and we kept on business anyhow, and one day I was lying on the sofa in the back-room

when Sergeant Clark came steering in the room, and holding himself on the door like that, and used the roughest language.

Q. State what language he used? A. I could not say it.

Q. Is it because the language is so bad that you can not say it? A. Well, he —

Q. We would like to have his words, Mrs. Thurow, and you will please give them to us, as nearly as you can recollect? A. He could not stand; he had to hold himself.

Q. Was he drunk? A. Yes; and he says, "I want you to keep those bitches off the stoop or else I will pull the house; I am the captain of the precinct now, and won't stand to it;" and he kept on scolding; and then they arrested two girls off the stoop, and I had to take them out.

By Chairman Lexow:

Q. Had to bail them out? A. I had to bail them out.

By Mr. Goff:

Q. Can you give us the date of the arrest? A. It ought to be down in the station-house, when I took the two girls out; it was of a Friday night, and on Saturday the girls were arrested.

Q. Can you tell us the month? A. It was when the captain had newly gone to Europe.

Q. Was it in the summer? A. It was in the summer; yes.

Q. Could you state about the month, as near as you can recollect; was it July? A. I don't know.

Q. Or August; well, it was warm weather, anyway? A. It was very warm weather.

Q. Well, now, when you went to the station-house this Friday night? A. I did not go Friday night; the girls were arrested Saturday; it was Friday night Hoch was standing in the back door of the parlor.

Q. Were the girls arrested Friday night? A. Saturday night; it was too late to arrest any girls then; it was nearly 12 o'clock.

Q. Was this just before or after Captain Docharty sailed for Europe, do you know? A. Captain Docharty was away, and Sergeant Clark was the acting captain.

Mr. Goff.—Captain Cross, could you direct us as to the time Captain Docharty was in Europe?

Captain Cross.—I can not.

Mr. Goff.—Are any of your officers here?

Captain Cross.—I think not. I don't know what time he left.

Mr. Goff.—Do you know the year, captain?

Captain Cross.—No; I do not know.

By Mr. Goff.

Q. That was 1893; a year ago, wasn't it; that was last summer? A. Yes.

Mr. Goff.—Now, captain, will you please give us your blotters for the month of July and August, 1893.

Captain Cross.—All right, sir.

Q. Let me ask you, Mrs. Thurow, do you remember if, when you were first arrested in 1892, the first time, did you give another name? A. Yes, sir; I gave the name of Mary Malter, because I did not want my name in the papers.

Q. Is that the name that you gave, Mrs. Thurow (showing witness police blotter)? A. That is Heller there, but I always said Heltter.

Q. That stands for you any way? A. I only used that name when I was raided.

Q. The time down here is 50 minutes past 10 o'clock at night; that is nearly eleven; is that right; do you remember that—the first day? A. Yes, sir.

Mr. Nicoll.—Did it correspond with the number of the house?

Mr. Goff.—No, it is a mistake, 31 Second avenue. But there is one number below it, that shows there was a mistake in putting down the number.

Q. Who went bail—Solomon Harcowitz? A. Went bail?

Q. Yes. A. No; the saloonman, next to the station-house; I don't know what his name is; not Harcowitz.

Mr. Goff.—Oh, yes. Not Harcowitz; that is the complainant; that is the whole entry. (Showing book to the committee.)

By Chairman Lexow:

Q. Were these girls in your house, Mary Schlessinger, Minnie Harbro? A. Minnie Harbro?

Q. Rosie Woods? A. Yes.

Q. Hattie Hogan? A. Yes.

Q. Nellie Sanders? A. Yes.

Chairman Lexow.—Read it off to the stenographer. Let him take the record as it stands.

Mr. Goff.—“Tuesday, October 25, 1892”—Mr. Moss, will you oblige me with this, just read that record.

Mr. Moss.—“10:50, Mary Heller, aged 43; color, w.; nation, German. Housekeeper, married, reads and writes, yes; 31 Second avenue, keeping disorderly house. Lillie Saunders, aged 23, white, German, housekeepr, married, read and write, yes; 23 Second avenue, disorderly person. Mary Schlessinger, aged 35, color, white; German; calling, none; married; read and write, yes, 23 Second avenue; disorderly person. Minnie Heclwitch, aged 27, white, German; calling, none; single; read and write, yes; 23 Second avenue; disorderly person. Rosa West, aged 27; white; German; calling, none; single; read and write, yes; 23 Second avenue; disorderly person. Hattie Hogan, aged 29; white; Australian; calling, none; single; read and write, yes; 23 Second

avenue; disorderly person; arrested on a warrant issued by Justice Duffy, Third District police court, October 25, 1892, charged with keeping a house of assignation, at No. 23 Second avenue," having name of complainant in each case, "Koloman Halkovics, 26 Avenue A; Officers Meehan and Meyer." Entry opposite Mary Heller is "Fined \$25, S. S. Smith, November 2, 1892, \$300, to answer, Duffy, bail \$500, Joseph Espenscheid, 77 First avenue, surety." Entry opposite each of the other names, "Fined \$10, sent to Thirteenth precinct, except Katie Hoban." The entry is, "\$5 fine."

By Mr. Goff.

Q. That was the elder McCullough? A. Yes.

Q. As a matter of justice, Mr. Chairman, to everyone concerned, whose name may be mentioned in this investigation, I would like to ask Mrs. Thurow now, if the Captain McCullough that she referred to in her testimony is the elder Captain McCullough; we have two Captain McCulloughs; was it the old Captain McCullough? A. It was the Captain McCullough that the wardman was with; I never see Captain McCullough myself.

Q. You have heard that Captain McCullough is dead? A. I heard that the captain was dead that used to be at Fifth street in Bissart's time.

Senator Cantor.—I suppose the police record will show which Captain McCullough it was any way.

Mr. Goff.—Yes; but I thought it best to have it appear on the record.

Q. In regard to that appearing on the record on the police blotter; it appears your name is at 31 Second avenue, and the names of your girls, Lillie Sanders, and Mary Schlessinger and Minnie Helwich, and Rosa West, and Hattie Hoban, were given at 23 Second avenue; will you please tell how 31 Second avenue comes to be placed opposite your name? A. I lived at 31 Second avenue at the time I was raided.

Q. And the house you kept was at 23? A. At 23 Second avenue; and in December, I moved to 21 First street.

Q. Now, we have come to the point of the occasion when you went to the station-house on Saturday night; two of your girls were arrested; now, who did you see at the station-house? A. Sergeant Clark was at the desk.

Q. Were the girls that were arrested then two of the ones that had been arrested before on the first raid in 1892? A. Sergeant Clark was not at the desk; there was another sergeant; I do not remember his name.

Q. Do you remember the name of the girls? A. I do not remember that.

Q. Those two girls? A. No.

Q. Did you go into the station-house with them, when they were arrested? A. Oh, no; they were arrested, and then one of the officers that arrested the girls came back and said to me the girls say to me that you should come down and take them out on bond.

Q. It will appear from the — so as to get the names correct from the police blotter that day, Saturday, August 12th, 1892, Sergeant George C. Liebers was on duty; do you remember the names of the girls? A. I don't remember.

Q. If I read them from the police blotter would you recognize them? A. Maybe I would.

Q. There is one here, Rachael Marks, 23 Second avenue; do you remember that name? A. Yes, sir.

Q. There is another, Lottie Raynor? A. Lottie Raynors; yes, I can remember those two.

Q. Those were the names the girls gave at the station-house? A. Yes, sir; I can remember those two.

Q. And do you remember the name of the officer that made the arrest? A. I don't remember.

Q. Do you remember — I read this entry from the blotter, gentlemen; "Saturday, August 12th, 1893; 11:15 p. m., Rachael Marks, aged 21; color, W., (stands for white, I presume); nation, Russia; calling, none; single; read and write; residence, 23 Second avenue; dis. con." — captain, will you come here, please; does that stand for disorderly conduct?

Captain Cross.—Disorderly conduct.

Mr. Goff.—"Name; complainant; patrolman, Henry Lang; disposition, fined \$2; police justice, Ryan; remarks, bailed \$300, Augusta Thurow, 23 Second avenue, surety;" second entry, "11:15 p. m., Lottie Raynor, aged 19; color, white; nation, U. S.; calling, none; single; reads and writes; residence, 23 Second avenue; complaint, disorderly conduct; complainant, Patrolman Henry Lang; disposition, fined \$2; police justice, Ryan;" charge applicable to both, "Charged with soliciting men from the street, 23 Second avenue, for an immoral purpose;" same thing, "bailed \$300, Augusta Thurow, 23 Second avenue, surety."

Q. Now, when you went into the station-house on that night, you saw this sergeant, whose name we have read, Sergeant Liebers, at the desk? A. Yes; and Sergeant Clark was in his private room in the captain's room.

Q. The acting captain? A. The acting captain, and I went in and said to him, "Sergeant, will you accept my bail?"

Q. To which sergeant did you say this? A. To the one at the desk.

Q. Sergeant Liebers? A. Yes; and I says, "Will you accept my bonds," and Sergeant Clark, I told him, Sergeant Clark threatened that he would take all privileges away from me that I had at the station-house, and would not allow me to take out girls on bonds any more; and Sergeant Liebers said, "Don't mind; you are long enough in the business not to mind what he is saying;" he says, "Don't mind what he is say ing; you are long enough in the business to not mind what he is saying; I will make out the papers, and you take them out on bond;" I says, "I haven't got the mney with me;" he says, "That is nothing; you send the money down;" every time I took the girls out on bond I had to give the sergeant \$5 every girl.

Q. Before we come to that, Mrs. Thurow, was there anything said when you offered to go bond for the girls, was there anything said about real estate security? A. Well, Sergeant Clark said that to me; he came out and screamed at me, and said, "What have you to give for surety, have you real estate?" and I said, "No; I have not got real estate, but I went bonds for the girls before, and they did not ask for real estate, and I am sure the girls will appear in Essex Street, and that is all they want, as long as they get there;" I tried to reason with him, but he was scolding away and telling me he would take the privileges away and would not have bonds, but still Liebers was making out the papers.

Q. Did Sergeant Clark say to you that you could not go bonds unless you had real estate security to offer? A. No; he only stood a little ways from the door, and he says, "You want to go surety?" he says, "What surety have you to offer? You have not got real estate;" I says, "No; I haven't got real estate;" he says, "What is your house worth? About \$200 the whole furniture that is in it," he says; then afterwards he went back in his room, and the papers were made out, and I paid —

Q. Let us wait a moment; before you signed the papers, were you leaving the station-house, when some one followed you and said something to you? Wasn't there a doorman there that spoke to you? A. That was on another occasion; at this time there was nobody followed me; the papers were made out promptly, and I paid for them, and the girls went home.

Q. Now, we will keep to this occasion; when the papers were made out, you signed the bonds? A. I signed the bonds, Augusta Thurow.

Q. And you say you paid money? A. Ten dollars for the two, five for each.

Q. Five for each bond? A. Yes.

Mr. Goff.—You have followed that, Senators, that the witness says that she paid \$5 for each bond.

Senator O'Connor.— Yes.

Q. To whom did you pay the \$5 for each bond? A. When the papers were put before me to sign I went behind the desk, and the sergeant got up, and I sat in his chair, and he got the bond ready for me, and I put the \$10 in one of the little shelves that was above the desk, and he told me to be cautious the first time I ever took any out on bond, to be cautious, not to let anybody see me put any money there.

Q. These were little shelves or pigeon holes? A. I can not state, although I was there so often; I can not say they were shelves or pigeon holes above the desk there; a shelf about that high (indicating) that goes from one to the other.

Mr. Goff.— Mr. Chairman, I think we might with propriety take a recess now.

Chairman Lexow.— Until 2?

Mr. Goff.— Yes.

Chairman Lexow.— If that is satisfactory we stand adjourned until 2.

Mr. Goff.— Will you please announce to the witnesses that they must return at 2 o'clock.

Chairman Lexow.— All witnesses present here under subpoena must return here at 2 o'clock.

Afternoon session, June 4, 1894.

Present the Senators and counsel as before.

Mrs. Augusta Thurow, resumes the stand.

Direct examination continued by Mr. Goff:

Mr. Goff.— The clerk of Essex Market Court here? (The clerk responds to the call).

Mr. Goff.— All right; I only wanted to know you are here.

Q. I call your attention, Mrs. Thurow, to an arrest of some of your girls made in July, 1893? A. Eighteen hundred and eighty-three.

Q. Eighteen hundred and ninety-one, the 31st of July; do you remember that arrest? A. I know my girls were arrested very often; but I don't know anything about the date.

Q. I will take from the police blotter— read from the police blotter and ask you if you remember one of your girls being arrested under the name of Martha Mitsker? A. Mitsker.

Q. Yes, sir? A. She might have given that name; but I don't remember it.

Q. And a girl arrested under the name of Sarah Brown? A. No; I do not remember that name; all the girls that did business and brought their company into my house are down here in this book, and any party that ain't down in this book I don't

think they did business in my house, so that I could consider them as regular customers coming into the house; here are the names; I do not remember Sarah Brown, and Carrie Mitsker I do not remember at all.

Chairman Lexow.— They probably gave assumed names at the station.

Q. Now, I will ask you if you remember —

Senator O'Connor.— Identify the place they came from.

Q. Yes; I ask you if you remember that Lottie Raynor and Lena Lentz were arrested in July? A. Lottie Raynor was arrested a good many other times; what is the other name.

Q. Lena Lentz? A. I don't remember that name; I don't think you will find it in the book there.

Mr. Goff.— Mr. Chairman and Senators, I have the honor of having had a communication from the district attorney, Colonel Fellows, in reference to supposed efforts made on the part of any person in authority to call witnesses to account for matters to which they may testify to here. I think it proper that the committee to call upon Colonel Fellows as district attorney of this county, which he is perfectly willing to do, and has come to you for that purpose, to speak to you on that question. Colonel Fellows is here.

Chairman Lexow.— We would like to hear from the district attorney if he has any communication to make.

Colonel Fellows.— Mr. Chairman and gentlemen of the committee, observing in the papers a statement that the witnesses had probably been intimidated or were reluctant to appear before this committee for fear, as it was stated, that some other tribunal might take cognizance of their testimony, I deem it only proper that I should communicate to the committee and its counsel the fact that in so far as I have made any suggestion whatever relating to this matter, I told a reporter of one of our daily papers Saturday night, who called at my house, and to another reporter this morning, and have since stated to Mr. Goff what I now state to the committee that far from there being any steps taken to present any body before the grand jury, I have assured these parties that I deemed it wholly improper that at the present time the criminal authorities of this city should take any cognizance whatever of this matter. It was a matter for the committee, and until they had concluded such investigations as they chose to make, and had laid something in the way of a formal communication before the district attorney there was nothing for me to act upon. I also communicated with the judge in charge of the grand jury this morning, and we simply informed the grand jury that there was nothing of special importance to bring to their attention at all. In so far as the

district attorney's office is concerned, any fear that its authority, or that of the grand jury, or of the criminal courts, will be used to check in any way the full and complete investigation of this committee, or that it will fail to fullest extent to co-operate with this committee is a mistake which I desire to have corrected at once.

Chairman Lexow.—That will clear the atmosphere very materially, Colonel; and we are very much obliged to you for the statement.

Mr. Nicoll.—May I cross-examine.

Chairman Lexow.—Yes; we do not doubt that the district attorney will aid us in any way in his power.

Colonel Fellows.—I would be very glad to.

Mr. Goff.—I read, Mr. Chairman, from the blotter of the Fifth precinct station-house, under date of July 31, 1893, "Sergeant George C. Lievers in command," the following entry: We say, "In command," in control, "Date, 11 p. m., July 31. Name, Lottie Raynor; age 19, white; nation, U. S.; calling, none; single; can read and write; residence 23 Second avenue; complaint, disorderly conduct; complainant, James J. McCarthy; fined, \$2; police Justice Ryan;" same hour, "Lena Lentz; age, 24; color, white; nation, German; calling, none; married or single, single; can read and write; residence 1440 Avenue A; charged with disorderly conduct; complainant, Patrolman James J. McCarthy; fined, \$2; Police Justice Ryan; charged with soliciting men on Second street, near the Bowery, for an immoral purpose; bailed in \$300; Augusta Thurow, 23 Second avenue, surety; to Thirteenth precinct."

Q. Do you remember the transaction, Mrs. Thurow, about those girls? A. Not Lottie Raynor; she was taken in very often; but I do not remember the other name; she may have come into my house, but I can not state.

Q. But remember going the bail? A. No; I do not remember going the bail; if they were taken in together, and I went the bail for one, certainly, I took the other out, too.

Q. Yes; that is what the blotter shows here? A. If there was two of them taken in together, and if the second girl was one that frequented my house, the one would say, "Mrs. Thurow, take the other one out, too," and I would take her out, whether she belonged to my house or not; I remember Lottie Raynor.

Q. I read from the same police blotter, under date Saturday, August 5, 1893, Sergeant Hugh Clark, at the desk.—

By Chairman Lexow:

Q. That was an occasion on which they were arrested on the street, and not in your house? A. On the street, and not in my house.

By Mr. Goff.

Q. I want to correct that, that the entry is Sergeant H. Clark; he went to supper; on his entry, Sergeant Liebers was also on desk duty; I read: "Hour, 9:40 p. m.; names, Lillie Saunders; age, 24; color, white; nation, German; calling, none; single; can read and write; residence, 23 Second avenue; complaint, disorderly conduct; complainant, Patrolman Henry Lang; fined, \$2 by Justice Ryan;" the other time, "9:40;" same entry, "Annie Lewis; age, 19; color, white; nation, U. S.; calling, none; single; can read and write; residence, 23 Second avenue; complaint, disorderly conduct; complainant, Patrolman Henry Lang?" A. What date is that?

Q. This is August 5, 1893; wait until I get through: "Fined \$2 by Justice Ryan; charged, found on stoop 23 Second avenue, soliciting men for immoral purposes; bail, \$300; by Augusta Thurow, 23 Second avenue, surety?" A. I remember taking both girls out on bonds but I do not know whether those two were arrested on the same night.

Q. You remember taking them out on bonds? A. Yes; I remember taking them out on bonds?

Q. I read from the police blotter from the same precinct, the Fourteenth, under date of August 14, 1893, Sergeant C. Liebers on desk duty? A. It was not Liebers always at the desk.

Q. I am reading from the report here: "Hour, 9:30, p. m.," and the name, "Rachel Marks; age, 21; color, white; nation, Russia; calling, none; single; can read and write; residence, 23 Second avenue; complaint, disorderly conduct; complainant, Patrolman Jacob Leon; fined \$3 by Justice Ryan; found standing on stoop of 23 Second avenue, soliciting men for immoral purposes; bailed in \$300, by Augusta Thurow, 23 Second avenue;" do you remember that transaction? A. Yes; I remember that; that is all correct; the girl can not read and write.

Q. Under date of August 14th, from same blotter, I read: "Hour, 9:30 p. m.; named Sarah Snyder; aged 20; color, white; nation, German; calling, none; single; can read and write; residence, 23 First street; complaint, disorderly conduct; complainant, Patrolman Jacob Leon; found on Second avenue, near Second street, soliciting men for immoral purposes; fined \$3 by Justice Ryan; bailed in \$300 by Augusta Thurow, 23 Second avenue." A. I do not remember that name.

Q. You were testifying before recess, Mrs. Thurow, that you had placed \$10 in a little shelf behind the sergeant's desk? A. Yes.

Q. For bond; now I wish you to go back a little to the first

bonds that were taken from you in the precinct by the sergeant?

A. Well, when I heard that Captain Dogherty was going to Europe, before that I had never taken any girls out on bonds; before he went to Europe I went to the station-house and said, "Captain, everybody that keeps a house takes the girls out on bonds; I would like to take them out on bonds;" he says, "You can take the girls out on bonds;" I said, "I have a man that does my plumbing and puts my stoves up, and does all the work; he will go on the bonds;" he said, "You get the man as often as a girl is taken in and let him go the bond, he is a responsible party and he can take them out."

Q. Proceed. A. Then, after the captain had gone there was one or two girls, I don't know which, was taken in; I went to Mr. Sheyerman, in Seventy-first street.

Q. Is he the plumber? A. Sheyerman; and told him he should go to the station-house and bail one of the girls out on bond; he went over and took her out; and second time he went there the sergeant said he would not take his bond, he is not a responsible man; and I went to the station-house myself and said to the captain, and said, "Before the captain left here he stated I could take my girls out on bonds as well as any body else in the neighborhood;" he said, "The captain is to Europe now and I have full power at the desk here and I won't take that man's bond or your's either;" I said, "If you won't take the bonds that settles it and I must go home," going out of the station-house, out on the stairs, the doorman, Ike, said, "See here, you know the trick;" he says, "Let me have \$5 and \$1 for myself and I will fix it with the sergeant;" he said, "You know the trick; you let me have \$1 for myself and \$5 for the sergeant and the girls will get out;" I said, "If that is what is wanted take me back to the sergeant;" I went back into the room where the girl was sitting; there is a little room apart where the officers sit to play dominoes, but there is a room off that, and that is where I was with the girl; and the doorman came in, and in front of the girl I gave him \$5 for the girl and \$1 for himself; then they rang the bell, and I was called out to sign the papers, and the girl was let out on bonds; then when another one was taken in I said, "If I don't make nothing I will make the dollar the doorman gets;" I went to the desk, I went to the sergeant, and went to get one of the girls out; he said, "You know what to do;" I put my money on the desk, and I went and signed a bond.

Q. You saved \$1 by that operation? A. And saved \$1 by that operation, that I was supposed to give the doorman.

Q. Now, Mrs. Thurow, can you state that at all times when you

signed bonds at that precinct station-house that you paid \$5 for each bond that you signed? A. I paid \$5 for each bond, only the one that Mr. Sheyerman went I did not have to pay \$5 for that.

Q. But any you signed yourself? A. Any my name was on I paid \$5; Mr. Sheyerman signed those bonds and charged me nothing, because he did all my work in the house, plumbing and putting up stoves, and I bought whatever I used —

Q. So far as you know, Mr. Sheyerman was not charged \$5 by the police? A. Oh, no; Mr. Sheyerman —

Q. They let him off? A. He paid nothing.

Q. But whenever you signed a bond — A. I had to pay.

Q. You had to pay \$5? A. Yes, sir.

Q. Now, there is a little book here that you have presented; this little book simply contains the names of the girls that you had in your house? A. Yes; and each paid a dollar a week, if they should be taken in that there would be a raid made in there, and I headed it with \$10; I put \$10 in the till; I headed it with my name, and they paid each a dollar.

Q. That was a protective fund, as they called it? A. That was a protective club against the police.

Q. This money was to be used — A. For the sergeants for bonds money.

Q. To pay for the sergeants for bonds money? A. That they would not be in a cell all night, and they must pay the fund money the next morning; if not, I had to send the money down, and they gave it to me back.

Q. I hand you this book, and call your attention to the page under November 10, 1893, and ask if that is the entry you have testified to now? A. Yes, sir; where the club was organized and I headed with \$10; don't you see?

Q. And whose handwriting is that? A. Mine.

Q. That is your handwriting? A. Yes, sir.

Q. And these girls' names are? A. All in my handwriting.

Q. But the names of the girls? A. Of the girls? You will find here Martha Winters, fined \$5; well, this girl was taken in, and I paid her bond, but I did not — I was supposed not to put down bonds; I put down fine.

Q. You are supposed not to enter what you paid for bonds? A. Yes; she paid her own fine next morning; I put down fine, but it was bond; here is Sadie Reed, \$7; that is \$5 bonds and \$2 she was fined in court; now, you see I paid out \$29; you see; that busted up this club; I would not put in the next day another \$10.

Q. That was too much money drawn? A. Too heavy, and the club burst up; Minnie Ryan, I think, paid \$5 bond and \$2 fine; Mary Davis, \$5 bonds, which amount to \$29, and here taking

them out of Essex Street Market, Frankie and Maggie fined; I only added \$5 there; I had to lay out for each of them \$5, and there is a mistake; instead of \$34, it is \$39; I saw that this morning; that is what I paid from the 9th to the 11th of November.

By Chairman Lexow:

Q. In two days? A. In two days.

By Mr. Goff:

Q. From the 9th of November to the 11th? A. Thirty-nine dollars, bonds and fine, and \$2 fine in the police court, and the rest all bonds.

Q. Of the sum of \$39 there was \$14 fine, and the rest all bonds? A. Yes, sir.

By Chairman Lexow:

Q. How many girls did you have in your house at that time? A. Three; they were not all in my house; there were three or four living there, but the others were outsiders who brought their company into my house.

By Mr. Goff:

Q. I read from the police court blotter, in corroboration of the last testimony of the witness that on November 11th, the same date as on her memorandum, that Sadie Reed, aged 23, white, born in England, no occupation, married, can read and write, residence 23 Second street, disorderly conduct, complainant, Patrolman Henry Lang; charged with loitering on Second avenue and Second street, for immoral purposes; fined \$2, the same as in this book; bailed in \$300 by August Thurow, 23 Second avenue, surety; same date, under name, "Jennie Reilly"—it is "Minnie Ryan" here? A. It is Minnie Ryan.

Q. She gave the name of Jennie Reilly, aged, 25; white, U. S.; no occupation; single; can read and write; residence, 23 Second avenue; disorderly conduct; complainant, Patrolman Francis J. Hughes; charged, soliciting men for immoral purposes, Second avenue and Second street; fined, \$2, by Justice Ryan; bailed in \$300, by Augusta Thurow, 23 Second avenue, surety; I will read, Mrs. Thurow, the names of this protection club, "Augusta Thurow, \$10?" A. I headed that; that is me.

Q. You headed the subscription? A. Yes.

Q. Frankie Moore, \$1; Rachel Davis, \$1; Mary Williams, \$1; Rosie Wilson, \$1; Lizzie Lawrence, \$1; Lillie Sanders, \$1; May

Prior; \$1; Mary or Fanny Coleman," she don't seem to have paid any; her name is here; Sadie Reed, \$1; Mary, Davis, \$1; Hattie Hendricks, Martha Windon, \$1; Charlotte Price, \$1; Gussie Price, \$1; Carrie Williams, \$1;" Sadie Cohen does not seem to have paid nor Nellie Holden? A. They did not give me the dollar.

Q. "Frankie Moore, \$1; Rachel Davis, \$1; Sadie Reed, \$1;" we read from the blotter in further corroboration under each name — Senator Cantor.— From the police blotter?

Mr. Goff.— From the police blotter under the date of November 12th, while the entry is here on November 11th; the difference between dates there, guided by the midnight mark is very slim with these people; the entry is 8:30 p. m.

The Witness.— In December?

Q. No; in November; name, "Frankie Moore; color, white; nation, U. S.; calling, none; single; 23 Second avenue; disorderly conduct; complainant, Patrolman Henry Lang; found on Second avenue between First and Second street, soliciting men for immoral purposes; fined, \$2; bailed in \$300, by Augusta Thurow, 23 Second avenue?" A. Well, when the club was busted up, I did not make any more entries.

Q. You did not keep a record of the transactions after the combination went to pieces? A. No; not after that.

By Chairman Lexow:

Q. Who got this money; the \$5 you gave the same person? A. I put it on the shelf in front of the sergeant; I don't know who got it when I went away.

Q. Did you see him take it up? A. I did not see him take it up; I was obliged to put it on the shelf; if I signed my bond, I then had to put the money on the shelf, and then sign my name.

Q. And you were not allowed to sign your name until the money was up? A. In one case I said I hadn't got any money, and the sergeant said, "Mrs. Thurow, you are good for it; you sign the paper and send the money in," and next day at 12 o'clock the sergeant told me he would be in, and before 12 I was into the station-house, and gave him the money; to the sergeant.

By Mr. Goff.

Q. What sergeant? A. He told me the next day he would be on until 12.

Chairman Lexow.— Senator Cantor would like to see that book.

By Mr. Goff.

Q. Now, Mrs. Thurow, I ask you to come to the point when the captain returned from Europe; that is Captain Docharty; after

he returned from Europe, in 1893, were you running business?
A. Yes.

Q. Now, after the captain returned, were any of your girls arrested? A. Yes; they were arrested several times.

Q. Did you go to the station-house about the arrest after the captain's return? A. They took them out on bonds; yes; as usual.

Q. Do you remember one time after the captain returned your going to the station-house, when your girls were arrested and your meeting Hoch there? A. Yes, sir.

Q. Do you remember what Hoch said to you? A. Hoch says you can not take any more; and he says, "We are going to raid the house to-night; we are going to bust up that shanty to-night;" but he said, "You can go and take those girls up on bond;" I said, "Hoch, what is the matter? I take those girls out on bond, and we take them to 23 Second avenue." I will leave those girls here, and you will come up and raid me, and they are here in advance; I won't take them away;" I went home, and the sergeant at the desk sent a policeman up telling me I am not to make a fool of myself; that Hoch would not raid that house any more than he would, to-night; I went down and took the girls out.

Q. Did you pay the usual \$10? A. The usual \$10.

Q. Now, do you remember paying Hoch any money shortly or immediately after the captain's return from Europe? A. Well, I paid Hoch \$25; he came to my flat; oh, that was later; I paid Hoch, a few days before the policeman was stationed at my door, \$25; I think it was about two days before; and then I went down to the captain and asked him why that man was there.

Q. Let us come to that; after you paid Hoch \$25, when the captain returned from Europe, was there a policeman placed on your house? A. A few days after.

Q. A few days after? A. In front of the doors; in uniform.

Q. Did he stand there all the time? A. He went a few doors up and down to the corner, but he was the most of the time in front of my house; I went down to the captain and asked what that man was there for, and he says, he had orders from headquarters to close down that house; it was too much a notoriety, and that if he did not close it up that the headquarters would come and close it up; but, any way, the man was not there again in the three days after I went down and talked with the captain, the man was away, and stayed away three days, and then after that there was a man posted there again, and stayed there 10 days, changing every time the patrol came.

Q. Did the sergeant say to you or any other person at the station-house that any official from headquarters had ordered

them to place a man in front of your house? A. The captain told me the superintendent ordered it.

Q. Captain —? A. Captain Docharty.

Q. Told you the superintendent ordered it? A. Yes.

Q. You remember him saying anything about an official from police headquarters having been solicited in front of your house?

A. Yes; Inspector McEvoy, the acting superintendent.

Q. Who stated that to you; that Acting Superintendent McEvoy had been solicited? A. Captain McEvoy and Hoch, too; Hoch said this to me, and that the evening when he said that the house would be raided to-night; he said Inspector McEvoy had been solicited, and then Hoch went for a vacation, and I did not see Hoch for a few weeks.

Q. Do you remember the captain saying to you anything about the cause of taking the man away from in front of your house?

A. No; he did not say.

Q. Did he say he would send a message to you through Hoch about it? A. I went down there and said, "I spend a lot of money in the house and fix it up according to my taste, and if I could stay in the house, I would make good and give any such terms as he would state to me, as he would let me know how to pay it; so then the captain said you go home, and that man will be away from the door, and I will send Hoch up to you to tell you on what terms.

Q. On what terms? A. Yes; well, then that was in the afternoon, and at 6 o'clock there wasn't any man stationed at my door anymore; then Hoch came back from the country, and he went up into my flat.

Q. That was about what month; do you know? A. That was when Hoch came back from his vacation.

Q. In September? A. September, I suppose; the early part of September.

Q. I want to ascertain, Mrs. Thurow, if it was before Hoch went on his vacation, in that year, or after he came back, that the man was placed in front of your door? A. Hoch told me there that evening when I went to take the girls out, that the houses were going to be raided, that there was going to be a man at the door, and I never seen Hoch until he came back again.

Q. Did you have any talk with the man that was placed in front of your door at any time? A. Well, yes; I asked them what they were there for, and they said they did not know.

Q. You asked the policeman what they were there for, and they said they did not know? A. They did not know.

Q. Was that all that took place between you? A. I asked several of them; they changed a policeman every time the man

in front of my house changed, I asked them, and they said they did not know, and they were ordered, if any girls showed up in the front windows, to take them right down to the station-house.

Q. After Hoch returned from his vacation, did he visit you at your flat? A. Yes; I went and came to terms with the captain, and he said he would send Hoch up, and tell me on what conditions, and Hoch came and said to my husband, I want —

Q. Were you present? A. He said to my husband, I want to see your wife; my husband came in the house and told me, and Hoch himself, and my husband went up in the fiat; I said, have you any extra message from the captain; he says, "No," and I gave him \$25, and the \$5 for himself, and he went away.

Q. Did he say anything about being surprised that the captain let you open again? A. Yes, sir; he said you are doing pretty well; I was surprised when I came back and heard you were doing business.

Q. Well, now, when the captain took the man away from your place, did he say anything to you about the name of the place that you should run it under, or suggest anything? A. Oh, yes; when I was there he said to run it under cover of a cafe, or cigar store after this.

By Chairman Lexow:

Q. Under cover? A. Under cover of a cafe or cigar store; I ran it under the name of the Cafe Excelsior.

By Mr. Goff:

Q. And did you put the lettering on the doors and windows? A. On the doors and windows; I put it on.

Q. Now, after that, when you were running the Cafe Excelsior, were you pulled again? A. I was pulled the 20th of January.

Q. Weren't you pulled in November? A. I mean in November; I was pulled on the 20th of January by Captain Cross, but before that in November, I don't know the date; it was a little while, about a week or so after I had given Hoch the money.

Q. The monthly money? A. The monthly money.

Q. And that would be around the 18th or 20th? A. It was about the middle of the month; it may be a few days before or a few days after; I couldn't state that for sure.

Q. Now, you were fined \$25 then in Special Sessions, weren't you? A. In Special Sessions, yes.

Q. Can you say, to your memory, at the time of Special Sessions, did you see Detective Mallon? A. I see — Detective Mallon took

me to the station-house; I said, "This is a nice thing; I am after paying Hoch money, and I am pulled; he said, "Somehow or other, you did not hitch with the boss;" he says, "But then, they are all going to be closed here shortly, and the Parkhurst Society is after the whole business, and in a few days First street will be no more.

Q. He says First street will be no more? A. Yes.

Q. Did you see Hoch at that time? A. Hoch was in the station-house.

Q. Did you have any conversation with him? A. Well, he mentioned the houses; he mentioned the houses would be so.

Q. Did you have any conversation with Hoch? A. Yes.

Q. At the station-house at that time? A. Yes; I had a conversation with Hoch at the station-house; and at the time when I went down there to see the captain I told him, I says, "It is funny I must get out of the precinct and everybody is running;" he says, "Find another house in the precinct and I will protect you, but I will not stand for 23 Second avenue any more; and I found a house, 17 Second avenue, the corner; there was a wine and liquor store up there, and the man let me have that place.

Q. What was the number of the place? A. No. 17 Second avenue, the corner of First street and Second avenue, and I made arrangements with him, and he said he would let me have the furniture in the place and the place upstairs for \$100, and \$50 a month for the furniture; I paid him \$50 down on the 19th, and then the next day I was taken — it was on the 20th — of November anyhow I was taken; it was the 20th, I think, because my receipt where I paid the \$50 here, I think, said the 19th.

Q. Now, after you paid the \$50 —? A. I don't know whether it was the 19th or not; I paid the — I know the day I paid the \$50 on the furniture in First street, corner of Second avenue, the same night I was raided by Captain Docharty.

Q. Now, did he say anything to you further about protection, about enabling you to conduct business there? A. I said to the man there; I said, "Now, I will take this place —"

By Mr. Nicoll:

Q. Who was this man? A. Mr. Lawrence, the man that kept the wine and liquor store.

By Mr. Goff:

Q. I don't care what you said to him? A. I will have to tell you in order to find out what Hoch said; I said, "You ask Hoch what protection I will have to pay right down when I take the

place; you come down to the station-house and speak to them, because it is your place I want to rent, and you will see," and he came back and told me.

Objected to.

By Chairman Lexow:

Q. Who came back and told you? A. Mr. Lawrence.

Q. What did Hoch say to you? A. That was after I spoke to Mr. Lawrence first.

Q. Come down to where you spoke with Hoch.

By Mr. Goff.

Q. You had a talk with Mr. Lawrence; wait awhile.

Mr. Goff.—It is a very strict application of the rule. I admit it is not competent, but I think, in an investigation of this kind, the whole matter should go in.

Chairman Lexow.—Let us see if we can get it out by conversation with Mr. Hoch; we may get it out.

The Witness.—After I had spoken to the man in the wine saloon, he said Mr. Hoch would see me. Mr. Hoch had seen me on Second avenue, under an awning of the house 31 Second avenue, where the decoration place is, under that man's awning. He told me the captain said I can open 17 Second avenue, corner of First street, under these conditions, \$1,000 for the captain and \$250 for Hoch.

Q. Hoch said that to you? A. Hoch said that to me, but the wine man told that to me before.

Q. The wine man told you that those were Hoch's terms? A. Hoch's terms; and Hoch would see me in a couple of nights; I see him under the awning of the decoration place, and he told me the captain wanted \$1,000 for himself, and \$250 was for Hoch, probably; well, I says, "Hoch, I can never pay it; I want you to ask the captain on what sort of installment he can take that; I can raise \$500, and I have a girl in the house that will lend me some; I can mortgage the house; I will have to try it somewhere;" and Hoch then went away; then I could not see Hoch after that, and I spoke to Mallon, and I said, "I am expecting to see Hoch," and the policeman said, "Hoch is around all the time, and he will see you;" and I sent a man from the house down for Mr. Hoch, and he brought Hoch up again, and Hoch stood under the same awning with me; I said, "What does the captain say;" I said, "I would pay \$500 down and \$50 protection, and \$50 on the balance of the bill from the \$1,250;" and Hoch says, "Business are on the bumerina; Parkhurst is on the

road, and you have got to lay low for 30 days," and that is the last I see of Mr. Hoch.

Q. After that last interview that you had with Mr. Hoch, were you raided after that? A. I was raided by Captain Cross.

Q. By Captain Cross, when he came into the precinct? A. Yes, sir.

Q. And you were fined \$50 then? A. I was fined \$50 two months after that; the case did not come up until very long after, and went—I was in the flat at 63 Fourth street, and my husband came up and said, "Ike Hirschman, the man that keeps the place corner of Second avenue and First street, he has taken a new saloon, corner of Broome and Allen, and he thinks it would be a nice place—

Mr. Nicoll.—The witness should speak a little louder.

The Witness.—Ike Hirschman came and told my husband to tell me he had a new liquor store, corner of Broome and Allen, and he wanted me to take the apartments above and use them for immoral purposes; I went down and spoke to him, and he wanted \$75 rent, and things would be fixed; "Well," I says, "how much will I have to pay?" He says, "You will have to pay about \$250 to the wardman, Mr. Levy."

Q. Levy? A. Yes; so I says, "Well, I will tell you, Mr. Hirschman, I have not got that much money, but my husband has a diamond stud, and I have a diamond ring;" now, I says, "Ike, if you will attend to this and give him the money, I have money enough to pay some down on the rent, and will try to pay something down; I will try to make a living there;" and so he pawned the diamond ring and stud for \$115, and gave me the money; I paid \$25 with it, and went down to the corner of Broome and Allen and Mr. Hirschman said Mr. Levy is not there; I said, well, "Around this place here I do not like to keep \$150 with me; you take it, and if Mr. Levy comes in you give it to him, and he will get the rest in a week's time; and he took it, and gave it to Levy."

Objected to by Mr. Goff.

By Chairman Lexow:

Q. Do you know the fact that the money was given to Levy?
A. The fact the money was given Mr. Levy acknowledged afterward to me; then, after the money was paid and \$40 down on the rent, Mr. Hirschman informed me that there was trouble about his licence, and I must not let one couple into the house; I said, "You know I gave my last money; you know my husband's stud and my diamond ring went, and I have nothing to

live on;" Mr. Levy came in, and I asked Mr. Levy, "Have you got the money?" He said, "I got the money, but there is a little trouble with his license, and then you can start in;" I was very disagreeable with Mr. Hirschman, that he could not let me do business, and that was the middle of February, and the 1st of March I hadn't been doing any business of any account yet, and when I thought I hadn't anything for the \$190 that I laid right down, why I sent the man that was helping me lay down carpets, fixing things, I sent him with a letter to the station-house, asking for Mr. Levy; I said, "I do not wish to stay here; here is this first mortgage, and there is some trouble with his license; I want my \$150 back, Mr. Levy;" he said, "Mrs. Thurow, I could not give it to you; I gave Charlie Jacobs \$50 of it, I gave Tommy McKenzie \$50 of it, and only got \$50 myself; I can give you the \$50 back, and I can not go and get it of Tommy McKenzie." Those were two central office men, he said. Then I could not say anything more about that; when the 1st, the 2d, and 3d and 4th of the month came, and Hirschman was driving away at me for rent, I had none to give him, and he dispossessed me, and I had to sell everything that was in the house for \$45, and get out of there

Q. Was there any one present when you gave that money to Hirschman? A. The luncheon man.

Q. Al? A. Al; yes.

Q. I wish to ask you, if in addition to the money that you have testified paying to the wardmen and the sergeants, and the other transactions, where you were in Second avenue, did you pay any money to the patrolmen on the beat? A. Every patrolman on the beat there got \$2 a week from me, and when there was many changes every week, seven or eight different ones in the week.

Q. And the more frequently they changed, you had to pay the \$2? A. Yes, one told the other, I suppose; and they would stand in front of the stoop, and I would go down stairs, and they would say, "You know what's the matter; I am as good as everybody else; I am flesh and blood, and want what the others get;" and I gave them \$2, every one of them; there is no exception.

Q. Do you remember any of their names? A. Henry Lang.

Q. That is the man that pulled in so many of your girls? A. He is wardman now.

Q. Do you remember any others? A. George Murdock, Morris Hess, Billy Kennel, McCarty, Hughes.

Q. And other names? A. I cannot remember any others.

Q. Do you remember at any of the times you were in trouble about being allowed to sign the bail bonds, do you remember

of saying anything to Detective Mallon about the difficulty you had in getting your girls out? A. Not to Detective Mallon; I don't remember speaking to him about it.

Q. Do you remember saying anything to anyone about the difficulty you had in getting your girls out? A. Well, I had difficulty in getting girls out.

By Senator Bradley:

Q. Do you remember speaking to anyone about the difficulty you had in getting the girls out? A. No.

By Mr. Goff

Q. Do you remember Senator Roesch had anything to do? A. Yes, sir; one time when they refused my bonds, I said to my husband, "Go up and tell Senator Roesch now to come down and take them out on bonds; he said he would do it, if they refused; he said, "If they refuse your bonds, your husband will let me know it, and I will see to it.

Q. Senator Roesch said that to you? A. He said that to me and to my husband in his office.

Q. Did he say anything about the trouble? A. I said, "I have the greatest trouble in getting my girls out, somehow, and he said, "If you have any trouble, you send to me at the club house, and I will see to it."

Q. Do you remember saying anything to Detective Hoch about having paid the money to Senator Roesch? A. I told him about it, but I did not say much; he was trying to get at it.

Q. What did you say to him? A. I said to Hoch, "I can not afford to pay more than I am paying; you people treat me so terribly, and I had to go to Roesch, and I had to pay him for his trouble; he said, "What did you pay him?" I said, "Never mind what I paid him;" he says, "That is how it is with you; you people get us angry; you give the money to the politicians that belong to the police."

Mr. Goff.—You may examine.

By Chairman Lexow:

Q. You mean the money that was to go to the police? A. He says, "You give the money to the politicians, that ought to go to the police;" he says, "Are the politicians doing for you, or are we doing for you?"

Cross-examination by Mr. Nicoll:

Q How long have you lived in New York? A. Ever since I was 3 years old; I came here when I was 3 years old.

Q Did your parents bring you here? A. My parents brought me here.

Q. Where were you living when you first came, when you were a child; were you living at one place? A. I don't know; I was too small to know.

Q. Where do you recollect? A. I can recollect for about as much as 20 or 25 years, we were living 128 Essex street; I was living there with my father and mother; I married my husband from there.

Q. This husband? A. This husband

Q. When was that? A. Twelve years ago.

Q. What was his business? A. Baker.

Q Before you kept the house 23 Second avenue, had you kept any other place of prostitution? A. Never before; I always did dressmaking, and my husband had —

Q Before you kept it as a house for girls, did you keep it as a house of assignation? A. No; I kept it as a straight house before, and then I let it out, letting the rooms for so much a week, letting the premises for immoral purposes, of course, but did not have any house of assignation in the commencement.

Q. Where did you first commence to keep it as a house of assignation? A. About four years ago; I did not take any notice of dates.

Q. When did you first commence to take girls in the house? A. I took girls in the house, I might say, about six years ago; you know the first part of the time, I only had the two top floors and there was only a few rooms I could let, and when my husband worked as foreman anywhere, the workmen used to live with us, in the house, and then I didn't have any girls at all for a long time; I don't think it is over five years that I took any girls in.

