

license by the next week, and when I had it, when I had my license, he did not come again.

Q. When you came back from Europe the second time, you bought a concert hall at 119 Essex street, did you not? A. Yes, sir; at 119 Essex street.

Q. How long did you run that? A. About six months.

Q. Did you see anything of the excise inspectors there? A. Yes, sir; I did, one day; I am not sure of his name; I guess it was Mr. Morris.

Q. What happened between you then? A. He squeezed me like a lemon; he was the meanest fellow I ever saw; I gave him money and money again; I could not tell you how much; one time he came in and wanted to send a letter to the board of excise that I was no citizen, and had no license, and that he would have me arrested; and he told me to come down in a cigar store in Broome street.

Q. Where was that? A. I don't know now, but I have been there, and he says, "If I am not there in that cigar store, drop an envelope and put the stuff in it."

Q. Did you go there to the cigar store? A. I was there.

Q. Did you see Morris there? A. Yes, sir; I met him once.

Q. How many times did you meet Morris altogether? A. He used to come three times every week, and he used to come in with a friend, one of these bums, and never pay for a drink.

Q. How many times did you give him money? A. Six or seven or eight times.

Q. How much did you give him at a time? A. Five dollars and \$3.

Q. What did you give it to him for? A. I had a singing place there, and he used to make — he wanted to make me some trouble; my license was all right, but he said, "I will close your stage; I will report you;" he says, "You know I can do a good deal if I make a report that it is all right."

By Senator Saxton:

Q. Was this an excise inspector? A. Yes, sir.

Q. What was his name? A. Green.

By Mr. Jerome:

Q. Did you have any trouble with the Salvation Army while running that place in Delancy street? A. Yes, sir.

Q. What was that? A. They came in one night, and knelt down and began to pray, and I went in and turned the gas down in the room.

Q. What then happened? A. They had to go, but they went to the station-house and made a complaint.

Q. Did you see the captain after that? A. No; he sent around and he said the best thing was —

Q. Who did he send around? A. He sent the ward man around.

Q. Who was he? A. I am not sure whether it was Glennon or somebody else; anyhow, he sent around and said the best thing would be to be on good terms with the Salvation Army, because they might kick too much; he said, "Let them come in the next time and be nice to them and quiet to them, and let them go on and they will then go out; that is the best way," and that is what we done after that.

Q. Did you see anybody else pay any money to any police officer besides what you have testified to yourself? A. I did not, except what I have heard.

Q. When you had your saloon last year, do you remember giving some money to a wardman in an envelope? A. Yes, sir.

Q. How much was that? A. Ten dollars.

Q. Was that one of Captain Murphy's ward men? A. I guess it was the captain.

Q. You give it to the captain himself? A. The captain himself; he was in my saloon.

Q. Captain Murphy came to your saloon at Ninety-fifth street and what avenue? A. Columbus avenue.

Q. What did he say? A. The wardman told me in the afternoon, that the captain would be around to-night and that I would do better to make it all right, as I did not have my license yet.

Q. That was before you had your license? A. Yes, sir; because if I had a license I would not give him anything.

Q. What time did the captain come there? A. About 8 o'clock, or between 8 and 9.

Q. What did he say? A. He said — he was very nice — he said, "You have a nice place here, and you have a German reading-room, it is just the place that we need here;" and went into the private office, and I gave him the envelope; and I said, "I guess that is the kind of letters you like to read."

Q. What did he say? A. Well, he smiled.

Q. How much was there in the envelope? A. Ten dollars.

Q. Did he look at it? A. No, sir.

Q. Was there any address on it? A. No, sir.

Q. What did he do with it? A. Put it in his pocket.

By Chairman Lexow:

Q. You never got it back again from him? A. Never.

Cross-examination by Mr. Ransom:

Q. You never expected to, did you? A. No.

Q. What were you confined in State prison for? A. For straw bail; I claim to-day that I was railroaded there.

Q. No matter what you claim, you were convicted? A. Yes, sir.

Q. How long did you serve? A. Four years and ten months.

Q. For how long a time were you sentenced? A. Seven years and three months.

Q. Were you indicted for any other crime than giving straw bail? A. No, sir; straw bail.

Q. The crime was perjury, was it not; you committed perjury; you swore to a lie, did you not? A. I swore that I had some property; yes, sir.

Q. And you did not have any? A. I had a deed of two houses; it was given to me for that purpose.

Q. You swore that you had some property, and you were indicted for perjury, and you were convicted? A. Yes, sir.

Q. And a sentence of seven years in State prison was given you? A. Yes, sir.

Q. Were you defended? A. Yes, sir.

Q. You had a lawyer, had you? A. Yes, sir; Friend & House.

By Senator O'Connor:

Q. After you came out, out of State prison, did the board of excise grant you a license? A. Yes, sir.

Q. And they certified that you were a man of good moral character in order to give you a license—did they know, at the time, of your previous conviction? A. I do not know.

Q. Did the members of the board of excise or the police in your neighborhood, know of your previous conviction? A. The board of excise did not know it, and they did not ask me.

Q. Did the police know that you had been previously convicted? A. I guess they did not know it.

By Mr. Jerome:

Q. Was not Wardman Smith of Captain Cross in that precinct? A. Yes, sir.

Mr. Ransom.—I think Mr. Jerome should leave the witness alone while I am cross-examining him.

Chairman Lexow.—Yes; go on, Judge.

Q. I asked you if you were defended on this trial for perjury? A. Yes, sir.

Q. By whom? A. Friend & House.

Q. Leading criminal lawyers of this city, are they not? A. Yes, sir.

Q. Notwithstanding their efforts, you were convicted by the jury and sentenced by the court to seven years in State prison?

A. Yes, sir.

Q. Have you committed perjury here to-day? A. I have not.

Q. Do you know that if you testify here before this committee to a lie, that it is perjury? A. I know that.

Q. And that you would be liable to be sent to State prison again? A. I know that; there is nothing here for me.

Q. You know that, do you? A. I know that.

Q. You expect people to believe your story here on the stand, do you? A. I do not; I have been almost forced to come here; I did not like to come.

Q. Let us see if you were forced to come; did you ever see Mr. Jerome before to-day? A. Yes, sir.

Q. When? A. About a week ago.

Q. Did you have a long talk with him about what you would testify to? A. Yes, sir; but I begged him not to bring me here.

Q. You did have a long talk with him? A. Yes, sir.

Q. How did he know that you had any facts that you could tell him about this investigation? A. Because, when I read the case of Senator Roesch, I sent a letter to the World.

Q. You sent a letter to Mr. Jerome? A. No, sir; I sent a letter to the World.

Q. I beg your pardon; I understood you to say that you sent a letter to Mr. Jerome; you sent a letter to the World, did you? A. Yes, sir.

Q. And you sent a letter to the World for that purpose? A. Yes, sir.

Q. What was there in Senator Roesch's story that inspired you to come forward with a letter? A. I read that which he claimed was business, and I thought I could give a little business too; I read about the clam-chowder business, and I thought I could give something about business.

Q. Did you have a ticket to a clam-chowder business? A. We had to take a lot of them.

Q. I ask you, did you take a ticket? A. I had five.

Q. You had to pay how much for those five tickets? A. Twenty-five dollars, I had to pay.

Q. Did you pay that to Mr. Roesch? A. No; I sent it around Mr. Ransom.—I move to strike that answer out.

Q. I want you to tell the truth; did you take that to Senator Roesch? A. I sent it around.

Q. You do not mean to volunteer any evidence? A. I do not know what you mean.

Q. You say you were forced down here as a witness; you

did not want to come? A. I did not want to come down here; no, sir.

Q. You say that you did not want to come? A. I did not.

Q. And you wish that you had not come, do you not?

Chairman Lexow.—I do not think that is quite proper.

Mr. Ransom.—When the witness has clearly committed perjury — when he says he came as an unwilling witness; I think I should have the right —

Chairman Lexow.—The fact that he sent a letter to the World does not, by any means, presuppose that he wanted to come here as a witness.

Mr. Ransom.—It seems to me that if he did not want to come he would not have sent a letter to anyone.

Chairman Lexow.—If he had sent a letter to Mr. Jerome or Mr. Goff, it might then be supposed that he was stating that was not so.

Senator O'Connor.—We understand that all these witnesses are tainted; what is the use of wasting time; the witness says that he has been convicted of perjury; but he says that he is telling the truth now; he may have been convicted of perjury and he may be telling the truth now. That is for the committee to judge. I think that, so far as his character is concerned, you have shown it to be as bad as it could be; these are the kind of men that are stained in these practices and it is alleged that the policemen are in cahoot with them.

Chairman Lexow.—We can not expect to get any other class of testimony here, in reference to these matters.

Mr. Ransom.—I have no idea that Sunday school teachers or members of the church are coming here to testify, but I do suppose that, with the grace of the committee, that I would have an opportunity, and the right, to briefly touch upon the character of the witness, to see what his real animus is. That is the reason that I go into this.

Chairman Lexow.—As an aid to the committee, to ascertain whether or not the testimony of this witness is credible?

Mr. Ransom.—Exactly that.

Q. We will pass the general subject of the witness' credibility and his animus under the admonition of the committee.

Chairman Lexow.—No, not at all; you have a perfect right to ascertain whether the witnesses are credible witnesses; we do not want to shut you off in this or any other case.

Mr. Ransom.—Senator O'Connor's comment on the witness' character, and my own, perfectly coincide.