Q. What was the regular price paid in your house to the girls? A. Before I allowed them to do any business they had rooms for \$2 and \$3.

Q. How much of that money did you get? A. Four dollars a week, \$3 a week, \$2 a week.

Q. You mean to say they paid you \$3 a week? A. Three dollars a week for a room on the top floor; I had girls living for a longer while \$4 and \$4.50 for a long time, and they occupied a front and back parlor for \$5 a week.

Q. What was charged by the inmates for prostitution? A. I do not know; I was letting the rooms.

Q. At the time you had it going? A. I could not tell you

that; I could not tell you what they charged; I never was inside a room where there was any business transactions; I don't know what they charged; I charged nothing; I never charged anybody anything.

Q. I mean to say, hadn't the house any regular price; was it \$2? A. I can not say what they charged.

Senator Bradley.— Answer the question; that is all; do not talk.

A. I don't know what they charged.

By Mr. Nicoll:

Q. How much out of each one of these business transactions was paid you? A. I got my money by the week.

Q. The girls paid you by the week? A. By the week; I got my rent.

Chairman Lexow.— She rented the rooms, as I understand it; that is all.

Mr. Nicoll.— I only wanted to know how they run the house, that is, for the public good, and the instruction of the Senators.

Senator Bradley.— I don't think the Senators want to know anything about the prices; we are not interested in it.

Chairman Lexow.— Go ahead, counsellor; continue your examination.

Q. When did you first make the statement from which Mr. Goff has examined you to-day? A. When I first made the statement?

Q. Yes. A. Shortly before my case was tried, when Captain Cross raided me, I went down to my lawyer, Sullivan, and he —

Q. Who? A. Sullivan; and he always told me I would get clear of it; and the last time I went down he said, "Now, Mrs. Thurow, I am going to make a clean breast of it, you will have to do a little fine, but it will be a city prison, and you are willing to do a little time in the city prison;" I said, "Oh, yes, as long as I don't have to go over to the Island;" he says, "The trial will come off Monday, and you must bring \$25 down; I can not say whether you get a little fine or city prison; I took it for granted, he was only trying to make me not feel so afraid, because he said bring \$25; I can not say, but things look to me I was to get some time; I said I was satisfied to get some time.

Q. Was you satisfied to get some time? A. I told him so, but I was not satisfied in my heart; I took the car and went up to Dr. Parkhurst's and told him the whole business then.

Q. Did you make a statement to Dr. Parkhurst? A. I told him; I didn't make a statement of what I told here, not one-eighth of it.

Q. You gave him some of the general items of the story? A. I told him of my tale of woe.

Q. You told him your tale of woe? A. Yes; I told my tale of woe to Dr. Parkhurst; I felt so angry to think that after he having my case and drawing it along, and bringing it before the court six or seven times, and not having it tried, and then in the end telling me very nice and politely, "Mrs. Thurow, you will have to do a little time in the city prison;" I felt a little too much, and I felt revengeful, and I told Dr. Parkhurst all about it.

Q. Do you still feel revengeful? A. No, I feel satisfied now.

Q. You feel satisfied now? A. Yes.

Q. You have sort of comforted your mind now? A. Yes.

By Mr. Bradley:

Q. It took \$110? A. After he got a hundred dollars from me, and told me, "Mrs. Thurow, you will have to do a month's time," and after he got the \$110, he informed me kindly and politely, "You will have to do a little city time."

By Mr. Nicoll:

Q. Mr. Sullivan, the lawyer? A. Yes; they asked me to tell the day I first made the statement, and that is the day.

Chairman Lexow.—Limit yourself to answering the question, yes or no.

Q. When you outlined it to Dr. Parkhurst, who did you next see; did you see the counsel for the Society for the Prevention of Crime? A. I saw nobody until I saw Mr. Goff here.

Q. Did you next see Mr. Goff? A. Mr. Goff examined me here.

Q. Where was that statement or writing on which he examined you; where was that made? A. I never seen Mr. Goff until I seen him here to-day.

Q. To whom did you make the statement from which Mr. Goff examined you?

Mr. Goff.—I object. This question can not effect the value to be given to this witness' testimony. I do not think it is right to permit counsel to go in and inquire into the secret channels of communication that witnesses may have to convey their information to counsel here, whether it comes directly or indirectly. It simply raises up the question of further intimidation of witnesses, to prevent more witnesses from telling people who may tell us. I think this case is within the power of the committee, using its discretion to protect witnesses from a needless cross-examination by this man. It is not upon the facts; it is not upon the evidence.

Mr. Nicoll.—Now, I say, here is a committee of the Legislature, who are sitting here to listen to evidence gathered by a society

that have been at war with the police force for two years, and who are animated by methods of revenge against them. Here is a society employing three, four and five detectives.—

Mr. Goff.—That is not true.

Mr. Nicoll.—Who are going around and getting stories from prostitutes to bring before this committee? Does not common justice demand that the committee should find out the way in which those stories are gotten up and presented to it?

Chairman Lexow.—After all, Mr. Nicoll, the point about your inquiry is to set before the committee a state of facts which would enable them to discredit the witnesses. That is your object in doing that. I do not think this committee is going to discredit the witness' testimony on such grounds as that. We know how this testimony has got to be secured, and we know through the testimony of this witness, if the agencies through which this testimony is secured is opened up before the police department, we will have great trouble in getting testimony.

Mr. Nicoll.—This talking about intimidations is exaggerated.

Chairman Lexow.—I am speaking of this witness describing through the evidence you are eliciting here, the agencies and channels through which this testimony is being secured, and that may be very harmful in the future. I think you have plenty of ground to cross-examine this witness on without going into this question.

Mr. Goff.—I wish to say one word here, that until Dr. Parkhurst came into court to-day, after this witness was on the stand, I was absolutely ignorant, or unaware that she had been to see Dr. Parkhurst.

Mr. Nicoll.—I think Mr. Goff has enough to do to examine the witnesses in court; but he has capable lawyers assisting him here, whose business it is, and the corps of private detectives seated around this room, whose business it is to work up this testimony.

Chairman Lexow.—A ruling has been made, and unless it is set aside by the majority of the committee it will stand. You ought to have, on testimony of this kind, you ought to have the widest latitude of examination. I believe you ought to have the widest latitude of examination. You have got a witness here who has given dates, given names, given times and circumstances with an amount of minuteness that I have never heard before in the trial of any case; and if you can not cross-examine on the facts in the testimony, you will not aid the committee in cross-examining on the basis of the statement you have just made.

Mr. Nicoll.—I will come to my old line of cross-examination on the limits allowed by the committee in a moment; but I appeal to the committee now to permit me to interrogate the

witness as to the circumstances under which this story was gotten for this committee, in view of the facts the committee have.

Chairman Lexow.—Supposing we assume for the purpose of your side of the case that this testimony was first elicited by means of a special detective in the employ of Dr. Parkhurst. Probably that is what you are going to attempt to elicit. Now, we will assume that. What good will it do for you to elicit it? Certainly not to get the name of the person who elicited it.

Mr. Nicoll.—On cross-examination she admits she only told a little of this to Dr. Parkhurst; she told him a tale of woe, and now we found she has blossomed out into a witness involving and swearing away the reputation of at least 20 different officers, perhaps more. I have not counted them all up, belonging to the police force in this city. Her story was very small.

Chairman Lexow.—Don't you understand that that very fact will injure the testimony, because you will have the chance of calling 20 witnesses.

Mr. Nicoll.—I appeal to the committee to decide against the ruling of the chair

Mr. Goff.—I object to the appeal being entertained.

Senator Cantor.—The committee has a right to determine this question.

Mr. Goff.—It come to a very serious question here.

Chairman Lexow.—It is settled, Mr. Goff.

Mr. Goff.—I hope a precedent will not be established.

Senator Cantor.—It is settled without discussion. The committee has decided it without discussing it at all.

Mr. Goff.—I ask the committee shall not establish it now as a precedent, because it would be mischievous.

Chairman Lexow.—We are establishing no precedent. I refer the matter to the committee, and the Chair has been sustained most unanimously.

Mr. Goff.—This thing, gentlemen, of a lawyer, of a counsel who is here by suffrance, and by courtesy only, having no rights, appealing to overrule the decision of the chairman of the committee, why, it is an insult to the committee.

Chairman Lexow.—When the Chair wants to sustain his own dignity, he will do it. Mr. Nicoli will now continue the examination.

Senator O'Connor.—Mr. Nicoll, I desire to say, in concurring with the chairman of this committee, in making this observation, we know this inquiry is entirely different from the trial of a suit at law, and your questioning in a litigation entirely proper; but we appreciate the difficulty the evidence is gathered under. We appreciate the difficulty the counsel for the com-

mittee has in getting this evidence. We do not believe it prudent or wise to compel the witness to disclose the instrumentality which they have employed to get them here. We believe you have ample opportunity to thoroughly discredit her. She speaks of a number of individuals, and gives the facts, time and place, and names of men outside the police force. It does not seem to me it is in the interest of this investigation to compel the witnesses to disclose the agencies which this society has employed, at this particular time; and this ruling, as I understand it, was made without any precedent. We will meet each situation as it comes up. There may come a witness on the stand under such circumstances, where it would be entirely proper to compel the witness to disclose.

Mr. Nicoll.—You will permit to appeal from the Chair to the committee.

Senator O'Connor.—I think that is entirely right. We agree with the chairman in this ruling.

Chairman Lexow.—Mr. Nicoll, if you will continue the examination. We have taken up about half an hour in the discussion.

Q. Did you not retain Senator Roesch as your lawyer in this matter? A. Oh, no.

Q. Not as your lawyer? A. Oh, no.

Q. When you went to see him at his law office on two consecutive days, was it not for the purpose of engaging his service as a lawyer? A. Oh, no; Osborne was my lawyer.

Q. Osborne was your lawyer when you went into the Tombs Police Court? A. If I needed a lawyer in any case, I always would get Osborne.

Q. How often did Osborne appear for you? A. Twice.

Q. You had Sullivan on another occasion? A. Yes; I had Sullivan a third time.

Q. So, if you needed a lawyer, you did not always take Osborne? A. I did when I could get Osborne; I will tell you how it happened I did not get Osborne; this man—I will have to go back to the Allen street—

Q. You need not go back to that; what I want to know is, about Senator Roesch; you knew he was a lawyer? A. I knew him to be a Senator, I didn't know he was a lawyer, or what he was.

Q. Didn't you go to his law office? A. He told my husband to bring me down to his office; certainly it was a law office.

Q. It says law office over the door? A. Yes.

Q. So when you went to Senator Roesch's law office, you knew you were going to the office of a lawyer; didn't you? A. I did

not have in my mind that I was engaging a lawyer when I went to his office; it never occurred —

Q. Didn't you go to him after your girls had been arrested on a number of occasions, and you had been, as you thought, persecuted by the police, to engage his services? A. I went to Mr. Roesch to use his influence, so I could do business for him.

Q. You didn't tell him that, did you? A. I did, indeed; I told him that; I told Senator Roesch to do all he could as I would pay him.

Q. Didn't you tell Senator Roesch you had been persecuted by the police? A. I always got them out, and did not mention that to Mr. Roesch.

Q. Didn't you tell him you were persecuted by the police? A. Yes; I wanted him to fix it so I could open my house again.

Q. Didn't you tell him they had shut your house? A. It wasn't shut; the policemen stood in front of the door, but the house was not closed; all the inmates and I was in.

Q. Were you doing business? A. Oh, no.

Q. Your house had been shut? A. Well, it had been shut.

Q. The police had shut it up? A. Yes, sir.

Q. How many times in all were you or your girls raided by the police of this city? A. I can only tell how many times I was raided; the number of my girls that was arrested was legion.

Q. You say the time you were paying the police money they were constantly arresting your girls? A. Certainly they was; the police blotter shows it.

Q. And at the very time when you were paying the money for protection, they were raiding your house, and arresting your girls? A. Yes; because they wanted to raid the ranch, because if the terms did not come up from \$60 to \$70, they would not take the notoriety of it.

Q. How many times were you in the Court of Special Sessions, charged with keeping a disorderly house in the past four years? A. Three time altogether in the past four years — I was taken in one year; October and November, the next time; in a year and two months.

Q. You were raided in the autumn of 1892? A. I was raided twice by Captain Docharty and once by Captain Cross.

Q. Was the first raid in October, 1892? A. It was October 25th; I guess it was 1892.

Q. And you were raided again when? A. In November.

Q. November of the same year — 1892? A. In 1892 by Captain Docharty twice in a year.

Q. And then you were raided again when? A. The 20th of January by Captain Cross.

Q. The 20th of January, 1893 or 1894? A. Eighteen hundred and ninety-four.

Q. Weren't you raided at all, during the year 1893? A. Now, I was raided on the 25th of October.

Q. That is 1892, isn't it? A. Eighteen hundred and ninety-two; and I was raided in 1893 by Docharty; and in January I was raided by Captain Cross.

Q. You have stated that you were raided about October, 1892, by Captain Docharty? A. Yes.

Q. You were raided in November, 1892, by Captain Docharty, am I right about that? A. Well, yes.

Q. You were raided then in November, 1892, by Captain Docharty? A. I was only raided twice by Captain Docharty.

Q. Have you forgotten the dates? A. The 25th of October, and in November; the middle of November; I do not know what date.

Q. Do you know the year? A. Well, it was 1893.

Q. November, 1893? A. Yes; it was in 1894 when Captain Cross took me in June.

Q. You were raided once by Doherty in 1892; you were fined and you went back into the business? A. Twenty-five dollars.

Q. And you went back into the business again? A. Yes.

Q. You were raided in 1893? A. Yes.

Q. And you were fined and went back into the business again? A. Well, I had the business for over—I didn't at that time actually do very much business; the house was kept under the closed condition.

Q. Yes; during 1893? A. Not during the year—from the time Doherty raided me until Cross raided me—that was not a year; it was about two months.

Q. From the time that Doherty raided you in November, 1893? A. Yes.

Q. You didn't go back into the business again to any great extent? A. Well, you see I didn't go back to the business like always with any promise of protection; I did it on my risk; I had no protection from anybody.

Q. You had no protection? A. From anybody.

Q. You were arrested again and raided by Captain Cross in 1894? A. Yes; in January, 1894.

Q. And that was the time when you retained Sullivan? A. I didn't have any lawyer then.

Q. Isn't that the time you were speaking of when you retained Sullivan? A. No, somebody declared my bonds forfeited but I was taken out of my house, and they said I tried to skip my bonds; and I said, "I never intended to skip my bonds;" and I went down to Captain Cross and said I heard it is all around I was intending to skip my bonds, and I told him where I was and the captain knows I told him that; I engaged Sullivan in the court.

room because the court clerk took me down to the Special Sessions right away, and in the Special Sessions is where I engaged Sullivan.

Q. That was the third conviction in a period of one and a half years? A. A year and two months.

Q. You were convicted three times in a year and two months, in keeping a disorderly house? A. Yes.

Q. Was that your last raid? A. That was the last.

Q. Then you went out of the business? A. No.

Q. You didn't? A. No; I was just saying that I tried to open a place corner of Broome and Allen, and I was told to not say anything about it and was stopped.

Q. You didn't go out of the business? A. Didn't go out of the business.

Q. You went out of the business the last time you were convicted in the Court of Special Sessions, didn't you? A. I had a house there, and was trying to open it, and as I told you there was the trouble with a house license and could not open it.

Q. Didn't you say to Mr. Goff, on his examination, in answer to almost his first question, that your present occupation was dress-maker? A. Yes.

Q. And that had formerly been your occupation and that you had at one time kept a house of prostitution? A. I am doing dressmaking business; I sold my furniture in Allen street.

Q. Did you go into this place on Broome street for the purpose of keeping a house of prostitution? A. Yes.

Q. Have you got that place there now? A. No; I have not got that place now.

Q. When did you go out of the business; either quietly keeping the house or intentionally? A. I was dispossessed about the 4th or 5th of March.

Q. By the landlord? A. Yes.

Q. For nonpayment of rent? A. Not having any rent.

Q. Now, having been convicted three times in this year and a half, how many times during that time were your women arrested? A. I could not tell you; I don't know; I could not say how many times; you will see my books say —

Q. It was a dozen at least they were arrested? A. I don't know; I can not state; there was a dozen; I think there was more.

Q. There is a dozen you have told about here to-day? A. Yes.

Q. And were they not convicted of soliciting from the stoop of the house? A. What is that?

Q. Were they not convicted of soliciting from the stoop of the house? A. Not always; sometimes taken in the Bowery; sometimes in Second street.

Q. Were they sometimes — were your girls sometimes on the stoop soliciting? A. Yes.

Q. And sometimes on the street soliciting? A. Yes.

Q. And taken in by the officers in that way? A. Yes.

Q. Now, in addition to all that, the fact that you were arrested and convicted three times in a year and a half, the girls were arrested a dozen times at least, if not more; the police officers were put in front of your house to keep order? A. To keep the girls off the stoop; yes.

Q. To prevent disorderly practices going on there? A. Yes.

Q. And the police stood in front of your house for a fortnight at least? A. For 10 days.

Q. Now, during all that time, during the year and a half when you were arrested and convicted three times, and your girls were arrested 12 times, and when the police officers were put in front of your house to preserve order, to prevent disorderly practices, do you wish us to believe you were paying the police money? A. Yes.

Q. When was the first time you ever saw Captain Dougherty? A. The first time I ever saw Captain Dougherty was about a week before election of 1892, that is, to speak to him, and I very often seen him going along the avenue.

Q. You did know him by sight? A. Yes.

Q. The first time you ever had a conversation with him — A. Was in his private office.

Q. What time was that? A. It was before election; it was a little while before I was raided.

Q. I mean the time of the week or month? A. I could not state it exactly.

Q. Do you remember the time of the day? A. Yes; about 15 minutes to six.

Q. Fifteen minutes to 6? A. Yes.

Q. Did you go to the station-house alone? A. I went to the station-house alone.

Q. When you arrived at the station-house, was that your first visit? A. That was my first visit to see Captain Dougherty, yes.

Q. Was that your first visit to the station-house? A. Yes; but I could not see him then.

Q. Had you ever been to the station-house before? A. No; I was in the station-house before, when I was raided; I was there with the girls when Captain Dougherty raided me the 25th of October; I was in the station-house.

Q. You had been in the station-house when you were raided? A. Yes, and then I seen him in his office after that.

Q. Not at the time you were raided? A. Oh, no; after that.

Q. Then it was somewhere in 1892, November, that you went to the station-house? A. Yes; it was a little before election.

Q. When you got to the station-house whom did you see on this first visit that you went to see Captain Dougherty; when you did not see him? A. The sergeant was there.

Q. Who? A. I don't know the name of the sergeant.

Q. Was there anybody that you can tell the name of whom you saw on the first visit to Captain Dougherty? A. No; the sergeant was there.

Q. I say, is there anybody whose name you can tell? A. No.

Q. When was the occasion of your second visit to Captain Dougherty? A. The next day after.

Q. What? A. The next day after.

Q. And what time of the day was that? A. I went down there and the sergeant told me it would be a good time to meet him about 10 o'clock or a little after; I went down there and did not see him.

Q. Who was the sergeant that told you it would be a good time to meet him? A. I tell you I don't know the name of the sergeant.

Q. You say it was in the afternoon? A. It was the sergeant at the desk.

Q. Was it about 6 o'clock, the occasion of your next visit? A. No; 10 o'clock in the morning; a little after 10.

Q. That was the time you reached the station-house, was it? A. I don't know; I did not have —

Q. I mean to say about that time? A. I left my house at 10 o'clock and I went down there and the sergeant says the captain is not here, and I went there again.

Q. On the occasion of your second visit you did not see the captain there? A. No.

Q. Is there anybody whose name you can give, whom you did see on the occasion of the second visit? A. I can not give any names; no.

Q. There is no person of all the police officers on that force that you can give the name of on the occasion of your second visit? A. I did not see anyone.

Q. Now he said you must come in the evening? A. Then I see him.

Q. What time in the evening did you go? A. I went there a little before six.

Q. Who were in the station-house at that time? A. There was a sergeant there.

Q. Who? A. I do not know the name of the sergeant.

Q. Who else was in the station? A. But the men were all up in front of the desk; they were just leaving the station-house.

Q. The men all there? A. Yes, sir.

Q. Did you recognize any of the men you saw there on that occasion? A. I could not swear to the name; I certainly know the man.

Q. Tell us the name of any one officer or officers that you saw on the occasion of this third visit to the station-house? A. I can not be positive which one I could mark out that I could say for sure, I see them there; anyway they were all in front of the desk and were going out.

Q. You know a great many of the officers of that precinct, don't you? A. Yes, sir.

Q. You had testified here you knew Sergeants and patrolmen? A. Yes.

Q. And wardmen? A. Yes.

Q. Even the captain? A. I only know the name of one sergeant and that is Clark.

Q. Have you not given us the name of other sergeants? A. No, sir; I do not think I have; the name was read out of the letter-book; I said it was not always Liebers that was at the desk; there were other sergeants there.

Q. You have given the names of seven or eight patrolmen to whom you gave \$2 to? A. I can not state whether such men were there; their faces were familiar but when you are in a station-house you do not like to gap for anybody; I was sitting on a chair by the window and when the captain's door was open you could look in.

Q. Can't you tell the name of a single officer you saw there? A. I can not name one of them and be sure he was there.

Q. Can you give the date; can you give the day in November on the occasion of this third visit when you went to the station-house, you say, you had an interview with the captain? A. No; I can not give that date.

Q. Can you tell us what week in November it was? A. It was the week of the election; it was a few days before election.

Q. It was election week? A. It was election week.

Q. You mean the week which is prior to the election day? A. Before election day; yes.

Q. And fixing election day in your mind how long was it before election day? A. I told you I did not know; it was a few days before; I do not know how many days.

Q. Do you remember whether it was in the first part of the week or the last part of the week? A. I don't remember that.

Q. What? A. I don't remember that.

Q. You went there three consecutive days as I understand it, or two days in succession? A. I went there three times but it was only two days.

Q. Don't you recollect which of the two days of the week it was that you went there? A. No.

Q. Or whether it was the first or last part of the week? A. I could not tell you; no.

Q. Who took you into the captain? A. I took myself in.

Q. Did you walk right in? A. He opened the door and says, "Come in;" I went in; I was in the room alone with the captain; nobody took me into the captain.

Q. Do you mean to say that you went right up to the captain's door? A. No; I was sitting where the door opened; I could see he was in; he opened the door and says, "Come right in."

Q. Captain Doherty? A. Captain Doherty.

Q. He sent another officer to you to ask you what your business was? A. Oh, no.

Q. And you didn't ask any officer to tell the captain that you wanted to see him? A. I said to the sergeant, "I want to see the captain;" he said, "Sit right down there."

Q. And you didn't say to anybody, or have any conversation with anybody in that station-house, excepting the little you had with the sergeant? A. Only I said when I went in, "I want to see the captain."

Q. When the captain opened his door and invited you in? A. He said, "Come in," and, any way, beckoned me in.

Q. And you were alone with the captain in the room? A. I was alone.

Q. Was there any one present, who came in while you were alone with the captain? A. No; no one.

Q. How long did you remain in the room with the captain? A. I couldn't say; about 10 or 15 minutes; something like that.

Q. And you say you paid the captain while you were in the room alone with him, and no one else was present, the sum of \$25? A. Yes, sir; but not the first time; that was the 6th of January when I paid the \$25, and this was in November, shortly before he —

Q. Did you offer him any money the first time you were in there? A. I didn't offer him any money.

Q. What did you say to him the first time you were in there? A. I said I wanted to make arrangements with him, and I couldn't pay him a big sum of money, because I hadn't it, and he said he would send his man Mehan around to make arrangements with me, and it would be all right.

Q. You had been raided in October before that? A. Yes, sir.

Q. And you say that Captain Doherty stated that he would send his man around to see you? A. Yes, sir.

Q. To make arrangements with you? A. Yes, sir.

Q. And it would be all right? A. Yes, sir.

Q. And that he stated to you when the door was closed, his private office? A. Yes, sir.

Q. When was the occasion of the next visit to see the captain? A. The next visit?

Q. What? A. Well, let me think, so I can give it correctly. I don't think I went to see the captain then again, until I went in and told him about the bonds; that I wanted to take the girl out on bonds, the same as everybody else did around there.

Q. When was that? A. Shortly before he went to Europe.

Q. That is, you didn't see the captain again? A. Not in the room I mean; I saw the captain every day passing the house.

Q. I am speaking of the interview in the station-house? In the station-house before he went to Europe.

Q. The next time you ever saw the captain in the station-house before he went to Europe? A. Before he went to Europe?

Q. That was in April? A. Now, let me see; the very next visit — no; I went there, I think, once or twice before that.

Q. You went there on the 6th of January, didn't you? Yes; but I went there before that; well, I can not say for sure whether I went there before the 6th of January or not.

Q. What is that? You don't know whether you went there before the 6th of January, or not? A. No; I don't think so; I hardly think I was there before the 6th of January.

Q. That is, you didn't see the captain? A. Didn't speak to him before that?

Q. Didn't speak to him again? A. No.

Q. Until the 6th of January? A. Until the 6th of January.

Q. In the meanwhile you had seen Mehan, hadn't you? A. I had seen Mehan; yes, sir.

Q. And gave him some money? A. Yes; I gave him \$25; yes, sir.

Q. And then were promptly raided again? You had seen Mehan and gave him money? A. Yes.

Q. And then were raided in November again? A. Why, Mehan wasn't there; when I was raided the second time Mallon was there.

Q. What? A. Mehan wasn't there the second time.

Q. What was the date of the second raid? A. The middle of November, you know the 6th of January, Mehan was put on and Hoch was put on.

Q. Did you ever hear Mehan had been transferred from that district about the middle of November? A. He was transferred the 6th of January.

Q. And Mehan was in the transaction during the second raid? A. No.

Q. The second raid was the middle of November? A. Yes, sir.

Q. And Mehan wasn't transferred until the 6th of January; he was in the transaction at the time of the second raid? A. Oh, no; he was not.

Q. Now you say you paid your second visit to the captain on the 6th day of January? A. I cannot say sure, whether I was in there before; I am trying to think; Mehan wasn't there on the 6th of January.

Q. I am not speaking about the transaction with Mehan; we will come down to that; I want to get your opinion on your alleged transactions with Captain Doherty? A. Yes, sir.

Q. Come down to the second interview you ever had with him at the station-house? A. Well, the second interview was before the raid.

Q. It was on what date? A. I cannot tell the date.

Q. Haven't you told Mr. Goff it was about the 6th of January? A. Yes, sir; but that was when he seen me down in the basement; he told me to come down to the house, the captain wanted to see me.

Q. I don't care when it was or how you got there; I don't care even for the exact date; but about the date of the second interview with the captain, is what I want to know? A. I went down there once or twice before.

Q. Take all the time to think about it, but get it as nearly right as you can? A. I was down to see the captain, and asked him how it was that my house was going to be closed up, and other houses were running; that is how it happened; I sent my husband to Roesch; that was, I think in the middle of the summer.

Q. Now, I have asked you, and if I haven't made myself clear, won't you please tell me so, as I want to make myself clear—I have asked you to tell me about the date of your second interview with Captain Doherty in the station-house; was it in the winter or summer? A. It was in the summer.

Q. It was in the summer? A. Yes, sir.

Q. And had you ever seen him at the station-house but this time, just before election in November, 1892, or the summer? A. No.

Q. That is true, isn't it? A. That is true.

Q. And that is as true as everything else you have sworn to? A. That is true.

Q. You didn't see him, and have not sworn you saw him on the 6th of January? A. The 6th of January, I think I saw him.

Q. In the station-house? A. In the station-house; but I seen him in the summer before that.

Q. Now, I will go over it again; the first time you ever saw him, according to your statement, was in October, 1892? A. Yes, sir.

Q. What was the next time? A. Did you see the man in 1892—take it that way—by yourself? A. No; Mehan came and got the money, and I didn't see the captain again in 1892; that is a fact, I didn't see him.

Q. That you swear to? A. Yes, sir.

Q. Now, did you see him in January, 1893? A. Yes.

Q. At the station? A. Yes, in January, 1893.

Q. Captain Doherty? A. Yes, Captain Doherty.

Q. What part of January? A. The sixth.

Q. How do you know it was the 6th? A. Because there was a man came and told me to come down to the station-house, the captain wants to see me.

Q. That happened once or twice, didn't it? A. It happened on the 6th of January.

Q. How do you recollect it was the 6th? A. Because it was somebody's birthday on that day.

Q. Whose birthday was it? A. Well, it was one of the girls that lived in the house.

Q. It was the birthday of one of the girls? A. Yes, sir; that is what I remember, it was the 6th.

Q. What was the girl's name, whose birthday it was? A. Lily Sandens.

Q. Were you celebrating it? A. No; I wasn't celebrating it.

Q. What time of day did you go down to see the captain on the occasion of the second visit? A. It wasn't any day, it was in the night.

Q. What time in the night? A. Between 8 and 9, because the man told me to be there between 8 and 9 o'clock.

Q. Had you been there before that day? A. Certainly; I had been there before that day; I was there when I made the arrangement before election time.

Q. Had you been to the station-house before that day? A. No; there was a man in the basement told me, and I went—and he told me to be there in the evening between 8 and 9 o'clock.

Q. Did you go alone? A. I went to the station-house alone; my husband went with me till the station-house, and he stayed in front of the station-house and I went in.

Q. And who did you see when you went into the station-house? A. I seen about four women and two men sitting there.

Q. And did you sit down? A. I sat down.

Q. Did you see any officers there? A. The sergeant was there.

Q. What sergeant? A. I don't know the name.

Q. Was it the same sergeant you had seen on the occasion of your previous visit? A. Well, you know the sergeants are often changed; when you go there one time, you won't see the same one again; and as my business was not with the sergeant, I just stepped up to the desk and said I was told to come here; he said, "You sit down, the captain is in his room; there's somebody with him;" and there was four women and two men waiting.

Q. Did you talk with anybody? A. No; nobody.

Q. Not a soul? A. Not a word.

Q. And did the captain open his door as before? A. The two men went in before me, and when the last man came out I managed to get the seat, and when the door opened I was the next one to go in.

Q. And then you were in with the captain alone? A. Yes, sir.

Q. And being in the room with the captain alone, no one else being present, and the door being closed, you say you gave him \$25, is that it? A. I asked if he sent for me.

Q. Did you give him \$25? A. I offered him money; he said he isn't supposed to take money; he gave me an envelope to put it in, and said, "Put down Hoch."

Q. That was the occasion, with the door shut, you said you gave him \$25? A. I said, "Did you send for me?"

Q. Can't you answer my question and tell me whether or not it was then you gave him the \$25? A. Yes.

Q. Was there anybody else present? A. No.

Q. Was the door closed? A. Yes.

Q. When did you see the captain again? A. In a month after.

Q. In a month after; at his office? A. In his office again.

Q. Did you give him any money on that occasion? A. Yes, sir.

Q. You gave the captain money again? A. Yes, sir.

Q. In what month was that? A. February.

Q. And what part of the month was it? A. It was the commencement of the month.

Q. It was in February? A. Well, it was the commencement of the month; it was just about the time I thought the money was due.

By Chairman Lexow:

Q. Between the 1st and 10th? A. Yes.

By Mr. Nicoll:

Q. And were you on that occasion alone in the room with the captain? A. Yes, sir.

Q. Was the door closed? A. Yes.

Q. And under those circumstances, did you say you gave the captain the \$25? A. I gave him the \$25 again.

Q. Can you recall the name of anybody you saw at the station-house on that occasion? A. Not the name; there were four women and two men there.

Q. I mean any officer? A. You mean the second time?

Q. I am speaking of February? A. I don't remember anybody but the sergeant at the desk.

Q. Didn't I hear you say something about this being about the time of the captain's trial? A. Yes, sir; I read in the papers next day that Mehan was changed and Hoch was the ward man; that was on the 6th — the 6th of January, I read it.

Q. I am not asking you about that; didn't you testify something in your examination about Captain Doherty's trial? A. Not in February; that was in January.

Q. It was in January? A. I think it was.

Q. He was tried before the commissioners of police, was he? A. Yes; I read it in the papers.

Q. You want us to believe, at the time he was tried for neglect of duty, before the commissioners of police, he was receiving \$25 from you in his private room? A. Yes; he received \$25 from me.

Q. What was the occasion of your next visit? A. The second visit, you mean, after January.

Chairman Lexow.—Are you speaking of the second or the third?

Mr. Nicoll.—We have had the first and have had January and February; the next visit after February.

A. The next visit was when Hoch came around; I don't know when he — Hoch said he wanted to close up the house, and I went with the captain and asked him how that was.

Q. When was that? A. That was the 3d of February.

Q. The second was the 6th of January? A. Yes.

Q. And the third was February? A. Yes.

Q. When was the next? A. In the middle of the summer, shortly before he went to Europe.

Q. Shortly before he went to Europe? A. Yes, sir.

Q. He went to Europe in April, didn't he? A. He did not; he went in the middle of the summer to Europe.

Q. Do you recollect what month he went to Europe? A. No; I do not know when he went to Europe; I know it was very warm weather.

Q. Is that as near as you can give the date of your fourth visit to the captain, that it was in warm weather, before he went to Europe? A. Yes, sir.

Q. Can you tell the month? A. No.

Q. Or the week? A. No, sir.

Q. Or the day? A. No.

Q. Was anyone with you on the occasion of this visit? A. No; I was alone.

Q. Did you see anyone at the station-house any officer whose name you can recall? A. No.

Q. No one? A. No; I can not recall any names.

Q. And were you in the captain's private room together? A. Yes.

Q. As before? A. Yes, sir.

Q. Was there anyone there present with you? A. No.

Q. Was the door closed? A. Yes.

Q. How much were you fined on the occasion of your last conviction? A. The last conviction; \$50.

Q. You knew it was customary to send the keepers of disorderly houses, when convicted three times, to the Island, didn't you? A. I didn't know anything; I took for granted what Mr. Sullivan told me was right; he told me was right; he told me he would clear me of it.

Q. You have been in business for five or six years, and you had seen keepers of disorderly houses convicted in this city?

Chairman Lexow.—Four years, she testified.

A. I didn't attend to anybody else's business but my own; I didn't know whether they were convicted or not.

Q. Do you mean to say you never knew of a case that kept a disorderly houses, going to the Island? A. Oh, yes; I knew of a case of that.

Q. Isn't it a fact; haven't you known that after two or three convictions a more severe penalty than the one of imprisonment has been usually imposed; that has been the custom in the court of Special Sessions? A. Well, I have not known any particular person that has had a severe punishment the second or third time.

Q. When did you first see Officer Bissert? A. I can not state the date.

Q. What? A. I can not state the date.

Q. I don't expect you to state it; tell me the year? A. No; I can not tell the year.

Q. You can not tell the year? A. No.

Q. Can you tell me within two years? A. Tell you within two years?

By Chairman Lexow:

Q. Of the time when you first knew him?

By Mr. Nicoll:

Q. Of the time when you first saw Officer Bissert? A. Well, he came into the house and I told him that—

By Chairman Lexow:

Q. The counsel is asking you the year when you first knew Bissert; don't give the conversation, but the time you first became acquainted with him? A. I can not.

By Mr. Nicoll:

Q. About the year; what year, say it is 1892 or 1893, or 1894 or 1891? A. No; it is about four years ago; a little less or maybe a little more; I don't know.

By Chairman Leow:

Q. About four years ago?

By Mr. Nicoll:

Q. Do you recollect the season of the year, when you saw him? A. In the summer.

Q. In the summer? A. In the summer.

Q. Did you then open your house of prostitution? A. No; I did not; I had let the rooms to people; some of them said they were married, and others said they were actors, and so on.

Q. I am not speaking of that; had you before opened the house of prostitution, in the sense of keeping the girls in the house? A. No; I don't think there was any at the time.

Q. Then, at the time you first saw Officer Bissert you were not keeping a house of prostitution? A. I didn't consider my house a house of prostitution, but I heard that the girls were doing business, and I was doing dressmaking at the time.

Q. You didn't regard your house as a house of prostitution? A. I didn't regard it, at that time, as a house of prostitution; I didn't think so.

Q. You were renting rooms to men, just to occupy them; transient people, or whoever chose to occupy them? A. People who wanted furnished rooms.

Q. What do you mean; wanted them for one or two hours?

A. For a week.

Q. They were renting the rooms for the week? A. Only by the week at that time.

Q. And you didn't consider, at that time, you were keeping a house of prostitution? A. I didn't.

Q. Was it at that time you saw Officer Bissert? A. I found out the girls —

Q. Was it at that time of your keeping the house that you first saw Officer Bissert? A. Yes, sir.

Q. That was the time —

Chairman Lexow.—Just answer the question, yes or no, when you can.

Q. Where did you first see him? A. In my house.

Q. Where? A. In the house.

Q. In the house 23 Second avenue? A. Twenty-three Second avenue.

Q. What time was it? A. I can not state exactly what time of day it was; Bissert sometimes used to come in the evening and sometimes in the afternoon.

By Senator Bradley:

Q. The first time?

By Mr. Nicoll:

Q. This was the first transaction, or the first one of your alleged transactions, with the police officer, wasn't it? A. Yes, sir.

Q. Now, didn't that make any impression on your mind sufficient to enable you to tell us what time of day it was? A. I think it was in the forenoon.

Q. In the forenoon? A. Yes, sir.

Q. Who was present at that time? A. I don't know.

Q. Tell me the name of any one who was present at the occasion of your first interview with Officer Bissert? A. I don't think there was anybody there; it was in the forenoon, and, at that time, I was living down in the basement, when I first met Bissert; I was living down in the basement of the house 23 Second avenue when I first seen Bissert.

Q. I don't care where you were living; what I want to know is the name of any one; if anyone was present? A. I do not think anyone was there.

Q. Nobody present? A. Nobody present.

Q. Is that the time, nobody being present, when you gave Officer Bissert the \$10? A. Yes, sir.

Q. And you hadn't then commenced to keep a house of prostitution? A. I intended to.

Q. But you hadn't commenced to do it? A. You see—

Q. You hadn't commenced to do it; answer that question?

Chairman Lexow.—Answer the question.

A. When I gave Bissert the first \$10?

Chairman Lexow.—Just answer the question, yes or no. A. I forget the question now.

Chairman Lexow.—Put your question again.

By Mr. Nicoll:

Q. What I want to know is whether or not, when you gave Bissert, according to your statement, ten dollars, you were keeping a house of prostitution? A. I didn't give it to Bissert the first time I saw him; I gave it to him about a month after.

Q. The first time you saw him you didn't give him any money? A. No.

Q. You had a conversation with him about it, you say? A. Yes.

Q. At which nobody was present except yourself? A. He said he would see me in a month.

Q. Did he see you again, do you say? A. Yes.

Q. Was any one present at this second interview? A. No.

Q. No, one? A. No one.

Q. Where did you hand him the money on that occasion? A. In the basement.

Q. In what? A. In the basement.

Q. Where in the basement? A. In the back basement.

Q. In the back basement? A. Yes, sir.

Q. And in the kitchen? A. Yes, sir; it was in the kitchen.

Q. It was in the kitchen? A. Yes.

Q. And no one was present there? A. No.

Q. None of the girls? A. No; it was the kitchen and dining-room both.

Q. Was any one present on any occasion when you gave Bissert any money? A. I can remember one time—

Q. How long did you pay Bissert, according to your statement? A. I think he was transferred.

Q. That was only a few months, wasn't it? A. No.

Q. Was that a year? A. No; I think it was more; I think it was until Doherty came there; I think it was—I don't know how long.

Q. Was any one present on any one of the occasions? A. There were girls at the dinner table, one time, and I had the money and handed it to him in the hall, in silver and bills

Q. That is what you have told us about here before, on your direct-examination; was there any mortal present at the time you handed it to him? A. No.

Q. Was there any one present? A. No, sir; it was in the kitchen and I was in the little hall, and the hall was dark.

Q. I want to know whether there is anybody who can support your testimony on that? A. No; there was nobody there.

Q. Now you commenced to keep this house along about the middle of summer of 1890, it is about four years ago? A. Yes, sir

Q. And then you paid Bissert, you say, from \$10 to \$20 a month for a year? A. I don't know how many it was; there was several times he came I didn't give him anything; I think it was longer than a year I knew Bissert.

Q. Now when did you first see Officer Mehan? A. Officer Mehan came in my house one time, and he —

Q. I don't care for the particulars of the interview? A. I cannot tell you exactly when I seen him.

Q. Can you tell me the year you first saw Officer Mehan? A. He came there during the summer of the first raid; during the summer; I was raided the first time in October, and during the summer he came there.

Q. You first saw Officer Mehan, according to your statement, in the summer of 1892? A. Yes.

Q. What months? A. I don't know.

Q. You don't recollect? A. No; I don't recollect.

Q. Where did you see him? A. In the basement of 23 Second avenue.

Q. What? A. In the basement of 23 Second avenue.

Q. Was anyone present? A. No.

Q. Did you hand him any money on that occasion? A. No.

Q. When was the next visit? A. When he came into the house and raided it.

Q. What? A. When he came into the house and raided it; that was the next visit.

Q. That is the next time you saw Meehan, after this first interview, in which anyone was present, and when he came in there and raided the house? A. Yes.

Q. And that was the date upon which you were convicted at Special Sessions and fined \$25 after pleading guilty? A. Yes.

Q. Had you been carrying on a house of prostitution all the time during that summer and during the time you were raided? A. I was letting the rooms during the week; yes.

Q. You had? A. Yes; and they were doing business; yes, sir.

Q. Now, when was the third time that you saw Meehan? A.

The third time I saw Meehan; in the Essex market, when he went —

Q. When you pleaded guilty? A. Yes.

Q. When was the next time you saw him? A. In Special Sessions.

Q. What? A. In Special Sessions; I seen him the next time in Special Sessions.

Q. When was the next? A. The next time was when I give him money; then shortly before election.

Q. What? A. Shortly before election; the next time then after I seen him in Special Sessions, I saw him shortly before election.

Q. Shortly before election? A. Yes, sir.

Q. That was the time you had been down to see the captain, wasn't it? A. No; then I hadn't seen the captain yet.

Q. Didn't you say you had seen the captain shortly before election? A. Yes.

Q. And was it after you saw the captain that you say Meehan came to see you? A. Yes; after I see the captain; after I saw the captain Meehan came to me.

Q. Was there anyone else present at the time you gave him this \$25? A. There might have; I don't know whether the doors were closed or open, but I gave him \$25 in the hall; I don't know whether anybody seen it or not; I can not say.

Q. Do you know the name of any person who saw you pay Meehan \$25? A. I will tell you, the girls that occupied the rooms, and maybe they might have seen it, but I can not say for sure they did see it; Mary Williams lived in the front room; I don't know who rented the back room at the time — Lillie Saunders lived in the back room; and I gave Meehan the money in the hall the first time, but I can not state whether they see it or not.

Q. Meehan was the man who served the warrant upon you and caused you to be arrested, wasn't he; he was the man that raided you? A. The captain himself raided; he was in the house.

Q. Captain Docharty himself? A. Yes.

Q. Meehan was the man who was in court in Special Sessions? A. Meehan went against me in Special Sessions, and in the Essex Market Court.

Q. You swear you paid him \$75? A. Twenty-five.

Q. Twenty-five in October, and 25 in November, and in December? A. We were raided in October.

Q. Didn't you pay Meehan, in October, \$25? A. In November I paid him the first after the election.

Q. Then you paid him only \$50? A. I paid him only \$50; that is all ever Meehan got from me.

Q. He was the man that attended to your case in Special Sessions, and the Essex Market Court, and Captain Docharty was the man who raided you himself? A. Barney Meehan went against me.

Q. Now, you are getting your revenge? A. No; I am not getting my revenge; you are taking your revenge out of me again.

Q. What did Captain Docharty say to you on the occasion of your second visit to him? A. The second visit to Captain Docharty?

By Chairman Lexow:

Q. The visit of January 6th? A. Well, he says to me —

By Senator Bradley:

Q. Speak up? A. He says he is supposed to close down all the houses, and for me not to let any strangers in, only old friends, and for me not to take any money myself, unless they might send around spies from the Central office, and have me raided from there.

By Mr. Nicoll:

Q. What did you do? A. I went home, and was very careful that I was not around so anybody seen me; I never took any money anyway; I had the rooms let by the week; I told Captain Docharty there was no danger, as the rooms were rented by the week; he said, so much the better then.