Senator O'Connor.—I say, notwithstanding he may have committed perjury and been convicted of it, he may be telling the truth about this business.

Mr. Nicoll.—The law makes his testimony unworthy of belief, unless it is corroborated.

Senator O'Connor.—Yes; I think that is so, before a jury.

Q. I did not understand your testimony very clearly; I could not hear you very well; did you say that you paid to Glennon \$300 yourself? A. I did not say myself; I said I sent it around.

Q. You did not pay Glennon anything, did you, yourself? A. No; it was just the same; I did not give it to him in hand, though.

Q. Did you personally pay Glennon any money? A. No; I did not, personally.

Chairman Lexow.—He said before that he did not; that he sent it down, and that afterward Glennon admitted that he had received it.

Q. The committee had the advantage of us in hearing the witness; I did not more than half hear what he said; did you swear that Glennon and you had a talk together, after you had sent the \$300 to the station-house? A. Yes, sir.

Q. Where was that conversation? A. Twice; once in the station-house, in his private office, and once at the corner of Chrystie and Delancey street.

Q. Give me the time when you had the first conversation? A. I could not tell you the time.

Q. Can you tell the year? A. Eighteen hundred and ninety-three.

Q. How do you know it was 1893? A. Because he was only there in 1893.

Q. You remember it was 1893, because he was there only in 1893? A. He came later, in about August.

Q. Was the first conversation at the station-house or on the street? A. I guess in the station-house.

Q. You say you "guess it was;" do you mean you think it was? A. Yes; I am sure.

Q. Who was present? A. Nobody; I was in his private office.

Q. Was it day time or evening? A. In the afternoon.

Q. Did you go there by his request? A. No; I did not go by his request.

Q. Did you know that he was there when you went down there? A. No; I had to go down on some other business.

Q. What other business? A. I can not remember what it was; I went down to get his advice.

Q. You went down to get whose advice? A. It was on account of a girl.

Q. Whose advice? A. Glennon's advice.

Q. You saw him then? A. I saw him then.

Q. You said a moment ago that you had business there, but

that you did not remember what it was, but you now recall that it was about a girl and you wanted his advice? A. Yes, sir; I have thought of it since.

Q. Tell me the conversation that you had with him? A. I could not tell you the cause, what it was; I only know he said to me, "You had better let her go."

Q. What did you say upon the subject of money? A. I was talking about the \$50 a month fees; that business is slow, so I said, "I will be only glad that we have got the other thing off;" I meant the \$600.

Q. What did you say? A. I said, "We are glad that we are through with the other thing."

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

Q. And from that conversation, you now testify that Glennon admitted that he had received \$300? A. Yes, sir.

Q. That is what you mean to say, is it? A. Yes, sir; that is what I mean.

Q. When did you have the next conversation? A. The second conversation was at the corner of Christie street.

Q. What was said then? A. We didn't do much talking then.

Q. Did you meet him accidentally? A. By accident.

Q. What conversation did you have then? A. I think we did not talk much about business.

Q. Do you remember that you talked about anything? A. I always gave him to understand —

Q. No; I ask you to have that stricken out; I want that conversation, if you remember it, that you then had there on Delancey street or Christie street? A. All I know is I always lamented that the business was so slow.

Q. That is all you can say? A. Yes, sir.

Q. Do you remember especially what was said at that time, do you? A. No, sir.

Q. Have you got a good memory? A. Yes, sir.

By Chairman Lexow:

Q. Do you not remember any other part of the conversation? A. Yes; I am positive we did not have much talk; our business was settled before that; it was understood before; he said, "So much I am to get," and he never bothered us further.

Q. When did you have your interview with Mr. Jerome in regard to the testimony that you have given here? A. Last week.

Q. Did Mr. Jerome send for you? A. Mr. Jerome sent a letter.

Q. Sent a letter to you? A. He was up there twice, but he did not find me.

Q. What is your business now? A. I am in the real estate business.

Q. Where? A. I am known by another name uptown and not known by the name of Karl Werner and would not tell you the name I am known by.

Q. You are not known as Karl Werner any more?

Chairman Lexow.—He does not want to tell the name under which he is now doing business?

Q. What is your true name? A. This is my true name, Karl Werner.

Q. But you are now sailing under another name? A. I am doing an honest legal business under another name.

Q. Are you trying to reform? A. Yes, sir.

Q. You hope to be a good man? A. Yes, sir; that is what I am trying to be now.

Q. What did you say to Mr. Jerome? A. I said to Mr. Jerome — he knows my home and everything.

Q. By that, you mean he knows the name that you are going by now?

Mr. Jerome.—I have been to his place.

Senator O'Connor.—You are really establishing the witness' good character. He says he is trying to reform; he is very frank; he has told what he has been engaged in.

Mr. Ransom.—I have no desire to establish his bad character.