Q. Was that all he said on that occasion? A. I guess that is about all he said.

Q. Is that all you can recollect he said? A. That is all I can recollect now; I think that was all.

Q. That was all? A. He said I must be careful and not take the money, and then I says to him about the money.

Q. Is that all he said? A. I told you about the money.

Q. You told me twice now about it; I want to know whether that is all he said? A. I said I brought the money with me.

Q. That was something more? A. That was more.

Q. What else? A. He gave me an envelope, and gave me a pencil, and said, "Put down Hoch," and I put down Hoch, and put the name on the envelope, and it went back into the pigeon hole.

Q. Was that all? A. Yes; I guess that was all.

Q. What? A. That is all.

Q. Did you pay \$25 in the month of March, 1893? A. I paid \$25; yes; but not to Docharty, in person.

Q. To whom? A. I paid it to Hoch.

Q. Where? A. I paid it; the first money I paid Hoch was at the corner grocery on First street, under the shed there of Luhr's grocery store.

Q. Was anyone with you? A. No.

Q. You were alone? A. I was alone.

Q. Did you pay Hoch on other days? A. Yes.

Q. What? A. Yes.

Q. Well, now it was in March and February, 1893, that the police arrested your girls, wasn't it? A. Oh, they were arrested, some of my girls, every week.

Q. Not at the time you were paying for protection? A. Oh, yes.

By the Chairman:

Q. They were arrested out in the street? A. Out in the street.

By Mr. Nicoll:

Q. But they were your girls, that were arrested? A. They were not my girls; they didn't live in my house; I didn't always only take men; my girls are named there in that book.

Q. They were the girls who were in the habit of frequenting your place? A. Yes, sir.

Q. And during the time you were paying Hoch money, were your girls being arrested? A. Yes, sir.

Q. And were you bailing them out at the station-house? A. The first girls that I bailed out was when the captain was here; it was late in the summer; it was when the captain was here that I took out the first girls.

Q. Now you say—after you had paid Captain Doherty, according to your own statement, in January or February, and Hoch in March? A. And Hock in March.

Q. Your girls were raided and arrested, and you yourself was compelled to stop business? A. Yes.

Q. Notwithstanding you had paid in this money? A. I was arrested; they didn't count that; girls were arrested, and maybe the girls would be down at the station-house, and were not bailed out, and Hoch would be there for the money.

Q. You were paying for protection, weren't you, to be allowed to do business? A. Yes; and don't you think it was nice protection I got?

Q. Yes; you want us to believe at that, at the time you were paying for protection, you were compelled to go out of the busi-

ness; you were compelled to stop business? A. They expected me to, but I didn't do it.

Q. Did you stop of your own accord, or because business was dull, or what? A. I didn't stop of my own accord; Hoch said he would pull the house, and I couldn't let anybody do any business there, and I didn't stop, and I went down and spoke to the captain about it.

Q. When was that? A. I can not tell the date.

Q. What? A. I can not tell the date.

Q. Which one of your several visits to the captain was that? A. I remember that I went down, and Hoch said he would pull the house; I went down to see the captain about it, and he said, "It is on the avenue, and he can not stand that house, and it must be closed up."

Q. Which one of the visits was that; another visit to the captain? A. That is the visit to the captain.

Q. That is another one than you have told us? A. Yes; I can not tell how often I was down there.

Q. Was that the visit to the captain just before he went to Europe, that you are speaking of now? A. I can not say for sure, whether it was that visit or not; I can not say sure whether that was the visit or not.

Q. Was it the visit in February? A. No; oh, no.

Q. Haven't you just sworn here that you didn't see the captain between February and the time he went to Europe? A. I was down to the captain on this occasion.

Q. You recollect swearing to that a few moments ago; that you never saw the captain between February and some time which you finally concluded was in warm weather, before he went to Europe; don't you recollect swearing to that? A. When Hoch came and told me he would close the house, and the girls were arrested; that was in warm weather.

Q. This occasion when you went to see the captain in warm weather just before he went to Europe? A. I can not swear up to one visit, about going to the captain; I can not say I was just so many times; I can not swear to that.

Q. When was the date of your visit to Mr. Roesch? A. The date?

Q. About; of course I do not expect you to tell me the day of the month, but about? A. That was just around the time, when Hoch came and said he would raid the house, and the captain didn't intend to stand for it any more; then I went down to Roesch's office.

Q. Was that in the month of April, 1893, about? A. I don't know whether it was April; I don't think it was April; I think it was warm weather.

Q. How many months, according to your statement, did you pay Hoch; you say you paid the captain in January and February? A. Yes, sir.

Q. Twenty-five dollars? A. Yes; in January and February.

Q. How many months did you pay Hoch? A. I paid him as often as he came.

Q. How many months; can you tell us that? A. Three or four times I think I paid Hoch.

Q. What? A. Three or four times.

Q. Three or four times? A. I think I paid him three or four times.

Q. And as a result of paying Hoch the money, you were obliged to stop business; was that it? A. He came and told me to stop business as the captain had got tired of standing for the ranch; yes, sir.

Q. And in the interval between that your girls were constantly being arrested and taken to the station-house? A. Yes, sir.

Q. Was anyone present on any occasion when you paid Hoch any money? A. One time there was; the grocer was not closed and he was standing a little further down, and the grocery man seen me handing him the parcel; the groceryman Luhrs seen me hand him the parcel.

Q. The groceryman named what? A. Luhrs.

Q. Where does he keep? A. Corner of Second avenue and First street; he is away now; he is not there any more.

Q. Where is he now? A. In Brooklyn.

Q. What is his name? A. John Luhrs.

Q. And you say Luhrs saw you pay Hoch money? A. Hand him the parcel; yes, sir.

Q. Did Luhrs speak to you about it afterwards? A. I will tell you how it happened.

Q. Did Luhrs speak to you about it afterwards? A. Yes, sir.

Q. And say he had seen you hand him the parcel? A. The only evening he seen it, he told me, yes; Mr. Luhrs spoke to Mr. Hoch himself that evening.

Q. What? A. Mr. Luhrs spoke to Mr. Hoch himself that evening.

Q. With that exception was there anybody else present on any occasion, when you say you paid Hoch money? A. One time when he came up to the flat, it was right after a policeman was taken away from the door; my husband was by when I gave Mr. Hoch the \$25 for the captain and \$5 for himself; that was in our flat; that was in the afternoon.

Q. Was that the flat 31 Second avenue? A. Thirty-one First street.

Q. You say your husband stood by and saw him paid the \$25?
 A. My husband and Mr. Hoch were in the front room, and I went back and counted out the money and gave it to Mr. Hoch, and my husband seen it.

Q. Now, you did business during the summer of 1893, when Captain Doherty was in Europe, didn't you? A. Yes, sir.

Q. And were you raided before his return? A. I was raided after his return.

Q. You were raided after he returned? A. Yes, sir.

Q. During his absence in Europe, you continued to run this house of prostitution? A. Yes, sir.

Q. And were you paying Hoch then? A. Yes, I paid Hoch shortly before the captain went away.

Q. And you paid him before he went? A. Before the captain went away, Hoch got the money from me.

Q. I asked you during the captain's absence if you paid it?
 A. I was paying it while the captain was absent, every month.

Q. You were raided again in 1893? A. Yes, sir; in November.

Q. And then Captain Cross raided you in January, 1894? A. Yes, sir.

Q. When was it the police officers were in front of your house?
 A. Right after the captain came home; the captain was the one who stationed the first man in front of the house.

Q. As soon as the captain got home he placed an officer in front of your house? A. Yes.

Q. Now I understood you to say each time you went down to bail out a girl you paid five dollars to him? A. I put it on the shelf.

Q. To whom did you pay it? A. I put it on the shelf there; the sergeant sat at the desk.

Q. You mean openly on the shelf? A. There is a little shelf and I put it on there.

Q. Why did you put it down in your book that you were keeping that time, "five dollars to a fine?" A. Because I was cautioned not to let anybody know I was paying those bonds; the sergeant himself told me.

Q. What sergeant? A. Any one —

Q. What sergeant? A. I cannot tell his name; everybody I gave the money to told me the same thing; I don't know any one sergeant's name except Clark.

Q. Did he tell you that? A. He told me; he was sitting there one time; the first time I asked him to accept bonds he said he wouldn't accept any bonds and he finally accepted them anyway.

Q. Did he tell you — did Sergeant Clark tell you on any occasion not to put the word "bonds" in the book, but put the

word "fine?" A. He didn't tell me to put the words in, but not to let anybody know I was paying for the bonds.

Q. Is that in your handwriting in the book? A. The book is in my handwriting.

Q. All of it? A. All of it.

Q. Every word? A. Every word that is in it.

Q. Every word that is written? A. Yes, sir, is in my handwriting.

Q. When did you make these entries? A. I made those entries in the book when I came back from the station-house.

Q. You mean in 1893? A. I made these entries when I came back from the station-house.

Q. I say, in 1893? A. Whenever the girls were taken around, I went to the station-house and came back and made the entries.

Q. There are only a few there? A. That is when I made the entries.

Q. That was during the summer of 1893? A. Yes, sir.

Q. July and August, 1893? A. July and August?

Q. Eighteen hundred and ninety-three? A. It is November 9th.

Q. Very well, October and November? A. I don't think there was any in October.

Q. Was that the time you made the entry? A. Yes.

Chairman Lexow.—That only covers two days.

Senator O'Connor.—Two days and then the club bursted.

Mr. Nicoll.—August 5, 1893, and August 3, 1893.

Chairman Lexow.—Not in the book; February 10th and 11th.

By Mr. Nicoll:

Q. Where have you had this book ever since? A. I have had the book in the flat where I live.

Q. To whom did you give the book? A. To whom did I give the book?

Q. Yes; you didn't bring it to court here, did you? A. I wrapped it in paper, and gave it to my husband.

Q. Did he bring it here? A. He brought it here to-day.

Q. Now, during all the time in October, 1893—November, 1893, when you say you were paying Hoch money, was your girls being constantly arrested and fined? A. In October, I was raided, but—

Chairman Lexow.—I think we have had all that.

Mr. Nicoll.—The girls were arrested on the street, which was an additional source of income, by getting the bail bonds, and charging \$5 apiece for them.

By Mr. Nicoll:

Q. You were arrested in November, 1893; weren't you raided in October, 1893, or November, 1893; which was it? A. November.

Q. What? A. It was in November, I think.

Q. November, 1893? A. November, 1893.

Q. Didn't you change — didn't you promise the captain, or tell the captain, that you would give up running that house prior to November, 1893? A. I never promised that at all.

Q. Did he tell you that complaints had been made against you from other quarters? A. Oh, yes.

Q. In regard to your house? A. Yes.

Q. As one of the most disorderly houses in that precinct? A. Yes, sir; he said that.

Q. He told you that? A. Yes, sir.

Q. Didn't he tell you that your girls were constantly soliciting on the stoop, and the house must be closed up? A. Yes, sir; he said that.

Q. And didn't you, for the purpose of satisfying him, change the style of your house into the Cafe Excelsior? A. I did it on the captain's orders — to the Cafe Excelsior.

Q. You say the captain asked you to change it? A. Yes.

Q. And then they raided it immediately?

Mr. Goff.— Oh, no. There is no evidence of that.

Witness.— About four or six weeks after, I think.

Q. Four or six weeks after the captain told you to change the style of the house, he raided it? A. Yes; he did.

Q. Did I understand you to say that you paid Officer Levy? A. I gave —

Q. The sum of a hundred and ninety dollars? A. I gave Mr. Eerschorn \$150 to give to Mr. Levy.

Q. And Mr. Eerschorn told you he had paid it to Mr. Levy, didn't he? A. Mr. Levy told me that Eerschorn gave it to him.

Q. Eerschorn first told you? A. Eerschorn told me first, and afterwards Levy told me.

Q. Who is Eerschorn? A. The man who keeps the place, the liquor store, at the corner of Broome and Allen streets; he keeps the liquor store.

Q. And now, in addition to all that you have said, that they would pay the patrolman on the beat \$2 during all this time — each one of them \$2 — they were arresting your girls all the time? A. Yes.

Mr. Nicoll.— Is that all?

Chairman Lexow.— Any questions, Mr. Goff?

Mr. Goff.— Yes, one or two.

By Mr. Goff:

Q. Mrs. Thurow, do you remember one evening, sitting with your husband, seeing a great crowd in front of your house? A. Yes.

Q. What time was that? A. It may have been about 8 o'clock.

Q. How long ago? A. It was when the first policeman was stationed in front of my house.

Q. When the first policeman was stationed in front of your house? A. Yes.

Q. Did you see the policeman carrying a man who appeared to be helpless? A. Policeman Morris from First street — the precinct station in front of my house; all at once he ran from in front of my house, and went into First street, and they brought a man between the two, and he was groaning terribly, and they wanted to drop him in front of my house; they wanted to drop the man there; and my husband was sitting on the stoop with me, and said, "Now see here, Mr. Morris, I don't want that dying man in front of my house; you take him back to where he has been injured;" so Morris took him two houses further and dropped him at 27.

Q. Twenty-seven? A. Yes, sir, 27.

Q. They dropped him there in front of 27? A. In front of the stoop of 27 Second avenue.

Q. And he laid there how long? A. He laid there to my recollection about an hour or an hour and a half.

Q. On the sidewalk? A. Yes, sir.

Q. Did that man die, do you know? A. The ambulance came then and they had quite some fuss there with him, the crowd was so thick around them; one of them got up and said, "That man is dead;" but anyway the ambulance took him, and the next day I heard the man was dead; it was Monday at dinner time I heard the man was dead.

Q. Do you know anything about that man; did you know the cause of his death in one of the houses of ill-report on First street? A. I heard from the girl that said she was there, when he was kicked in the house; she told me that he was kicked; I see the man lying on the sidewalk, but I didn't see him injured.

Q. You know the girls? A. I know the girls; yes, sir.

Q. And they told you where he was kicked? A. They told me he was hurt and where he was kicked.

Q. And by whom was he kicked? A. And by whom was he kicked?

Q. And he was kicked in that portion of the body that are called his privates? A. Yes.

Q. Do you know if there has been arrests made in connection with that house? A. I never have heard of any thing about it at all; I never heard any more; I only heard my neighbors say, "Ain't it dreadful —"

Mr. Nicoll.— Now, I object to that.

Chairman Lexow.— That is excluded.

By Mr. Goff:

Q. Do you remember, Mrs. Thurow, when you were served with a subpoena in this case, did anyone see you after you were served with the subpoena? A. Nobody seen me.

Q. You were served on Saturday night, were you not? A. Nobody seen me.

Q. But your husband talked with you after you were served? A. Yes, sir; my husband.

Mr. Goff.— I think that will do.

By Chairman Lexow:

Q. Did you ever remonstrate with the police on the ground that you were paying for protection, and still were not, from time to time, protected by them? A. I went down and talked with the captain about it, and he says, "The reason why he wanted that house done away with, it was the worst house in the neighborhood;" I says to him, "Captain, is there no worse house in the neighborhood; is there one charge against my house, down on a block where there has been any stealing, or any abusing a man, or kicking him, or half killing, or something like that; why is my house worse; what makes it the worst in the neighborhood;" he said, "Well, Mrs. Thurow, I have got to do away with your house in First street, and the days of the houses in First street are counted; they will all have to go, too," he says; he didn't give any direct answer when I said I considered my house the best of them all.

Q. What times — on the occasions you paid the captains, according to your statement, directly, \$25 on three occasions? A. On two occasions.

Q. And yet, within a short time afterwards you were raided; didn't you remonstrate with the captain about being raided, or protest against being raided, in view of the fact that you had paid for protection, to be protected? A. I said, "This is a nice deal; I am home, always ready with my money;" and he said, "You don't hitch with the boss, and that settles it, and that is the reason."

Q. Was it because you were not paying enough? A. That is it; that was what Hoch said.

Q. Did they ask for more money? A. He wouldn't stand by that ranch for less than \$60, and I said I can not afford to pay it, because I keep a quiet house and things were not done in my house as they were in other houses around there.

By Senator O'Connor:

Q. Every time they told you that they would have to close the house, they still took the money from you? A. They did still take the money from me.

Q. Did you stop the business of the house any time the police insisted on it? A. Well, if they refused to take the \$25 —

Q. Any time you came to the conclusion they really meant to stop it, would they refuse to take the money? A. I certainly would have stopped if they refused to take the money.

By Chairman Lexow:

Q. If the captain sent down word for you to stop, would you have stopped? A. I would have stopped if I didn't pay him the money before.

Q. It was only the payment of the money that led you to go on? A. Yes, sir.

By Senator Bradley:

Q. Have you any data so you can count up the sum total of what you paid for those purposes? A. I can; I could never figure out how much I gave Bissert, because sometimes I didn't pay him anything.

Q. Can you come near the total amount you paid for this purpose; we don't want it now, but can you do it when you get home? A. I can figure it out; yes, sir; I will figure it out.

By Senator Bradley:

Q. You can figure it out and guess at it? A. I can figure it out, and give the patrolman, too.

By Mr. Goff:

Q. Before you went to Senator Roesch's first, did you ever hear of him as a lawyer, before he went to his office? A. Well, I can not actually say; I think his brother is a lawyer; I know his brother is a lawyer.

Q. You know his brother is a lawyer? A. Yes.

Q. At the time you went to see Senator Roesch in his office, did you have any case in court, any law case? A. Nothing at all; only that my house was in trouble.

Q. Only that your house was in trouble with the police? A. Yes, sir; and I wanted him to settle it for me.

Chairman Lexow.—That is all, madam. Do you want to examine any more witnesses to-night.

Mr. Goff.—Yes, sir; we have got two very important witnesses. Here is Mr. Thurow. Mr. Thurow step up.

Ernst Thurow, called as a witness for the State, being duly sworn, testified as follows:

Direct examination by Mr. Goff:

Chairman Lexow.—Now, Mr. Goff, come right down to the point.

Mr. Nicoll.—I would like to know what length this meeting will be.

Chairman Lexow.—I understand there are two witnesses, both of whom will take a short time to examine.

Mr. Nicoll.—May we say 8 o'clock?

Chairman Lexow.—We want to get through before that, o'clock.

Mr. Goff.—We hope we will get through before that.

Q. Now, Mr. Thurow, do you understand me? A. Oh, yes; little.

Q. You are the husband of the woman who has just left the witness chair? A. Yes.

Q. Now, after your wife was subpoenaed on last Saturday evening, did you see a police officer? A. No; Sunday morning.

Q. Sunday? A. No. Sunday evening; it was after 12 o'clock.

Q. Any time after your wife was subpoenaed? A. Yes.

Q. Do you know the police officer? A. Yes.

Q. What was his name? A. Morris—

Q. Murdock? A. Yes; Murdock.

Q. He is one of the policemen in your precinct? A. Yes.

Q. George Murdock? A. Yes, sir.

Q. What did he say to you? A. He told me. "Thurow, you have got a subpoena;" I said, "I don't know; I don't know that; my wife, she got a subpoena."

Q. You said your wife had got a subpoena? A. Yes; "Well, you got another one;" "I don't know about that."

Q. Well, did he say anything further to you; did he tell you that it was known at the station-house? A. What you mean?

By Senator Bradley:

Q. Did he tell you the policemen knew it at the station-house when you got the subpoena? A. Yes.

By Mr. Goff:

Q. Did he say anything to you about your wife should testify here before this committee? A. Yes; he told me my wife, she don't mention names on the police force.

Q. That your wife should not mention names on the police force? A. No.

Q. Did he say anything to you about the captain in that precinct going to be changed? A. Yes.

Q. Did he say anything to you about the wardman in that precinct being changed? A. Going to be changed, too.

Q. Did he say anything to you that after, when they were changed, that you could open up your house again; that your wife could open up her house? A. I think he told me we can open house then; I told him my wife would make never ever another house that way.

Q. Did he say anything to you that when this committee would get through that things would be better? A. Yes.

Q. What did he say? A. That he told me.

Q. He told you that?

By Chairman Lexow:

Q. Just what; what did he say? A. He said since the Lexow committee is gone the captains is changed and my wife then she can open her house.

Q. When the committee is gone and the captain is changed then your wife can open up another house; did he say anything to you that your wife should simply say she kept a house of bad repute, and say nothing more.

Senator Bradley.—He don't understand.

Senator Cantor.—Why wouldn't it be well to get an interpreter and ask what he does say.

By Chairman Lexow:

Q. Are you a German? A. Yes.

Chairman Lexow.—I can translate, but it would not be fair.

Mr. Goff.—You translate.

Chairman Lexow.—What is your question?

The Witness.—He said my wife should say nothing against the police; as soon as the committee has left the house would open, and they could open up the house again, and I answered we will never open a house again.

Senator Lexow.—I then acted as interpreter and the following questions and answers were given:

Q. Is that all that was said? A. That is all that was said.

By Mr. Goff:

Q. Now, Senator, please ask this witness if he belongs to the same club that Senator Roesch belongs to? A. Yes, I am.

Q. What is the name of the club? A. (Witness hands the chairman some tickets.) Tammany club of the Seventh district.

Q. Well, you are on the general committee of Tammany Hall for that district? A. I am on the list, but I can not do anything, because everything is done in English.

Q. Did you go to see Senator Roesch about the trouble your wife had in keeping her house? A. Yes, sir; that was the time we were struck; then my wife, she told me to belong to the club; "You go up to Mr. Roesch, in order to see whether he can do anything for us."

Q. Did you go to Senator Roesch? A. Yes, my wife and I.

Q. Did you go up to the club-house to see him before you saw your wife? A. (Interpreted.) I first went to Roesch and then I came back and told my wife that——

Q. After you told your wife did you and your wife go down to Mr. Roesch's office? A. (Interpreted.) He said to me, "I will see what I can do," I said, "Mr. Roesch how much must I pay?" he said \$150; then I didn't go immediately back and he sent a secretary and he told me to go over to the club-house, that Mr. Roesch wants to see me; that was at 23 Second avenue; then my wife gave me \$100, and I went over to the club-house and gave it to Roesch; he said he had a friend and I would have to see him at 12 o'clock that night and it would cost me \$50 more; I told him I didn't have anything more.

Q. Did you give him \$100 that your wife gave you to give him? A. (Interpreted.) Yes.

By Senator Lexow:

Q. Is that all occurred between you and Mr. Roesch? A. Yes, sir.

Q. When was it? A. (Interpreted.) It must have October or November, 1893.

Q. For what was the money paid? A. (Interpreted.) He said, "I will see that you can do business again;" we were stopped.

Q. Was it paid to Senator Roesch as a retaining fee as lawyer or for any other purpose? A. (Interpreted.) It was paid that we might open again; I wanted to see him again; I haven't been able to see him since.

By Mr. Goff:

Q. Did you say anything to Mr. Roesch about the time that your wife had trouble in going bail for the girls? A. (Interpreted.) He said, "If your girls are arrested again send for me and I will bail them out."

Q. You went with your wife down to Senator Roesch's office? A. Yes.

Q. Do you belong to any other club in the district? A. (Interpreted.) I am not a member of any other club in the district.

By Senator Lexow:

Q. Were you present when your wife paid money to Hoch, the ward man? A. (Interpreted.) Yes; I was present at one time when money was paid in the flat; other times I was not present; my wife always transacted that business herself; then on another occasion and at a corner grocery store, kept by Luhrs, I saw my wife put money into Hoch's hands.

By Mr. Goff:

Q. Did you see your wife pay money to policemen at any other time? A. Oh, yes.

Q. Just tell the committee when you saw her pay money to policemen at other time? A. (Interpreted.) I saw her twice in Hoch's case and once to the man who preceded Hoch.

By Senator Lexow:

Q. What was his name? A. Bissett.

By Mr. Goff:

Q. You did see your wife pay money to Bissett? A. (Interpreted.) Yes.

Q. More than once? A. (Interpreted.) I am certain about once, but I can not say about other times.

Q. Did you see your wife pay money at other times? A. (Interpreted.) Yes, sir; I went with my wife to the captain, but I didn't go inside.

By Senator Lexow:

Q. Did you go into the office, or into the building? A. (Interpreted.) No; I remained outside on the sidewalk.

Q. Did you see other people going in there who were in the same general line of business? A. (Interpreted.) I can not remember about those details; I didn't bother myself about their

business; I was away most of the time; I only went into the house when I went there for the purpose of meeting my wife; I did not attend to the matter myself at all; my wife gave my diamonds at one time to Hirschhorn for the purpose of pawning it.

Q. Do you know what the money was given for? A. (Interpreted.) I can not just say what the purpose of it was; my wife needed the money and she used my stud.

By Senator Bradley:

Q. You hocked the stud? A. (Interpreted.) No; I didn't.

Cross-examination by Mr. Nicoll:

Q. Do you know that your wife was keeping a house of prostitution? A. (Interpreted.) I knew that there were girls there, but just what they did there I do not know; I never was inside the rooms.

Q. Were you ever inside the house? A. Yes.

Q. Didn't you see the girls there? A. Yes.

Q. Didn't you know what they were there for? A. No.

Q. You didn't? A. No.

Q. What did you think they were there for? A. Well, I don't care.

Q. What did you suppose the women were in the house for? A. (Interpreted.) I didn't bother myself about what was being done there at all.

Q. I ask you again, didn't you know that your wife was keeping a house of prostitution for four years? A. Yes.

Q. And weren't you living from it; were you not living on the proceeds of the house of prostitution? A. (Interpreted.) Not always; whenever I got work in a bakery I lived on that.

Q. And, except when you were working, were you living out of the money derived from those women that your wife kept? A. Yes.

Q. You say you have been married to your wife 12 years? A. Twelve years.

Q. Have you done any work in all that time? A. What?

Q. Have you done any work in all that time? A. (Interpreted.) Yes; I worked for my father-in-law here in New York.

Q. When was that? A. Fourteen years ago.

Q. Is that the last work you ever did? A. No; we have got four years the house.

Q. House of what? A. (Interpreted.) Prostitution house.

Senator Cantor.—He says that for four years he had a house of prostitution.

Q. Did you have a house of prostitution before your wife had the house? A. No.

Senator O'Connor.—It is quite plain. This witness says that for four years they kept a house of prostitution, and they lived off the proceeds of it, except sometimes when he worked in a bakery.

Q. Where did you work in a bakery? A. (Interpreted.) On Third avenue, at Strasser's, and most of the time I helped out; I assisted right across the way, opposite 32, for a man by the name of Koehler.

Q. Where were you on the second occasion when you say you saw your wife pay money to Officer Hoch? A. (Interpreted.) At the corner of First street and Second avenue.

Q. What month was it in the year? A. I do not know.

Q. What year was it? A. I don't know; (interpreted); I never bothered myself about it, and I can not remember dates.

Q. Can you tell the day of the week or the week of the month or the month of the year or the year of the decade? A. (Interpreted.) What I can not state accurately I do not want to swear to, because I have sworn to tell the truth.

Q. Can you tell us the date of the second occasion when you say you saw your wife pay money to Officer Hoch? A. I can not.

Q. Can you come any nearer fixing that time than you did the other one?

Senator Lexow.—Your first question was about the second occasion.

Mr. Nicoll.—Then I mean the first occasion, now.

A. (Interpreted.) I think it is in October, but I can not say anything certain.

Q. October of what year? A. (Interpreted.) Don't ask me. (Balance of answer not interpreted.) I don't know that.

Q. Can you tell whether it was the year 1891, 1892 or 1893? A. (Interpreted.) Eighteen hundred and ninety-three.

Q. Was it in October, 1893? A. I do not know what month it is, but I know it was in 1893.

Q. That you know; is that all you can recollect about it, that it was in the year 1893? A. Yes, sir.

Q. That is all? A. Yes, sir.

Q. You can not tell either the week or the month or the day? A. No.

Q. Can you tell the year or the month or the week or the day when you say you saw your wife pay money to Bissert? A. No.

Q. Didn't you know that Senator Roesch was a lawyer? A. Yes.

Q. Weren't you and your wife in trouble in your business of running this house? A. (Interpreted.) When he could do me a favor then I went to him.

Q. Weren't you and your wife in trouble in the business of keeping a house of prostitution? A. (Interpreted.) Yes; we were in trouble, and that is the reason I went to him.

Q. You went to his law offices, didn't you? A. Yes, sir.

Q. You didn't go to his clubhouse first? A. (Interpreted.) I was first in his clubhouse, and then I told my wife; he said —

Q. He said, if you wanted to see him in business that you should go to see him at his law office? A. Yes, sir.

Q. You brought your wife down to his law office? A. Yes, sir.

Q. Didn't you engage him then for the purpose of helping you in trouble? A. No; I wanted him to do me a favor; that is why I belong to the club.

Q. You expected a lawyer to help you out without getting pay? (Witness answers in German.)

Q. Did you expect a lawyer to help you out of your difficulty without getting pay?

Senator Lexow.—I think we can draw these conclusions as well as the witness.

Mr. Nicoll.—Can you not ask him that? He is a very intelligent witness if you put the question to him.

A. (Interpreted.) No; I didn't consider that I engaged him as a lawyer.

Q. Yet you knew that he was a lawyer and went to his law office when you were in trouble? A. Yes.

Q. Have you been engaged in political fights up in that districts? A. (Interpreted.) I never took any interest in the politics up there in the district.

Q. Do you know anybody of the Steckler Association? A. (Interpreted.) I know the Steckler Association.

Q. Did you tell any member of the Steckler Association this story? A. No.

Q. To whom did you first tell it? A. What?

Q. To whom did you first tell this story that you are telling now, and when, about your relations with Senator Roesch? A. (Interpreted.) I spoke to my wife first about it.

Q. Well, except your wife? A. (Interpreted.) I spoke to nobody.

Q. You never told it to anybody except your wife? A. No.

By Senator Cantor:

Q. Are you a member of the Steckler Association now? A. No.

Q. Were you ever a member of it? A. (Interpreted.) I am not a member of the Steckler Association and never have been.

By Senator O'Connor:

Q. You are a Tammany Hall Democrat of good standing, are you not? A. (Interpreted.) I am nothing now, politically.
(The witness handed the committee a card.)

By Mr. Nicoll:

Q. Do you belong to the Independent County Organization?
A. (Interpreted.) No; if I belonged to anything, I belong to Tammany Hall; that is the last that I paid to.

Mr. Goff.—We offer this card in evidence, color and all. It is as follows:

“The” Democratic Republican General Committee of the city and county of New York will meet at Tammany Hall, Friday evening, January 12, 1894, at 7.30 o'clock.

JAMES J. MARTIN,

John B. McGoldrick,

Chairman Executive Committee.

Joel O. Stevens,

John B. H. Meyers,

Secretaries.

Mr. Nicoll.—I see no objection to that. If the gentleman wants to give a nice political bias to the investigation.

Mr. Goff.—No political bias at all.

Mr. Nicoll.—Well, that helps us along.

Mr. Goff.—He is a Tammany man. I want to ask him one question which I do not think has been brought out clearly. Will you kindly ask him Senator, if Senator Roesch said anything to him when he received the \$100; that he needed \$50 more for someone that he had to see that night. When he paid Senator Roesch the \$100, ask him if Senator Roesch said anything to him about requiring \$50 more for someone he had to see that night.

The Witness. (Through interpreter.) Yes; that is what he said.

Katie Schubert, called as a witness on behalf of the committee, being duly sworn, testified as follows:

Direct-examination by Mr. Goff:

Q. I hand you a little card; is that the card of your house?

A. Yes.

Mr. Goff.—It reads: Mrs. Schubert, 144 Christie street, between Broome and Delancey, New York,” and is in imitation of a postage stamp.

Q. Do you know Dr. DeFaulk? A. Yes, sir.

Q. He is your house physician? A. Yes, he used to be.

Q. These little health certificates were issued to the young ladies of your house? A. Yes, sir. (Papers were handed to the witness.)

Q. What is that name? (Referring to name on paper.) I am sure I cannot remember the name.

Q. That is "Mamie" anyway? A. It is some name.

Q. How long were you keeping the house at 14 Christie street?
A. For a little over two years.

Q. Were you ever pulled? A. No; never been pulled.

Q. Ever been pulled? A. No.

Q. Did policemen ever get into your house? A. Never.

Q. Never made any trouble for you at all? A. No, sir.

Q. Do you remember when Captain Devery left the precinct?
A. When he left I was not in business any more.

Q. Were you in business at any time when Captain Devery was there? A. Yes, sir.

Q. You knew his wardman, Glennon, did you not? A. Yes.

Q. Do you know when Captain Cross was in the precinct? A. Yes.

Q. You have not been able to get along as nicely with Captain Cross as you did with Captain Devery, have you? A. They were about the same to me, one as well as the other.

Q. When Captain Devery came into the precinct there was not any trouble for you at all? A. No.

Q. You didn't like Captain Cross as well as you liked Captain Devery, did you? A. They were all the same to me.

Q. Didn't Captain Cross make some trouble for you? A. He didn't make any trouble for me; not more than Devery; I had to give up money to him.

Q. You had to give up money to him? A. Certainly.

Q. To whom did you give the first money? A. The first money, I gave it to the captain himself.

Q. What captain? A. The Captains Cross, McLaughlin and Devery.

Q. This is the gentleman in the court-room here. (Indicating.)
A. Yes, sir.

Q. You recognize him? A. Yes, sir.

Q. How much money did you give up to Captain Cross? A. \$500.

Q. Where did you pay the money? A. In my house.

Q. Did he go into the house for it? A. Yes, sir.

Q. What did he say? A. Just introduced himself, that he was the new captain and that he wanted \$500 and \$50 every month.

Q. Did he say anything about the initiatoin fee? A. Nothing at all.

Q. Nothing at all beyond that he was the new captain and wanted \$500? A. That is all.

Q. Had you the \$500 in the house? A. No; I didn't have it at the present time, but I got it a few days after.

Q. How did you get it? A. I borrowed it off a friend.

Q. Off friends? A. Yes, sir.

Q. Did you tell the captain (and I am speaking of Captain Cross, now) when he first called, did you tell him to call again? A. Yes; I told him to call again.

Q. What did he say? A. He said he would when I thought that I would have it.

Q. When he thought you would have the money? A. I named a day and of course he called.

Q. He named the day, did he? A. Yes.

Q. And he called on the day he named? A. I named the day.

Q. When he called, just tell the Senator's what took place? A. Well, he just called in with his wardman.

Q. What wardman was it? A. Glennon, and went in the front parlor, and I gave him the money; that is all.

Q. What did he say? A. Nothing at all.

Q. Did you ask him for a receipt? A. No.

Q. How were the \$500 given to him? A. Well, there were dollar bills and five dollar bills, all kinds of money.

Q. But all bills? A. All bills.

Q. Had you it in a roll? A. Yes.

Q. Was there anything said when you gave him the \$500 about your being able to do business? A. Well, yes; he said I would be protected, to run along quiet and not make any disturbance, fighting, or any noise; just to run my business quietly.

Q. Are you clear about the wardman's name that was with Captain Cross? A. What was his name; Smith, wasn't it?

Q. Smith; you said Glennon before? A. I made a mistake.

Q. Glennon was Devery's man? A. Yes, sir.

Q. While Captain Cross was in the precinct did you pay \$50 a month? A. Yes, sir.

Q. Who collected that \$50 a month? A. Mr. Smith.

Q. Did he come around every month for it? A. He came to the house.

Q. Every month? A. Yes, sir.

Q. And you gave it to him? A. Yes, sir.

Q. And you had no trouble? A. No trouble.

Q. When Captain Cross went away Captain Devery came there, did he not? A. Yes.

Q. Did you have a visit from Captain Devery? A. The same kind of a visit; he came to the house and introduced himself as a new captain.

Q. What did he say about money? A. Well, \$500.

Q. Did you have the money then? A. I didn't have it then, either.

Q. What did you say to him? A. Well, I told him I will try and get it in a few days.

Q. Did you name the day for him to call for it? A. Yes; I named the day about four or five days after.

Q. Did Captain Devery call? A. Yes.

Q. Was there anyone with him? A. His ward man.

Q. What was his name? A. Mr. Glennon.

Q. Did you hand Captain Devery \$500? A. Yes, sir.

Q. In the same way that you handed it to Captain Cross? A. In the same way.

Q. Was there anything said about your doing business? A. Nothing at all.

Q. Anything said about your keeping quiet or anything of that kind? A. No; I didn't say anything.

Q. Was there anything said about monthly payments? A. Fifty dollars.

Q. Fifty dollars a month? A. Yes.

Q. Did the wardman, Glennon, call for the \$50? A. Every month.

Q. About the first? A. No; not exactly; sometimes the 3d, 4th, 5th.

Q. The early part of the month anyway? A. Yes.

Q. Called at your house? A. Yes, sir.

Q. And you handed him the \$50? A. Yes.

Q. And that was all? A. That was all.

Q. What other captain did you pay to? A. That was all the captains was on in my time, while I was in business.

Q. The only captains while you were in business? A. Yes.

Q. You were doing business before Captain Cross came into the precinct, weren't you? A. McLaughlin was there.

Q. Did you have an interview with Captain McLaughlin? A. The same thing.

Q. Did Captain McLaughlin demand money from you? A. Yes, sir.

Q. What did he say? A. Five hundred dollars.

Q. Was his wardman with him? A. Yes, sir.

Q. Do you remember his wardman's name? A. I think it was Burns, if I am not mistaken.

Q. What sort of a looking man was he? A. Short, stout, with a sandy moustache.

Q. You saw that wardman afterwards, did you not? A. Every month.

Q. Every month you saw him? A. Yes, sir.

Q. When you saw him did you give him money? A. Yes, sir.

Q. How much? A. Fifty dollars.

Q. Fifty dollars a month? A. Yes, sir.

Q. Can you tell the Senators about how much money you paid altogether to the captains and to the wardmen? A. Fifty dollars a month; well, I never stopped to figure it together, how much it amounted to.

Q. You paid three captains \$500 each? A. Yes, sir.

Q. Do you know how many months that you were keeping house, altogether, for which you had to pay \$50 a month? A. I kept house about two years and four months.

Q. About two years and four months? A. Yes.

Q. That would be \$1,400 at \$50 a month, and \$1,500, you paid in cash to the captains; that would be \$2,900? A. Yes, sir.

Q. Do you remember anything being said any time about getting up Christmas presents? A. No.

Q. There was no further demand made upon you for Christmas presents? A. No further demands.

Q. Were you visited by the patrolman on post? A. No.

Q. You had no further trouble? A. Never.

Q. The \$500 and \$50 a month cleared you from all trouble? A. Yes, sir.

Q. You were never pulled? A. No.

Q. And no girls arrested in your house? A. No, sir.

Q. How many girls did you have? A. Five, six, and sometimes seven.

Q. According as the requirements of your customers called for? A. Yes, sir.

Q. Do you know if there were many houses just like your own around that neighborhood? A. Yes; I suppose there was.

Q. Did you know of any? A. Not to speak to any of these people.

Q. You kept to yourself? A. I kept always to myself.

By Chairman Lexow:

Q. Was this money always paid in bills? A. Always in bills.

By Senator O'Connor:

Q. Did you ever draw any of it from the bank? A. I didn't have much of a bank account to keep.

Q. Did all the money that you could get in have to be given out in this way, practically? A. Yes; and when I didn't have it I borrowed it.

Q. Were you told that you would be pulled in case that you didn't pay this money? A. No; I was told that I would be protected in case I gave it up; I was not told that I would be pulled if I didn't.

Q. You were simply told that you would be protected if you gave it? A. Yes, sir.

By Mr. Goff:

Q. You stated that you were never raided by the police; you had trouble, however, with Dr. Parkhurst's society? A. Yes.

Q. But not by the police? A. Not by the police.

Q. By the way, do you remember getting the tip before the warrant was served upon you? A. Well, yes; I was tipped off by a friend of mine; it was not any of the police, though.

Q. You were tipped off from Essex Market Court? A. Yes, sir.

Q. It was there that the warrant was applied for? A. Not exactly; just to be careful; that is all.

Q. Be on the lookout? A. Yes.

Q. On that warrant you were arrested? A. Yes, sir.

Q. On the complaint of Dr. Parkhurst's Society? A. Yes, sir.

Q. were brought to court? A. Yes, sir.

Q. And you were tried? A. Yes, sir.

Q. And convicted? A. Yes, sir.

Q. How much were you fined? A. Two hundred and fifty dollars.

Q. Before what court, Special Sessions? A. Special Sessions.

Q. And that is the only time that you were ever in trouble? A. Yes.

Q. The time Dr. Parkhurst's Society arrested you? A. Yes, sir.

Q. Have you opened up since? A. No; I moved right out.

Q. You moved out right after that, did you? A. Yes, sir.

Q. You are not in that business now, are you? A. No; thank God; never will.

Cross-examination by Mr. Nicoll:

Q. Do you know any of the detectives of Dr. Parkhurst's Society? A. Not by name.

Q. Do you see any of them? A. There is one of them (indicating).

Q. Did you come to court with any one of them to-day? A. What is that?

Q. Did you come to court with any one of them to-day? A. Did I come to court; yes.

Q. With one of them? A. A tall gentleman up there.

Q. Dennett? A. Yes.

Q. He brought you to court to-day, did he? A. Yes, sir.

Q. Was he the first man to whom you told this story? A. Certainly.

Q. It was Dennett got it up? A. Yes.

Q. It was Dennett who got it from you, first man, was it? A. Got what from me?

Q. Got this story that you have been telling here to-day? A. He didn't ask me any questions.

Q. Didn't you tell him anything about it? A. No; I had nothing to say to him.

Q. Who was the first person to whom you told it? A. Just now.

Q. Never told it before? A. No; I had no occasion to tell it.

Q. Have never told it to Dennett or to any of the lawyers, or anybody in the world before? A. I had not seen any lawyers yet.

Q. And have never told it to anyone before? A. No; what occasion had I to tell it?

Q. That is not the question; that is a matter of argument; I only want to know whether you had ever told it? A. No.

Q. Had you ever told it to any human being before you were put on this witness stand? A. Do you mean to-day?

Q. To-day, or any other time? A. Well, I was speaking about it to the gentleman who brought me here, but not to tell it in particular as I told it now.

Q. You were speaking about it to Dennett; do you mean this man here? A. The gentleman over there.

Q. Well, you spoke to him about it to-day? A. Well, I didn't speak first; he asked me a few questions and I answered them.

Q. What did he say? A. Well, he asked me about what I was asked just now.

Q. When did he ask you that, to-day only? A. To-day, while we were sitting here.

Q. To-day while you were sitting in court? A. Yes.

Q. And until you came to court, you hadn't told this story to anybody? A. That is the only man I told it to.

Q. That is the only man you ever told it to? A. That is all.

Q. You never told it to him until to-day? A. No, sir; never had any time to tell him any other time; never seen the man before.

Q. Never saw him until to-day; and when you saw him to-day, you told him the story, and he is the first one you ever told it to? A. I saw him when he served the subpoena on me, but I didn't speak anything about it.

Q. Where are you living now? A. Well, I don't want that mentioned; I ain't going to tell that.

Senator Bradley.—He declines to answer that question.

Q. You don't want to say where you are living now? A. No, sir.

Q. What are you doing now? A. Nothing.

Mr. Goff.—I object.

Q. What are you doing now? A. Nothing.

Senator Bradley.—She has answered that freely enough.

The Witness.—Eating and drinking.

Senator Bradley.—She says she is eating and drinking.

Q. How long before you kept this house in Christie street had you been in the business of prostitution? A. That was my only place.

Q. What? A. That was the only house I kept.

Q. Had you not been living in some house before that, as well? A. No.

Q. You started right in the business? A. Yes; started right in.

Q. Started in new? A. Yes.

Q. And had never had any training before? A. No; I didn't need no training.

Q. Didn't need any? A. No; I was smart.

Q. You were there how long? A. A little over two years.

Q. How many girls lived in your house, all told? A. At times six, at times, seven.

Q. What was it, a \$1 or a \$2 house? A. Two dollars.

Q. Two dollars? A. Yes.

Q. Out of that \$2, how much came to you? A. Half.

Q. You got a dollar a girl? A. Yes.

Q. You had five or six girls living in the house, or seven, perhaps? A. At times.

Q. What rent did you pay? A. Eighty dollars.

Q. A month? A. Yes.

Q. Fed the girls? A. Certainly.

Q. Fed six or seven girls, paid \$80 a month rent, and supported yourself? A. Yes, sir.

Q. Did you keep any books or bank account or memoranda? A. Never.

Q. Now, you say that shortly after the arrival of Captain McLaughlin in the district, he came to your house? A. Yes.

Q. With his ward detective? A. Yes.

Q. And told you you must give him \$500? A. Yes, sir.

Q. You told him to come some day later? A. Yes.

Q. He came some day later with his ward detectives? A. Yes.

Q. You gave him the \$500? A. Yes, sir.

Q. He went away with his ward detective? A. Yes.

Q. And then you paid the ward detective \$50 a month? A. Certainly.

Q. And when McLaughlin left the district, then Captain Cross came with his ward detective? A. Yes, sir.

Q. And he said he was to have \$500? A. Yes, sir.

Q. And you said you couldn't pay it at once, but you would pay it three or four days later? A. Yes, sir.

Q. And he went away with his ward detective? A. Yes, sir.

Q. And he came back with his ward detective three or four days later? A. Yes, sir.

Q. And you paid him in small bills, all one or two dollar bills, \$500? A. Yes, sir.

Q. And then you paid the ward man \$50 a month? A. Yes, sir.

Q. Then, when Captain Devery came, he said \$500? A. Yes, sir.

Q. You said you couldn't pay it just then, and he went away, and he came back in a few days with his ward man? A. Yes, sir.

Q. And you paid him \$500 in small bills? A. Yes, sir.

Q. And he went away with his ward detective? A. Yes, sir.

Q. What was the month of the year in which Captain Cross came to call upon you with his ward detective? A. That I don't remember.

Q. Do you recollect the year? A. Two years ago.

Q. Were you alone with him and his ward detective? A. All alone.

Q. No one else was present? A. No, sir.

Q. Were you alone at the time you say you gave him the money; with him and his ward detective? A. Yes, sir.

Q. No one else was present? A. No, sir.

Q. Were you alone every time when you gave the detective, as you say, \$50? A. Every time.

Q. No one else was present? A. No, sir.

Q. Were you alone when you say you had these transactions with Captain Devery and his ward detective? A. Always alone.

Q. And when you paid, as you say, the ward detective sums of money, was that always alone? A. Always alone; yes.

Q. Have you got a witness or memorandum? A. I have got no witness.

Q. Or anything in the world to corroborate that? A. Nothing in the world; for I never told my business to nobody.

Q. Did anybody promise you any money for giving this testimony? A. No; not at all.

Q. What? A. No.

Q. Did anybody give you any money? A. No.

Q. Say anything to you about money? A. No; I wouldn't go to the trouble of coming here and giving false testimony for any money.

Mr. Goff.—Why, the appropriation bill was vetoed.

Mr. Nicoll.—The Mail and Express says that all the chairman has to do is to call on the Chamber of Commerce and get all the money he wants.

By Mr. Goff:

Q. Do you remember when you first paid money to the ward men that they asked you to meet them out on the street? A. They asked me and I said that I would rather have them call at the house for I didn't want to stand on any corners waiting for any police.

Q. Was there anything said by them that the men around who kept other houses met them outside and paid them money? A. No, sir.

Q. Or did you say that because you were a woman you wanted them to come to your house? A. No, sir.

Q. All you said was that you would rather have them come to your house? A. Yes, sir.

Q. Than go out on the street? A. Yes, sir.

By Senator Bradley:

Q. Are you a married woman? A. I was not at that time.

Q. Are you a married woman now? A. Yes, sir.

Q. Living with your husband now? A. Yes, sir.

Mr. Nicoll.—I hope you will allow me an opportunity to call Captain Cross to the witness stand to-day. He is here now present.

Mr. Goff.—Captain Cross was not called as a witness except to produce the records of the police court. If we allow every witness who is present here to be called we will unnecessarily be taking testimony out of order.

Senator Lexow.—I feel that this committee should be guarded largely by the suggestions of its own counsel, and while I understand that it may seem a hardship on Captain Cross, yet he will have every opportunity in the world to contradict or deny any

statements affecting him, and the public, I am satisfied, will suspend judgment on that subject until he is called. I think that the American people are prudent, patriotic and wise enough to suspend judgment in a matter of this kind until both sides are heard. After all, the real point is to appeal to the conscience of this committee. We are not trying this case for the public, we are trying this case for the purpose of getting a basis for legislative action.

Senator Cantor.—But the public are getting the benefit of it. If there is to be a denial it ought to go out with the story.

Mr. Goff.—If every story that is presented here is to be met with a denial we will have to be see-sawing all the time and there will be no such thing as a fair statement or denial of testimony.

Chairman Lexow.—The whole thing is with counsel. If counsel says that Captain Cross should be examined now we will hear his testimony.

Mr. Goff.—Captain Cross will have his day in court the same as other captains. If Captain Cross went on the stand to-night I would not cross-examine him because I am not prepared for it.

Chairman Lexow.—I think the public will suspend judgment until they hear all the testimony.

The committee adjourned to Tuesday, June 5, 1894, at 10:30 a. m.

Proceedings of the twentieth meeting of the committee, Tuesday, June 5, 1894:

Present.—Committee all present except Senator Pound. Counsel on both sides present, and in addition, Mr. R. S. Ransom in connection with Mr. Nicoll.

Mr. Nicoll.—I wish to announce to the committee, that inasmuch as the sessions of the committee are to be continuous, or during almost of the month of June, I am obliged to be absent in Albany, attending to my duties as a constitutional delegate on some days during the month, especially when the judiciary committee meets and I have the pleasure of associating with myself as counsel of the department, ex-Surrogate Ransom and I now introduce him to the committee, and bespeak for him the same courteous treatment that I have received at your hands.

William Willcocks, called on behalf of the State, being duly sworn, testified as follows:

By Mr. Goff: I

Q. You are a clergyman? A. Yes, sir.

Q. Your full name, please? A. My name is William Willcocks.

Q. Where do you reside? A. I reside at Plattekill, Ulster county, New York.

Q. You discharge the functions of your ministry there? A. Yes, sir.

Q. Do you remember an occasion of going through Vesey street some time ago, and seeing a policeman stand in front of a liquor store? A. Yes, sir.

Q. State as nearly as you can how long ago it is? A. My impression is it is within the last two months.

Q. Where were you going? A. I was going down to the Washington Market, I think it is called.

Q. You came in front of a liquor store; could you tell the committee what liquor store it was? A. All I can remember just now is that the liquor store was situated on the south side of the street between Greenwich and Washington streets; the name I can not just now remember, but I have a memorandum of the fact at home.

Q. At your home in Ulster county? A. Yes, sir, and as I reached this place, within about 50 feet of it, I should say, of the saloon, I noticed an officer standing before the saloon, having his right hand extended behind him, and as he stood there —

Q. Will you illustrate to the committee how you saw the officer standing with his hand behind him? A. He stood this way (the witness standing up and placing his hand behind him) and he had his right hand out in this way, and as he stood there the bartender came out, I learned afterward that he was the bartender, and he placed in his hand what I took to be —

By Mr. Nicoll:

Q. What is that — what do you say? A. From the distance that I was, what I took to be a bill, one or more bills and the officer closed his hand on it, and walked down the street in the direction of the street south, and then turned south and went to Washington Market, and the fact was of such an interesting nature to me that I followed the officer and learned his name, and came back after that to the same saloon where this officer stood, and learned the name of the bartender, and taking all of those facts into consideration, I thought it was an illustration of what I have seen agitated in the papers, as protection money; in substance, that is what —

Q. You made a memorandum of the names and the date and so forth? A. Yes, sir.

Q. And that memorandum is at your home in Plattekill, Ulster county? A. Yes, sir.

Q. Are you going to visit New York again in a short space of time? A. I expect to, within the next week or so.

Q. If you visit New York within a week, will you try and bring with you that memorandum? A. If it is your desire, I will do so.

Q. I think it is the desire of the committee; you will bring that memorandum with you that you made; did you ever see the officer before? A. No, sir.

Q. But you learned his name? A. Yes, sir.

Cross-examined by Mr. Nicoll:

Q. What was the month in which you saw this occurrence? A. I would not like to say just now; I have forgotten, but it was within the last three months.

Q. Are you often in New York? A. Yes, sir.

Q. How often? A. I should say on an average once in every three weeks, at least.

Q. Have you church work here, that called you here? A. Yes, sir; I have.

Q. From what you have read in the newspapers, you had a notion, as a country clergyman, that everything in New York was corrupt, did you not? A. No, sir.

Q. Or that there was a general corruption among public officials and police officers? A. Yes, sir.

Q. And that is a belief which exists among countrymen, pretty generally? A. I would not like to say.

Q. So that when you saw a police officer standing near a saloon, your preconception, from reading the newspapers, at once suggested "Protection" in your mind? A. Not altogether.

Q. But it did in part? A. Yes, sir.

Q. Had you a notion that bribes were paid in broad daylight, on the highway, to public officers in this city? A. I never thought of that.

Q. This was in broad daylight, was it not? A. Yes, sir; it was daylight.

Q. And the officer stood on the highway? A. The officer stood on the sidewalk.

Q. That is the highway? A. Excuse me; I did not understand the term.

Q. He stood on the sidewalk, did he? A. Yes, sir.

Q. You think, in broad daylight, standing on the sidewalk, a saloon-keeper was bribing him? A. I would not say that.

Q. That is the impression that you got, was it not? A. I should say, in words, it was an illustration of bribery.

Q. An illustration of what? A. An illustration of bribery.

Q. You believe that he was being paid a bribe, do you? A. Yes, sir.

Q. And you took the pains to look up this record and find out his name? A. Yes, sir.

Q. And you arrived at that in part, from your preconception about New York things, from what you had read in the newspapers? A. In part.

Q. Do you know a single man on the police force; have you an acquaintance of a single officer on the police force? A. Yes, sir.

Q. Who? A. Sergeant Bird, of the Central office; I presume he is there now.

Q. Is that the only one you know out of the 4,000 men on the police force? A. Personally.

Q. And all your impressions in regard to them have been obtained from reading newspapers? A. Largely so.

Q. And what paper? A. Various papers; the Press.

Q. The Press and Tribune? A. And the World.

Q. The World and Tribune? A. Mail and Express.

Q. Well, that will be enough; you may stop now.

Mr. Goff.—Sergeant-at-Arms, you have Gideon Granger in charge; please bring him before the committee.

Gideon Granger appeared and took the witness stand.

Mr. Nicoll.—Mr. Chairman, will you listen to a request from Senator Roesch, in reference to the testimony that was offered yesterday?

Chairman Lexow.—We would like to extend to the judge, all the courtesies of this committee, but we established a precedent yesterday that if we should abuse or violate in one case, it might arise like the ghost of Banquo in others.

Mr. Roesch.—If the committee please, as a judicial officer in this city, and as a former colleague of members of this committee, I think, in common justice to myself, you ought to give me the opportunity of being heard in answer to such statements as were made yesterday, concerning me. I would not interfere with the regular order of business, except that—

Chairman Lexow.—We will hear you under oath.

Mr. Roesch.—I mean, under oath. I mean that you should hear me under oath.

Mr. Goff.—As I submitted to the committee yesterday, that it would seriously interfere with the plans and the scope of the investigation, if every person whose name may be mentioned, during the course of your investigation, should be allowed to go on the stand, and either contradict or do whatever they thought proper—however, I regard this as an exceptional case,

considering that Senator Roesch was at one time an honored member of the Senate, of which committee is to-day, and also that he is a judicial officer, I should be very glad to see Senator Roesch avail himself of the opportunity of the witness chair, but we have matters of importance on hand to-day, which are pressing; I would, therefore, suggest to Senator Roesch and the committee — to-day is Tuesday — that the committee will fix Thursday morning to give way; I shall be delighted to accord, so far as I am concerned, with the consent of the committee, that privilege to Senator Roesch.

Mr. Roesch.—I earnestly protest against this request for this reason; I held court this morning until half-past 10, and then adjourned court to come down here. I adjourned court until 12 o'clock. If these statements concerning me are true, I ought not to be permitted to hold court at all. I want an opportunity to answer these statements. I do not wish litigants who come before me, when I am resting under any such alleged cloud as this. It is only in common justice to me that I ask this privilege, and I think Mr. Goff is right, when he says, that this is not in the usual course of the character of witnesses, who, perhaps, have thus far been assailed, because of the official position which I hold, and I would ask Mr. Goff that I be permitted to take the stand now.

Chairman Lexew.—You must understand that this is not a trial for the benefit of the public, or for the newspapers, but a hearing for the purpose of getting facts, upon which to base legislative action. Now, the public ought to suspend judgment with reference to anybody who is attacked here or condemned here, until those persons have had an opportunity to be heard.

Mr. Roesch.—The committee know very well that I am —

Senator Saxton.—You are here and have expressed your desire to testify; there is another witness here that Mr. Goff desires to examine at present, and I would suggest that you come to-morrow morning; we are anxious to permit you testify and while I do not believe that we ought to establish this precedent of permitting witnesses to break in, yet I believe every person whose character is attacked ought to be permitted to testify before we get through; but would it not do just as well to-morrow morning, under these circumstances, and the fact that you are here, desiring to so testify.

Mr. Roesch.—I think after the statement of the Senator that I agree with that.

Mr. Goff.—I would suggest Thursday morning instead of to-morrow morning.

Senator Saxton.—Would not to-morrow morning be agreeable to you?

Mr. Goff.—No; I have got matters out for to-morrow, and it is only waiting one day, 24 hours longer, and it had better be Thursday morning.

Mr. Roesch.—Then I ask that I be placed on the stand at about 11 o'clock Thursday morning.

Senator O'Connor.—This case is not to be a precedent.

Senator Saxton.—We do not want to establish a precedent.

Senator Cantor.—A precedent has already been established. Mr. Raines was called, and allowed to testify in his behalf.

Mr. Goff.—That was by special permission of counsel and the committee.

Chairman Lexow.—It is understood that Senator Roesch will appear on Thursday morning, and be examined at that time.

Gideon Granger resumed the stand, for further direct examination.

By Mr. Goff:

Q. You have already been sworn? A. Yes, sir.

Q. You remember the last day that you were on the stand here? A. Yes, sir.

Q. You came to court this morning in charge of the sergeant-at-arms of this committee, did you not? A. Yes, sir; with Mr. Burr.

Q. He is a deputy of Mr. Schram? A. Yes, sir.

Mr. Goff.—I wish, gentlemen, to read the following letter, which I have received from my friend, Mr. Nicoll.

“New York, May 30, 1894.

“Hon. John W. Goff: ,

“Dear Sir.—In my previous communications, I have told you that I did not feel at liberty to advise that any proceedings, for any purpose, be taken against the witness, Granger, while he had any relation to the Senate Committee, as a witness.

“I now desire to make this suggestion. Assuming that he is out of the State, if the witness will return, and again take the stand, no complaint for any offense will be made against him while in the State, as a witness, by Mr. McClave. So far as Mr. McClave is concerned, he may safely come into the State, appear before the committee, be examined and cross-examined, and depart again without any molestation from my client.

“I have already said this in public and private, but I repeat the assurance now, in order that the witness may submit himself to the committee immediately, if in fact, which I can hardly

credit, fear of prosecution for past misdeeds has ever deterred him from returning.

"I have assumed in this letter, that the witness was without the State, but if he should still be in our jurisdiction, though hiding, my assurance remains the same. He may come and depart again to any spot he may come from, without apprehension.

"Hoping to see you on Thursday, I am,

"Very truly yours.

"DELANCY NICOLL"

Mr. Nicoll.—Will you not read the previous correspondence?

Mr. Goff.—I do not think that is necessary. Mr. Nicoll had previously written to me, suggesting that the superintendent of police be requested to take such steps as he could, and of course it was manifest that the superintendent of police could not take any steps, without some warrant of law. The superintendent of police did everything in his power, but he had no warrant of law to act. I will further state, in justice to Mr. McClave, who is absent to-day, to my very great regret, that I would have had Mr. Granger yesterday, the first day I could have had him, had I thought that Mr. McClave would have been here; I communicated with Mr. Nicoll, to know if he could be here yesterday, and Mr. Nicoll informed me, showing me a letter yesterday morning, that Mr. McClave was still too ill, and I also saw from the public newspapers, that he was ill, and I regret very much that he is not here, and the request that Mr. Granger has made, almost as a part of a condition of his return to the city, was that Mr. McClave should be in court. However the needs and necessities of the situation compel me to call Mr. Granger, or to have him here as early as possible, which is to-day.

Q. After you left the stand on Monday, when you testified, did you hear Mr. McClave say anything as you passed him? A. Yes, sir.

Q. State what you heard him say? A. He said he would have that scoundrel in State's prison; Mr. Nicoll also said the same thing.

Chairman Lexow.—Referring to you? A. Yes, sir; Mr. Nicoll pointed his finger at me.

By Mr. Goff:

Q. When you left the courtroom, were you accosted by any gentlemen of the press? A. Yes, sir; Mr. Latshaw, of the World, I believe.

Q. And other men? A. I do not know the gentlemen's names; I think there was a Mail and Express reporter, three or four of them; I know only Mr. Latshaw by name.

Q. There were three or four reporters? A. Yes, sir.

Q. Did they say anything to you? A. Yes, sir; they told me that they had heard what both Mr. Nicoll and Mr. McClave had said.

Q. About sending you to State's prison? A. Yes, sir; Mr. McClave hammered his hand on the table, and said, "By God, I will send that scoundrel to State's prison."

Q. Was there anything said about your being sent to State's prison as soon as this thing was over? A. Yes, sir; he said he understood now perfectly well that I was under the supervision of the State committee, but as soon as they got through with me I would not get far from the door before he would have me arrested.

By Mr. Ransom:

Q. Is that the information that you received from the reporters; is that what you mean? A. No; direct from Mr. McClave.

Q. You heard Mr. McClave say that? A. I did.

By Mr. Goff:

Q. After you had left the courthouse, did you notice any men following you? A. Well, there were quite a number following me, but I did not notice anybody specially until after I left the Elevated at the World office; I went over to take the Elevated at Park Place, and I turned around two or three times to see if anybody was following me, and I suspected two or three people that were walking down behind me, and I went into Keefe's saloon on Park Place, and I had been there about two minutes when these two or three people whom I had suspected came in after me, and that confirmed in my mind that I was being followed, and then I came out and took the Elevated railroad and went to 250 West Fifty-seventh street, my father's home.

Q. You had an engagement with me that night, had you not? A. Yes, sir.

Q. That engagement was at my house? A. Yes, sir; it was at your house.

Q. Did you keep that engagement? A. Yes, sir; your messenger called at my house for me about half-past 7, I think.

Q. How late did you stay in my house that night? A. Between 12 and half after.

Q. Do you remember the last words you said to me, when you left my house? A. Yes, sir; I said that I would be at your office between half-past 9 and 10 o'clock the next morning.

Q. Between 9 and 10 o'clock the next morning? A. Yes, sir; on Tuesday morning.

Q. After you left my house, where did you go? A. We came down from One Hundred and Fourth street to a new saloon there on the corner, and both your messenger and myself went in, I think; I know we got a drink, and as we were there Captain Murphy and two other gentlemen came in and stood at the end of the bar and looked at me, and then Captain Murphy took some cigars from his pocket and gave each one of these gentlemen a cigar, and I turned my back on them; I recognized them, but I did not say anything to the men who was with me; I then went out and took the Elevated and went into the waiting-room and waited there until the train came along, and then I got on the train and went down town as far as Fifty-ninth street, and there I got out.

Q. Did my messenger get out with you at that place? A. No, sir, he did not.

Q. He went on down? A. He went on down, yes, sir.

Q. When you got out at Fifty-ninth street, where did you go? A. I went into McGlynn's, at the corner of Fifty-ninth street and Ninth avenue; I went in more for the purpose of seeing if I was followed by these people, and I had not been in there more than five minutes, before I saw Captain Murphy and these two men come in; I waited there three or four minutes, and then came out and walked down to Fifty-seventh street, to 415 West Fifty-seventh street, my boarding place, and went in and locked the door; I did not see them going down Fifty-seventh street.

Q. You then retired, did you? A. Yes, sir; I didn't sleep much, though; I was all worked up, and nervous over what Mr. McClave and his counsel had said here in court; and then being followed from the World office, or from the courtroom, right up to my home, and then taken from your house, and followed right down back to the house again; I felt very much worried.

Q. You got up in the morning, did you? A. Yes, sir; I got up in the morning.

Q. Feeling pretty well broke up, were you? A. I was broken up; I got up about half-past 6 and walked up as far as Sixty-fifth street and Columbus avenue; when I came out of the house in the morning, I saw two people standing directly across in front of 414.

By Senator Bradley:

Q. What kind of people, men or women? A. They were men who were standing there.

By Mr. Goff:

Q. Did you have a talk with your mother that morning? A.

Yes, sir; I did; when I got back to the house; but these men followed me up as far as Sixty-fifth street, and I turned around and came down, and then I went to the Rutland and saw father and mother.

Q. Does your mother reside there? A. Yes, sir; at the Rutland; I saw them, and they were nervous; they had read in the papers the account of what Mr. McClave and Mr. Nicoll had said in court, and she was hysterical and did not know what to do, and I came out and went right over and took the train and went to Yonkers.

By Senator Bradley:

Q. Were the men you saw in the morning the same men who followed you up the night before? A. I could not tell you that.

Q. Was Captain Murphy with them? A. I think not.

Q. Was Captain Murphy with them when you left the World office? A. No, sir; different people; Captain Murphy I saw about half-past 11 the first time.

By Chairman Lexow:

Q. Was he one of the two the next morning that you saw? A. No, sir.

By Mr. Goff:

Q. You say that your mother was hysterical; what did you do, and where did you go? A. I told her that she need not worry; that she need not be afraid; that I did not mind or care what Mr. McClave did to me, but I did for them; that I knew that he was a liar —

Mr. Nicoll.—Hold on, I object to this conversation.

Q. I do not care what you said about Mr. McClave to your mother; just state what you did and where you went? A. Well, mother got hysterical, and she did not want me to come down to testify; I then told her that I had promised Mr. Goff to come down, and she said, "If you have done that, you had better go," and when I went out she threw her arms around me and kissed me; and she said she didn't ever expect to see me again; I said, "Oh, yes, she would," and I went down stairs in the elevator, and went right over to Fifty-ninth street, and took the Elevated train to One Hundred and Fifty-fifth street, and there took the 10:10 train to Yonkers.

Q. And was it then, that you made up your mind, finally, not to come down? A. Not to come down, unless Mr. McClave would withdraw what he said.

Q. Tell the committee why you did not come to court that morning; you have stated the steps that you took; now, why

did you not come? A. I did not come to court because of the threats that he made, Mr. McClave and Mr. Nicoll, and I knew the power that a police commissioner has got, to use every bit of the department against anybody, to accomplish their own ends, and, in fact, he has boasted of that.

Q. Mr. McClave? A. Yes, sir; endless power; he has boasted of.

Q. What has he said in his boasting? A. He said police commissioners had more power than the president of the United States had; repeatedly said that.

Q. In other words, you became frightened? A. I was frightened; I should not have left, if I had not been.

Q. You remained away for several days, did you not? A. Two weeks ago this morning.

Q. Have you seen Mr. McClave since? A. No, sir; I have not.

Q. Did you authorize any person to see him? A. I have not.

Q. Did you make any propositions that you would stay away, if there was any money given to you? A. No, sir; never.

Q. Did you open up any negotiations with him whatever? A. Not in the least; I never authorized anybody to go and see him before me, or see anyone, or anybody connected with him.

Q. When did you leave this State? A. Two weeks ago to-morrow.

Q. On Wednesday? A. Yes, sir.

Q. And have you been in New York State since two weeks ago to-morrow, until this morning? A. No, sir; I have not.

Q. You have never put foot upon New York State soil until this morning? A. No, sir; I have not.

Q. And you came out of another State this morning? A. I did.

Q. In charge of the sergeant-at-arms of this committee, did you? A. Yes, sir.

Q. You opened up communication with me, did you not? A. I did.

Q. On your own motion? A. Yes, sir.

Q. And then you did not disclose to me the place where you were stopping? A. No, sir.

Q. But I communicated with you? A. Yes, sir.

Q. And at your request I have seen you? A. Yes, sir.

Q. And I have told you about the letter that I have read from Mr. Nicoll this morning? A. Yes, sir; you did.

Q. And also about the protection that the law would confer upon you? A. Yes, sir.

Q. And told you to come here as a witness? A. Yes, sir.

Q. And at my urgent request and at your own desire, you have come here? A. Yes, sir.

Q. What business were you engaged in when you married

Mr. McClave's daughter? A. Produce commissioner merchant, at 145 West street.

Q. On your own account— A. Yes, sir.

Q. Or in anyone's employ? A. No; on my own account.

Q. You had been a suitor for Miss McClave's hand for many months before? A. Two or three years; I think I know them before they were married.

Q. When were you married, what date? A. We were married by Dr. Saunders, on December 31, 1887.

Q. Mr. McClave testified here in answer to his counsel, Mr. Nicoll, "A. Yes; I remember it; on the very day he was married.

Q. What was that transaction? A. He came to me at police headquarters, on the day that he was married; he had in his hands some bills of lading, and he said that, very unexpectedly, certain drafts had been drawn upon him, and he found that he was a little short in his bank account, and in view of the fact that he was going off on his wedding trip that night, to be gone 10 or 12 days, he asked me if I would not lend him \$500 on his note for 20 days, indorsed by Mr. Judd, the gentleman he was with." Do you remember that conversation? A. Yes, sir; it is not true.

Q. Will you state what the transaction was? A. I think it was on or about the 20th of December, it was right before Christmas, when we had to have some money, Mr. Judd and myself, to pay some drafts that were drawn against us by E. Aldrich, of Quincy, Michigan, and I went to Mr. McClave and asked him if he could loan us any money; he asked me how much, and I told him, and he said yes, he could on note, and I said, "All right, do you want an indorser," and he said, "Yes," and I gave him a note for \$500, with Mr. Judd's indorsement on the back of it, and Mr. Judd made the indorsement.

Q. There has been a suggestion here, if not a direct statement, at least a charge by counsel, that the indorsement by Mr. Judd on the back of that note was a forgery; is that true? A. It is not.

Q. Did you see Mr. Judd write his indorsement on the back of that note? A. I did see him write it.

Q. Mr. McClave says that there were \$200 paid on that note, and that no other portion of the note has been paid; will you explain that transaction? A. The note has been paid in full; we paid \$200 in cash, and we hold his receipt for the balance of the \$300, which was turned over to his daughter, gave to her; he said I could give it to her.

Q. To your wife? A. Yes, sir; and we hold her receipt for that.

Q. Was there ever a demand made upon you or upon Mr. Judd

for payment on that note, after you got the receipt? A. No, sir; there could not have been, because it was paid.

Q. As to the money being given to you on your wedding day, on the day that you went on your wedding trip, with that money, it has been stated and suggested here, that you obtained the money from your prospective father-in-law on a forged note, for the purpose of paying your wedding expenses; is that true? A. No, sir; it is an unmitigated lie; it is not surprising though to me that he should say it.

Q. Never mind that; you did go on a wedding trip, did you? A. Yes, sir, we did; not on forged notes, though.

Q. Mr. McClave stated that the note was dated back some eight or 10 days before your marriage; is that true? A. No, sir; the note bears the date of the day that we got the money, and his checks would show the date that he gave the money.

Q. His checks have all been burned? A. That is what he says.
Mr. Goff.—Have you got that note, Mr. Nicoll?
Mr. Nicoll produced note.

By Chairman Lexow:

Q. You stated a moment ago that, "He says," referring to the burning of the checks; do you mean to dispute that statement?

A. Well, I do not dispute it, for I have no grounds to dispute it on.

Mr. Goff.—We will come to that later, Mr. Chairman.

Q. I hand you this note in question; that note bears what date? A. December 19th, 1887.

Q. And that was the day on which the money was obtained? A. Yes, sir.

Q. Look at the back of that note; is that Mr. Judd's handwriting? A. That is Mr. Judd's own indorsement; his own signature.

Q. And the money that you received on that note went in to meet your business engagements? A. Yes, sir; it was all paid out, the minute that we had it, for those drafts that were in the bank; they were held until 3 o'clock for us, some \$700; I think the draft was for this one particular draft.

Q. Mr. McClave testified here, that you admitted to him, that you forged that endorsement; is that true? A. No, sir; it is not.

Q. Did you ever admit to him anything wrong at all, about that endorsement? A. No, sir; I never did.
is not.

By Chairman Lexow:

Q. Does Mr. Judd claim that this endorsement is a forgery? A. I do not think that he does.

Senator Saxton.—Where does this note come from?

Mr. Goff.—It comes from Mr. McClave's possession. It was in his possession.

Mr. Nicoll.—Mr. Judd was in court here, and I offered to put him on the stand.

Mr. Goff.—I do not know that you offered to put him on the stand, but you offered to state what he said, and I objected to your stating what he said, unless he is put on the stand.

Senator O'Connor.—Ask him why Mr. McClave did not surrender this note at the time that the witness claimed a receipt was given for the money.

Q. Why did not Mr. McClave surrender the note, when the money was paid, as you claim? A. He said he would destroy the note, or that he had given it to my wife at the time; I supposed she had it; I did not know that the note was in existence, until it came up in the paper; I supposed it had been destroyed.

By Senator Saxton:

Q. You say that he gave this note to your wife? A. That is what he said; he gave the balance of the note, \$300, that was not paid on this note to my wife.

Q. Then do you say your wife receipted for that \$300 to you? A. Yes, sir; we hold her receipt for it.

Q. You have not the receipt, have you? A. No; Mr. Judd has it in his office at 92 Park Place.

By Senator Cantor:

Q. It can be obtained, can it? A. I think so.

By Chairman Lexow:

Q. In whose handwriting is the body of that note? A. In the handwriting of our bookkeeper, Mr. W. P. Dixon.

Q. Do you know Mr. Judd's signature? A. Yes, sir; that is his.

Q. Have you got any other of Mr. Judd's signatures? A. No, sir; I have not; but I can easily get them.

Q. Was this note written out and signed, in the presence of the bookkeeper? A. Yes, sir; that is my signature on the note.

By Senator O'Connor:

Q. Did Mr. Judd endorse it in the presence of the bookkeeper? A. Yes, sir.

Q. What is the bookkeeper's name? A. W. P. Dixon.

Q. Do you know where he is? A. I think he is with Harrington & Company, at the foot of Sixtieth street and North river.

By Mr. Goff:

Q. About your expenses for your wedding trip; who paid those expenses? A. I did.

Q. Out of your own pocket? A. Yes, sir.

Q. And your own money? A. My own money, that I made.

By Senator Bradley:

Q. Money that you earned? A. Yes, sir; money that I earned.

By Mr Goff:

Q. Is Mr. McClave's statement, that he paid your expenses, for your wedding trip, true or false? A. Not a word of truth in it; not the least shadow of it.

Q. You have in your previous testimony testified about the appointment of Cooper from that place in New Jersey? A. Whitehouse, New Jersey.

Q. We do not want to go over that ground again; that testimony is on record; how long did you remain in the produce business? A. Until October, 1889.

Q. That was nearly two years after your marriage, was it? A. Yes, sir.

Q. You lived with Mr. McClave? A. Yes, sir.

Q. A member of his household? A. Yes, sir.

Q. Why did you not keep house for yourself after your marriage? A. Both Mr. and Mrs. McClave did not want my wife to leave the house; she did all the housework there; she was the housekeeper; had the hiring and discharging of the help, and took general charge of the house; Mrs. McClave had told her that she wanted her to do it, she being the eldest daughter at that time, and that is why we stayed.

Q. Did you make any request to go housekeeping or express any desire? A. Yes, sir; I have asked my wife to go housekeeping; I wanted to go, and once I even went so far as to pay a deposit for a flat, and the next day I went back and got the deposit back again.

Q. And the reason that you stayed is, because her parents did not want her to leave? A. Yes, sir; every time that we talked about going housekeeping, Mrs. McClave and Mr. McClave both objected to it.

Q. During the two years, or almost two years, from the time you were married, until you left the produce business, did you pay anything toward your board, or support, in that house? A. I hardly think that I paid any board; I gave my wife \$10 a week for herself, for spending money, and whenever she wanted

anything that her father and mother did not give her I would always give her the money for it.

Q. Were you ever asked for any board? A. No, sir; I offered it once, and Mrs. McClave said, "No; to give it to my wife for herself."

Q. After you left the produce business, what business did you enter? A. The post-office.

Q. Mr. McClave has testified that you went into the money order department? A. I did not; never in it.

Q. He recommended you? A. Yes, sir.

Q. Was it in the general post-office? A. No, sir; it was the stamp clerk in P. O. Station F, on Third avenue, between Twenty-ninth and Twenty-eighth streets.

Q. Who is the superintendent or officer in charge? A. A. M. Dickenson.

Q. Before you went to the post-office—I will refer to Mr. McClave's testimony here; he says; the question is by Mr. Nicoil, "How long was it after he had married your daughter before you discovered what manner of man he was; that you subsequently found him out to be? A. Well, about a month, I should think, after their marriage, my daughter had received at the time of her marriage, a very large number of gifts in the way of silverware, and one thing and another, quite valuable; she had placed them in trunks and taken them down and put them in the Garfield Safe Deposit Vaults, Twenty-third street and Sixth avenue; after they had been there for some time, she went down one day for the purpose of getting something out of them, and when she got there, she found the trunk was gone; she came and told me about it, and I went there, and found that Granger had signed a receipt for them, and taken them away; when he came home that night, I questioned him about it; he told me he had taken them down to Simpson's pawn shop and pawned them for \$600; I gave him the money to go down and get them, and put them back, and they are now in the Garfield Safe Deposit Vault;" is that true? A. No, sir.

Q. Is any part of it true? A. No, sir—well, the part is true, in connection with taking them out from the Garfield Safe Deposit vaults; I did that, but my wife knew of it at the time, and I took them, and I told her I took them; I took them and put them in our own bank, which was the North River Bank, at the corner of Dey and Greenwich street; Mr. Judd's account was there, and put them in the safe deposit vault down there, and, on that receipt, I raised \$500 on them to pay for a western trip, traveling for poultry; how it was that Mr. McClave in that, speaks about my wife going down to get some silver; it was

not that; Mrs. McClave was giving a tea party one night, and she wanted to get some silver, and without asking my wife, she went down to get some silver.

Q. To the North River Bank? A. No, to the Garfield Safe Deposit Vaults, and that is how Mr. McClave knew of it; my wife knew all about it; that did not happen until the October after I was married.

Q. He said that you pawned them in Simpson's pawn shop; is that true? A. Not the least bit of it; nothing about it at all.

Q. Did you ever pawn an article given to your wife upon your marriage or any of the wedding presents in Simpson's pawn-shop or any other pawn-shop? A. No, sir; I never did.

Q. You say you did raise the money on the receipt to pay for a western trip? A. I did, in a perfectly legitimate way.

Q. What was that western trip? A. I was going out drumming up the calf and poultry trade, dressed veal, out through the west, and I went as far as Illinois.

Q. And you say you did that with your wife's knowledge? A. Yes, sir.

Q. Speaking about these wedding presents, your wife did receive a large number of wedding presents, did she? A. A great number of them; yes, sir.

Q. Do you know what proportion of them came from members of the police department? A. The biggest majority of them, that is, that came from her people.

Q. I mean from officials in the police department? A. Yes, sir. the majority of them came from city officials in the police department.

Q. We now come back to the post-office; you went in there; what was your salary? A. Nine hundred dollars when I first started; I left the produce business because the odor from the calves and poultry that would impregnate my clothing was so distasteful to the McClaves, that he wanted me to go out of the business; he said that he would get me a position in the post-office, or at the custom house, if I would leave the produce business, and that was the reason I left, because the odor of the veal and so forth was not agreeable to them.

Q. That was the reason then, that you left? A. Yes, sir; distasteful to the house.

Q. Had you the handling of any money in the post-office? A. Nothing, only stamp money.

Q. Mr. McClave says in his testimony, speaking of this post-office appointment, that he was appointed to a position in the post-office on Third avenue, and placed in charge of what is known as the money-order branch; is that true? A. No, sir.

Q. He says, "According to his own testimony, his own confession, signed over his own signature, after he had been in the post-office for four or five weeks, it was discovered he had stolen several hundred dollars. According to his own confession, he commenced to break open the mail within 20 minutes after he had been put into the office, and stole \$20 the first day; and the inspector of the post-office finally discovered it, and the only reason why they could not convict him was because they could not do it upon his own confession, there being no other testimony against him." Is that true? A. No, sir.

Q. Is any part of it true? A. No, sir; not the least bit in the world.

Q. Were you ever brought before any post-office official to answer for any defalcation? A. No, sir.

Q. Was there ever a charge made against you of opening a money-order letter, or a letter containing a money-order? A. No, sir; there was no direct charge; there was talk of it around election time that fall.

Q. Had you the handling of letters containing money orders? A. No, sir; not the least bit.

Senator O'Connor.—In connection with the statement of Mr. McClave, as the only reason why he was not persecuted, because there was no corroborative evidence; I would ask if there is anything in the United States law to that effect?

Mr. Goff.—Nothing whatever; he could be convicted on his own confession.

Mr. Nicoll.—Do you have any doubt about the fact that he made this confession that he opened registered letter or letters having money orders—

Mr. Goff.—It is a question of doubt.

Mr. Nicoll.—I think in view of the fact that I have guaranteed a safe convoy of this witness while in the State, and that he is here without danger from any source, the committee ought to be careful not to permit him to flood the record with perjury.

Mr. Goff.—That remark is unjust and improper before this committee.

Chairman Lexow.—We can not assume that it is perjury.

Mr. Goff.—Does the record or the demeanor of Mr. McClave indicate that he is perfectly free from perjury?

Chairman Lexow.—Neither counsel should sum up now; we will take the testimony as it is offered.

Mr. Goff.—I have not cast a reflection by one word upon the testimony of Mr. McClave in this case.

Senator Saxton.—These are matters that Mr. McClave testified to and you are now calling the witnesses's attention to them.

Mr. Goff.— Yes.

Senator O'Connor.— I asked a question that any lawyer might ask, if it required corroboration, under the United States laws, where there was a confession, to convict, which of course, it did not.

Q. He says here that you signed a written confession, over your own signature, that you opened a letter and stole a post-office money-order for twenty dollars out of that letter; is that true? A. No, sir; if I did, where is the confession?

Q. Yes, where is the writing? A. Where is the writing?

Chariman Lexow.— You say it is not true? A. Not the least bit of it.

By Mr. Goff:

Q. There was some transaction in connection with the stamps in that department, about which there was some trouble? A. Yes, sir — no, there was no trouble; there was trouble made at the time, but there was no trouble in the post-office about it.

Q. You resigned your position, did you not? A. Yes, sir; I resigned my position.

Q. And you resigned it at the request or advice of — Mr. McClave?

Q. Did you ever hear of Mr. McClave or any other person at that time say that any criminal charge was about to be brought against you, or threatened to be made against you? A. No, sir.

Q. State what the trouble was, if trouble it was, regarding the stamps? A. In every post-office, or every post-office station, and the city, the superintendent of that station is responsible to the post-office for the stamps used at that station.

Q. To what extent? A. One thousand dollars, we had to carry; that is what the postmaster required at that station, and Mr. Dickenson and all the superintendents had to furnish those stamps with their own money; they buy stamps from the post-office.

Q. You mean they buy stamps from the general post-office? A. Yes, sir; then the stamp clerk, which I was, is responsible to Mr. Dickenson, not at all to the post-office, and there was a discrepancy in the stamp account there, of \$84, and in that \$84, there was \$75 of it borrowed money, borrowed by myself, with Mr. Dickenson's consent.

Q. How did you come to borrow that money? A. I borrowed it for a wedding present for my wife.

Q. A wedding present? A. No; a Christmas present.

Q. Where did you buy that Christmas present? A. At Black, Starr & Frost.

Q. What was the article? A. A diamond pin — an owl pin, with diamond eyes.

Q. Did you buy anything else? A. No, sir; it was just for that; I might have bought some nick-nacks with it for the children; I don't know whether I did or not.

Q. Did you buy it in the presence of Mr. Dickenson? A. Yes, sir; Mr. Dickenson and myself were in there together, and I told him I would like it, but I didn't have, but I could not afford to buy it at present, because I did not have the money, and he said, You can take the money from me, and when you get your salary, you can pay it.

Q. Did you give him any note or anything? A. I just gave him an I. O. U., and signed my name to it.

Q. Where did you put that? A. I put it in the stamp drawer; I gave it to him, and he put it in the stamp drawer; it was in the stamp drawer, so we could balance on it.

Q. When did the matter become known, or any trouble about it arise? A. The first trouble that I heard about it was the day that Mr. Morgan of the post-office came up there, and told Mr. Dickenson that he had a pretty big Democrat in there and Mr. Dickenson asked him who it was, and Mr. Morgan says, this Granger; they say he is going around shouting over this election; this was at the time the Democrats carried all the Congressmen; he says, "We don't want that kind of talk;" when McClave came to me and asked me if it was true, and I told him that I might have been elated over the fact that the Democrats had been victorious, and he told me that I had better keep my mouth shut in the post-office; it was three weeks after that, that this charge of taking money from the stamp drawer was made against me.

Q. Who made the charge? A. I think Mr. Morgan — yes, Mr. Morgan, there was no charge to be made, because Mr. Dickenson went right down to the post-office and saw Mr. Morgan and saw Mr. Wood, and they sent for Mr. McClave, and Mr. McClave asked me if I had taken any money from the stamp drawer, and I told him, "No; only on Mr. Dickenson's authority;" and he said, "Well, you had better resign," which I did do; I wrote my resignation on the post-office paper, and had a notice from the post-office, I think, some three or four months after that, that there was a balance of salary due me there of some thirty odd dollars, and to come down and get it, and I went down and got it, and there was nothing said.

Q. When you went and got your balance of salary, did anyone

say you had done anything wrong or did they make any charge or claim against you? A. No, sir; I never knew there was a charge against me for stealing registered letters until I heard Mr. McClave's testimony.

Q. Did Mr. Van Cott know you personally? A. I do not think I have ever spoken a word to the man in my life.

Q. Did the post-office authorities, the officials, know you? A. Mr. Morgan and Mr. Wood and Mr. Dickenson were about the only ones that I had any dealings with at all.

Q. After you left the post-office, what employment did you go into? A. I was at Bloomingdale Brothers for about six weeks.

Q. How did you go into Bloomingdale Brothers? A. I went in there through a friend of mine who is their superintendent.

Q. How long did you remain in Bloomingdale's? A. I was there about six weeks.

Q. Did you leave Bloomingdale's of your own accord? A. Yes, sir — no; Mr. McClave wanted me to go into the White Yankee Manufacturing Company.

Q. Well, did you leave Bloomingdale's of your own accord? A. Yes, sir.

Q. What caused you to leave Bloomingdale's? A. Because Mr. McClave wanted me to go into the White Yankee Manufacturing Company.

Q. Was that a company organized by Mr. McClave? A. Yes, sir; that was organized by him.

Q. A certificate was produced here in court with your signature upon it as one of the incorporators; is that the company that you have reference to? A. Yes, sir; I think so; it was the only company that I was ever in in which Mr. McClave had anything to do.

Q. And Mr. McClave's sons were connected with it, were they? A. Yes, sir; they were.

Q. There were five persons? A. Yes, sir; Mr. McClave and Steve McClave and John McClave, Albert McClave and myself.

Q. Whatever capital was put up in that company, was put up by Mr. McClave, was it not? A. Yes, sir; all of it was, \$7,500.

Q. You did not put up any capital, did you? A. No, sir.

Q. You had not any, had you? A. No, sir.

Q. But you say it was at Mr. McClave's inducement or insistence that you left Bloomingdale Brothers? A. Yes, sir.

Q. What did you do in this White Yankee Manufacturing Company? A. I was appointed secretary of it and I did more selling than anything else; I was the only salesman they had.

Q. Did you receive a salary? A. Yes, sir.

Q. How much? A. Fifteen dollars.

Q. Fifteen dollars a week? A. Yes, sir.

Q. From the company? A. Yes, sir.

Mr. Nicoll.—What was the date of this, Mr. Goff?

Mr. Goff.—I will get the date.

Q. Can you give us about the date of the company, when it started in business? A. I think it was along in the early part of March; I know it was just before Mr. McClave took his trip to California.

By Mr. Nicoll:

Q. In 1892? A. Yes, sir; I think it was on or about that time.

Q. You left the post-office in 1891? A. February 6, 1891, I think.

By Mr. Goff:

Q. After the post-office incident, Mr. McClave says in answer to a question by Mr. Nicoll:

“And you took the young man back to your house? A. Yes, sir.

“And you made another effort to reclaim him then after that? A. Yes, sir.

“And the reason you did it was on your daughter's account and the children's account? A. On her account, and the children's account and on the family's account, and his own account, because I did think a good deal of him, notwithstanding his ways; I wish he could be redeemed to-day for his own sake; nobody would be more pleased than I would.”

Q. Was there any trouble in the family over the post-office incident? A. No, sir.

Q. Had you left the house at that point? A. Mr. McClave's house.

Q. Had you left the house at that time? A. Mr. McClave's house?

Q. Yes. A. No, sir.

Q. Was there any trouble at all in the house? A. No, not in the least.

Q. So, when he says he took you back, did he take you back?

A. I never went out to come back.

Q. He says here that he thought so much of you, in his endeavor to reclaim you—I am giving the substance, but not the exact words—that he set you up in business; is that true?

A. I do not know what business it was.

Q. Let us see; how long were you in the White Yankee Manufacturing Company? A. I was in it until he called it a hospital, and said he could not have it run any more.

Q. Mr. McClave said so? A. Yes, sir.

Q. He said he was losing money? A. Losing all that he had put in it.

Q. What did he do with the business, then? A. He turned it over to me, in consideration of \$1, and said, "See if you can do anything with it."

Q. The business had been losing money? A. It had not paid a cent; it even had not paid for the printing of the paper.

Q. How long a period of time were you engaged in it? A. How long was I engaged in it?

Q. How long was the company? A. From the incorporation of the company, until about the 1st of October following.

Q. About how many months? A. That is pretty nearly seven — eight months.

By Chairman Lexow:

Q. About eight months? A. Yes, sir.

By Mr. Goff:

Q. He says, "Q. What did you do; please tell us? A. I put him into business; I started a company with the understanding with him, that if he would give me some evidence of his desire to try and do what was right, that I would turn it over to him for himself; after I had kept him there for five or six months under a salary, he seemed as if he was showing a disposition to reform, and I turned the entire business over to him and made a bill of sale to him for the consideration of a dollar;" now, was it from the impression of your desire to reform, or from the fact that the business had not paid, that he turned the business over to you and set you up in business? A. It was because the business had not paid a cent, that he turned it over to me, and said, "See what you can do with it."

By Chairman Lexow:

Q. And you said it was worthless at the time; that all the money had been lost? A. Yes, sir; there was nothing to it at all.

By Mr. Goff:

Q. Was there anything coming to you at that time?

Mr. Ransom.—Does he mean to say that Mr. McClave told him that he turned the business over to him in consideration of a dollar, because it was not paying or that it was a worthless business — the testimony of the witness seems to convey that idea.

Mr. Goff.—He did say that Mr. McClave said it was a hospital, and that he could not continue it any longer.

By Senator Saxton:

Q. Did he say anything to you about your interest in it in connection with turning it over? A. No, sir; he just said, "You take hold of it, Gid, and see what you can do."

By Mr. Goff:

Q. Was there any fault found with you at that time? A. No, sir; he said that I had sold more stuff than any of them, and that was very little.

Q. It was your brothers-in-law and yourself that were running the business for him? A. Yes; and a nephew by marriage of his, a Mr. Harris, who lives in Newark.

Q. So it was within the family? A. Yes; the family circle.

Q. Up to that time, had there arisen any trouble in the household at all with you or about you? A. No, sir.

Q. Was there ever any request made by him or suggestion made by him, that you leave his house for any ill-doing? A. No, sir; never.

Q. And you went home every evening and sat at the table with him and dined with your wife and your father-in-law and other members of the family, at all the meals? A. Yes, sir; I did.

Q. Pleasant intercourse with them, was there? A. Talked all the time that we were at the table.

Q. There was pleasant relations between you? A. Yes, sir.

Q. And you called him father, did you not? A. I did.

Senator O'Connor.—Have you asked him or will you ask him about that mortgage?

Mr. Goff.—I will come to that, Senator.

Q. When he says he turned the place over to you for a dollar, that is true, is it not? A. Yes, sir.

Q. You had no money to buy it, had you? A. Not the least bit, not a dollar—I must have had a dollar.

Q. He says, "He had not been in the place alone but I guess about one week when I found out afterwards that he had mortgaged all the machinery in my building." Did you mortgage that machinery? A. Did I mortgage his machinery?

Q. Yes. A. No, sir.

Q. No, I won't say his machinery; did you mortgage the machinery? A. I put a chattel mortgage on two of my own machines.

By Chairman Lexow:

Q. Of this White Yankee Manufacturing Company? A. Yes, sir; when I took the company it was saddled down with some advertising contracts; there was one with Carroll & Company for \$63 a month, and that I assumed when I took this company.

Q. And there was one with the Manhattan Elevated Railway Company? A. Yes, sir.

Q. For how much a month? A. I think we paid every three months, something like \$190.

Q. And you assumed those contracts? A. Yes, sir.

Q. When you took that company, were there any debts due the company that you collected? A. No, sir.

Q. There was no business done to create debts? A. No, sir; there was not.

Q. Was there any money in the treasury? A. No, sir; I do not think there was.

Q. What did you get when the company was turned over to you for its assets; what did it consist of at that time? A. The two machines and the implements to make this White Yankee window cleaner, two office desks, three or four chairs, and ten or fifteen thousand tin boxes, and there might have been some of the ingredients that they made the White Yankee powder of.

Q. Some boxes for the purpose of containing the stuff manufactured? A. Yes, sir; the White Yankee window cleaner.

Q. What was this White Yankee window cleaner? A. It was made up into a paste which would turn to powder—it was made up in a powder which would turn to a paste when wet.

Q. These were small tin boxes? A. Small triangular tin boxes.

Q. Was that all the property you received in the company? A. Yes, sir.

Q. Was there a bank account kept especially for this company? A. Yes, sir; while it was going there was.

Q. That is while Mr. McClave kept it? A. Yes, sir; while he was with it.

Q. After he turned it over to you, what disposition was made, if any, of any money or bank account had in the name of that company? A. If there was any money left, I think Mr. McClave took it back again.

Q. Did you get any of the money? A. I did not get it; no, sir.

Q. About this mortgage, you say you did put a chattel mortgage on it? A. Yes, sir; for \$175 or \$200, I do not remember which.

Q. That was after Mr. McClave turned it over to you? A. A month or so afterwards.

Q. When you say on your machines, it was on the machines that were turned over to you? A. Yes, sir.

Q. You regarded and considered them as your property, did you not? A. Yes, sir.

Q. And you did raise a mortgage on those two machines? A. Yes, sir.

Q. For what purpose? A. To pay off these contracts.

Q. These advertising contracts that were saddled upon you when you assumed the company? A. Those and one or two other small bills; there was a bill for the Western Union messenger service for distributing circulars, that amounted to thirteen or fourteen dollars.

Q. Did Mr. McClave ever pay \$1 out on account of that company or for any of its indebtedness or contracts, after he turned the business over to you? A. No, sir — yes; he paid that mortgage for me; he paid back that mortgage.

Q. He took up the mortgage for you? A. Yes, sir; he took up the mortgage.

Q. But the money you say that you raised by that mortgage, was for the payment of these sums of indebtedness that you have mentioned? A. Yes, sir.

Q. How long did you continue there? A. I worked at it right along up to the 6th of last July; I had a good many things to do; I had other proprietary articles that I manufactured besides the White Yankee window cleaner; I made a furniture oil and brass polishing material and ironing wax and I opened in connection with it, a house-cleaning bureau, to see if I could not pull the thing together and make something out of it, but it did not seem to go.

Q. And so the whole thing was a dead loss? A. Yes, sir; and then I went to Ehrich Brothers.

Q. After you went to Ehrich Brothers' store? A. Yes, sir.

Mr. McClave says:

“Q. How long did he remain in Ehrich's? A. I think he was there altogether three or four months.

“Q. Was he discharged from there? A. Yes, sir.

“Q. On what account? A. Stealing cloaks and other things.

“Q. And other things? A. Yes, sir.

“And pawning them? A. Pawning them, yes, sir.”

— the Senators will see the habit of Mr. Nicoll, in testifying for the witness as he goes along —

“Q. Now, Mr. McClave, did he confess that to you; he told you about it, didn't he? A. Mr. Ehrich came to me about him and told me where the goods were located, a pawn shop on Sixth avenue, and asked if I would try and get them back, saying he

would pay the cost of the money that had been loaned upon them.

“Q. Did you? A. No, sir; I did not do anything about it.”

Q. Is that true, or any part of it? A. No, sir; I left Ehrich's myself, of my own free will, on the 2d day of February.

Q. He says that you pawned cloaks; had you any opportunity to steal cloaks in Ehrich Brothers'? A. No, sir; I was not in the cloak department, in fact, I was not on the floor of the cloak department and I do not believe Mr. Ehrich ever told McClave that either.

Q. Is that Mr. Ehrich a member of the firm? A. Yes, sir; the senior member.

Q. Did you ever pawn any article of any kind or description whatever, belonging to Messrs. Ehrich Brothers? A. No, sir; I did not.

Q. Did you ever take anything? A. No, sir.

By Chairman Lexow:

Q. Do you mean that story is entirely false, from beginning to end? A. About stealing cloaks?

Q. About taking cloaks and pawning them? A. Yes, sir.

Q. Or any other article? A. Yes, sir; while in Ehrich, from Ehrich Brothers or pawning any article from Ehrich's.

By Mr. Nicoll:

Q. And no such charge was ever made against you? A. No such charge directly.

Q. Well, or indirectly? A. Not to my knowledge.

By Senator O'Connor:

Q. To your knowledge, was there ever any charge? A. To my knowledge, never.

By Mr. Goff:

Q. Did you ever hear, before McClave testified, that you had been charged with stealing cloaks from Ehrich Brothers and pawning them? A. Yes, sir; I heard that about a week and a half after the divorce proceedings against me were started.

Q. Before the divorce proceedings against you were started, did you ever hear a word about it? A. Not a word; not a word.

Q. There has been something said here which I can not put my finger on now, that you forged a letter from Messrs. Ehrich Brothers on your leaving there; is that so? A. No, sir; it is not.

Q. Did you ever receive a letter from them? A. I did; I received a letter from S. W. Ehrich, himself, dated February 2d, and copied in his book, too.

Q. Where is that letter? A. It was there when I left two weeks ago to-day; I left it at the Rutland apartment-house with my mother.

Q. You received that letter from Mr. Ehrich, signed by Sam. Ehrich? A. Yes, sir; with his signature to it.

Q. You know his writing, do you? A. Yes, sir; this was a type-written letter.

Q. Written on the firm paper? A. Yes, sir; written on the firm paper.

Q. How was the signature? A. It was all right.

Q. Was it in writing? A. It was a written signature.

Q. What was the signature? A. S. W. Ehrich, signed in writing by him.

Q. You say there is a copy of it in his letter-book? A. Yes, sir; the letter was copied; the letter was mailed to me at 124 West Seventy-second street.

Q. Is that letter in the nature of any charge or accusation against you? A. No, sir.

Mr. Ransom.—I think we ought to have that letter if it is in existence.

Mr. Goff.—If we can get it, we will produce it.

The Witness.—Mr. McClave himself has seen the letter.

Chairman Lexow.—It would be better to produce the letter, Mr. Goff, if you can.

Mr. Goff.—I will put a general question; did the letter contain any charge or accusation against you of having done anything wrong in Ehrich's?

(Objected to.)

A. No, sir.

By Chairman Lexow:

Q. Did you have any conversation with Mr. McClave in reference to it? A. I showed him the letter when he accused me of being unfaithful to my wife.

Senator O'Connor.—Did he testify that he forged that letter?

Mr. Goff.—Yes.

Senator Saxton.—Did Mr. McClave say that it contained a charge against the witness?

The Witness.—It did not contain any charge.

By Chairman Lexow:

Q. Did you have any conversation with Mr. McClave about it? A. Only as I say there.

Q. What did he say about the letter? A. When I left New

York, 52 weeks ago to-day, I took all the letters out of my pocket and gave them to my mother, every one, and Mr. Jerome also saw the letter.

Mr. Ransom.—No doubt she has the letter and it shall be produced.

Q. You have not seen them since? A. No, sir; I have not been in New York since.

By Mr. Goff:

Q. You say that Mr. Jerome saw the letter? A. Yes, sir; Mr. Jerome saw the letter.

Q. Did you ever see Mr. Ehrich since? A. Yes, sir; once or twice—since I left, you mean.

Q. Yes. A. Yes, sir; once or twice.

Q. Did he ever charge you with having stolen anything from his store? A. No, sir.

Q. Did you meet him socially? A. I bowed to him; that is about all, but he asked me one day if I had placed myself, and I said yes.

Q. Where did you go after leaving Ehrich's? A. To Smith, Gray & Company, at the corner of Broadway and Thirty-first street.

Q. That is near Ehrich's store, is it—state to the committee where Ehrich's store is? A. Ehrich's store is on Sixth avenue, between Twenty-second and Twenty-third streets, and Smith, Gray & Company is at the corner of Broadway and Thirty-first street, where Vogel Brothers used to be.

By Chairman Lexow:

Q. And you were there when you were subpoenaed? A. Yes, sir.

Q. Employed by them? A. Yes, sir; by Smith, Gray & Co.

By Mr. Goff:

Q. When you went to Smith & Gray, did they ask you for any reference? A. Yes, sir.

Q. Did you give them a reference? A. Yes, sir; I gave them Ehrich Brothers.

Q. You gave them Ehrich Brothers as reference? A. Yes, sir.

Q. And you were employed by them? A. I was employed by Smith, Gray & Co.; yes, sir.

Q. And you were in their employ when you testified here last in court? A. Yes, sir.

Q. And so far as you know, you would have been in their employ still if you had not left the city? A. Yes, sir; I suppose so.

Q. Messrs. Smith, Gray & Co. knew who you were? A. Yes, sir; they knew who I was.

Q. Knew the family you were connected with? A. Yes, sir.

Q. And for whom you had worked before? A. Yes, sir.

Q. And they employed you on your statement? A. Yes, sir; I gave them my reference and told them who I was, some two or three weeks before they employed me, and then I had a letter telling me to report for work the following Monday, which, I think, was April 23d or 24th.

Mr. Ransom.—I think it is proper that I should say something about the criticism of Mr. Goff, parenthetically, in the course of his examination. I wish to call the committee's attention to the testimony given by Mr. Goff, persistently and constantly, and also in the last minute, and if there is any objection to Mr. Nicoll's testifying that Mr. Goff referred to a while ago, I think the same rule should be applied to the testimony that Mr. Goff is now giving.

Senator Saxton.—Both sides have done the same thing, I think.

Senator O'Connor.—Yes, but it is harmless.

Q. What wages did you receive at Smith & Gray's? A. I received \$15 a week.

Q. What position did you occupy there? A. I had charge of the shirts.

Q. As salesman? A. Yes, sir.

Q. Do you remember attending a reception at the house of Mr. Judd? A. No; Mr. Budd.

Q. Yes; Budd, I should say? A. Yes, sir.

Q. Where is Mr. Budd's house? A. I can not tell the number, but it is in West Eighty-sixth street, between the Park and Columbus avenue; I think it is about 56, or somewhere around in that neighborhood.

Q. Who attended that reception with you? A. There was Mr. McClave and Mrs. McClave, my wife at that time and myself, and Mr. and Mrs. Higgins.

Q. That is his son and daughter? A. His other son-in-law and daughter.

Q. Do you remember anything having been said by Mr. McClave or any person in his presence that evening, about the appointment of the Senate committee?

Chairman Lexow.—Fix the date of that when it was, if you can?

A. It was the latter part of January, sometime.

Q. January of this year? A. Yes, sir.

Q. It was January of this year, as nearly as you can recollect?

A. Yes, sir.

Q. Did you hear anything, at that time, about the appointment of the Senatorial Investigating Committee? A. The night of this reception, Mr. and Mrs. McClave and my wife and I rode up there in the same carriage together, and going up, Mr. McClave was quite nervous, and Mrs. McClave turned to him, and said, "Why, Johnnie, what is the matter with you;" and he says, "Oh, nothing, nothing;" and she says, "Oh, yes; there is; it is that police investigation business; I would not worry over that;" and he said, "I don't see why it is those hayseed politicians up in Albany want to come down here and bother us honest men."

Q. Mr. McClave testified here that he did not recollect saying anything of the kind, or saying anything about the investigating committee? A. Probably he was so nervous that he didn't think of it.

Mr. Nicoll.—I move to strike that out.

Chairman Lexow.—Yes; strike it out.

Mr. Goff.—I do not object; it is stricken out by consent.

Q. Did you remain long at the reception that night? A. No, sir; we were only there, I think, about half an hour, may be an hour, and Mrs. McClave then came to my wife, and said, "Papa was getting so nervous at the noise and bustle around here that we would go down to Delmonicos; so Mr. and Mrs. McClave and myself and wife went in the same carriage down to Delmonicos, and Mr. and Mrs. Higgins followed shortly after in a cab.

Q. Did you have refreshments there at Delmonicos? A. Yes, sir; we had.

Q. Up to that time, about the latter end of January; was that the first that you heard about the appointment of this committee? A. I think it was on or about that time that I first heard of it.

Q. Up to that time, was there any trouble whatever in Mr. McClave's family respecting you? A. No, sir.

Q. Or between you and the family? A. No, sir; we were all right; never on more pleasant relations with him in my life than I was then.

By Chairman Lexow:

Q. That was the end of January or the beginning of February? A. No; it was not the beginning of February; it was the latter part of January; I am positive of that, because it was on the

2d day of February that he accused me of these charges that I refer to, in regard to this person at Ehrich's store, and it was under that date that I had this letter from Mr. Ehrich.

Q. Do you remember whether the resolution was passed to investigate the police department, or whether it had actually been appointed under the resolution? A. That I could not tell; because I never at that time expected to be here before the committee.

By Mr. Goff:

Q. So it was not until the 2d of February that you heard any accusations made against you, which have been made since? A. Yes, sir.

Q. Up to the 2d of February everything was harmonious? A. Yes, sir.

Q. And peaceable and quiet? A. Yes, sir.

Mr. Nicoll.—And always had been?

Mr. Goff.—One moment; I will shape my questions to suit myself.

Q. Had you ever been requested or instructed by Mr. McClave to leave the house? A. No, sir.

Q. Up to the 2d of February? A. No, sir; up to the 22d of February.

Q. Up to the 22d of February, that is, Washington's birthday? A. Yes, sir.

Q. Mr. McClave said here: "Meantime"—speaking about your time in Ehrich Brothers—"Meantime, I found out positively that he was going with a very low class of prostitutes, and demeaning himself worse than ever, and my daughter commenced proceedings against him for a divorce. Q. And your daughter commenced proceedings against him; yes, sir; on statutory grounds."

Q. When did you first hear of any charge against you by Mr. McClave or any member of his family against you for consorting with prostitutes? A. On the night of the 1st of February, 1894.

Q. On the night of the 1st of February, you say? A. Yes, sir.

Q. That is in relation to the date of the 2d, that you mentioned a while ago? A. Yes, sir.

Q. Was that after this occasion when you rode with him in the carriage to the reception at Mr. Budd's, and afterwards went down to Delmonico's? A. Yes, sir.

Q. How many days after, as nearly as you can recollect? A. A very short while; I hardly think a week.

Q. What took place between yourself and Mr. McClave, when you first heard about your consorting with prostitutes? A. On

that night, I took home two tickets to the theatre, and as I entered the dining room about seven o'clock, the usual hour of my getting home, I threw the tickets over to my wife, and said, "There are a couple of seats to-night you go upstairs and get ready so we won't be late;" I had not finished my dinner.

Q. For what theatre were the tickets? A. The Bijou theatre; Tom Daly's company, I think; and Mr. McClave looked up from the table and said to his daughter that he wanted to speak to her a moment before she went upstairs; she said all right, and walked in the front parlor; I started to go up as soon as I finished my dinner, and Mr. McClave said, "I would like to see you, Gid, in the front parlor," I said all right, and he followed in, and he said to his daughter, "Where are those tickets?" she said, "Here they are," and showed them to him, and then he turned to me and he said, "Where were you on the night of January 23d; you didn't go to Philadelphia;" I said, "I know it; I went to a prize fight;" he said, "You are a liar, you were with a whore;" I said "Thank you, I was not;" that was in the presence of his daughter; then he says, "You go upstairs," calling me some names; I went upstairs and he came up there, and his daughter started crying and one thing and another.

Q. When you say his daughter, you mean your wife? A. Yes, sir; and finally he came down and I thought everything was peaceable again; I never dreamed of having the thing come up again.

Q. What became of the tickets for the theatre? A. I don't know; I never got them; Mr. and Mrs. McClave went out that night—I don't know whether they used them or not.

Q. Was that the first time you ever heard a word said to you by Mr. McClave or any one in his presence about consorting with prostitutes? A. Yes, sir; that is the first time he ever accused me of it, and he has often gone so far as to say to me that he knew I would never go with women, because I was never out of the house nights.

Q. He had said that to you, had he? A. Yes, sir; innumerable times.

Q. What was your habit regarding your time in the evenings; you say you never went out of the house at night? A. Yes, sir; during the six years that I was married; I do not think that I was out of the house later than 10 o'clock at night five times without my wife—10 times would be in excess.

Q. How old were you when you were married? A. Twenty-three.

Q. About this Philadelphia incident, you were in Ehrich's at that time, were you not, at the time you said you went to Philadelphia? A. Yes, sir.

Q. And Mr. McClave told you that you lied or it was untrue that you had gone to Philadelphia? A. Yes, sir.

Q. That was true, was it not? A. I did lie; I did not go to Philadelphia.

Q. You did tell an untruth; you said you went to Philadelphia? A. That was the excuse that I gave at the house; I made that excuse to my wife.

Q. To your wife at home? A. Yes, sir.

Q. And you were away that night? A. I was away all night.

Q. Where did you go that night? A. I went to a prize-fight.

Q. Where? A. Well, on Staten Island.

Q. Who were the fighters? A. A fellow by the name of Caffrey and Greer.

Q. Did you know either of them? A. Yes, sir.

Q. Which of them? A. Caffrey.

Q. Did you know Caffrey? A. I bet on him.

Q. Did you know him before? A. Yes, sir; I have known him quite often.

Q. Did he ever work for you or in connection with your business? A. Yes, sir; he used to be a truck-driver.

Q. For you? A. Yes, sir.

Q. When you were in the produce business? A. Yes, sir.

Q. And you took an interest in his fistic encounters, did you? A. Yes, sir.

Q. And you had such an interest in him that you bet your money on him? A. Yes, sir.

Q. May I ask you who won or lost? A. The police stopped it and it didn't finish.

Q. Well, that was on Staten Island? A. Yes, sir.

Q. And it was for that purpose that you told the falsehood to you wife, that you were going to Philadelphia? A. Yes, sir; I never, even when my brother was married up in Canandaigua, my wife would not let me go to the wedding; she insisted on my staying home, until I went down and told Mr. McClave that I thought it was my duty to go to my brother's wedding, and finally he went up stairs and said he thought it was, too, and I would have to go, and then my wife would not let me go to my aunt's funeral in Boston; I was never away from her.

Q. You were always in the house? A. Yes, sir; and Sundays I was nurse girl.

By Senator Bradley:

Q. You were a nurse girl on Sundays? A. Yes, sir; although it was a pleasant occupation.

Q. You have three children? A. Yes, sir.

Q. Of course, very much attached to your children? A. Yes, sir; and still am.

Q. Did Mr. McClave say anything to you about the identity of the prostitute that you were with? A. Well, yes; he did, but it was such a — so far drawn, there was no truth in it at all, not the least bit that I would not like to mention the person's name, because she is perfectly respectable, and there was nothing done that was a detriment either to her or myself.

Q. After your father-in-law made this accusation against you, on the night of the 1st of February, did you continue in the house? A. Yes, sir; oh, yes; I stayed there in the house up until Washington's birthday.

Q. In the meantime you sat at the table as usual? A. Sat at the table, broke bread and ate his salt.

Q. Broke bread and ate salt as usual? A. Yes, sir.

Q. And you occupied the same room and bed with your wife as usual? A. Yes, sir.

Q. There was no difference in your relations between yourself and wife? A. There was, of course, after her father accused me of that, but it was only — well, not for a week.

Q. There was a little coldness? A. There was a coldness at first, but it wore off; it was all right afterward.

Q. And you continued in your marital relations with your wife in the house, up to what date? A. Up to half-past 12 of the 22d day of February, 1894.

Q. Did you hear anything about this charge against you in the meantime? A. No, sir; I thought it was all over, because it was such an absurd thing to do.

Q. Did Mr. McClave speak to you in the meantime? A. Yes, sir; he did.

Q. Every day? A. Well, yes; every day.

Q. Was there anything said about it by him to you in the meantime? A. No, sir; that is why I thought it was all over with.

Q. Was there anything said in the family about it? A. Not in my hearing; not to me, by my wife or by him.

Q. You went home every night as usual? A. Yes, sir.

Q. And went to your place of business in the morning as usual? A. Yes, sir; although I was not working after that.

Q. You were not working then? A. No, sir; it was the next morning that I resigned from Ehrich's, after he charged me down stairs with being with this woman at Ehrich's.

Q. You resigned from Ehrich's? A. Yes, sir; on the 2d day of February.

Q. The day after you were charged by your father-in-law? A. Yes, sir; the day after that.

Q. Did you know or hear or have any knowledge whatever that any proceedings for a divorce were contemplated against you, from the 1st of February until the 22d of February? A. No, sir; I did not; I had not the least idea of it, not the faintest.

By Chairman Lexow:

Q. Were the papers served on that date? A. No, sir; they were not served on me until the 13th of March.

By Mr. Goff:

Q. On the 22d of February, Washington's birthday, do you remember what took place? A. I went down to the Rutland in the morning about half-past 9, I guess it was, to see mother; she had been sick; had a nervous headache, and I went down to see her, and, after staying a little while, turned around and went back home, and I stopped at a toy store and bought some picture-books for the children, and went back to the house and started to go in as usual and got up as far as the second flight and Mr. McClave was talking in the telephone, and he looked up, and said, "I want to see you down stairs," and the children ran out, and I said, "Here are some picture-books that I promised you, and I will be up in a little while and show you the pictures;" then I went down stairs in the parlor and waited for him to come down; he came down and walked to the front door and opened it, and he called me, and said, "There is the door, and I never want to see your face in this house again;" I asked him what for, and he said, "That is what for; you go now;" and he was very much excited—he gets excited easily and quickly, and I saw there was no arguing or talking with him, but I wanted to know what it was for, and I turned around and left, and I went down to the Rutland and told father and mother about it, and they thought it was—

Q. Never mind what they thought; is that the only transaction or conversation had between Mr. McClave and yourself relating to the charges against you of infidelity after the first conversation on the 1st of February? A. Yes, sir.

Q. Was that the only charge? A. Yes, sir.

Q. And the only conversation that took place between you in reference to that charge? A. Yes, sir.

Q. You left everything behind you there? A. Yes, sir; everything, I did not have anything except the clothes on my back that I had that day, my overcoat and whatever I had on.

Q. Did you get anything from the McClave house after that, any of your personal effects? A. I got all my clothing, and a few knick knacks that were laying around; I didn't get the letters and papers and books that I sent for, I have written and written for them and Mr. Jerome wrote for them and finally I found that my wife had burned up all the letters and papers and private books.

Q. Have you ever seen your wife since? A. Not to speak to her.

Q. Or your children? A. No, sir.

Q. When were the papers in the divorce suit served upon you? A. The 13th of March, 1894.

Q. From the time you left on the 22d of February, until the 13th of March, did you have any communication with your wife or Mr. McClave? A. Yes, sir; I asked mother to go up to my wife and see what the trouble was; she did go up, and then my wife told her; she said, "Papa tells me that Gid is going around"—

Mr. Nicoll.— We do not want what she said.

The Witness.— That is how I knew.

By Senator Saxton:

Q. Did you ever make any effort to go and see her yourself? A. Yes, sir; the very day that I was turned away from the house I went back and rang the bell and they would not let me in; I then went down afterwards to see Charles F. Wells at No. 20 Nassau street and he advised me to write a letter and I wrote it and sent it by a messenger and it was refused at the door; I sent it up twice and it was refused and finally Mr. McClave came down and told the messenger boy that he didn't want him to bring any more letters there, and then I went back to Mr. Wells, and he said she is bound to get that letter, you had better send it by a registered letter, so I sent it as a registered letter, and the receipt was signed which I got.

By Mr. Goff:

Q. Did you receive any reply from her? A. No, sir.

Q. Did you receive any reply later, any letter? A. I have only had two letters at all from her, since the 22d of February; you could not call all them letters, they were more notes than letters; one was in connection, or at the time that Judge McAdam granted me leave to see my children, before they went away to the country and through Mr. McClave's courtesy, he wanted me to see them at the foot of Eleventh avenue and Twenty-second street—

Q. Down on a dock there? A. On some dock down there among the Italians, and I wrote and told her, rather than to meet my children in such a place, I would waive the order to see them.

Q. You would waive the right that the court gave you of seeing your children? A. Yes, sir.

Q. Sooner than to bring them to such a place as Mr. McClave had suggested? A. Yes, sir; and in reply to that, I got a letter from her saying that she thought I would do that, and that I could see the children when she saw fit to let me see them; that is about the size of it.

(Recess.)

Afternoon session, June 5, 1894.

Present.—Senators and counsel as before. }

Gideon Granger, called as a witness for the State, being duly sworn, testifies as follows:

Direct examination by Mr. Goff:

Q. After the action for divorce was commenced against you, you were aware of the fact that you were charged with going to the Ashland House in company with a woman; weren't you? A. Yes, sir; one of the charges was that.

Q. One of the charges? A. Yes, sir.

Q. And what was the other charge? A. Going to a hotel known as the Holborne, at 43 West Twenty-fourth street.

Q. Were you acquainted with the proprietor of the Ashland House, Mr. Parker? A. Yes, sir; have been very well for four or five years.

Q. Were you in the habit of frequenting the Ashland House restaurant? A. Yes; during the time I was at the post-office I was there at the restaurant every morning of my life.

Q. So you were well known in the hotel? A. Yes.

Senator O'Connor.—Is this for the purpose of clearing the imputation on the witness notwithstanding the adverse proceeding.

Mr. Goff.—Not particularly. We do not wish to lighten the judgment, nevertheless it lead up to something else, matters I think of importance in connection with the adverse witness, and in connection with the relations this witness had to Mr. McClave, and the relations that were the outcome of the trouble between them before the appointment of this committee.

Senator O'Connor.—You are not going to proceed to prove animus on the part of this witness by showing that McClave by obtaining the divorce against him in favor of his daughter by

wrong methods — that he showed animus? Do you seek to go into these proceedings at all.

Mr. Goff.— Not to any extent. I propose to show that the register of the Ashland House, which purports to contain the handwriting of this witness, that that register was taken away by Police Inspector Williams, and could not be reached; and further, that this house called the Holborne he was accused of being in was raided immediately and the register of that house taken away.

Senator O'Connor.— All right.

Mr. Ransom.— Mr. Chairman, may I say a word about this? Senator O'Connor, it seems to me, has struck the key-note of the whole situation. The whole morning has been spent, perhaps, with reasonable consumption of time, public and private, in giving this witness an opportunity to habilitate himself. He has put himself really upon trial, and with the assistance of Mr. Goff, who has testified for him a great deal, he has at this time undoubtedly satisfied himself that he stands now before this community a respectable man, whatever may be the opinion of the committee or of the public in that regard. It has seemed to us that time enough has been spent on that point, that the committee has given him great latitude for the purpose of proving if he could, out of his own mouth, with the assistance of his counsel, that he is a respectable man. Now do you propose to go seriously into the trial of this adverse action.

Senator O'Connor.— This is a different trial. Now the attempt at proof is directed to this fact that certain police officials in this city lent their powers to aid Commissioner McClave to secure or in avoiding testimony that might be adduced before the proceedings.

Mr. Ransom.— There is no objection to that, Mr. Chairman, at all. I do not rise to object to that; but in the nature of things on the introduction of this subject by Mr. Goff it seems to me that this witness could have no personal knowledge upon any such subject. It is not pretended that he knows that Inspector Williams, or anybody, took this register away from the hotel. The introduction of that subject satisfies me that the witness is expected simply to testify to some hearsay upon that point. It is really for the purpose, I assume, of having him further testify to his respectability personally and his innocence of this charge.

Mr. Goff.— This morning all his testimony has been to contradict Mr. McClave.

Senator O'Connor.— Most of it.

Mr. Goff.— My learned friend, if he had been in court when Mr. Nicoll was, when Mr. McClave stood up and off and on denounced

this witness in public, I do not think Mr. Ransom would have the temerity to stand up and object to his offering explanation.

Mr. Ransom.—I think we have spent time enough on that subject.

Mr. Goff.—The judge, when he was on the bench, was noted as an expeditious officer, and he brings his expedition into this place; and we have not the high and vital power to get up the steam that the judge has.

Senator O'Connor.—You had better go on or you will get up enough steam.

Mr. Nicoll.—I do not know whether the committee is aware of the fact that this defendant put in an answer to the divorce suit, and had his day in court, and withdrew the answer before the hearing of the court, and the evidence was taken and a decree rendered.

Mr. Goff.—Oh, no; he did not withdraw the answer.

Mr. Nicoll.—That is his writing here saying he withdrew his answer.

Mr. Goff.—Do you want to try the judgment of record.

Senator O'Connor.—I think these things Mr. Goff proposes to prove now, which he has submitted to the committee, it is fair to Mr. McClave that it should be done—that the witness, Granger, had an animus; that is, if McClave has by the power of the police department, if he has the power to strike back, it would furnish the complete animus to do it; it is entirely fair to Mr. McClave, I think.

Mr. Goff.—It is simply on these points, that is all; on that question I respect the decree of the Supreme Court, as we all must. I do not propose to do it. That is a matter Mr. Granger will have to do himself in court if he wishes to do it.

Q. Now, Mr. Granger did you go to the Ashland House after you became aware by the written complaint served on you of the charge against you of having gone to that house in company with a dissolute woman? A. Yes.

Q. Who did you see there? A. I saw the chief clerk, Mr. Finney, and Mr. Brockway, the proprietor of the hotel.

Q. Were you acquainted with each of those gentlemen? A. I know them very well.

Q. And have for some time? A. Four or five years.

Q. Did you seek to get access to the register? A. Yes, sir.

Q. Did you see the register? A. No, sir.

Q. Where was it? A. Mr. Brockway said —

Mr. Nicoll.—One moment: will the committee permit that?

The Chairman.—Yes; if Mr. Brockway stated it was not there.

By Mr. Goff:

Q. Mr. Brockway, the proprietor of the hotel, the person charged with the custody of that register; what did Mr. Brockway say in reference to the register? A. Said Inspector Williams came there and took it.

Q. The inspector had gone there and taken it? A. Yes; or had loaned it to Inspector Williams.

Mr. Nicoll.— Objected to; that ought not to be allowed; it is a terrible thing to have a scandal in this family bruted out.

Mr. McClave was the first one to bruit it out.

The Chairman.— Captain Williams' name might be omitted from the record; the simple fact that it was taken away might be admitted and that is enough.

Mr. Goff.— I think the person who took that register away with Mr. McClave in his position of a high police official should stand on the record.

The Chairman.— Can we show that to Mr. Brockway?

The Witness.— Mr. Mason was with me at the time he told me.

Q. One of your attorneys? A. Yes.

Q. Did you go to the Holburn? A. Yes.

Q. What did you learn there? A. Mr. Shultz, the man who has charge of it, told me that the register had been placed in the Garfield Safe Deposit vaults.

Q. Was there anything there about the raid of the house? A. Well, the house was raided, I think, a week or so before that.

Q. Before that? A. Before that; yes, sir.

By Senator Saxton:

Q. What do you mean; before you were there? A. Yes, sir; before I was there; yes, sir.

By the Chairman:

Q. Before you were there in search of the book? A. I did not see the book; the book was gone.

Q. It had been raided about a week before you went in search of the book? A. Yes, sir.

By Mr. Goff:

Q. About when did you go in search of the book? A. About the 14th of March; the day after the paper was served upon me.

Q. The day after the paper was served upon you? A. Yes, sir.

Q. Mr. McClave testified that, during your married life, you had given to your wife, his daughter, not more than the sum of \$150 during the six years of your married life; what have you

to say to that? A. Not so; there is not a word of truth in it; Mr. McClave himself gave my wife the bank-book, the safe deposit bank-book with \$273 in, himself.

Q. Yes, but what did you give? A. Give her; that was my bank-book that he sent on to Boston to collect for me; I gave my power to attorney to collect it for me.

Q. Money that was left to you? A. Money that was left in the bank by Mrs. Robert C. Winthrop, of Boston, my aunt; I gave Mr. McClave the power to collect that through his bank and gave that to my wife; I have given her upwards of over \$3,000 of money that I can account for myself, and money I can account for and trifling things of two, three and four dollars when she asked me for it; I gave it to her; that is exclusive of any Christmas presents or knick-knacks or trinkets that Mr. McClave has referred to.

Q. You were in the habit of accompanying Mr. McClave and his family every summer to their summer place? A. Yes, sir.

Q. Do you remember the year 1890; where were you? A. Black Rock, Conn.

Q. Where were you in 1891? A. Let's see; I think we were there then, too; last year we were at Portchester and the year before that we were at Long Branch and we were there then.

Q. Eighteen hundred and ninety-one? A. Eighteen hundred and ninety-one.

Q. And in 1892 where were you? A. Long Branch.

Q. In 1893? A. Portchester.

Q. And that is where Mr. McClave's new house is? A. Yes, sir.

Q. You were with the family the summer they were down to Manhasset? A. We did not stop there but a very short time; the summer that we were at Manhasset we were living at open house on Seventy-second street, 156; it was too long a distance for Mr. McClave to go and come every day and so that had the cottage at Long Branch and the house open in town.

Q. I speak of the cottage down on Long Island? A. That is the Manhasset; I was down there three or four weeks during the summer.

Q. Were you there? A. Yes, sir.

Q. Do you remember that if during that summer Williams' yacht was there? A. Yes, sir; Captain Williams loaned McClave, for the use of his boys, his yacht; I think they took a cruise of something like 10 days or two weeks.

Q. How many men were in the crew? A. Four or five.

Q. Four or five men; do you know the dimensions of that yacht? A. No, sir; I could not tell you the dimensions; it was a sloop boat, about 50 some odd feet long; not over that; I do not think.

Q. Her name was the Eleanor? A. Eleanor; yes, sir.

Q. Now you spoke at your last examination about receiving money from men who sought appointments on the police force?

A. Yes, sir.

Q. You said you gave money to some other persons besides Mr. McClave in reference to these appointments? A. Yes, sir.

Q. In reference to these appointments, you mentioned the name of a man named Kelly? A. Yes, sir.

Q. To whom you gave money? A. Yes, sir.

Q. Is that the man (pointing to Mr. O'Kelly)? A. That is the man.

Q. Did you indentify that man? A. Yes, sir.

Mr. Goff.—That is the witness that was on the stand, Mr. Chairman, the other day.

The Witness.—That is the Mr. Kelley I had reference to, although I do not know he kept a shoe store.

Q. That is the man; there is no doubt about it. A. Yes; that is the man; yes, sir.

Mr. Goff.—Take a seat, Mr. Kelly.

Mr. Nicoll.—Don't intimidate the witness.

Mr. Goff.—By asking him to take a seat?

Mr. Nicoll.—In that tone of voice.

Q. State the circumstances of giving this man Kelly the money?

Mr. Nicoll.—We have been all over that.

Q. I will withdraw that question; where, first, did you see Kelly? A. I think the first place I met him was in Masterson's saloon, corner of Fifty-sixth street and Eighth avenue.

Q. Have a conversation with him? A. I don't know that I did at that time, but I have seen him frequently in there, and also at other places on the avenue.

Q. Did you have a conversation with him at the time you gave him money? A. Yes, sir.

Q. What was that conversation? A. Well, the money was paid to me, and I gave it to him, and I said, "I understand you are the go-between here; I don't want to give this money direct to anyone;" and he said, "You have come to the proper person;" or words to that effect; I don't recollect what the conversation was, but that was the substance of it.

Q. Was there anything further said about your becoming a rich man? A. No; he made a remark one time that the way I was making appointments of men my father-in-law would be rich; he made a remark the way I was making appointments was giving money, that my father-in-law would be a rich man, or substantially to that effect.

Q. I hand you a memorandum book and dairy that was shown

to you on your previous examination, and ask you to look at the names that you identified there — before I state to the committee that you have any corrections or alterations to make? A. No; I have no alterations to make.

Q. How about that man's name with the 500 opposite it? A. Coleman, you mean?

Q. I don't know what name? A. The roundsman?

Q. Yes; yes; what about that item and payment? A. Well, he paid \$200, first — \$200 or \$300; I do not know which it was — first, and the balance of the money he said he could not pay until he heard from his father, I think, in Sullivan county, if I am not mistaken; I know he was a farmer, and he would get the balance of the money from him; and I took what he had, for I do not know whether I gave it direct to Mr. McClave or not.

Q. Did you keep any other memorandum book, and the one now in the hands of the Senators? A. Yes, sir; I did.

The Chairman.— Where is the entry of Coleman?

Senator O'Connor.— There it is, there (indicating).

Mr. Goff.— With those names.

The Witness.— There is a written entry up there. That top part is a memorandum of something else; that is in two parts; supposed to be.

Chairman Lexow.— You had better have that entry admitted upon the record here.

Mr. Goff.— Yes.

The Witness.— Yes; I kept another memorandum book.

By Mr. Goff:

Q. I wish you would read out for the stenographer and for the committee the names of persons you paid to.

Mr. Nicoll.— We have been all over it on pages 1209, 1210 and 1211.

The Chairman.— What I suggest is he dictate to the stenographer here, the precise memorandum as it appears on the book. As I recollect the testimony there was only three individuals testified to by him, and there are seven or eight on one page there.

Mr. Goff.— Now please read off those names that you have there? A. Little, \$250; Burns, \$280; Cohen, \$175; Cahill, \$250; Meehan, \$370; Farnsworth, \$300; Coleman, \$500, and Mead, \$250.

Q. What is that last name? A. Mead.

Q. Now, did you keep any memorandum there touching Coleman? A. Here is the —

Q. Is that it? A. Yes; here is Coleman.

Q. Read off that memorandum relating to Coleman? A. "Had an interview with Coleman; arranged for his promotion for \$500 and to be put up in two parts."

By the Chairman:

Q. That means \$500? A. Yes, sir.

Q. And the figures that you read with reference to the others, do those mean dollars? A. Dollars; yes, sir.

By Mr. Goff:

Q. Now you say you kept another memorandum book? A. Yes, sir; I did.

Q. Where is that memorandum book? A. The last time I saw it it was with a package of letters of mine, and the lot of private papers at Mr. McClave's house; I sent for it four or five times and they say it is burned.

Q. Had you a list of names in that memorandum book? A. I had everything in that that I ever done at all for the police department, or that I ever in any way had ever been offered; lots of times I was offered things that I didn't do.

Q. You were offered things in relation to procuring appointments? A. Yes.

Q. That is, you became pretty generally known as Commissioner McClave's son-in-law? A. Yes, sir; I was known as that pretty well.

Q. Could you say how many policemen you received money from or applicants, rather that you received money from for appointment on the police force during the six years you resided with Commissioner McClave? A. Oh, anywheres from 15 to 25.

Q. And in receiving money from this number 15 or 25, could you say whether or not you gave it all in each case to Mr. McClave? A. No, sir; I did not.

Q. Did you keep some yourself? A. Some with his knowledge; I did not give all this to Mr. McClave directly myself.

Q. To whom did you give it in addition to Mr. McClave? A. Some I gave to Richards, and some to Kelly and some I gave to Mr. McClave.

Q. Some to Richards; that is the orderly as you call him? A. Yes, sir.

Q. Some to this Kelly? A. Yes.

Q. And some to Mr. McClave himself? A. Yes, sir.

Q. Did Mr. McClave ever say anything to you in relation to direct transactions between himself and yourself touching those matters? A. It was never wise for me to give money direct to anybody; that I know that —

Q. Did he say that? A. Yes, sir; he said it was a very unwise thing to be in writing or to be seen giving money to anyone.

Q. Did he say anything about the wisdom or the necessity of

their having a third party or a go-between? A. No; I do not think he said that in particular.

Q. I call your attention specifically —

The Chairman.—Just ask the witness, Mr. Goff, how many times he gave money to Mr. McClave, and in what sums.

By Mr. Goff:

Q. Can you state, Mr. Granger, how many times you gave money to Mr. McClave, directly? A. Half a dozen.

Q. Half a dozen?

By the Chairman:

Q. That is, money for promotions? A. They are for appointments; half a dozen; may be more and may be less.

The Chairman.—Let him specify them as near as he can.

By Mr. Goff:

Q. Do you remember the cases where you gave the money to Mr. McClave, the names of the men, or the cases? A. Well, that Cohen is one; that is more vivid in my mind than anyone else is now.

Q. Cohen? A. Yes, sir; Cohen.

Q. There was a letter read here in court that you had written to McClave about Cohen? A. Yes, sir.

Q. He was the man that was working, truckman for you, or for the firm with which you were connected? A. Yes, sir.

Q. Can you remember any others? A. Well, I think there was a man by the name of Bradley, if I am not mistaken — not the Senator.

Q. Well? A. Well, the memoranda you have there are the ones that are more specific in regard to those.

Q. Well, these — A. Not this, but the other one.

Q. I call your attention here, take, for instance, the case of George Ronk? A. Yes, sir.

Q. Do you remember that? A. Yes, sir; that was not a promotion, nor that was not an appointment.

Q. What was it? A. He was the one that got in trouble with ex-Mayor Hewitt's son at the Madison Square Theater; he arrested him, or something, I have forgotten what it was, but I know Mayor Hewitt was mayor at the time, and charges were preferred against him, I think by Commissioner McClave, and it was a breakable charge.

Q. A charge that would break him if proven? A. A charge that would break him if proven; I don't know that it was

McClave that preferred charges, but I am of the impression that it was; he was in the Nineteenth precinct at that time, Ronk was, and he came to me about it, and I had known him quite well; he came to me about it, and I told him I would see what I could do for him; he said it would be worth a month's salary to do it.

Q. What did he ask you to do? A. He told me to save him.

Q. Did he ask you to see anyone to save him? A. Well, that was understood; my father was the only one to see; the only one I had to see, and I saw him, and father said he would do what he could for him, and did not think the officer was guilty, anyway, or something like that.

Q. Just wait a moment; well, proceed; Ronk asked you to save him? A. Yes, Mr. McClave spoke to me two or three times about him; and the trial, I think, was postponed once or twice, on account of having it brought before Mr. McClave, or having it brought before a full board, I don't recall the whole instance now; anyway, there was \$100 put up for it, and he was then fined 10 or 15 days, I don't know which, and transferred to the Twenty-fourth precinct, where he now is, or was, the last I knew.

Q. He put up \$100? A. Ronk gave me \$100 gold certificate.

Q. Where did he give it to you? A. Gave it to me in the vestibule of 124 West Seventy-second street.

Q. Mr. McClave's house? A. Yes.

Q. What did you do with the one hundred dollar bill? A. I gave it to Mr. McClave himself.

Q. How shortly after you received it from Ronk? A. The next morning.

Q. What did he do with it? A. I don't know.

Q. But you gave it into his hand? A. Yes.

Q. Did Ronk give you anything else? A. Yes; he gave me a wild fox.

Q. Where is the fox? A. It is now up—

Q. Where was it then? A. It was at his home.

Q. At Ronk's house? A. Yes, sir; he lived at Fifty-sixth street; the St. James Flats, Fifty-sixth street and Eighth avenue.

Q. What did he say to you about that in addition to the \$100? A. When he gave me the \$100, he said I have a fox down there, too, that would be good for the children to play with; I got the fox a day or two after that; I stopped when I was down town and brought it up to the house.

Q. You brought it to Mr. McClave's house? A. One night, I put it in the backyard and it tore up lace curtains and one thing and another.

Q. Had the fox to leave on that account? A. I took it away on that account; I took him down to Gus Muller's cigar store on Columbus avenue, between Sixty-ninth and Seventieth streets.

Q. You gave him the fox? A. Yes, sir.

Q. And as far as you know, is the fox there yet? A. The fox was there the last time I was by the store, some four or five weeks ago.

Q. He bred the fox, as I understand it? A. Yes, sir; he bred the fox.

By Senator Saxton:

Q. How long ago was that transaction? A. Some — well, it was about four years, five years — no less than that.

By Mr. Goff:

Q. Less time than that? A. Less than that, I think.

By the Chairman:

Q. Was it 1890 or 1891? A. Well, it was — I think it was about 1890 or 1891, or around there; I know Mr. McClave was just talking about the moving of 156 West Seventy-second street, and Mrs. McClave wanted a larger house, and I draw the time on the house more than anything else.

By Mr. Goff:

Q. That is, they left 156 to go to the new house? A. We were in 156 when this thing transpired, and it was shortly after that, if I remember correctly, that we went to 124 West Seventy-second street.

Q. And it is by that you fix the time? A. Yes.

Q. Now, Mr. McClave testified here that he received from Barnum & Bailey circus people, payment of a bill around six or seven thousand dollars in bills; do you know anything about his transactions with the Barnum & Bailey circus? A. No, sir; only he sold them lumber; he used to sell them lumber to fix their seats and stall, whatever they used it for, with the understanding with the Barnum & Bailey people that what lumber he could take back and use over again he would do so less a certain percentage.

Q. What was the percentage? A. I could not tell you; he would sell it for instance for three and a half cents a foot and take it back, perhaps, for two and a half, or rent it to them; the lumber he would get back he could use just as well on the steamers that go to Europe as he could —

Mr. Nicoll.— Can't the witness speak up?

The Chairman.— Speak up.

The Witness.— I am using my voice as loud as I can.

Q. Do you remember the summer Mr. McClave went to California? A. Yes, sir.

Q. Were you at home that summer? A. Yes, sir.

Q. In charge of the house? A. My wife and I.

Q. Where were his sons? A. They were all in California except Steve; he was the oldest son; he was appointed deputy commissioner — deputy treasurer of the police department.

Q. During his father's absence? A. Yes — not the pension fund; there is a law that prohibits him being treasurer for the pension fund.

Q. But the regular police fund? A. The regular police fund, yes.

Q. Do you know anything about Mr. McClave supplying lumber to the corporations here in New York — the elevated railway corporations? A. Yes; I think that is one of his largest customers — the elevated railroad, that and Crimmins.

Q. He was asked here if he directed his lumber to be taken to Crimmins on trucks other than his own; he said no, that he did not do so; do you know anything about that? A. Sometimes they went on other trucks; yes, sir; in fact, all lumber when delivered to the city department went on other trucks.

Q. On other trucks besides Mr. McClave's trucks? A. Yes, sir.

Q. Do you remember just as he was leaving for California if he said anything about that matter? A. I was not employed in the lumber business; the White Yankee was upstairs; on the front floor; the lumber yard was in the yard, and he told me to keep my eye open when Stephen was away, to see that all things were right.

By Mr. Ransom:

Q. What summer was this? A. The summer; the summer he went to California; the same year that he incorporated the Yankee Manufacturing Company.

Q. That was in 1892, wasn't it? A. I don't know the date, I have forgotten the date of that.

By Mr. Goff:

Q. Did he say anything to you about the trucks? A. In connection with that what I said; to be sure that the trucks that delivered lumber to the city department to go on hired trucks, not his trucks.

Q. Not on his own trucks? A. No, sir; still I have nothing to do with that at all; that was not any of my business.

Q. Now you knew Mr. Higgins, didn't you, your brother-in-law? A. Yes, sir.

Q. Was he an inmate of the family also? A. An inmate of the house; he married Mr. McClave's oldest daughter.

Q. Was he a member of the family? A. Only in that connection; he did not live there.

Q. Did he live with him? A. No, sir.

Q. Did he visit them? A. Yes, sir; quite often.

Q. Did you ever hear McClave say anything to him about his bills for the police department for work done by him? A. No, sir.

Q. Did you ever hear him say anything about having pushed through his bill, or his bill was credited all right? A. I heard him say one time his check was already waiting for him, and he had better go down and get it.

Q. Do you know anything about the cost of the furnishing of Mr. McClave's house, the present house, No. 124 West Seventy-second street.

Mr. Nicoll.—Well, now, I object to that; isn't that a little too far?

Mr. Goff.—Mr. McClave volunteered to testify about it himself; I do not know whether this witness knows anything about it.

The Chairman.—Objection overruled.

Q. Do you know anything about the cost of furnishing Mr. McClave's house?

Senator O'Connor.—I suggest, Mr. Goff, unless there is something extraordinary about it not to go in details of that kind.

Mr. Goff.—I appreciate that point; I don't know whether this witness knows anything about it or not.

Q. I will ask if he knows anything about it? A. I only know what Mr. McClave told me.

Q. What did he tell you? A. That the house cost \$85,000; that it cost him \$22,000 to decorate it; and that the carpets on the first floor cost him \$4,500; but I don't know the carpet—that last, what I saw about the carpets I do not think is so; the bill was \$4,500 and he would not pay it; it was an excessive bill, and I believe Sloane & Co. started suit against him on it, and Mr. McClave won the suit; I am pretty positive he did not pay that bill.

Q. Now did you do any banking business for Mr. McClave? A. In what way?

Q. Make any deposits for him in the bank? A. Yes, sir; I deposited for him, four or five or five or six times.

Q. Where? A. Well, I made deposits at the Garfield Bank; I made deposits at the Bowery Bank.

Q. You remember his fire? A. Which one?

Q. His lumber yard? A. Which one?

Q. Has he had more than one? A. Oh, yes; he has had three or four.

Q. Well, the last fire? A. Yes, sir; I remember that.

Q. Mr. McClave has testified here that all his books and check books, and return vouchers from the bank were destroyed by fire; do you know anything about the books, or check books, whether they were destroyed or not? A. No, sir; I have seen books in the office of the company from the fire; they were water-soaked and smoky and sooty and smutty.

Q. Was the writing on those books legible, or did you look in to the books? A. Albert, one of his sons; the bookkeeper was taking a copy of these burnt books into new books, the only time I saw them.

Q. Now, you spoke about making deposits for Mr. McClave; where did he give you the deposits to make? A. The deposits that I took to the Garfield Bank came from the lumber-yard office, and those that I made in the — and some of them went to the Bowery Bank; it came from the lumber yard, and I made some from police headquarters to the Bowery Bank.

Q. You made some from the police headquarters to the Bowery Bank? A. Yes, sir.

Q. Do you know anything about how he wrote his checks on his accounts on the Bowery Bank? A. Well, there was a personal account there that I know of, and I don't know how many accounts he had; he had more than one, anyway; he had a personal account, a business account, and, I think, he had a private account.

Q. Do you recollect observing the checks that he drew upon any account he had in the Bowery Bank? A. Yes, sir; the check that he gave me in that note that Mr. Nicoll has, was a personal check; he makes out the check and writes personal on the corner of it.

Q. Is that the Judd note? A. Yes; the Judd note; yes, that was a personal check of his.

Q. Well, you say you went to police headquarters and got from him deposits there; was there anyone with you? A. Yes; Pat used to drive.

Q. Who is Pat? A. Well, he is the collector and salesman of Mr. McClave's; he is a man that has been with him a long while; I guess he is one of the oldest people in his employ.

Q. Were you in the habit of going to police headquarters regularly, or by appointments or requests? A. Sometimes I would go there to see him on some business of my own and sometimes I would go there at his request; he would ask me — send word up stairs for me to go.

Q. Upstairs in the house? A. Upstairs in the house, or during the White Yankee he would send upstairs in the mill for me.

Q. Well, now, these times that you made deposits for him in

the Bowery Bank, did you receive checks from him to make deposits in the Bowery Bank? A. No, sir.

Q. Did you receive any money? A. No, sir.

Q. Well, then, what did you deposit? A. Well, he gave me a satchel, and I would take it down and get —

Q. What kind of a satchel; describe the satchel? A. It is a common handbag, a little black morocco thing, about so big (indicating).

Q. Who delivered that into your hands? A. Mr. McClave, generally — always.

Q. Where? A. In his office at police headquarters, and sometimes at the lumber yard.

Q. I speak now of the police headquarters transaction; was it the same bag, so far as your observation went? A. Always the same bag; yes, sir.

Q. Did he give you his pass-book? A. No; he did not give me anything except this bag, and say, "Take this around to the bank, Ed., on your way up."

Q. Take this account to the bank? A. Take this around to the bank, on your way up, and leave it to the lumber yard; in coming down town to police headquarters, I would go to the bank and put it in the window of the bank and make a deposit, and go back and drive to the mill.

Q. Was anyone with you when you made the deposits? A. Pat, Mr. McClave's man, was with me once or twice.

Q. Did you drive down from the police headquarters to the bank? A. Yes, generally; that was in the summer, when Pat was with me.

Q. What did you do when you got to the Bowery Bank — first, who drove? A. Pat.

Q. Did you get out of the wagon when you drove to the Bowery Bank? A. Yes.

Q. Left Pat in the wagon? A. Yes, sir.

Q. What did you do when you went into the Bowery Bank? A. Went up to the receiving teller and pushed the bag through the wicker-work there, and he would open it; I guess he knows it — he would open the bag and take the money out, and count it out and put it on a slip, and hand back the bag.

Q. What money would he dump out? A. Bills.

Q. Any checks? A. Sometimes; not many.

Q. The most of the deposits were money? A. Yes.

Q. Not bills; did you notice the denominations of the bills? A. Not particular; no more than I see one, two, or three, or five, or ten.

Q. Now, you are very clear, are you, that you received yourself, the black bag at police headquarters, of Mr. McClave? A. Yes, sir; I would receive it there, and also at the lumber yard.

Q. You testified here he never sent a deposit from police headquarters to the bank to any account he ever had; was that true?

A. He may have brought that bag down from the lumber yard and left it in the wagon, and have him take it down; I have taken his bag from the office and from police headquarters; he may have had the bag in his wagon when he got there and taken it upstairs with him.

Q. He said he did not make any deposits from headquarters?

A. I do not know whether the deposits came from the lumber yard.

Q. I want to know whether or not you received from him this bag on the several occasions, and with money in it, to take to the bank? A. Yes, sir.

Q. That money was constituted of bills? A. Yes, sir.

Q. Do you remember about the election time of President Harrison? A. Yes, sir; 1888.

Q. Yes; do you remember him saying anything about money at that time? A. He said he won considerable money on the election.

Q. Did he state who he had won it from? A. Only one person that I know of he said he had won money from.

Q. Who is that person? A. Colonel Brown, of the News.

Q. How much did he say he won of Colonel Brown? A. I think it was \$10,000 he won from him.

Q. Do you remember the policeman stationed at Thirty-fourth street ferry? A. You mean Myers?

Q. I think that was the name? A. Yes; I know him.

Q. Now, did you ever see Myers at the house? A. Yes, sir; he used to come to the house almost every Christmas morning.

Q. This policeman? A. Myers did; yes, sir; if he didn't come he would send.

Q. Used he to come there for any purpose? A. He always used to give Mr. and Mrs. McClave Christmas presents.

Q. This officer? A. Yes, sir.

Q. Did you ever hear him say why he gave them Christmas presents? A. No, sir.

Q. Did you ever hear anything said about Mr. McClave having him detailed there? A. He had him detailed there through Mr. Martin B. Brown; it was through Mr. Brown that he was detailed there.

Q. Do you remember any specific present you saw Mrs. McClave having received from this man Myers? A. Two, I think; one was

a silver jewel case and the other was a pansy with little diamonds in it; with diamonds in it and diamonds around the leaves.

Q. Did you hear Mrs. McClave say anything about the latter pansy? A. Nothing; only it was very pretty — or I suppose she said that — it was pretty.

Q. Speaking about presents, do you remember Mr. McClave ever saying anything about the Hollywood whiskey? A. No; I do not remember as having heard him say anything about the Hollywood whiskey; I do not know if he ever said anything about it.

Q. How frequently did he use to get Hollywood whiskey? A. Once a year or may be more.

Q. How did it use to come there if you know? A. Yes; he used to get a case of it around Christmas time; who sent it I do not know; he usually used to get a basket of wine from the New York Tribune.

Q. From the New York Tribune? A. Yes, sir.

Mr. Bradley.—A temperance paper too.

The Chairman.—I do not see that those little matters are of serious consequence, Mr. Goff.

Mr. Goff.—Why, of course, the wine might have been of light quality and would not be very serious in its effects.

Senator Cantor.—It's a very serious charge against the Tribune; that is all.

Q. Now, I hand you a number of deposit slips from the Bowery Bank; keep them in order, please; look them over and state in whose handwriting they are; keep them in order and look over each one? A. Can I take those out that are in his?

Q. No; because you disarrange them? A. There is one that is, and that is in here.

Q. Can you state — ? A. What do you mean to do; to take up Mr. McClave's, those that are not.

Q. Those that are not in his handwriting; state whose they are? A. There is one there under date of July 10, 1886; the handwriting is not his; one of June 1, 1886, is Mr. McClave's.

Q. Run them through and when you come to one that is not his state it? A. There is one of Johnny's, July 10, 1886.

Q. Give the date of each one?

The Chairman.—They are all in Mr. McClave's handwriting except one or two.

Mr. Nicoll.—All in whose handwriting?

Mr. Jerome.—From Mr. McClave.

The Witness.—One of July 24, 1887, is in Johnny's handwriting.

Q. John McClave's? A. Yes.

Q. The son? A. Yes, that is John McClave, Jr., I do not know whose that is in.

Q. Name the date? A. September 4, 1888.

Q. You can state in whose handwriting that slip is? A. I can not say of one or two people; it was either Johnny's or Albert's.

Q. Either the writing of the son, Johnny, or the son, Albert? A. Yes, sir.

Mr. Nicoll.—What is this for?

Mr. Goff.—To identify these slips, the handwriting.

The Witness.—The one of October 2, 1889, is Steve's; that looks like mine; I do not know whose this is.

Q. Name of the date? A. February 10, 1890.

Q. Can you state in whose handwriting this is? A. It looks like my own; I don't know whose it is, if it is not.

By Senator Bradley:

Q. It looks like yours? A. Yes.

Q. Can you tell your own handwriting? A. Not on his name.

By Mr. Goff:

Q. That was before you were married, wasn't it? A. No, sir; that is 1890, February 10; I was married in 1887; I guess that is about all; August 13, 1892, is either Johnny's or Albert's; these are all marked personal account upon them; October 6, 1883, is Steve's; that is all.

By Mr. Goff:

Q. Then all the rest of the slips that you have examined are in the handwriting of Mr. McClave? A. Yes, sir.

Q. With the exception of the names that you have given and the dates? A. Yes, sir.

Q. Those are slips designated personal? A. Yes; those are slips designated personal.

By Senator Saxton:

Q. Do any of those slips you have just looked over and identified as in the handwriting of Mr. McClave, designate to what account they would be placed? A. Yes, all of them; personal account.

Q. They were all personal? A. Yes, sir.

By Mr. Goff:

Q. Is there anything further you wish to say that I have

omitted to ask you of? Nothing; only in regard to that Stilwell matter.

Mr. Goff.— Well, I don't care about bringing that up; it is not material to this inquiry.

By the Chairman:

Q. You testified you paid that gold certificate of \$100 that was received by you, to Mr. McClave? A. Yes, sir.

Q. What other payments did you make to Mr. McClave of money that you secured as the result of securing promotions and appointments? A. Well, there was that \$175 of Cohen that I mentioned.

Senator Bradley.— Speak out; the chairman can not hear you.

A. That \$175 of Cohen.

By the Chairman:

Q. When was that? A. That was in 1888 or 1890, or around there.

By Mr. Goff:

Q. That makes \$275; now what else? A. Well, there is quite a number down in the memorandum there.

Q. Do you mean that the bulk of the amounts shown on the memorandum and that was read to the stenographer is in evidence here was paid by you to Mr. McClave? A. No, sir; not direct; that Farnsworth business, one of those was paid to Kelly and the other was to —

Q. How do you know Mr. McClave got either one of these amounts? A. I do not know it.

Q. What other amounts except the ones you have mentioned were paid to your knowledge to Mr. McClave? A. Well, I can not recall any one, no particular one, now, unless my memory was refreshed by going back to this memorandum; I think the memorandum there, by the memorandum, that has been destroyed, all of the memoranda that are in that book there that you have got have been memoranda that I have made a minute of when that book was in my pocket.

Q. Give your best recollection of the number of times that you paid Mr. McClave money as the result of appointments and promotions on the police force, the number of times, and the amounts, the number of times? A. Well, in the neighborhood of half a dozen.

Q. Are these half-dozen times impressed on your recollection, or are you giving an approximate number? A. I can recall the

Cohen instance; I can recall the Ronk instance; I name that officer, I can not recall the name of the officer in connection with the servant girl, Martha Devery; I recall my being sent down-stairs, and another one that called at the house and saw me in the kitchen.

Q. How much did they involve; the one you have just spoken of; how much money was there in that? A. Three hundred and thirty dollars, I think.

Q. And you paid the whole amount over to Commissioner McClave? A. Yes, sir; that was the whole amount.

Q. Now, the next one? A. Well, I can not state exactly when the next one was and whom the next one was.

Q. Anyone besides the one you have given; the one that this Martha Devery, that I have referred to; how much did that involve?

Senator Bradley.— Speak out.

Mr. Nicoll.— We ought to hear this.

The Chairman.— The Martha Devery, he says, is the one that he remembers; how much did that involve? A. Three hundred and fifty dollars, I think; about \$100, \$175, \$350, now, \$375.

By Mr. Nicoll:

Q. Who used the \$300? A. I do not know his name; I think it was down in the book in some place; it is in connection with the friend of the servant girls in the house; I was called down stairs about it.

Q. Well, leave the name out for the present; give us the fifth one? A. Well, I can not recall their names, either.

Q. Do you remember the amount of the fifth one? A. I do not; all the amounts ranged anywhere from \$50 to \$350 or \$400.

Q. And you say you remember about six? A. Thereabouts; may be more and may be less; there may have been a fifth one.

Q. Did you have any conversation as to the commissioners through which you had received the money that should go to the commissioners at the time you handed the money to the commissioners? A. The Ronk one, in particular.

Q. What did you say to him? A. I said Ronk was very much obliged.

Q. And when you handed the \$100 gold certificate? A. Yes, sir.

Q. And when you handed the commissioner the \$175? A. That was the one I left on George Richards' desk, marked "McClave, important."

Q. Did he ever acknowledge receipt? A. Yes, afterwards.

Q. What did he say? A. I have already testified to this before.

Senator O'Connor.-- It has been all gone over.

By the Chairman:

Q. What did he say? A. Well, he might have said I got it, or much obliged, and it was there.

Q. Don't say what he might have said, state what he did say? A. I can not recall what he did say; words to the effect that he had got it all right.

Q. When you paid the next amount to the commissioner, what did he say, or what did you say to him? A. I told him — I always told him that there was the money whatever it was I paid him, and it was for such and such a purpose, and he always thanked me, and sometimes he did and sometimes did not.

Q. Did you tell him the services, when he received the money for which it was paid? A. I did in the Ronk business, and the corn business tell him that, and in the Martha Devlin case.

Q. Do you remember you did it in the other two cases you have mentioned? A. Most likely I did; I would not swear I did, or swear I did not; in all probabilities I did let him know where it came from, and what it was for.

Q. Do you remember having paid him any money which you did not state to him the source from which it was derived, and the purpose for which it was paid? A. Not unless it was left in an envelope with someone.

Q. And that you only remember on one occasion? A. Yes, sir.

By Senator Bradley:

Q. How much money did you pay the man Kelly altogether? A. That was \$200 and \$350.

Q. Only one payment? A. Three hundred and fifty dollars and \$280.

Q. Two hundred and fifty dollars and \$280? A. Yes, sir.

Q. You paid to Kelly? A. Yes, sir.

Q. How much money did you give from Bradley for his appointment? A. I don't know; it seems to me that Bradley was this Martha Devery business.

Q. Martha Devery was the go-between there? A. No; she was not; she came upstairs and —

By Senator O'Connor:

Q. You testified here that McClave said to you one time it is

best to have these things go through some other source, and not through you; why did you, on a half a dozen different instances, personally give this money to McClave, and on other instances on which you say you received this money, go to this indirect way of giving? A. Well, sometimes I wanted some of it myself.

Q. That is the only explanation of it? A. Well, no; it was not; other times I did not see anybody to give it to; and other times I would see them.

Q. On which occasion was it? A. On the first time you paid McClave money direct, did he suggest a better way to do a thing of that kind was to do it to a third person? A. He said, "Never have any writing, and hand in money, so anybody can see it."

Q. The first time he gave it? A. Yes, sir.

Q. In view of that instruction, why did you, on five different occasions, personally pay this money? A. Either because I did not see anybody to give it to them to go to Mr. McClave, or I had been instructed to give it to them on those particular occasions.

By Mr. Goff:

Q. Or that you wanted some of it myself? A. Or that I wanted some of it myself.

Q. Now, about Martha Devery; I ask you if that was not the case of Officer James P. Cahill? A. That is not the name, I don't think.

Q. Do you remember an officer of the name of Cahill? A. No; I don't think I do.

Q. Do you remember? A. I know that was not the name of the Martha Devery case, because it began with a B, if I am quite sure.

By the Chairman:

Q. Didn't you testify at the first hearing before this committee that you had only given Commissioner McClave money on one occasion? A. I think not, sir.

By Senator O'Connor:

Q. Directly, personally? A. I think not.

By the Chairman:

Q. Directly, personally? A. I think not.

Senator O'Connor.—Did he say, "Thought not?"

The Chairman.—I think not.

By Mr. Goff:

Q. Now, Mr. Raines was here, and Mr. Raines testified he never met you, and never saw you; what have you to say to that? A. Nothing, only that he has seen me, and he knows me, too; Canandaigua is only a town of 5,000 inhabitants, and I was brought and lived there until I was 15 or 16 years old, and I went to school with his boy, and ate at his house; I know him himself as well as I know my father, and he knows me.

Q. It is true you did meet him in the Morton House in New York? A. I did meet him in the Morton House.

Q. And received money from him for the appointment of this man on the force? A. Yes

By Senator Cantor:

Q. You received the money? A. No, sir; he received the money and he gave me the money for the appointment; the man gave me the money to give to Raines; the money was sent down from Canandaigua by Charlie Lapham.

Q. To give to Congressman Raines? A. No; I met Congressman Raines at the Morton House to have him go to see this man that was appointed on the force.

Q. What was the money transaction between you and Mr. Raines?

By Mr. Goff:

Q. Tell them from the beginning to the end? A. I met Raines at the Morton House by appointment; I think the amount was \$350 that he gave me.

By Chairman Lexow:

Q. That Raines gave you? A. Yes; \$350 that Raines gave me.

By Mr. Goff:

Q. That Raines gave you? A. Yes, sir; and I took it, too—that is the Kelly matter; that is the Farnsworth business, I think.

By Senator O'Connor:

Q. Why did you not give that money direct without going to Kelly? A. Kelly was the go-between in the Nineteenth Assembly district.

By Chairman Lexow:

Q. When you had this personal relation with Commissioner

McClave and Commissioner McClave was supposed to do the business, why didn't you give the money directly to Commissioner McClave instead of going through Kelly? A. I was told not to by Mr. McClave.

Mr. Ransom.—What is that answer?

The Witness.—I was told not to by Mr. McClave on two or three occasions, more than one; and on other occasions he would say you can bring that to me.

By Senator Cantor:

Q. Do you say Congressman Raines gave you \$300? A. Yes.

Q. Didn't you swear when you were here before that Congressman Raines, at the Morton House, had given the money to Commissioner McClave? A. That is what I said.

Q. How do you reconcile the two statements; now, you say you took that from Congressman Raines and gave it to Kelly?

Mr. Goff.—No; the witness says the money he got from Congressman Raines he gave to Kelly.

Senator Cantor.—The testimony, as I understand, was that Congressman Raines told him he had given the money directly to McClave, and that is what Congressman Raines denied.

Senator O'Connor.—If Raines gave it directly to McClave, how could Granger get it back to give to Kelly?

Mr. Goff.—Not very well, if that be so.

By Mr. Nicoll:

Q. Do you remember—on page 1212, "State to the court what you know?" "A. That was done through Congressman Raines, of Canandaigua. Q. To whom was the money paid? A. Direct to Mr. McClave, I understood. Q. From whom did you understand that? A. Congressman Raines himself."

Senator Cantor.—That was my recollection of that.

Mr. Goff.—He says, to whom was the money paid? He states he received the money directly from Congressman Raines.

Senator O'Connor.—He also says that he paid that money to Kelly as the go-between, and in the former testimony he said it was paid directly to McClave.

Senator O'Connor.—Let us get what he says now. I think there was a confounding of two cases. There was the Farnsworth and McDonald case; were there not two cases?

Mr. Goff.—Yes; Farnsworth and McDonald.

By Mr. Goff:

Q. What was the case that Charlie Lapham sent the draft to you? A. That was the McDonald case.

Q. Was it the Farnsworth case Mr. Raines was interested in?
A. Mr. Raines was interested in both of them, I think.

Q. State now your recollection of the transaction with Mr. Raines at the Morton House? A. I met him by appointment there; I had a telegram from Canandaigua, telling me to meet him there the next morning, and I met him there on that morning, but I think I met him in the evening; I think the telegram came from Charlie Lapham and Mr. Raines was to be at the Morton House, at such a time the next day to meet me; and I also left a note at the Morton House, and said I would meet him that night about dinner time; and I was to see him about whether it was the McDonald case or the Farnsworth case I do not bring back to my mind now, anymore than I did then; I know that one transaction I did have with Mr. Raines, Mr. Raines said he did have the amount to give to Mr. McClave, and another transaction I did have with Mr. Raines, was the money I got transaction.

Q. There were two transactions? A. There were two transactions I testified before, two weeks ago; one transaction Mr. Raines said he gave the money to Mr. McClave, and another I got the money from Raines and paid it to Kelly, all except a draft of \$30 or \$50; Charlie Lapham says it was \$30.

Q. That was for the doctors, wasn't it? A. Yes, sir.

Q. Was that Dr. Nesbitt? A. I think not.

Q. Dr. Nesbitt is one of the sergeants; wasn't he connected with some of your appointments? A. Nothing; except one man I sent down to Dr. Nesbitt, had been rejected on his disordered system, that I referred to before, that was the only one.

Q. Did Dr. Nesbitt pass him when you sent him down? A. No; Dr. Nesbitt said he would do what he could for him; I believe he gave him some medicine for his blood.

Q. Dr. Nesbitt was the family physician of Mr. McClave, wasn't he? A. Not exclusively; there was Dr. Ewing was also one.

Q. Do you remember one Sunday morning seeing Mr. McClave in the bathroom of his house? A. Well, yes; I have seen him there, but I don't know in what relation.

Q. Do you remember whether a policeman in citizen's clothes called at the house one morning, and gave you a package for Mr. McClave? A. Well, no; I do not bring that back now.

Q. Do you remember anything in connection with Inspector William's trial, about the time of Inspector William's trial? A. No, sir.

Q. Do you remember a wardman of the name of Burns calling upon you at any time? A. No; he never called upon me; I know a wardman of the name of A. Burns, of the Nineteenth precinct; he did not call upon me; he called on Mr. McClave several times.

Q. Do you remember any conversation between yourself and Mr. McClave about money that Mr. McClave said Inspector Williams had gone from him and paid him back? A. No, sir; I can not remember that.

Q. Do you remember handing an envelope to Mr. McClave one morning in the bathroom? A. I do not remember whether it was a Sunday morning; I remember that one morning this officer came up to the house, and wanted —

Q. Which officer? A. Officer Burns.

Q. This wardman you speak of? A. Yes; he is wardman now; he came up to the house and wanted to see Mr. McClave; I think it was Sunday morning; I was going to my breakfast, and I went up into the bathroom or library and told him Burns wanted to see him down stairs, and I think he went down to see him.

By Senator Cantor:

Q. Whose wardman is Burns?

Chairman Lexow.—Williams'.

Senator Cantor.—Inspector Williams'?

The Witness.—He is in the Nineteenth precinct; I don't know whose wardman he is.

By Mr. Goff:

Q. Do you remember Mr. McClave saying anything to you about his visit, or about his having brought a message from Inspector Williams? A. No, sir; I don't recall anything now that he did.

Cross-examination by Mr. Nicoll:

Q. I understood you to say in answer to the question of the chairman, Mr. Granger, that you had paid Mr. McClave money on five different occasions yourself? A. On, or thereabouts, I said.

Q. Now, please state when the first occasion was; the date of it about? A. The Cohen matter was the first.

Q. In the Sol Cohen matter you received money from Cohen? A. Yes, sir.

Q. And you paid it to McClave? A. The \$30 you asked me about on the first examination here.

Q. I say, did you pay the Cohen money to McClave? A. Yes, sir.

Q. Direct? A. The \$30?

Q. The \$300. A. Yes.

Mr. Goff.—But \$30.

By Mr. Nicoll:

Q. You paid all but \$30? A. No, sir; I say, the \$30.

Q. You paid him the \$30; what did you do with the rest? A. I left it on George Richards' desk, as I stated before, marked Mr. McClave, and marked important.

Q. But you did not pay Mr. McClave any money but \$30 on that occasion? A. That is all.

Q. When was that? A. That was at the time of those letters, the date is there.

Q. Tell us the time? A. I think it was in 1888.

Q. What? A. I think it was 1888 or 1889.

Q. Well, when in 1888? A. Along in November, around the fall of the year, I think.

Q. In November, 1888, you paid Mr. McClave the sum of \$30; now, was that the first payment? A. That is the time that he made his second application; what that date is I do not remember.

Q. Was that the first payment? A. No, sir.

Q. That you ever made to Mr. McClave? A. That was the first payment I ever gave to Mr. McClave; yes.

Q. Now, that was in the Cohen transaction? A. That was in the Cohen transaction.

Q. When was the second; state the date and name of the persons concerned, and the amount of each occasion? A. In the second one, I think it was this—it was either Farnsworth or McDonald; I do not know which one.

Q. Which one was it? A. If it was the McDonald one—

Q. Don't say that way. A. It was either one or the other; I don't recollect which it was.

Q. When was it? A. It was in the spring of the year.

Q. What year? A. The year he went to California.

Q. That is 1892? A. Yes, that is, if it was the McDonald one; if it was the Farnsworth case, it was the one before.

Q. Did you pay money directly to Mr. McClave in the Farnsworth case, yourself? A. No, sir.

Q. I ask you to tell me the second case, where you paid money to Mr. McClave yourself? A. Well, I think it was the McDonald one.

Q. What was it? A. McDonald.

Q. When was it? A. The spring of the year.

Q. The spring of what year? A. The year he went to California, I think.

Q. The spring of the year 1892? A. Yes.

Q. Did you pay Mr. McClave yourself in the spring of 1892 money in the McDonald case? A. Yes, sir.

Q. How much money? A. I paid him either that draft, which was either thirty or fifty dollars, and I paid him the balance, which was \$200.

Q. What did you pay that in? A. In bills — no, the draft, the thirty and fifty dollars was in a draft.

Q. The balance between the total amount, and the amount of the draft you paid him in bills? A. Yes, sir.

Q. It was in the McDonald case in the spring of 1892? A. I am quite sure.

Q. Between 1888 and 1892, had you any transactions with Mr. McClave? A. Well, this Ronk — no, this Ronk business came in between there, this \$100 certificate business.

Q. Then Ronk would be the second case, \$100? A. Yes, Ronk would be the second case; that was not an appointment though.

Q. That is the case of a police officer who made an arrest? A. Of a police officer.

Q. And the third case is McDonald? A. Yes, sir.

Q. What is the fourth case, stating the date; the person and to who paid, whether in cash or bills? A. The fourth case was the case of Burke; that is the officer's name, I think now.

Q. Who? A. Burke.

Q. When was that paid? A. That was paid in bills at 124 West Seventy-second street.

Q. That is, you paid it yourself? A. Yes, sir; I did.

Q. In bills to Mr. McClave, at his house? A. Yes, sir.

Q. When was it? A. That was just after we got back from the country.

Q. In the fall of what year? A. In the fall of 1892.

Q. In the fall of 1892? A. Yes, sir.

Q. Well, what was the fifth case? A. I don't know the fifth case; I don't think I stated the fifth case.

Q. Are those all the cases? A. That is all I recall to my mind now; yes, sir.

Q. Those four? A. Yes, sir.

Q. And on those four different occasions you paid Mr. McClave yourself in cash or bills or checks for the men you spoke of? A. Yes, sir; I say those; I do not say the Cooper transaction; that was paid in a check.

Chairman Lexow.— You heard that, Mr. Nicoll.

Mr. Nicoll.— I did not hear it.

Chairman Lexow.— He did not include the Cooper transaction, which was paid in a check.

By the Chairman:

Q. That was the very first, wasn't it? A. Yes, sir.

By Mr. Nicoll:

Q. Did you pay in check to him? A. Yes, sir; took it up to police headquarters and gave it to him myself.

Q. I now call your attention to your testimony given before this committee when you were last on the witness stand, page 1202:

“Q. But you handed him these several amounts of money always, or checks or whatever came to you? A. I did not say I handed Mr. McClave any money; I have not said so right along.

“Q. Did you? A. No, sir.

“Did you ever hand him any money? A. Only money I owed to him.

“Q. You testified you handed him a check? A. I hardly think so.”

Q. Is that testimony true? A. No, sir.

Q. That testimony is false, is it? A. If what you say there —

Q. That is on the record, yes; this testimony is false, is it?

A. If what you read there is so.

Q. I am reading from the stenographer's minutes; did you know it to be false when you swore it? A. No, sir.

Q. Did you swear to it without knowing it to be true? A. Probably I misunderstood the question; I might have, when I was asked it.

Q. You could not understand the question of this sort; did you? You volunteered a part of that answer, “Did you ever hand him any money? A. Only money I owed him.”

Mr. Goff.—That was in reference to this Cooper transaction.

Mr. Nicoll.—I beg your pardon.

Senator O'Connor.—The record will show.

By Mr. Nicoll:

Q. That testimony was false, was it? A. If what you say there is so.

Senator O'Connor.—The record shows that testimony if it was true.

By Mr. Nicoll:

Q. Did you intend to swear falsely? A. I have said no once.

Q. You did not; and is the testimony you have given to-day true? A. The testimony so far as the \$200 check from Cooper, Whitehouse, New Jersey, is true; I gave that to Mr. McClave himself.

Q. Is the testimony in regard to the payment of moneys to Mr. McClave, that you have testified here to-day, true or false? A. It is true, as far as the money goes; I would not swear to the dates or year; so far as the money consideration is concerned, it is right.

Q. Then you have handed him other moneys than money you owed him; is that true? A. You may call that owed money, if you want to.

Q. Now, I think I heard you say, in answer to the questions put to you by Mr. Goff — you testified, I think, in answer to the questions of Mr. Goff, that you had been out of the State? A. Yes, sir.

Q. In a condition of fear since your appearance before the committee, and that you had never authorized any one to communicate with me in reference to your business? A. Yes, sir.

Q. Is that true? A. That is true.

Q. Did you never, after you left the State, authorize any one to visit me on your behalf? A. No, sir.

Q. Did you never give any one a message to take to me? A. A written message?

Q. Written. A. No, sir.

Q. Are you sure about that? A. I know it.

Q. What? A. I know it.

Q. Look at the paper which I now show you, and state whether it is in your handwriting (handing witness paper)? A. All is in my handwriting, excepting "Delancey Nicoll or John McClave."

Q. And isn't that in your handwriting, too? A. Which one?

Q. "To Delancey Nicoll or John McClave"? A. No; it is not.

Q. Do you swear that neither "Delancey Nicoll or John McClave" is in your handwriting? A. I do.

Q. I will read this to you: "To Delancey Nicoll or John McClave.—I hereby authorize my counsel, S. J. Stillwell, to make any arrangements for me, and I will stand by it. Gideon Granger, May 24th, 1894." Did you write that? A. I wrote the bottom of it; I did not write the address, "To Delancey Nicoll," or the address, "To John McClave;" I saw Mr. Stilwell myself, and told him to come and see Mr. Goff.

Q. You told him what? A. I told him to go and see Mr. Goff, and I said I would give him a card to Mr. Goff, and if everything was right for me to come back and take the witness stand, I would do it; that is what I said.

By Senator O'Connor:

Q. Do you claim the words "To Delancey Nicoll or John McClave" is not the same handwriting as the rest of it? A. It is not in my handwriting.

Q. Is the rest of it yours? A. "Gideon Granger" is.

Q. Is all but the two top lines in your handwriting? A. No, sir; that is the only handwriting there.

Q. The only handwriting is your signature? A. That is the only signature I have got.

Q. The witness now states that none of that card is written by him except the signature of Gideon Granger, is that so? A. That is the only handwriting I have got down there is my name, in my handwriting.

Senator O'Connor.—It is evident the body of the card is one handwriting, and the signature another; that is the reason I asked the question.

Mr. Ransom.—The witness did not say that.

By Mr. Nicoll:

Q. Is the signature in your handwriting? A. It is; yes, sir.

Q. Haven't you just sworn it was all in your handwriting except Nicoll and McClave? A. If I swore it, I meant to say I authorized Mr. Stilwell to go and see Mr. Goff; I suppose that is what Mr. Stillwell put on.

Q. Did you see that before you signed it? A. I told him to go and see Mr. Lexow or Mr. Goff, or my father, and if it was right for me to come back and testify I would do it.

Q. Did you not see the card when you signed it? A. I certainly saw it; I don't know that I read it or not; I know I was very nervous at the time.

Q. When you put your signature to that card, did you see the writing on it? A. I may have seen the writing; undoubtedly I did see the writing; but I don't think that was at the top when I did see it.

Q. Well, is the body of the card in your handwriting? A. No, sir, it is not.

Q. It is not? A. No, sir.

Q. And is the signature in your handwriting? A. Yes, sir, that is all it is; that is not a very good signature either.

Senator O'Connor.—He says the writing was on when he signed it.

The Witness.—I don't know that I read it; I may, and may not.

By Mr. Nicoll:

Q. Didn't you authorize Mr. Stilwell to call upon me or Mr. McClave with this card? A. No, sir.

Q. And didn't you tell Mr. Stilwell that you had met Mr. McClave at a saloon on the corner of Fifty-ninth street the day you left the witness stand, and that he had promised to give you a thousand dollars, and didn't you instruct him to come to

me and make those arrangements? A. No, sir; and I do not believe he ever said it to you; Mr. Stilwell says he did not anyway.

Q. "I hereby authorize my counsel, Mr. Stillwell, to make any arrangements for me and I will stand by it;" was not the arrangements the payment of the thousand dollars consideration for your going away? A. No, sir; the arrangement was that you and Mr. McClave was not going to prosecute me as you claimed you were going to do, and I would come back and tell what I knew about McClave.

Q. And that is what you meant by, "make arrangements for me, and I will stand by it?" A. Yes; and I will stand by it; I have stood by now what Mr. Goff says.

Q. Why did you sign this card? A. I signed it in Indemere, down on the sound.

Q. When? A. Last week, Wednesday — no, two weeks ago Wednesday.

Q. The day on which it is dated, the 24th day of May? A. Yes; that was the date it was sent; that was either on Wednesday or Thursday; I do not recall now which day.

Q. Who did write the body of the card? A. Frank Broadhead.

Q. And was it Broadhead who wrote the caption, "Delancey Nicoll or John McClave?" A. I don't know whether he did or not.

Q. Wasn't you with Broadhead? A. I was with Broadhead, and with Stilwell, and with Weber.

Q. When the card was written, who was present? A. Mr. Broadhead, and Mr. Stilwell, and Weber and myself.

Q. Where was it written? A. Down at Mr. Weber's hotel at Indemere, a little ways out from Mount Vernon, on the sound.

Q. And in a room in his hotel? A. In the dining-room, the public room, nobody there but we.

Q. And Mr. Broadhead wrote the card in the presence of your friends? A. Broadhead turned to Stilwell and said, "You go down and see Mr. Goff to-morrow if you can, because I can not go."

Q. Broadhead wrote the card in your presence? A. I think it was Broadhead or Stilwell, I can't remember which.

Q. Broadhead wrote the card, or Stilwell, in your presence? A. Yes, sir.

Q. And you signed it? A. Yes, sir.

Q. And in the presence of Stilwell and Broadhead and yourself and Weber, this card was written and prepared? A. A portion of it; I do not think the top of it was on when I see it

Q. Do you believe Mr. Broadhead and Mr. Weber intended to deceive you in regard to the caption of the card? A. No; I do not.

Q. Do you believe that they wrote in "Delancey Nicoll or John McClave," intentionally, and against your wishes? A. I don't know whether they did or not; I don't know that this is the same handwriting; I don't think Delancey Nicoll or John McClave was on that card when I signed it; I don't know; you might have written that on that card for all I know.

Q. Haven't you just stated you wrote the card? A. No, sir; I have not.

Q. Or signed the card at this hotel, at this place, and it was written by one of these gentlemen in your presence? A. Yes, sir, I did; I signed that card in these three gentlemen's presence; whether all was on that card that is on it now, I can not tell.

Q. You were all three together? A. We were all four together; you can easily find out whether that is true.

Q. Don't do any testifying; you will probably have all you want before we get through.

Senator O'Connor.—No controversy between witness and counsel, except in question and answer.

Mr. Nicoll.—I would like you to admonish the witness to that effect.

Senator O'Connor.—I will so instruct the witness. Just answer the questions put to you, and no talking back to the counsel.

The Witness.—I shall not.

By Mr. Nicoll:

Q. In the year 1891, you were at work where? A. Eighteen hundred and ninety-one; what part?

Q. In the spring of 1891? A. I think it must have been the White Yankee.

Q. That was not formed until March, 1893? A. Well—

Q. Where were you at work in the spring of 1891? A. Produce commission business, post-office.

Q. When did you leave the produce commission business? A. I think it was in October, the latter part of October, either 1889 or 1890, around there.

Q. During that time, you were living free of board at Mr. McClave's house with your wife and children? A. With my wife and child.

Q. Now, during the spring of 1891, were you not discharged from the post-office? A. No, sir.

Q. Were you not removed from the post-office? A. No, sir.

Q. What? A. No, sir; I left the post-office.

Q. I understood you to say on your direct examination that you resigned from the post-office? A. So I did.

Q. Look at the paper which I now show you, and state whether or not that is the notice that you received in February, 1891, at the time you left the post-office? A. I never got a notice, so I could not say.

Q. That is addressed to you, isn't it? A. Well; probably it is — well, what is addressed to me down here probably it was opened by Mr. McClave, if anything of that kind was said; he usually opened all my mail.

Q. I will read this to you.

Mr. Goff.— One moment. He says he never saw it. Now, why should it be put on record?

The Witness.— If it has been addressed to me, I never had it, and would not have been foolish enough to give it away.

The Chairman.— Don't read it until you offer it in evidence.

Mr. Goff.— I object to that; there is no proof of the authenticity of this letter. The proof is the witness never saw it or received it.

The Chairman.— Objection sustained.

Mr. Nicoll.— That is not a proper ground of objection.

The Chairman.— Sustained.

Mr. Nicoll.— Sustained without consideration?

The Chairman.— If he has never received the letter, unless you prove the authenticity of the letter; you can not break down this witness's testimony by showing a letter he never received; and there is no proof before us that he ever received that letter.

By Mr. Nicoll:

Q. During the spring of 1891, did you not pass off several bad checks? A. I don't know that I did.

Q. Which Mr. McClave took up for you? A. I don't know that I did.

Q. Do you deny that you did? A. No, sir.

Q. Do you admit you did? A. No, sir.

Q. Did you not, during the spring of 1891, forge certain checks, which Mr. McClave took up for you? A. I don't know that I did.

Q. Will you swear you did not? A. No, sir.

Q. Look at this letter which I show you, and state whether or not that is in your handwriting; look at the signature; state whether the signature is in your handwriting? A. Yes, sir; the signature is.

Q. Is the body? A. Yes, sir; that letter was sent all right.

Q. That is yours: "Charles Meyers: Dear Sir.—The check you kindly cashed for me on deposit I fear will be returned marked N. G. Smith gave me his due on the 20th, and one for \$69. The check for \$69 was returned this morning; I presume the one you have will turn out in like manner. Did you ever see such damned luck? I will be to-morrow night to take up. Please hold for me \$69. Straps me to-day. I am very sorry, and trust it will not inconvenience you. I am, very truly yours, G. Granger. Excuse haste and paper."

Q. Did Mr. McClave take that check up for you? A. I don't know.

Q. Look at this check which I show you; state whether or not that is the check, and whether or not it was taken up for you by Mr. McClave? A. Yes, sir; but I did not forge any name there; that signature on the back is all right; I did not make that check.

Q. This is the check referred to in the letter which I have just read to you, is it? A. I don't know whether it is or not; it refers to a check of \$20 in that letter; I do not know whether that is the check or not.

Q. State now, to the best of your recollection, as to whether or not that is the check which was referred to in that letter?

A. That I can not tell, only from the fact that Meyers' name is indorsed on the back of it.

Q. That is the name of that man Meyers to whom your letter is addressed is indorsed on the back of the check? A. Yes; the same name; I don't know whether it is Meyers' signature or not.

Q. Did you not observe that the date of the letter which we have had was April 3d, and the date of the check was March 27th? A. I did not notice that.

Q. Does not that refresh your recollection as to that being the identical check? A. I don't think that is like that; that would refresh my recollection, if you say it is the check; I would as lief take your word for it.

Q. During the year 1891, didn't you, on several occasions — several other occasion — pass off other bad checks, the signatures of which had been forged by you?

The Chairman.—There is no evidence yet that there is any forgery there. There is no evidence of forgery yet. You are assuming the signatures are forged.

Mr. Nicoll.—I am asking him whether he did not do that.

The Witness.—I have not answered that question before, Mr. Nicoll.

Q. Isn't that a fact? A. No; I do not say so.

Q. Isn't it a fact that Mr. McClave, during the period from 1891 down to some time in the spring of 1892, on very many occasions, took up checks for which you had given outside parties? A. Mr. McClave has taken up some checks; but those checks Mr. McClave has taken up; Mr. McClave has known as much about it as I have; and every check that Mr. McClave has got there, has been paid off; all of them has; every one.

Q. Do you deny that during that period, from 1891 down to the spring of 1892, you over and over again — ? A. What is that?

Q. Do you deny that during that period of time, 1891, down to the spring of 1892, that over and over again, Mr. McClave took pay for those checks which you had forged? A. No, sir.—

Mr. Goff.—Objected to. Well, he has answered now.

The Chairman.—It has been answered.

Q. Look at the letter which I now show to you, the signature of it, and the body of it, and say whether it is in your handwriting; do not go through it, but just look at it; look at the body of it? A. I see my signature there.

Q. It is the body in your handwriting; is it not? A. Yes, sir; what is the date of that, Mr. Nicoll?

Q. The spring of 1892—May 13, 1892; I will read it to you, "New York, May 13, 1892. Dear father:" That was Mr. McClave, wasn't it? A. I think so; it might have been him or might have been my other father.

Q. "Clara has bidden me write you;" Clara was the name of your wife, wasn't it? A. Yes.

Q. "Not for your forgiveness nor mother's as that I could not ask?" A. Nothing to forgive.

Q. "I can hardly imagine the utter contempt I am held in, in your family feelings nor the humiliation and disgrace which I have caused you all to be submitted to. The Linden check was dated in December, and I used that money in paying for the gold thimble I bought for the children to give Clara. The Budd check was drawn in March before your last talk to me and which I intended to take up. The Michelson check is the only wrong check I have used since and that, too, was dated prior to my visit to you at police headquarters. I am ashamed to meet you as I well should be but not afraid. I write not to ask you for further lenience towards me but as I have for the last time sinned and lied no matter what the cost may be to me I only want to ask your permission to be with Clara and the children while you are in the city. And as soon as you go to the country for the summer I shall stay in the city and live down the stigma and disgrace I have caused and by the time you return in the

fall prove to you and the world I am a man and God is my witness to this. I shall be at the factory all the morning to await your reply. Ever your loving son-in-law.

“GIDEON GRANGER.”

Q. Were those three checks that you have mentioned not three of the checks which Mr. McClave had taken up, and which you had forged the signature upon? A. I don't say that I forged the signature upon any of them.

Q. Do you deny it? A. I do not affirm it.

Q. Do you deny it? A. No.

Q. When you wrote to Mr. McClave saying, “I can not hardly imagine the utter contempt in your family feelings nor the humiliation and disgrace which I have caused you;” did you not mean the fact that you had caused them humiliation and disgrace by passing of forged checks? A. No, sir; I did not have the idea at that time.

Q. What do you mean? A. Mr. McClave has oftentimes accused me of gambling and drinking, and going around drinking with fellows.

Q. And when you say, “I can not hardly imagine the utter contempt I am held in your family feelings nor the humiliation and disgrace which I have caused you all to be submitted to and then you say “The Linden checks was dated in December” and “The Budd check was drawn in March” and “The Michelson check is the only wrong check I have used since, and that, too, was dated prior to my visit;” do you deny that the humiliation and disgrace had reference to these forged checks; do you deny that? A. The forged checks; I do not admit anything; the inference that is in that letter is that that is what it was written about.

Q. Is it not the truth that was the reason you was in disgrace? A. I don't know that it was; I do not uphold myself as being an angel; I say I don't uphold myself as being an angel in doing everything in my past life; I know lots of the rest that are not in the same way either, lots of them; I know there is lots of things that I have done that has been wrong, and I sometimes—I know lots of things I have done that were wrong; that don't impeach me, however.

Q. Let me read you this; didn't Mr. McClave, as a matter of fact, take you back into the family after reading that letter? A. No, sir; because I was never turned away.

Q. Didn't he forgive you in response to your urgent appeals to that letter? A. I do not know; I do not think I asked for forgiveness in that letter; I always lived with him up to the 22d of February, 1894.

Q. And didn't he after that, in the month of July, ask you to make a list of all your bad checks? A. I don't think that he did.

Q. And didn't you, as a matter of fact, make a list of all your bad checks, and didn't he then take them all up for you in July, 1892? A. No, sir; I don't think he did.

Q. Look at that letter; look at the body of the letter, and your signature; look at the signature and the body of it? A. I do not see any checks there.

Q. You are not to worry about the contents; is the body in your handwriting, and the signature in your handwriting? A. Yes, sir; and the signature is in my handwriting; I will say before you read that Mr. Nicoll, that all the checks that Mr. McClave has got in his possession, that he claims to have in his possession, have all been paid off, every one of them; and it is a miraculous thing to have all those notes saved and all the rest of the checks burned.

Q. Listen to this, "My Dear Father: I have not got all the bills or notes, but those I have not got I shall try and get to-day. F. Bechstine & Son is at 157-9 and 61 West street. The correct amount of this is \$9.20. William Heath, 254 West Fifty-seventh street. This is a note dated May 27, for 30 days."

The Chairman.—What is the date of that letter?

By Mr. Nicoll:

Q. "July 25, 1892. J. R. Gallagher, Rockingham, Broadway and Fifty-sixth street; this is also a note for 30 days, dated June 7th. J. E. Garner claims I owe him \$50, but that is not so. His address is at 143 West Twenty-sixth street, and all he is entitled to is half of what I got, and I got \$50, so his share is \$25. J. D. Grady's is for 70 lbs. brass polish. His address is 438 West Thirty-first street. Budd's bill you say you have. A. Steadman was the boy working for me, and I owe him four weeks' pay at \$4.50, \$18. I will give you his receipt for that, as I could not very well get a bill. I will go to the clerk's office to-day and get what you asked for. Henry Seibert and Baird bills I inclose. I also inclose you a statement of money owed me. I am, lovingly, Gid."

The Witness.—Where are the checks in that.

Mr. Nicoll.—Will you instruct the witness not to ask me questions.

The Chairman.—Do not ask the counsel questions. Answer his question.

Senator O'Connor.—Are those checks in that paper dated? Were they prior or subsequent to this fire at which Mr. McClave claims his books were destroyed?

Mr. Goff.—Prior.

By Senator Saxton:

Q. When was the fire? A. April 12, 1893.

The Chairman.—How do you account for it; these checks are produced and the other checks not.

Mr. Goff.—That is what we would like to have Mr. McClave explain when he comes on the stand.

By Mr. Nicoll:

Q. Look at this letter which I show you and state whether it is in your handwriting? A. Yes, sir.

Q. "Dear Father.—I have made out the list you wanted me to and send it herewith inclosed; if you want me to come down I shall, but I thought you might suspect me after my promises made yesterday of taking Annie's money when I did not, and could not, as I was not in the house;" what promises did you make him the day before? A. I do not know at that time; I do not know what promises they were; I have made him several promises, and he has made me lots of promises; probably I broke the promises to him.

Q. Didn't you over and again make him promises to keep straight, not to pass off bad checks, not to drink? A. I have made him promises — no; I don't think I have.

Q. Haven't you over and over again done that? A. No; because I have drank with him.

Q. Haven't you over and over again done that? A. No; how could I; no; I have not.

Q. You have not? A. No.

Q. Haven't you promised over and over again in writing not to touch another drop of liquor in your life?

Mr. Goff.—Objected to; let the writing be produced.

The Chairman.—Objection susutained.

Q. Haven't you promised him over and over again not to take a drop of liquor in your life? A. I have made promises; I told you that; I have not promised him over and over again, though.

Q. Look at this letter; state whether or not that is your signature? A. Yes, sir.

Q. That is your signature? A. Yes; what is the date of that, Mr. Nicoll?

Q. It is late? A. 1894.

Q. "Hon. John McClave: My Dear Sir.—Please do not get angry and destroy this long letter before you have finished reading it; I wish to be the first one to tell you of the news that will gladden you, although it breaks my heart; I have

authorized Mr. Jerome to withdraw my answer;" that was done, wasn't it? A. No, sir; it was not; "and to allow with no defense Clara's case to go by default; it is not only from the innocence of the charge that I fought as hard as I could and as long as my meagre means would allow me; but it was for my great love for Clara and our children."

Mr. Goff.—Will you read the whole of it, Mr. Nicoll?

Mr. Nicoll.—There are certain personal matters that do not relate to Mr. McClave.

Mr. Goff.—Will you submit it to me, please?

The Chairman.—That is all to be read if it goes in evidence.

Mr. Nicoll.—I will read it all.

The Witness.—I know what the contents are.

Mr. Nicoll.—I will read it all. "But it was for my great love for Clara and our children that I fought as hard as I could. I have loved them as no man could love but those placed in the same position I was—my whole life and sole was raped up in them. She is as dear to me now and I love her just as much as I did on December 31, 1887. In letting the case go by default I do so on the grounds which time will not permit me to mention. It is a hard lesson for me to learn and I now know it. That there is nothing harder for one to go through than to be separated from those he loves most dearly and the very air they breathe and ground they trod on is precious to me and I love it—their figures haunt me both day and night. Still I deserve a punishment but I had hoped one not so severe as this one. I want to, my dear sir, thank you most humbly and penitently for all you have done for me for every act of generosity and kindness you have ever shown me you have my thanks and may God bless you and keep you all happy. Words can not express my meaning when I say I am sorry for the troubles I have caused you and of the heartaches I have given Clara. All my wicked acts and foolish things were done when under the influence of liquor and I curse it—and as long as I live, never shall I touch it again. I have not drank one drop of liquor since I have been with Smith, Gray & Co.,—my new employers and the best place I ever had. I enclose you a letter from Mr. White which will, I hope, corroborate the statement I am about to make. And in a letter I will mail Clara to-day I shall send her an order to get the policy from my brother in case of death, the reason of my keeping it is to pay the premium, or I had just as leave turn it over to you. I have had my life insured in Clara's favor for \$2,000, and the policy is at the New York Life Insurance and Trust Company where my brother Aleck works, No. 52 Wall street. I have also made other provisions which are at the same place.

I mean to work both heart and soul and by my endeavors sobriety, honesty and truthfulness show to the world, all men and women and children, that my children's father redeemed himself and died an honest upright man. I can do it and by God I will; excuse that expression but that is just what I mean. Now, in closing this, my last letter to you, let me say again that I thank both you and mother for all you have done for me. I am more than sorry for my causing you trouble or inconvenience and now on the eve of this I ask your forgiveness. I am truly sorry I have been the cause of your delay in going away for the summer, but it has only been my love for Clara and the children I have done what I did. I wish you all the best of health, long lives and happiness. And if Clara ever marries again, may she get a good and honest man who will make her happy and be good to my children and cause you no trouble. Good-night dear father and good-bye. Thank you again for your helping hand given me freely and so many times — you may doubt what I say but every word in this letter is true and you will so find it. I am a somewhat altered person than what I was and can realize more plainly now my foolish acts than I did some time back. With best of wishes for you and your family, I am,

Yours, most respectfully, with love,

“GIDEON GRANGER.”

The Chairman.— What is the date of that letter?

Mr. Nicoll.— May 4th.

Senator O'Connor.— This year?

Mr. Nicoll.— This year.

The Witness.— In reply to that letter, Mr. Chairman, my own father was sent for and Mr. McClave —

The Chairman.— You can make your statement hereafter. While you are under cross-examination just answer the questions of counsel, and Mr. Goff can make a memorandum of any explanation you want to make.

By Mr. Nicoll:

Q. Look at the letters which I now show you and state in whose handwriting they are? A. That is my father, I think; my own father.

Q. That is from your own father addressed to Mr. McClave, isn't it? A. Yes.

Q. And didn't you see that letter in Mr. McClave's possession; and didn't you talk to him about it? A. Never in my life, and don't know who wrote it even; I am surprised to see it now.

Letter marked for identification Exhibit "A."

By Mr. Ransom:

Q. What is the date of that letter? A. July 19, 1892.

Q. Did you receive that letter from Mr. — whatever his name is there — give the name? A. No, sir.

Q. You never received it? A. Never saw it before.

Q. It is addressed to you, isn't it? A. Yes, sir; but I did not get it; all the mail that went to the Seventy-second street office was opened by Mr. McClave or Mrs. McClave or my wife.

Q. Look at these letters which I now show you and say whether or not they are in your handwriting; are they in your handwriting? A. If it is, it is very poor, I would not swear it was.

Q. Will you swear it is not? A. I won't swear it is either way; now it does not look like mine.

Q. The Gideon Granger is not in your handwriting? A. I don't think it is.

Q. Is that your handwriting (indicating)? A. That is there; yes (indicating).

Q. Is the body of it all in your handwriting? A. Yes, sir.

Q. The whole of that letter? A. Yes, sir.

Q. Isn't that your handwriting? A. No, sir; that is not my handwriting.

Q. That is not your handwriting? A. This here?

Q. Yes. A. Well, it looks like my handwriting, but I do not see why that should be signed that way.

Mr. Ransom.—I want to have these marked for identification.

The letter referred to as being the one in his handwriting is marked "Exhibit B."

Q. Tell me whether that is your handwriting? A. I do not know whether it is or not.

Q. Will you swear it is or not? A. No, but I won't swear it is not.

Q. Will you swear that is not your handwriting? A. I admit that.

Q. That is all your handwriting? A. Yes, sir.

Paper marked "Exhibit C."

Q. Those two are your handwriting? A. Yes, sir; but that is not.

Mr. Ransom.—This addressed to "J. H. Barringer. Dear Sir: If you will call on Mr. McClave at his office, 610 West Twenty-second street, Monday morning between 10:30 and 11:30 we will

give you check for full amount. Please bring mortgage and notes. I am, respectfully, Gideon Granger."

The Chairman.—Is that the \$200 chattel mortgage? A. That refers to the chattel mortgage.

Q. On the machinery of the Yankee White Manufacturing Company? A. Yes, sir.

Q. Didn't you write the whole of that? A. I said, "Yes," Mr. Nicoll.

Q. Did you write Scannell G. Post? A. I don't know whether I did or not.

Q. Who is Scannell G. Post? A. I don't know him.

Q. You don't know him? A. No, sir.

Q. Here is a letter in your handwriting with a man's signature at the bottom, that you don't know? A. I didn't say that is in my handwriting; I said that signature, "Gideon Granger" is in my handwriting.

Q. Who is this man? A. I don't know.

Q. Armstrong was a man who was one of your agents, wasn't he? A. George Armstrong?

Q. Yes? A. Yes.

Q. He was pressing you for payment and you were putting him off? A. I don't know whether he was or not; if that letter says so it was so.

Q. Here is a letter addressed to him in these words: "George S. Armstrong: Dear Sir.—Your letter to Mr. Granger duly to hand; Mr. Granger will return from Philadelphia this afternoon and will attend to the check you refer about; there must be some mistake, as he deposited on Thursday of last week, \$275. Thanking you for your kind information, I remain, very truly yours, Scannell G. Post; For Gideon Granger."

The Witness.—Have you got that check, Mr. Nicoll?

Q. Just answer the question; didn't you forge the name of Scannell G. Post?

Mr. Goff.—I object.

A. No, sir.

Mr. Goff.—Do not answer.

Chairman Lexow.—That is excluded.

Mr. Goff.—Let the check be produced.

Q. Did you write the name of Scannell G. Post?

Mr. Goff.—I object, unless the check is produced.

Mr. Nicoll.—It has nothing to do with the check. I am asking him about this letter.

By Chairman Lexow:

Q. Did you write that name? A. I don't know whether I

did or not; it don't look like my writing; I know I wrote "Gideon Granger" there; I do not know why I wrote it, though; I do not deny the fact that the body of the letter is in my handwriting; you (Mr. Nicoll) asked me if I signed the other man's name.

By Mr. Nicoll:

Q. Didn't you write that letter to Mr. Armstrong for the purpose of making Mr. Nicoll believe that you were out of town?

A. I might have.

Q. And wrote the signature of Post in there—the name "Scannell G. Post," for Gideon Granger? A. I may have; I don't know that I did.

Q. Well, as a matter of fact, you were in town at the time?

A. Well, I don't know that.

Q. Isn't that the meaning of that letter? A. Probably it was a delay; yes.

Q. Look at the check which I now show you, dated December 27, 1891; didn't you draw that check? A. No, sir; that is not mine.

Q. Isn't the body of that writing yours? A. No, sir.

Q. Isn't that a check which you cashed and which Mr. McClave took up for you? A. That is the check that I cashed and paid for.

Q. Solomon S. Dewey; do you know that man? A. No, sir; I never signed that check.

Q. Do you know Solomon S. Dewey? A. No, sir; I do not.

Q. Did you ever see such a man? A. Never saw the man in my life; don't know whether there is such a person.

Q. You gave the check? A. I don't know; probably it came in the course of business; I see it is indorsed by the Yankee Manufacturing Company.

Q. Look at the check, which I now show you, marked December 17, 1891? A. Yes, sir.

Q. Isn't that a check which Mr. McClave took up for you? A. Yes, sir.

Q. Who is G. W. Grady & Co.? A. That is the man who had the brass polish job for the Yankee White Manufacturing Company.

Q. That is another check you signed? A. That check I drew on the promise of Mr. McClave that he would deposit \$1,000 to the credit of the company, and he didn't do it.

Q. How much was that check? A. For \$34.

Q. Look at this check; didn't you write the whole of it? A. No, sir; I didn't write the whole of it.

Q. Isn't it all in your handwriting? A. No, sir; it is not.

Q. You deny that? A. I deny the writing here at all.

Mr. Nicoll.—The check is dated December 16, 1891, on the Bank of the Metropolis.

Witness.—I know who wrote that check; it was written in our office.

(Check marked defendant's Exhibit (D.)

Mr. Goff.—The witness is not here on trial for forgery.

Senator O'Connor.—There is enough proof here to satisfy my mind that this man dealt in checks that were crooked.

Mr. Goff.—But, Senator, he says that he is not an angel. I have not raised the question at all about the propriety, and, in fact, the duty, of the chairman to instruct the witness, under the peculiar circumstances that he comes here, with the knowledge that these charges have been made against him in the public press, through Mr. McClave's authority, that he has a right to refuse to answer any and all questions that would tend to criminate or degrade him.

Chairman Lexow.—This testimony can not be used against him in any trial.

Mr. Goff.—I have not yet invoked the aid of the committee, but I do think that we ought to keep down to the matters involved in this examination.

Senator Saxton.—He has not affirmed or denied anything, so far as the question of forgery is concerned; he refuses to either affirm or deny.

Senator O'Connor.—The committee has sense enough to draw its own inference.

Senator Saxton.—We are willing to sit here now for some time.

Witness.—I will be back to-morrow.

Mr. Nicoll.—I have no doubt that the witness will be here to-morrow.

Mr. Goff.—I am satisfied, gentlemen, to sit as late as you wish.

Chairman Lexow.—Have you any objection to a recess until to-morrow morning?

Mr. Goff.—None at all, if Mr. Nicoll is satisfied. Will you please instruct your sergeant-at-arms to keep control and charge of this witness until to-morrow morning?

Chairman Lexow.—The sergeant-at-arms will keep control and charge of the witness until to-morrow morning, and all witnesses subpoenaed for to-day, will appear here at half-past 10 to-morrow morning.

Committee adjourned to Wednesday, June 6, 1894, at half-past 10 o'clock a. m.

Proceedings of the 21st meeting of the committee, to whom was assigned the investigation into the conduct of the police department of the city of New York, held in the Superior Court, Part I, in the County Court House in the city of New York, Wednesday, June 6, 1894, at 10:30 a. m.

Present.—All of the committee, except Senators Robertson and Pound.

Counsel on both sides present.

Senator O'Connor.—Are you ready to proceed, Mr. Goff?

Mr. Goff.—I will be, very shortly.

Senator O'Connor.—The committee unanimously instruct Mr. Goff to go before the grand jury and procure the indictment of witnesses who have failed to attend here, who have been properly subpoenaed.

Mr. Goff.—Now, Mr. Granger, will you take the stand?

Gideon Granger resumed the stand for further cross-examination.

By Mr. Nicoll:

Q. You testified yesterday that in some one of the cases that you say—in some one of the appointments in which you were interested, you paid \$30 to Mr. McClave; what case was that?
A. That was the Cohen case; the first case that I ever had; the case I told you of the last thing last night.

Q. You say that was the Cohen case? A. Yes, sir; that was the first case.

Q. You say it was the first case? A. Yes, sir; the first money that I ever handled between Mr. McClave and the applicant and myself.

Q. That was the case in which you gave Mr. McClave \$30? A. Yes, sir; that was in 1888.

Q. That you say was in 1888? A. I think that was the year, 1888; yes, sir.

Q. I read from your testimony given upon your previous examination as a witness in this case:

“Q. Will you state what you know about it? A. I know he was appointed.

"Q. Anything else? A. I know it cost him \$205 to be appointed.

"Q. To whom was that money paid? A. Well, \$30 of it went to the doctor's room, when he went up to the doctor's, some way or other, he was half an inch too small.

"By Mr. Nicoll:

"Q. Did you see the \$30 paid? A. Yes, sir; it was paid to me, and I sent it up to headquarters.

"By Mr. Goff:

"Q. It was not sent to Mr. McClave though, the \$30? A. No, sir."

Q. Do you still swear that you paid Mr. McClave \$30? A. Yes, sir; I did not send it; I took it there myself.

Q. In view of that testimony given on the previous examination as a witness, do you still swear that you gave Mr. McClave that \$30? A. Yes, sir; I do, and the 175 —

Q. Do not go on and testify, except in answer to my question; I will read from your testimony on page 1196:

"By Mr. Goff:

"Q. Was he not rejected at first on that account? A. Yes.

"Q. That was before the \$30 went up? A. Yes, sir.

"And after the \$30 went to the surgeons he grew half an inch higher? A. Yes, sir."

Q. Did you testify to that? A. I think so, if that is the way of it there.

Q. Do you still swear, after listening to that part of your testimony given upon your former appearance as a witness, that you paid \$30 to Mr. McClave? A. The same answer as I gave before.

Q. You swear to that? A. The same answer.

Q. What do you mean by the same answer? A. Yes, sir.

Q. You mean that is true, is that it? A. Yes, sir.

Q. And the \$30 did not go to the surgeon, did it? A. The supposition was that it went to the surgeon.

Q. Your theory is, that you handed it to Mr. McClave to go to the surgeon? A. I presume he gave it to the surgeon, otherwise he would not have passed the doctors.

Q. In that case of Judd, is it not a fact that Mr. McClave discounted this note for you, which was shown to you yesterday, and gave you the sum of \$500 upon it? A. Yes, sir; he gave me \$500 upon it.

Q. You still swear that the signature, George W. Judd, was written by George W. Judd? A. Yes, sir.

Q. And not by you? A. I would not have sworn the other way, if it had been.

Q. Is it true that it was written by George W. Judd, and not by you? A. Yes, sir.

Q. Is it not a fact that the only transaction that you had with Mr. McClave in reference to that, was the subsequent payment to him of \$200 on account? A. No, sir.

Q. You did pay him \$200 on account of the notes, on January 10, 1888, did you not? A. I do not recollect the date; I know we paid him \$200.

Q. Shortly after the note was made? A. Yes, sir; on or about that date.

Q. And is that paid to him on account of the note? A. The \$200 that is indorsed on the back of that note is.

Q. Where did you get that money? A. Got it from the bookkeeper.

Q. The bookkeeper of what? A. Our bookkeeper, 145 West street; he wrote out the check and I took it to headquarters; the bookkeeper wrote out the check, and Mr. Judd signed it, he signed the check and then I took it up to police headquarters, and gave it to Mr. McClave.

Q. Were you in the employ of Mr. Judd at that time? A. No, sir; I was not.

Q. You were not in the employ of Mr. Judd? A. No, sir.

Q. Had you known Mr. Judd? A. Yes, sir.

Q. Was he a friend of yours? A. Yes; I was in business there with him.

Q. Was he a partner of yours? A. No; but I was in business for myself; it was a part of the store that I rented with him; we had a general account, and all goods assigned from the west we were jointly interested in; there was no salary.

Q. Was that the commission business of which you speak? A. Yes, sir; the commission business that I have spoken of.

Q. That was the business that you left on account of the smell of veal, was it? A. Yes, sir.

Q. Did you borrow this money from Mr. Judd? A. No; I didn't borrow any money from Mr. Judd at all.

Q. You did not? A. No; I borrowed that \$500 from Mr. McClave.

By Senator O'Connor:

Q. For your joint account? A. Yes, sir; Mr. Judd indorsed that note.

Q. And the money was for both of you? A. Yes, sir.

By Mr. Nicoll:

Q. Did you bring the money to Mr. McClave or have a check?

A. Yes, sir.

Q. Did you indorse over Mr. Judd's check to him? A. I don't know whether the check was made payable to Mr. McClave or made payable to me.

Q. That you gave to him in payment of your debt to him? A. That indorsement of the \$200 on the back I did.

Q. That was the check that you got from Mr. Judd? A. That was one of them.

Q. You got another check from Mr. Judd, did you? A. Yes, sir; another check.

Q. How many checks did you get from Mr. Judd? A. I do not know; I have had lots of them.

Q. For the purpose of paying on this note? A. No; only one on this note.

Q. That was in the year 1888? A. I think so.

Q. I understood you to say in your testimony that that check was handed to Mr. McClave for the purpose of getting a man on the police force? A. I did not say anything of the kind.

Q. Did I not understand you to say yesterday, or in your last testimony that you gave, that Mr. McClave gave a check of \$200 for the purpose of getting a man named Cooper on the police force? A. Yes, sir, I did; either \$200 or \$250, I do not recall which.

Q. And that was in the year 1888, was it not? A. I think it was about the middle of February, 1888, or the latter part of January.

Q. Did you tell Mr. McClave that that was \$200, a bribe to get Cooper on the police force? A. I did not say so; no, sir.

Q. Did you tell him that that was for Mr. Cooper's appointment? A. I said there is the money that we promised you, and he said, who, and I said Cooper and myself.

Q. You married Mr. McClave's daughter in December? A. Yes, sir; the last day of December.

Q. The 31st of December, 1887? A. Yes, sir.

Q. You want us to believe that in February, 1888, your father-in-law received \$200 from you in a corrupt transaction of this kind, do you; is that true? A. Yes, sir; I did business; I had applicants for the police force before I was married even.

Q. Is that true; answer the question that I put you? A. Yes, sir; that is.

Q. Within 30 days from the time you married his daughter, he

received \$200 from you for a man to be appointed on the police force? A. Yes, sir.

Q. Was that the first transaction that you had with Mr. McClave? A. In money matters; yes, sir.

Q. That was the first time? A. When you say first, what do you mean?

Q. I mean the first transaction that you paid him for the appointment on the police force? A. Yes, sir; there was lots of money that I sent to him, that came to me before I was married.

Q. You gave us five different cases in which you said you had paid money to Mr. McClave for appointments on the police force? A. Yes, sir; and that was one of them.

Q. Was this the first one? A. Yes, sir.

Q. The first one in which you gave money for that corrupt purpose? A. The first one.

Q. That was the very first one? A. Yes, sir; in handling money; I guess, the very first.

By Senator O'Connor:

Q. Do you mean the Cooper case? A. Yes, sir; the Cooper case, he is talking about; I said that yesterday.

By Mr. Nicoll:

Q. You know that you handed Mr. McClave a check for \$200 in this Cooper matter; did you have any conversation or any subsequent conversation on the subject of money? A. With Mr. McClave?

Q. Yes. A. No; I do not think that I did.

Q. Did you ever talk with him after that on the subject of money for appointments upon the police force? A. Privately; yes, sir.

Q. What do you say? A. Yes, sir.

Q. Then, you did have some subsequent conversation? A. You did not say subsequent.

Q. You misunderstand me; I did say subsequent? A. I beg your pardon, if you did.

Q. You did have subsequent conversations, then, upon the subject of money? A. Not subsequent to that.

Q. Not subsequent to the Cooper transaction? A. No, sir; not subsequent to the Cooper transaction.

Q. Did you never again talk to him, after February, 1888, about money for the appointment of applicants on the police force? A. Yes, sir; afterward.

Q. After the appointment of Mr. Cooper, did you ever, after

that, have any conversation with Mr. McClave, about money for the appointment of applicants on the police force? A. He told me I was —

Q. Did you or not? A. Yes, sir.

Q. I read you from page 1204: "You stated a few minutes ago as to the question of money when mentioned between you and Mr. McClave, that Mr. McClave expressed himself as being averse to money being used? A. Yes, sir; he did. Q. You knew that you had handed Mr. McClave a check for \$200; did you have any conversation, subsequent conversation, on the subject of the money between you? A. No, sir;" is that true? A. I have said no to that twice.

By Senator Saxton:

Q. Do you mean that you did not have any subsequent conversation? A. Prior to the appointment of Mr. Cooper, there was no check of Mr. Cooper until after that.

Mr. Nicoll.—Does the committee think that he misunderstands the word "subsequent?"

By Senator O'Connor:

Q. Is that testimony that you gave to Mr. Nicoll true or false? A. Was it before or after?

Q. Do you not know the meaning of the word "subsequent?"

Senator O'Connor.—Repeat the question, Mr. Nicoll.

Q. I read from Mr. Goff's question; I will put it again: "You stated a few minutes ago as to the question of money when mentioned between you and Mr. McClave, that Mr. McClave expressed himself as being averse to money being used? A. Yes, sir; he did. Q. Now, you knew that you had handed Mr. McClave a check for \$200; did you have any conversation, subsequent conversation, on the subject of the money between you? A. No, sir." A. That is incorrect.

Q. That is not true, is it? A. No, sir.

Q. When you swore to that here upon your previous examination, that was false, was it? A. It was false, if I said what you have read there now.

Q. Well, I have read from the record? A. I may have misunderstood the question, when it was given.

Q. I read you at page 1202:

"By Senator O'Connor:

"Q. Did you have a talk with Mr. McClave about these appointments? A. I spoke to him in regard to his appointment.

“Q. Did he give you to understand, at any time, that it would require money to appoint him? A. No; quite the contrary.”

Q. Is that true? A. That is what he did say, “quite the contrary,” that is true.

Q. Have you not already sworn yesterday, that you had five corrupt transactions with Mr. McClave? A. Yes, sir; I have.

Q. Is this testimony that I have read to you true? A. Yes, sir; Mr. McClave was always averse to talking of it.

Senator O'Connor.—He means probably that Mr. McClave said one thing, and meant another.

The Witness.—That is the supposition, Mr. Senator.

Mr. Nicoll.—Very kind of you, Senator.

Senator O'Connor.—I should judge that was the purport of his remark.

Q. With regard to the McDonald appointment, that was the appointment which you say was procured by Mr. Raines, a congressman from the western part of this State? A. I think not; I said he was implicated in it—I think it was Charles Lapham, and the one I referred to with Congressman Raines was Mr. Farnesworth.

Q. Mr. Raines was the backer, was he not? A. The backer of whom?

Q. The backer of the applicant, McDonald? A. No; Charlie Lapham was.

Q. Did you not receive letters from Mr. Raines in regard to the appointment? A. Letters from Mr. Raines in regard to McDonald, no.

I read you from your testimony, given on the former examination at page 1198:

Q. “Was there anything about this application for appointment? A. In money matters you mean?”

“Q. Yes? A. Yes, sir; United States Senator Lapham’s son, Charlie Lapham, of Canandaigua, was the backer for him through John Raines, who was congressman, who was, at one time, member of the Senate; I had several letters from them about him.”

Q. Is that true? A. Yes, sir.

Q. Have you not just sworn that you had not received any letters from Mr. Raines? A. That does not say so.

Q. “I had several letters from them about him?” A. The inference was, when I answered that question, I might have been referring to Lapham; I do not think Mr. Raines ever wrote me in regard to Mr. McDonald.

Q. When you swore you had several letters from them, mention-

ing Mr. Raines and Mr. Lapham, it was not true that you had any letters from Mr. Raines? A. Yes, sir; those letters had been in publication.

Q. Was it true that you had received any letters from Mr. Raines? A. No; not in that case.

Q. I understood you to say that you received a draft of \$50? A. Yes, sir.

Q. From somebody in Canandaigua? A. Yes, sir.

Q. And immediately gave the \$50 to Mr. Kelly? A. Yes, sir.

Q. Or you gave the draft to Mr. Kelly? A. Yes, sir.

Q. Did you know Mr. Kelly previous to that? A. Yes, sir; I knew Mr. Kelly.

Q. Had you had any conversation with Mr. Kelly previous to that? A. Yes, sir.

Q. Had you ever had any transaction with Mr. Kelly previous to that? A. No; I would not swear that I did.

Q. I understood you to say in your testimony, that you received a draft of \$50, and you gave it to Kelly, almost immediately after its receipt; now, was this the first transaction that you had had with Mr. Kelly, or had you had other prior transactions? A. No; I think that was the first transaction.

Q. This was the first transaction with him? A. I think so.

Q. And you sent the draft immediately to Kelly upon its receipt? A. Yes, sir—I didn't send it to him; I think I left it for him in Masterson's saloon; I know that I testified before that I mailed it to him; I do not know whether that is so or not, but I know he got it.

Q. Did you send the draft to Kelly or leave it for him in Masterson's saloon? A. I either left it there for him or sent it by mail; I don't remember just now which.

Q. Did you say anything to Mr. McClave about that? A. When I got the draft?

Q. Yes. A. I do not think I did at that time until after he had passed the doctors; he was rejected at first.

Q. What was the date of his application to you? A. I could not tell you that.

Q. Do you swear that you ever had a conversation with Mr. McClave, in relation to the McDonald appointment, about money? A. Yes, sir.

Q. Look at the letter, which I now show you, and state whether or not it is in your handwriting, and signed by you? A. Yes, sir.

Q. I will read it: "New York, November 13, 1888. Dear Father.—The bearer of this letter has good backing by some of

our city fathers, who, as he says, have instructed him to get a blank form of application. If such can be given without trouble or inconvenience, he awaits your answer. These annoying letters are no more obnoxious to you than they are to me, and I do not like to inconvenience you, after doing all you have for me. But these are the cases. If this could be done, it would be a big help to the bearer. Believe me, I am your loving son, Gideon Granger." A. That is no reference to Mr. McDonald.

Q. That is a letter that you addressed to Mr. McDonald, in reference to the McDonald appointment? A. I do not know whether it is or not; what is the date of it.

Q. November 13, 1888. A. I don't think it is; in fact, I know it is not.

Q. What appointment is it in relation to, then? A. I think you will find out that it is the Cohen appointment.

Q. The Cohen appointment, you think? A. I think so; that is about the date of it.

Q. That is the letter of November 13, 1888; was that the date of the Cohen appointment? A. I don't think Cohen was appointed at that time; I think he was appointed in October, 1889.

Q. But was this the date of his application? A. If I remember correctly, I think it was about that time.

Q. Take the letter and look at it, and state whether or not it was in reference to the Cohen appointment? A. I could not tell you unless the name is mentioned, and there is no name mentioned here.

Q. Have you not said it was in reference to the Cohen appointment? A. No, sir; I said I thought it was.

Q. Are you able to swear on the subject? A. No.

Q. Do you know that you wrote another letter, a different letter in regard to the Cohen appointment? A. No, sir, I do not; I did not know McDonald at any rate in 1888.

Q. "These annoying letters are no more obnoxious to you than they are to me, and I do not like to inconvenience you, after all you have done for me;" what do you mean by that? A. He never wanted me to put myself in writing in any way.

Q. What did you mean by that statement, "I do not like to inconvenience you, after all you have done for me?" A. To bother him by receiving letters.

Q. What had he done for you up to that time? A. I don't know that he had done anything, except lend me that \$500.

Q. Was that what you referred to? A. I could not tell you at that time what I referred to.

Q. "If this could be done, it would be a big help to the bearer; believe me, I am your loving son, Gideon Granger;" what did you mean by that? A. What I say in that letter is what I mean.

Q. And you mean nothing but the \$500? A. That is all that I recollect of.

Q. Two hundred dollars of which you had already paid, had you not? A. Yes, sir—what is the date of that?

Q. November 13, 1888? A. Yes, sir.

Q. You had paid the \$200 on it? A. Yes, sir.

Q. And your reference in this letter was to the discounting of the note for \$500, on which you had paid \$200? A. I do not swear that, but that is one thing that comes to my mind now.

Q. Look at the letter which you wrote to Mr. McClave on October 25, 1889; that is the letter in reference to Mr. Cohen's appointment, is it not? A. Yes, sir; that other letter that you showed me though, is asking for an application.

Q. I will read this letter, "New York, October 25th, 1889. Dear Father.—The bearer of this is S. Cohen (our carman) who stands No. 30 on the eligible list, with a percentage of 90.34, and the inclosed letter is the one you desired him to get from Ege & Otis, which is considered the most reliable commission-house in our business. Not only having passed such a good percentage, he has other qualifications, which are deemed essential to making a good officer. Not having, to my own knowledge, touched any kind of liquor since he has been with us, and others say the same of him, when in their employ. In asking you to appoint him, I ask a favor that I may have no right to, and it will only benefit me through his brother, who is our head salesman"—was it his brother who gave you the money? A. Yes, sir.

Q. Was that the money that you say you sent to Commissioner McClave? A. Thirty dollars, the money that I took up, and the \$175 is the money that I left on Richards' desk in an envelope.

Q. Notwithstanding the fact of this letter, in which you asked Mr. McClave to make an appointment, which will benefit you, you say you sent him \$30, and \$175 was left on Richards' desk? A. That was before the letter was written.

Q. "And in past favors, the bearer has done me in riding my stuff in time for sales. I write this as I do not like to bother you by calling when so busy. And I am informed you are to appoint to-day, trusting that this will reach you in time to be accomplished. I remain, my dear father, your son-in-law, Gideon Granger." In view of those two letters, in relation to

those two applications for appointment, do you still persist in your story that you paid Mr. McClave any money, which you may have got for this appointment? A. I gave Mr. McClave \$30 with my own hands.

By Chairman Lexow:

Q. Before or after that letter was written? A. Before the last one was written.

Q. Before the last one that Mr. Nicoll quoted from was written? A. Yes, sir; that was the day he had passed his examination, and been put on the eligible list; the other letter of 1888, I do not know whether it is in reference to Cohen, or Brown, Jones or Smith; there is no name mentioned; it was just a letter sent there to get an application.

Q. The money was paid, not to put him on the eligible list, but to appoint him, was it? A. The first \$30 was to have him pass the doctors; on the first examination he was too short, and the \$30 was for that.

Q. That was paid to put him on the eligible list? A. That was to have him pass the doctor.

By Senator Cantor:

Q. And that was paid to Mr. McClave, you say? A. Yes, sir; that was paid to Mr. McClave, and the \$175, the balance of that, was left on Richards' desk in an envelope.

By Mr. Nicoll:

Q. You testified on our examination yesterday that Mr. McClave had intrusted you to carry a bag containing money and checks on several occasions to the Bowery Bank for deposit; is that true? A. Not I personally; Pat was always with me.

Q. Did Mr. McClave ever hand to you or intrust to you personally, money for deposit in the Bowery Bank? A. Yes, sir.

Q. When? A. Oh, on different occasions.

Q. Tell us when, what year? A. In 1891, that was the first time, I think.

Q. And 1892? A. I think in 1892, too.

Q. Was it not in 1891 and 1892 that Mr. McClave took up these various checks for you? A. I do not know.

Q. Was it not in the year 1891 and in the following year that he took up these various checks that we had yesterday, the Linden check and the Michelson check and the other checks that were mentioned? A. It is, if the date of these letters is

the same; it is the same year that I was up at the mill there with him.

Q. In your letter of May 13, 1892, which I read to you yesterday, those checks you remember were spoken of? A. I asked you yesterday —

Q. You remember that those checks were spoken of? A. I remember.

Q. And in this letter you say, "I am ashamed to meet you, as I well should be, but not afraid; I write, not to ask you for further leniency toward me, but as I have for the last time sinned and lied, no matter what the cost may be to me, I only want to ask your permission" — and so on; do you mean to say that at the time he was taking up that check for you, you were writing him letters that you had sinned and lied, that he was intrusting you with money to deposit in the Bowery Bank? A. I do not know that it was in those years.

Q. Well, during those years? A. Well, yes; it was about that time.

Q. Is that as true as all the rest of the testimony that you have given here, that during the years 1891 and 1892 he was intrusting you with money to deposit in the bank? A. I do not swear to those years.

Q. What year will you swear to? A. I will swear within the last six years.

Senator O'Connor.—That question, "Is that true as all the rest that you have testified to," is hardly allowable.

Mr. Nicoll.—I never used it before in my life, until I got into this investigation, and I took it from Mr. Goff. I have heard lawyers ask that question for years, but I never asked it before, but I have heard Mr. Goff ask it here, and I thought it was a question for this case.

Q. How much money have you received for appointments which you did not give to Mr. McClave? A. About \$100, or a little over maybe, maybe \$150 at the outside figure.

Q. And all the rest you handed to Mr. McClave, did you? A. Yes, sir.

Q. In all five cases? A. Yes, sir; Mr. McClave gave me back \$50 in one case that I spoke of.

Q. Is it not a fact that you were trading upon the fact that you were Mr. McClave's son-in-law? A. No, sir.

Q. Is it not the fact that you were trading and blackmailing people, to pay you money to get them on the police force? A. No, sir.

Q. Have you not borrowed money from policemen and captains on the police force in this city? A. No, sir; never in my life.

Q. Borrowing the money on the strength of your being Commissioner McClave's son-in-law? A. No, sir; never.

Q. Have you not had checks cashed in various places on that account? A. No, sir; never, on that strength.

Q. Are not those the checks that I have shown you and is not that the reason that Commissioner McClave took them up, because you had passed yourself off as his son-in-law? A. I do not think so; I have paid Mr. McClave every dollar's worth of those checks.

Q. Do you say that you have paid him every dollar on these checks? A. Everyone of them.

Q. When did you pay him the checks? A. At different times.

Q. When were you making any money to pay him the checks? A. I have made money right along.

Q. You did not pay a cent of board, did you? A. I was not asked to.

Q. You never gave but \$3,000, in six years, to your wife and children? A. They do not say that.

Q. You swore to it yourself? A. Yes, sir; and over that.

Q. Your business in the White Yankee Manufacturing Company failed, did it not? A. Yes, sir.

Q. What was your salary in the post-office? A. Nine hundred dollars.

Q. What was it in Ehrich's? A. Fifteen dollars a week.

Q. Less than \$1,000 a year? A. Yes, sir.

Q. In Smith & Gray's, how much was it? A. The same.

Q. And you say you have paid \$3,000 to your wife and paid up to Mr. McClave all this money, which he took up for you? A. Yes, sir.

By Mr. Goff:

Q. You have stated, or at least you were about to state, when Mr. Nicoll interrupted you, that you had applications from men who sought appointment on the police force, before you became Mr. McClave's son-in-law; is that true? A. Yes, sir.

Q. Will you tell the committee how it was that men made applications to you before you became a member of Mr. McClave's family? A. We were engaged for over a year and a half.

Q. You and your promised wife? A. My wife and I were engaged for over a year and a half, and there were two attendants at the roller-skating rink, at Broadway and Fifty-third street, that first asked me to give them letters of introduction to Mr. McClave for appointment on the police force.

Q. How did they know of your relation to Mr. McClave's family? A. They had heard the story that we were engaged; that Miss

McClave and myself were engaged to be married, and they probably thought there might be some influence.

Q. Did you know them? A. Did I know the applicants?

Q. Yes. A. Yes, sir.

Q. Is it a fact that you and the young lady, Miss McClave, were in the habit of visiting the skating rink almost every night? A. Yes, sir.

Q. Had you any other application but the ones in question now? A. There was one, a foreman of the gas company down at the Mutual Gas Works; he was another one, and Mr. McClave appointed him; whether there was any money transaction or not, I do not know.

Q. Did you recommend him? A. Yes, sir—no; I did not recommend him; I gave him a letter of introduction to Mr. McClave; he was recommended, I think, by an alderman.

Q. How did he know of your connection with Mr. McClave's family? A. That was through one of my brothers, who was employed as bookkeeper at the gas-works.

Q. Had you any other application? A. I think that was all.

Q. Do you remember having had an appointment with a man who sought to be appointed on the police force, at the liquor store of McKeever, near the Christopher Street Ferry? A. Yes, sir; I remember having an appointment, but I do not remember his name.

Q. Was there any money paid there? A. I think not.

Q. You do not remember? A. No, sir; I do not.

Q. I asked you yesterday about the visit of this ward man, Byrnes, to Mr. McClave's house, in reference to Inspector Williams; can you tell any further from your recollection upon that subject to-day? A. I remember of going out on the breakfast-room and seeing Byrnes at the door, and the girls said that he wanted to see Commissioner McClave, and I did not think that he was up; it was early in the morning, and I took the letter up stairs, and told him that I would give it to him; I knocked on Mr. McClave's door, and he was not in his room; I walked back; I heard him washing, and I gave him the letter in his bathroom.

Q. What was the appearance of the letter? A. It was quite bulky.

Q. In an envelope, was it? A. In an envelope; yes, sir.

Q. When Byrnes handed it to you, did he say anything regarding it? A. No; he said it was from Captain Williams, but he said he would wait to see if there was an answer to it.

Q. He said it was from Captain Williams? A. Yes, sir.

Q. And he would wait and see if there was an answer to it? A. Yes, sir.

Q. Did you deliver that letter or package, whatever it was, to Mr. McClave? A. Yes, sir.

Q. Did Mr. McClave say anything to you when you delivered it to him? A. He made some remark about, when I said there was a messenger from Captain Williams, and that he was waiting for an answer—what the remark was, I would not like to swear to, because I am not positive of it.

Q. If you are not positive of it, do not swear to it; do you remember it was about the time of Captain Williams' trial? A. It was thereabouts.

Q. Was there anything said by either Byrnes or the commissioner, that fixed in your memory that fact, that it was about the time of the trial? A. No, sir; only—no; there is nothing that I can fix in my mind positively about it.

Q. That is, from your independent recollection, you think it was about the time of the trial? A. Yes, sir.

Q. Do you know if Mr. McClave was in the habit of giving sums of money, in coin or bills, to Mrs. McClave? A. Yes, sir.

Q. In what shape were they? A. He used to give her gold, always, that I saw.

Q. Gold pieces of what denomination? A. Ten and \$20 gold pieces.

Q. Do you know that Mrs. McClave had a bank account? A. Yes, sir; she deposited them somewhere, but where I do not know; I think it was in some trust company, or savings bank, where there was an interest attached to it, but where it was I do not know.

Q. By the way, you spoke yesterday about Johnnie McClave, John McClave, Jr.; whether you and he were very friendly; were you or were you not? A. Yes, sir.

Q. You traveled around together considerably? A. Day times, I did; I never was out at night with him.

Q. In the day time you traveled around with him? A. Yes, sir.

Q. Have you conversed with him about your divorce case? A. Yes, sir.

Mr. Nicoll.—Suppose he has conversed with John McClave about his divorce case; what has that to do with this matter?

Q. Was he a witness in the proceeding? A. Yes, sir.

Q. Where is he now? A. I understood they sent him to South Dakota; I afterward learned that he was in Europe; he did not testify; a deposition was taken.

Q. He went away after this committee was appointed, did he? A. Yes, sir.

Mr. Nicoll.—That is a most unfair question, when it is known that this young man is in very delicate health; he has not long to live, that it should be made out that he had run away from this committee.

Mr. Goff.—It is a remarkable thing, that this delicacy only came on within a short time of the sitting of this committee; from the number of delicate men connected with the police department, I am afraid an epidemic of sickness has struck them.

Q. This letter, which Mr. Nicoll has read with such very skillful elocutionary effect, dated May 4, 1894, that was after the action had been brought, was it not? A. Yes, sir.

Q. And after you had determined not to defend the action, though you had interposed an answer? A. Yes, sir.

Q. Here is a phrase in the letter, which Mr. Nicoll trippingly skipped over: "It is not only from the innocence of the charge that I fought as hard as I could, and as long as my meagre means would allow me;" what do you mean by that phrase? A. I told Mr. McClave, if he would consent to let the trial go over until the fall of the year when I had money enough to defend it, that I would still fight it, and he said no, that he would not do it; he had got me just where he wanted me now, and he was going to keep me there; that was the only reason of my letting it go by default.

Q. In answer to some questions by Mr. Nicoll, relating to conversations which you had with Mr. McClave, in reference to appointments, you stated that you had conversations with Mr. McClave about appointments after the Cooper transaction; is that so? A. Yes, sir.

Q. And when Mr. Nicoll read from your testimony, stating that on a previous examination that you had no conversation with Mr. McClave subsequent to that transaction, what did you mean; have you any explanation to give as to the difference between the words "subsequent" and the word "afterward," which you used? A. It was at that time that Mr. McClave told me when I give him the Cooper check; it was at that time that he told me that I should never bring him any checks or any paper or writing, and he spoke to me then, and he said, letter-writing or indorsements are self-convicting; that was the substance of what he said.

Q. And after the Cooper transaction, you never accepted any check? A. No, sir; I never did myself.

Q. And you never took a check to him? A. No, sir.

Q. Whatever money passed through your hand was in bills? A. Always; yes, sir.

Q. These letters stated to Mr. McClave in reference to Cohen's

appointment, "After all you have done for me"—I will have to get that letter later on; Mr. McClave testified here that he had paid \$20,000 in taking up checks alleged to have been forged by you during the six years you were in his family; what have you got to say about that testimony? A. If he has where are the checks; he must certainly have them; he claims to have them; that is not true.

Q. Can you give the committee any idea of the amount of checks which he claims he has set forth here? A. No, sir; I do not think from what I see—I do not think the alleged checks are any more than two or three hundred dollars at the outside, and every penny of any checks that Mr. McClave has paid for me has been, with the exception of perhaps \$10 or \$15 or 20, repaid.

Q. You said something yesterday about his books; have you a knowledge of the condition of Mr. McClave's office before the fire in 1892? A. I was there all the night of the fire and all the next day.

Q. Tell the committee what kind of a structure was this office; was it a brick building or a wooden building? A. It was a wooden building.

Q. How near was it to the burning lumber? A. About as far as from here to the far side of the room, if not farther.

Q. Can you say whether or not the structure in which the office was took fire? A. No, sir.

Q. Did it take fire? A. It did afterward, after the lumber was burned, it burned the far end of the office; the office ran back on Twenty-second street and the factory building ran up on Twenty-second street to Eleventh avenue; the office ran into the yard, and it was the back end of the yard that was burning; I was in the office the morning after the fire.

Q. Was the office destroyed? A. No, sir.

Q. Was Mr. McClave on the ground himself during the fire? A. Yes, sir.

Q. Did you hear him give orders to the firemen? A. Yes, sir, to pour water into that building.

Q. What building? A. The small three-story brick factory on Twenty-second street.

Q. That was the office building? A. No, sir; that was the stable building.

Q. You say you were in the office the next morning after the fire; did you notice the safe? A. I do not think that I noticed the safe, as much as I remark Mr. McClave's testimony.

Q. What about the desk? A. It was a new one and he felt very badly that it had been smoked and about half-burned; it was scorched and blistered up.

Q. It was about half-burned? A. Yes, sir.

Q. It was not completely destroyed? A. No, sir; I think they took it out from the fire and sent it up to the mill to some of the cabinet-workers and had it polished up again.

By Senator Saxten:

Q. Do you mean that it was burned through or burned only on the outside? A. It was only blistered; it was not burned up; it was soaked and scorched.

Q. Only on the outside? A. Yes, sir; I did not see the contents.

By Mr. Goff:

Q. Do you remember what kind of safe was in the office? A. It was a very large safe; it stood so high (indicating) from the floor.

Q. Do you remember the name of the safe? A. No, I could not tell you that; that was one of the safes and they had a smaller one besides.

Q. There were two safes? A. Yes, sir; there were two safes.

Q. Can you say whether or not Mr. McClave kept all of his business accounts and books in that safe? A. I should not like to swear that he kept them all in it; either in that one or the smaller one, either one or the other, except his order-book; I do not think he ever put his order-book in the safe.

Q. What is that, the order-book? A. The tally-book, that he used to sign when the lumber would go out of the yard.

Q. That was a book that was constantly in use was it not? A. Yes, sir; always in use.

Q. Did you ever see that safe open — the large one? A. Yes, sir; I did.

Q. Did you ever put books in that safe? A. Yes, sir; I put the White Yankee Manufacturing Company books in there every night.

Q. Mr. McClave has testified here that he kept the return vouchers from his bank, or his bank account, in a steel safe within a large safe; do you know anything about that? A. I know there was a steel apartment inside of the large safe; I do not know what he kept in it.

Q. Can you tell from your recollection whether or not that safe was destroyed by fire? A. No, sir; I am quite positive it was not; it was pulled out.

Q. You say the safe was pulled out the morning after the fire? A. No, not the morning after the fire, but it was during that week.

Q. So that it was not reduced to cinders or ashes, was it, by the fire? A. No, sir, the safe was in Mr. McClave's private office, it was taken out from that office into the front office, the first one where the tally-book was kept.

Q. You saw them move the safe? A. I saw it standing there.

Q. Did you notice its condition then? A. It was scorched and blistered; the paint was all black or looked as though it had been in a fire.

Q. It looked singed, did it? A. Yes, sir.

Q. But so far as the iron structure of the safe was concerned, did you notice any damage or destruction outside of what you have described? A. No, sir; no more than being scorched.

Q. Did you see the safe opened after the fire? A. I do not think that I did.

Q. You said something yesterday about the book, you saw them talking then, you say from one set of books into a new set of books? A. Yes, sir; the morning or the second morning after the fire, I do not know which, the books were all taken around to the Twenty-first street building; there was a vacant loft there and a temporary office was made there and I went in there one morning during that week to get something or other; I do not know what I went there for, and I saw Albert McClave, his son, copying from the burned book or the damaged books into new books; I asked him what he was doing and he said he was taking off the record.

Q. Do you know how many check-books Mr. McClave had? A. In the safe?

Q. Generally, in use? A. He has his lumber book — no; I do not know how many check-books he had.

Q. Did you ever see him have a check-book at all? A. Carrying around with him, do you mean?

Q. Yes. A. No, sir.

Q. Did you ever see him carrying checks around with him? A. Yes, sir.

Q. How; in what shape? A. He used to carry them in a thick brown envelope in his pocket.

Q. Loose checks? A. Yes, sir.

Q. They were blank checks? A. Yes, sir.

Q. Did you ever notice him carrying a small check-book in his pocket? A. I never saw him carry it, although he may have, without my knowing it.

Q. Mr. McClave has testified here that everything that he had in that safe, his books, relating to his business transactions and his check-books and return vouchers, were all destroyed by the fire; do you know anything about whether or not that is true? A. I do not think it is; that is all I can say; the books, I know, were over in the office on the Twenty-first street side, and Mr. McClave — these are the only books I ever did see.

Chairman Lexow.—Did Mr. McClave testify that his vouchers were kept in the inside of the steel safe?

Mr. Goff.—No; he did not testify to that.

Senator Saxton.—My recollection is that he said his bank-books were in the steel safe and thereby they were preserved.

Mr. Goff.—And the vouchers were outside and they were burned up.

Chairman Lexow.—I thought you were asking the witness whether or no he remembered that he kept the vouchers in the steel safe inside of the large safe.

Mr. Goff.—Yes; and the witness said he did not know. I merely asked that question for a purpose.

By Senator Saxton:

Q. You say that you saw him copying from the books that were burned? A. No, sir; they were not burned; they were legible; they were scorched; they were more soaked, so the covers were bulged out.

Q. The covers were not destroyed, then, by the fire? A. No, sir; they were blackened; they were damaged.

Q. Did you see the inside of the books? A. I saw the inside of one; he was copying one and I just looked at it for a moment.

Q. Could you readily read it? A. Yes, sir; I could see the figures on there, what he was copying off into the new book.

Q. Could you see whether any of the leaves of the book were burned? A. No, sir; the ones that I saw were not burned.

Q. I mean of this one book that you saw? A. No, sir; they were not, not that I saw.

Q. You could not see whether any of them were burned? A. I do not think they were burned; I do not think they were even scorched; I think it was more water than anything else; the book was of that size (illustrating), and it was swollen up to that size; the covers bulged out.

By Mr. Goff:

Q. You knew, after you left this courtroom the other day, of the charges against you which Mr. McClave had made public against you in this courtroom, did you not? A. Yes, sir.

Q. And you knew that he charged you with being a forger, a thief and a scoundrel? A. Yes, sir.

Q. You heard those words from his lips, did you not? A. I heard them right there.

Q. And you also heard the reports of the subsequent proceedings before this committee in the newspapers? A. Yes, sir.

Q. And with the knowledge of these accusations being made against you, you being a thief and a forger, and that certain checks were produced here in evidence which Mr. McClave

charged to be forgeries, you came back into the State and testified voluntarily before this committee? A. Yes, sir.

Q. Knowing that these charges and these accusations would be brought against you? A. Yes, sir.

Senator O'Connor.—Did he not come back with the assurance that he would not be interfered with?

Mr. Goff.—Yes; but what I wish to have the witness state is that he had a knowledge of these accusations that would be made against him.

Senator O'Connor.—We all know that Mr. Nicoll got up in court and stated, while the witness was on the stand, or immediately after, that they would prove him to be a thief and a scoundrel and a forger; he stood right up and said that.

Mr. Nicoll.—That is right, and I have kept my contract

Q. Is there anything that occurs to your memory now, touching the testimony that you have told here, which you wish to make any correction in, or any explanation in regard to it? A. Well, yesterday, I think, I stated about the Farnsworth matter and the McDonald case; Mr. Nicoll was asking me one question, and I think Senator Lexow was asking another, and you were asking one at the same time, and I was somewhat confused; the Farnsworth and McDonald case; Charley Lapham was the one who had the McDonald case; he was the one who wrote me first and sent me a draft; he is the one that all passed through; the Farnsworth case is the one that no one had anything to do with in Canandaigua but Congressman Raines.

Q. No one but Mr. Raines? A. No one but Mr. Raines.

Q. Did you see in the public press what purported to be letters from you to Charley Lapham? A. Yes, sir.

Q. In relation to the McDonald case? A. Yes, sir.

Q. Were those letters as printed, correct? A. I think so, if I remember correctly about them.

Q. You did write letters to Charley Lapham about that matter? A. Yes, sir.

Q. Is there anything else that you wish to say, touching your testimony here or any other statement that you wish to make to this committee, touching your testimony? A. Nothing, but that everything that I have stated so far as the money transactions between Mr. McClave and the applicants and myself have been as true as I could state it; so far as the dates are concerned, I am not positive about the dates; that is the only thing that mixes me up in Mr. Nicoll's cross-examination.

Q. But you are clear about the transactions? A. I am just as clear about the transactions as though they occurred yesterday; I trusted implicitly in everything that Mr. McClave told

me, and I have written letters to him and he has proved to be a scoundrel himself and a liar; and I think I have the same privilege of taking the stand against him that he had of taking the stand against me; when I first testified, I testified without any prejudice; I did not want to appear against him.

Q. Let me ask you, that is but fair to you, were you aware, when you were brought into this courtroom, that you were going to be put on the stand? A. No, sir; no more than that I am going to Kamskatka this afternoon.

By Senator O'Connor:

Q. Were you a leader or captain of any of these political forces in the various districts in this city? A. No, sir.

Q. You were constantly interesting yourself in the appointment of policemen, were you not? A. Yes, sir; the only thing was Mr. McClave being a Republican, and I a Democrat, he told me to keep clear of politics.

Q. During all this time you were constantly interesting yourself in getting men on the police force? A. If I was not interesting myself, people were interesting themselves in me.

Q. You were talking with your father-in-law about them? A. Yes, sir.

Q. Did he ever suggest to you that it was decidedly improper, you being his son-in-law, to interfere with these matters that would naturally bring him under suspicion, and you also? A. No, sir; he never referred to it in that light at all.

By Mr. Goff:

Q. Do you remember when Mr. McClave was reappointed by Mayor Grant? A. Yes, sir.

Q. Do you remember the election before his reappointment, when Mayor Grant was a candidate for mayor? A. Yes, sir.

Q. Did Mr. McClave urge you to vote for Mayor Grant? A. He asked me who my brother and I were going to vote for, and I told him I did not think that I would vote for Grant for a second term.

Q. Do you remember the morning of election, was there anything done by Mr. McClave? A. He then, at that time, said, "As long as you are a Democrat, you had better vote for him;" and I said, "No; I prefer Mr. Hewitt for mayor" — Mr. Hewitt, I think, was running — at any rate I preferred another candidate — and he said, "You had better vote the Democratic ticket, and tell your brother to vote that, too;" but on election morning, when I went down stairs, the ballots, or a set of ballots, were alongside of my plate at the table; I opened them and looked at them —

Q. What were those ballots? A. They were for Grant.

By Senator Bradley:

Q. A straight ticket? A. Yes, sir; and I voted it.

By Chairman Lexow:

Q. Were you politically active at all, during any part of this time? A. No, sir.

Q. Did you have any influence with any political organization? A. No; I did not ally myself to any political organization; but I was known as a Democrat.

Q. Was the sole and only influence that you had in this city in the police department, or any other department, the influence that you had as being the son-in-law of Commissioner McClave? A. What little I had was that; that was all.

Q. And was he at all, at any time, active in securing you that influence — did he introduce you around as his son-in-law? A. Yes, sir; whenever he introduced me, and wherever he introduced me, I was introduced by him as his son-in-law.

By Mr. Goff:

Q. On election day did you say anything to Mr. McClave about the ballots that you found folded alongside of your plate? A. Yes, sir; I told him that night at dinner; he got home early; he generally goes to headquarters on election day in the afternoon; and I told him at the dinner-table that I voted the tickets all right.

Q. What did he say? A. He said, "I guess he is elected," something like that; I do not remember what the conversation was, but I told him I voted them.

Q. Do you remember a dinner that Mr. McClave gave in honor of his being reappointed by Mayor Grant? A. Yes, sir; he gave a dinner to his —

Mr. Goff.—Never mind.

Mr. Nicoll.—Is not this beyond the scope of the legitimate inquiry?

Chairman Lexow.—The question is withdrawn.

By Mr. Nicoll:

Q. During your sojourn in Connecticut — A. I have not been in Connecticut at all.

Q. It was not Connecticut, then? A. No, sir.

Q. Well, during your sojourn out of the State, the Senate committee went on and Mr. Raines, a Congressman, a Member of Congress from this State, from the Canandaigua district, came before the committee and with the privilege of the committee took the witness stand; you testified yesterday with regard to

Mr. Raines that you had met Mr. Raines at the Morton House in this city, did you not? A. Yes, sir; I think he always stops there.

Q. And that you had a conversation with him at the Morton House? A. Yes, sir.

Q. In regard to a policeman to be appointed upon the police force? A. Yes, sir.

Q. And he told you that he had given Mr. McClave a sum of money? A. Yes, sir.

Q. That Mr. Raines told you that he had given Mr. McClave a sum of money? A. Mr. Raines met me —

Q. Do you recollect testifying to that effect? A. I answer yes.

Q. Listen to this:

“I do not know Mr. Granger, though I know his father and mother; I never had any conversation with Mr. Granger in regard to the appointment of any policeman whatever; I never told him that I had given Mr. McClave any sum of money for any appointment, and I never did give Mr. McClave any sum of money, and I do not know Mr. McClave; I do not know that I ever spoke to him, although it is possible.”

Q. Are you telling the truth, or is Congressman Raines telling the truth? A. I think Mr. Raines is mistaken.

Q. He is not telling the truth, then, is he?

Chairman Lexow.— That is a conclusion; you need not answer that question

Mr. Goff.— No; I think that is so.

By Mr. Nicoll:

Q. Is your statement true, then? A. Yes, sir.

Chairman Lexow.— The letter that you read from in which the witness wrote to Mr. McClave, in reference to one of the appointments, asking him to do him a service, is that in evidence?

Mr. Nicoll.— We ought to have them both in evidence.

Chairman Lexow.— If they are not in evidence we ought to have them in evidence.

Mr. Giff.— Mr. Schram, will you take this witness, Mr. Granger, away.

Chairman Lexow.— The witness is placed in the custody of the sergeant-at arms.

Mr. Nicoll.— Are you through with the witness Granger?

Mr. Goff.— Yes, for the present.

Mr. Nicoll.— The committee has discharged the witness, Granger?

Mr. Goff.— For the present the examination is closed; I may not be through with him; I may call him again.

Chairman Lexow.— As I understand it the witness is still under the protection of the committee.

Mr. Goff.—The witness is still under the subpoena of the committee.

Mr. Nicoll.—In order to make the record complete in regard to the witness Granger, I want to put in the correspondence which led up to my letter, which induced the return of the witness, and which was read by Mr. Goff. I do not care to interrupt his examination.

Mr. Goff.—I read the letter and it is on the record.

Chairman Lexow.—Why not consider the correspondence in evidence without its being put on the record. It will only incumber the record.

Mr. Nicoll.—I was charged and my client was charged in the public prints of this city, and counsel intimated it, and the committee, even with its impartial view, may have thought that we had intended to, or that we were keeping this witness out of the State, and we—

Chairman Lexow.—The witness has sworn that you did not keep him out of the State; is not that the best evidence that you did not keep him out of the State, by any actual violence or by any other reason?

Mr. Nicoll.—What I want to say is that what we most desired at all times, is what we have just had, the presence of the witness in the State, and so far as our having anything to do with it, we did everything in our power to induce Mr. Goff to get him back into the State, and I want to show the correspondence which led up to the final letter of May 30, 1894, which Mr. Goff read yesterday.

Chairman Lexow.—You have given the substance of it.

Mr. Nicoll.—I do not care whether it is on the record or not, but I want to show the committee the correspondence to let them see whether it should be made public or not (Handing correspondence to the committee.)

Chairman Lexow.—It may be marked in evidence, without its being transcribed on the record.

Correspondence marked Exhibit No. 1, June 6, 1894.

Mr. Goff.—Mr. Nicoll has been proven to be a very bad prophet because he announced so certainly that he and his client, Mr. McClave, had agreed that Mr. Granger would never appear before this committee again, that I would suggest to my friend, Mr. Nicoll, that when he starts in to prophesy again that he be more certain of his facts and of his man.

Mr. Nicoll.—I sometimes make mistakes. I am not infallible like my friend, Mr. Goff.

James Thatcher, called on behalf of the State, being duly sworn, testified as follows:

Direct examination by Mr. Moss:

Q. Where do you live? A. Forty-one West Twenty-seventh street.

Q. Are you in business there? A. No, sir.

Q. What is your occupation? A. Superintendent of a bachelor apartment-house.

Q. Were you ever in the saloon business? A. Yes, sir.

Q. Whereabouts? A. At One Hundred and Seventy-seventh street and Third avenue.

Q. What precinct is that in? A. I think it is the Thirty-fourth precinct.

Q. Who was the captain in that precinct while you were there? A. Captain Stephenson.

Q. All the time? A. Yes, sir.

Q. When was that? A. Three years ago.

Q. Give the time as nearly as you can when you kept that saloon? A. That would be in 1891.

Q. Is that the beginning of the time? A. Yes, sir.

Q. And you moved away when? A. I moved away some time in 1892.

Q. Were you acquainted with Officer Michael Brady? A. Yes, sir.

Q. Was he attached to that precinct? A. Yes, sir.

Q. In what capacity? A. As wardman.

Q. How well did you know him? A. Not very well; I hardly ever saw him or spoke to him.

Q. You did see him sometimes, did you? A. Yes, sir; I saw him sometimes.

Senator Saxton.—Does it appear what this wardman is, or what his function is?

Mr. Moss.—I do not know that it does.

Mr. Goff.—Not specifically on the records, but it is such an institution in New York that—

Senator Saxton.—I would like to have it appear at some time what the function of a wardman is.

Mr. Nicoll.—I might furnish you with a copy of the rules of the police department.

Mr. Goff.—We recognize the existence of a wardman as we recognize the existence of a clown.

Mr. Moss.—How many conversations did you have with Officer Michael Brady?

The Witness.—I do not remember.

Q. Where did you have the conversations with him? A. Wherever we happened to meet.

Q. Can you recall any of them? A. No, sir.

Q. Was your saloon ever open on Sunday—I will withdraw that for a moment, and I will say to the witness that anything you testify to, concerning your actions before this committee, can not be used against you; I think the chairman will so instruct you.

Chairman Lexow.—Any testimony that you may give will not be used against you in any proceeding hereafter. Any testimony given before an investigating committee can not be used against you in the trial of any other cause.

Mr. Moss.—The only liability which you are under is the liability of not telling the truth.

Senator O'Connor.—A man who testifies to the giving of a bribe can not be indicted for the crime of bribery or prosecuted for the testimony that he may give on the investigation, except that he may be prosecuted in case of perjury.

Mr. Moss.—His entire testimony, as I understand it, is privileged.

Q. Now, I ask you to locate any conversations that you had with Michael Brady?

Mr. Ransom.—The witness had better be instructed by the committee as to what his rights and privileges are, instead of being instructed by counsel.

A. I do not remember, really, what he did talk about.

Q. I am asking you to locate any place where you remember having had any conversation with him? A. I have talked to him on the street and in the barber shop, and he has been in my saloon.

Q. Now, I will come back to the question; was your saloon ever open on Sunday? A. Yes, sir.

Q. Was business ever done there on Sunday? A. It was done, but very little.

Q. Well, there was business done on Sunday? A. Yes, sir.

Q. In violation of the excise law? A. Yes, sir.

Q. At any of the conversations with Officer Michael Brady, did you ever give him anything? A. I never gave him anything myself; my bartender may have done so.

Q. Do you know whether your bartender did or did not? A. I imagine that he did.

Mr. Ransom.—I move to strike out that answer.

Mr. Moss.—I asked him for the circumstances of the case.

Chairman Lexow.—Ask him what he knows about it.

Q. What ground have you for your belief that your barkeeper ever paid money to him?

Mr. Ransom.—The witness has not stated that he had any belief; he said that he imagined so.

Chairman Lexow.—Ask the witness what he knows about his barkeeper having paid any money.

Q. What do you know about your barkeeper having paid money to Michael Brady? A. If the cash happened to be short I would say to him, "What did you do with that?" and he would say, "I gave it to this one, or that one, or I paid it out to this or that," and once in a while said gave Brady \$5.

Q. Once in a while he said that he gave Brady \$5? A. Yes, sir.

Q. Did you know any other policeman there? A. No, sir.

Mr. Ransom.—Does the committee really intend to take this testimony?

Chairman Lexow.—It is in for what it is worth.

Mr. Ransom.—I have been constantly trying to object and trying to keep it out.

Chairman Lexow.—I think he has connected it to some extent by saying that he saw the barkeeper.

Mr. Ransom.—He did not say that he saw the barkeeper give him anything?

Mr. Moss.—He stated that the saloon was open and doing business on Sunday and that he knew the wardman and had conversation with him, and that he has talked about the shortage of cash, and that the barkeeper said that he had given Officer Brady money.

Q. Did you see Brady after any of these conversations with your bartender? A. Yes, sir.

Q. Did you ever speak to Officer Brady about it? A. I never did.

Q. You did not mention that subject to him? A. No, sir; I did not speak to him about it.

Q. How frequently was such a statement made to you by your bartender that money had been given to Brady?

Mr. Ransom.—I object to that.

Mr. Moss.—That very line of examination was continued in the examination by the committee on crime in 1875 and carried right along.

Senator O'Connor.—It is for the purpose of showing a condition of affairs that was publicly known; it might be that the barkeeper was stealing the money himself, and giving this as an excuse.

Mr. Moss.—It might be if this saloon was not open on Sunday and this man in pleasant relations with Officer Brady.

Mr. Ransom.—I understand, perhaps not very clearly and distinctly, but I think I do fairly the object of this inquiry, and it is the intention of the committee to extend the rules or at least, if you please, to overthrow the ordinary rules of evidence, and I am not here to object as we all would do as lawyers on the trial

of a case, but there are some questions that are so absolutely ridiculous and absurd that I must object; they are asking this witness to fasten upon our client an attempt of bribery, that this barkeeper may have taken this money himself, and that this witness should not testify to what the barkeeper told him, and the only excuse or justification for that sort of evidence which Mr. Moss would not inquire about in the trial of an case is that the witness says that sometimes his saloon was open on Sunday and that the cash account was short, and it is proposed to prove by the barkeeper that the cash account was made short by his giving some of it to the police officer.

Mr. Moss.—I would suggest to the committee that I am not through with this witness yet; he is not a willing witness, and when I go a little further it may be more apparent. Such a motion as this ought to be observed.

Chairman Lexow.—We had better take the testimony, subject to your motion to strike out if it is not connected.

Senator O'Connor.—We want to conduct this investigation, so that when we get through, the people generally will have confidence in the testimony that has been adduced. If we admit purely hearsay testimony, and put it in the power of any considerable number of people to claim that our conclusions are based on unwarranted statements, which is hearsay testimony, we weaken the whole force of our work here, and we ought, as nearly as possible, to confine ourselves to those rules that experience has demonstrated ought to be adopted in all inquiries of this kind.

Mr. Goff.—This testimony will go to show that this witness acquiesced in the payment of moneys to the detective or officer, for this reason; if he did not acquiesce in the payment and recognize it as a thing to be done, in order to protect himself for opening on Sunday, he would have called his bartender to an account for the payment of money to a person unauthorized to receive it.

Senator O'Connor.—That might be, but you have proven this state of facts that public rumor here in New York is that these policemen not only take money from houses of ill-repute and permit them to violate the law, but they also take it from saloons. That is the public rumor. You have proven that the saloon was open on Sunday and that the cash account was short, and if this man acquiesced in it, without proceeding against his bartender, I think that presents a pretty strong chain of circumstances and I would like to see it weakened by our taking testimony which seems to inculcate an officer on the hearsay of this bartender. It looks to me as if the onus was on the other side.

Mr. Goff.—In order to show the acquiescence, we must show

that his agent is paying money to a person for a certain purpose. If the agent had not the power and authority to pay money to that person for a certain purpose, it would have been the duty of the employer to discharge that bartender and call him to an account for it.

Chairman Lexow.—You have shown that; do you not think that all the additional testimony you need is to show that Officer Brady was in here on Sunday?

Mr. Goff.—Well, yes; go on.

Mr. Ransom.—Then the objection is sustained?

Chairman Lexow.—The hearsay part of it is stricken out or disallowed. Now show that the officer was there.

Senator Saxton.—The bartender, when his cash is short, declares that he has given the money to an officer. It may be to conceal his own act.

Mr. Moss.—I am fighting for the general principle. The committee must remember that we did not know what this witness was going to swear to. I have not talked to him. I have not had a conversation with this man, but I am creditably informed that he has paid money to Officer Brady.

Chairman Lexow.—Very well; show that Officer Brady was there.

Q. Did you retain that same bartender in your employment after this shortage that you speak of? A. Yes, sir.

Q. Did this policeman, Brady, ever come into your saloon? A. Yes, sir.

Q. After this shortage? A. Yes, sir.

Q. Did you have relations with any other policeman in the precinct? A. No, sir.

Q. Did you ever make a statement to any one that you had paid money to Michael Brady himself? A. No, sir; I do not think so.

Q. Do you know George McFadden? A. I have heard his name, but I do not remember him.

Q. George McFadden of Third avenue and One Hundred and Seventy-ninth street? A. He may have been at the saloon; I remember the name, but I do not remember the man.

Q. Will you say that you did not tell George McFadden, in the presence of individuals, that you were compelled to pay protection money to Michael Brady, the wardman for Captain Stephenson? A. I do not think so.

Q. Will you swear that you did not say that? A. Yes; I think that I would swear that I did not.

Q. What do you mean by saying that you think you did not?

Senator O'Connor.—You know whether you said that or not; you are a man of intelligence.

Chairman Lexow.—The suppression of a fact is just as bad as a false statement of fact, if you are asked about it.

A. I might have said it, but I don't remember it, knowing that Mr. Mills, the barkeeper, gave up the money.

By Senator O'Connor:

Q. Why do you say you might have said it, if you did not have any grounds for saying it; why can you not say it is true or false?

A. I suppose the bartender gave the money to Brady, and I might have repeated it.

Q. Do you know that you did? A. No; I don't remember saying it.

By Chairman Lexow:

Q. Will you swear you did not say it? A. I would not swear that I did or that I did not.

Q. Have you no recollection about it? A. None whatever.

By Mr. Moss:

Q. You made use of the expression, as I understood you, gave it; what do you mean by that? A. Give it up, as you give up—give up a thing; giving it away.

Q. Why should the bartender give the money to Brady? A. I don't know, because I know so little about the saloon business, I did not stop in it long.

Q. Were you present at the saloon yourself? A. Sometimes, in the evening.

Q. Was the saloon business in charge of your bartender most of the time? A. Yes, sir.

Q. You never questioned the statement of the bartender that he had paid the money for that purpose? A. No, sir.

Q. For what purpose did you suppose the bartender had paid the money? A. I have always heard that you have to give something, and I supposed Mills gave something.

Q. You always knew that you had to give something for what?

Mr. Ransom.—He did not say that he knew; he said that he heard.

Q. What did you hear? A. That he had to give something to the police or wardman, whatever it was; I was not really in the saloon business more than six months altogether, for during the time at first, I was living on Long Island.

Q. Was there any conversation between you and the bartender about the purpose of paying this money? A. No, sir; I never asked him any questions.

Q. You simply took it as a matter of course that you had to pay the money? A. Yes, sir.

Q. And acquiesced in the payment made by the bartender?
A. Yes, sir.

By Senator Saxton:

Q. You say that Officer Brady was in your saloon sometimes?
A. Yes, sir.

Q. Was he there frequently? A. I very seldom saw the man there; when he came in, he drank soda water, or ginger ale.

Q. Did you ever see him there on Sunday? A. No, sir.

Q. Did you ever see him about there on Sunday? A. No, sir.

Q. How often did this circumstance occur during the time you were there? A. I do not remember.

Q. You can tell something about it? A. I could not tell you.

Q. Can you not tell something about whether it was half a dozen times or more? A. Six or eight times, may be.

By Senator Bradley:

Q. Was he there once a month? A. No, sir; not as often as that.

By Senator Saxton:

Q. Then it did not occur every Sunday? A. No, sir.

Q. Did it occur every Sunday that you kept open? A. No, sir.

Q. Did you keep open every Sunday? A. From the trade we had there, we might as well have shut the door.

Q. There was trade, though? A. Yes, sir.

Q. Was there any interference by the police? A. No, sir; going into the saloon was like entering your private house.

By Mr. Moss:

Q. You say that Mr. Brady went into the saloon; what did he do there? A. He drank soda water and ginger ale.

Q. Was he in uniform? A. I never saw him in uniform.

Q. What did he say? A. I have not the slightest idea.

Q. You do not recollect? A. No, sir.

Cross-examination by Mr. Ransom:

Q. Did you ever see Mr. Moss before this morning? A. No, sir.

Q. Or Mr. Goff? A. No, sir.

Q. When were you subpoenaed? A. This morning.

Q. By whom? A. Some young man gave it to me; I don't know who he was.

Q. What is your business? A. Superintendent of a bachelor apartment-house.

Q. You were in the saloon business previous to becoming superintendent of the apartment-house? A. Yes, sir.

Q. How long were you in the saloon business? A. About 12 months.

Q. What was your business before that? A. Superintendent of the South Side Club, Long Island.

Q. Were you engaged in the saloon business on your own account? A. Yes, sir.

Q. I understood you to say that you rarely ever saw Officer Brady? A. Very seldom.

Q. Never had any conversation with him? A. On the street I may have said, "Good morning," or when he came in the saloon.

Q. By conversation, you mean that you greeted him? A. Yes, sir; passed the time of day with him.

Q. You never paid him any money? A. Not myself; no, sir; I did not.

Q. Did you authorize your barkeeper to pay him any money? A. No, sir.

Q. Did you authorize anybody to pay him money? A. No, sir.

By Mr. Moss:

Q. What was the name of the bartender? A. His name was Edward Mills.

Q. Where does he live? A. Somewhere up on Lexington avenue.

Q. Can you not tell where, on Lexington avenue? A. Between Forty-second and Forty-third streets, in what they call the Vanderbilt flats.

Q. What business is he in now? A. Night watchman.

Q. Were you a member of the Retail Liquor Dealers' Association? A. No, sir.

Q. Had your bartender authority to make running payments for the expenses of the business? A. Yes, sir.

Q. Did he have authority to pay the bills that came in? A. He had authority to do anything he wanted, because when I first opened the place I was on Long Island and he ran it entirely himself.

By Chairman Lexow:

Q. Did you give him any special authority in words to make any payment to the police? A. No, sir.

Q. How many times did he make those payments? A. It might have been six or eight times.

Mr. Goff.—Lena Schwartz will take the stand.

Lena Cohen, called on behalf of the State, being duly sworn, testified as follows:

Chairman Lexow.—You understand that in giving any testimony before this committee that that testimony can not be used against you in any proceedings, and if you have been guilty of bribery or corruption and you make that admission upon the stand here, it can not be used against you anywhere else and you can not be prosecuted for it.

The Witness.—Thank you, gentlemen, I hope not, because I have paid enough money for it.

Chairman Lexow.—But if you swear falsely, if you tell a story on the witness stand, that is perjury, and you can be prosecuted for that.

The Witness.—I understand that, gentlemen.

Direct examination by Mr. Jerome:

Q. You are a prisoner in the city prison, are you? A. Yes, sir.

Q. In the Tombs? A. Yes, sir.

Q. Charged with keeping a disorderly house? A. Yes, sir; and I did keep it.

Q. Where did you keep it? A. No. 378 East Houston street.

Q. When did you begin to keep a disorderly house there? A. September 24, 1893.

Q. Did you have the whole house? A. Yes, sir.

Q. How large a house was it? A. There were eight rooms in it.

Q. How many girls did you have there? A. I had four girls there.

Q. Did you see any policemen before you opened the house? A. Yes, sir.

Q. Whom did you first see connected with the police department? A. Ward Detectives Brennan and Farrell.

Q. What precinct was that? A. I will not tell you, but I think it is the 11th, gentlemen.

Q. Who was the captain of that precinct? A. I am telling you he is there yet, I think, the same one.

Q. Did you see Brennan and Farrell together? A. Yes, sir.

Q. Where did you see them? A. In the saloon across from the station-house at the corner of Sheriff street.

Q. Whose saloon is that; do you remember the number? A. No; I didn't pay any attention to the name.

Q. How did you come to go there to meet them? A. Through the party that I rented the house from, Mr. Miller, a butcher down stairs, he kept the store, and I got from him — he made me

acquainted and my husband acquainted with these two ward detectives one afternoon and I gave the money to them.

Q. Where is your husband now? A. He left me through Officer Farrell.

Q. Did you go with your husband to this saloon across the way? A. Yes, sir.

Q. And you met Officers Brennan and Farrell there, did you? A. Yes, sir.

Q. When was it? A. In the evening, about 7 o'clock; between 6 and 7 o'clock generally, I used to meet them.

Q. Tell what Officers Brennan and Farrell said to you and what you and your husband said to them? A. Mr. Brennan and Mr. Farrell, I came up to them with my husband and I said I am to rent a house; I am keeping it for the purpose of a disorderly-house, will you give me a permit, gentlemen, and they said yes, I will give you a permit, only you ought to know by going in and opening a house like that, what you have got to pay; I said, "I don't know; make your own arrangement," and he says, "The lowest price, if you open a house and not keep many girls; not more than four or six, is \$500;" I walked up from Mr. Brennan and never said anything much to him, and I called my husband outside and I said to him, "Morris, what shall I do; where will I get \$500; I have not got it; I have got at the most, \$100, or \$150," and he said, "Dear wife, I will tell you where we can rent the money, and offer the money we have to pay it for;" I said, "If I shall pay any money in my own house like that, then I have to pay the bills," and I said to my husband, "I will go down and see Mr. Schlesinger, 155 Park Row, and we went down there and loaned \$500.

Q. You mean you borrowed \$500? A. Yes, sir; and gave them a mortgage on the house.

Q. You mean you gave a mortgage on the furniture? A. Yes, sir; the furniture and everything; then I went to Mr. Brennan and Mr. Farrell and I gave it to them.

Q. When was that, how long after? A. The 24th of September I moved in the house, and on the 29th of September I opened the house and I gave them the money.

Q. You gave them the money on that day? A. That week; that very same week; I moved in on Monday.

By Senator O'Connor:

Q. Did these officers know that you had to borrow the money? A. Yes, sir; I told them a little about it.

Q. What did you tell them about it? A. I told Officer Brennan, "Could not you let me have it for a little less, for I have to loan the money; I have not got the money; I have got

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