Senator O'Connor.—Your examination is strengthening his story in my mind.

Mr. Ransom.—I am here really, not to attack this witness' character, nor am I here to conceal from the committee anything that may be said, whether it is whitewash or whether it is substance which may rehabilitate this witness either in his own estimation or the estimation of the public or of the committee, but it seems to me that it is pertinent that I should inquire as to the man's present business. I have now got that, and that he is going under some other name and trying to be good. I hope the influence of the Salvation Army, when they held their prayer meeting at his place, has lasted up to this time.

Chairman Lexow.—Are you through with the witness?

Mr. Ransom.—No.

Q. You testified that Captain Murphy came to your saloon and you gave him an envelope with \$10 in it? A. Yes, sir.

Q. You also testified that the wardman told you that he was coming? A. Yes; I have a witness to that.

Q. You do not need any corroboration, do you? A. You seem to doubt me.

Q. Do you mean that somebody was present, when you gave the \$10 to Captain Murphy? A. Yes, sir.

Q. Who was present? A. I had the envelope ready for my barkeeper.

Q. Who was present when you gave the \$10 to Captain Murphy? A. Nobody, but I showed it to my barkeeper before I gave it.

Q. You mean you told your barkeeper that you were going to do it? A. Yes, sir.

Q. There was nobody present when you gave it to Captain Murphy? A. I told the barkeeper I was going out, and if I am not here, you give him this envelope.

Q. You say nobody was present when you gave the envelope to Captain Murphy? A. No; not when I gave him the envelope.

Q. Nobody heard what you said to Captain Murphy, or what he said to you? A. No; nobody.

Mr. Ransom.—It is suggested by my associate that I ask the witness one question.

Q. Are any criminal charges pending against you now? A. No criminal charges against me.

Q. Not that you know of? A. No, sir.

Q. Are there any indictments against you that you know of? A. No, sir; if there were any, I would not come down here; I would be hiding away.

By Mr. Jerome:

Q. How did you come to sign this bond in the district attorney's office?

Chairman Lexow.—It does not seem to me that we can go back of the conviction of the jury.

Mr. Jerome.—I wanted to show that the man was taken into a saloon and was intoxicated and then taken into the district attorney's office.

The Witness.—Judge Martin said to me, "Tell me the truth; there is somebody behind you, and if you do tell the truth, I will work leniently with you," but I did not do it. If I had done it I would never have had such a sentence. There were four of them in positions now that ought to be in State prison; two of them in the district attorney's office and they ought to be in Sing Sing.

By Mr. Nicoll:

Q. What district attorney prosecuted you? A. Mr. Martin was in at that time, and you went out; I guess you are Mr.

De Lancey Nicoll, ain't you, and Mrs. Schaffner went to see you, and when she told you the whole story, you promised her faithfully that you would do the best you could to get me out.

Q. Who was the district attorney? A. Mr. Martin.

Q. Who was the assistant who prosecuted you? A. I don't know.

Q. You do not know? A. I think it was Mr. Purdy, but I am not sure; but as soon as you touched the papers you dropped them like hot iron; I think you were in Wall street; you dropped them like hot iron before you found the whole office was mixed up in the case; when you found the district attorney's office was all mixed up in it, you would not have anything to do with it; and so did Peter Mitchell say the same, and he dropped it.

By Chairman Lexow:

Q. You said, in the course of your examination, that you understood that first you would have to pay for protection; what I want to know how is, whether or not from your knowledge of the business carried on by people who were engaged in that occupation of keeping houses of ill-fame, whether those that you knew, before going into the business, had the impression, that they must pay for protection? A. I know that.

Q. That was an accepted fact? A. Yes, sir; that you can not run a house for two nights without doing your duty.

Q. By "duty" you mean by paying money to the police force? A. Yes, sir.

Mr. Nicoll.—Is the committee going to let this perjurer prove as an accepted fact such a thing as that?

Chairman Lexow.—I want to know the general idea of people going into that business.

Mr. Nicoll.—To prove the common understanding by an convict and perjurer such a thing; the community ought to be ashamed to accept such proof.

Chairman Lexow.—You ought not to use that language before the committee. If you are willing to admit before this committee that that is the common understanding of the business, we will not inquire further.

Mr. Nicoll.—I did not say that the committee ought to be ashamed, if it so understood me, I said the community. A gentleman from the Evening Post suggests to me that the witness testified something concerning myself, which I did not hear.

Chairman Lexow.—Senator Bradley repeated it, which was to the effect that you took up these papers when you took the district attorney's office —

Senator Bradley.—No; it was not that.

Mr. Nicoll.—I was assistant district attorney at the time, under Mr. Martin, and Mr. Purdy was also an assistant, and this man was convicted—

Chairman Lexow.—Well, whatever was said, there is nothing in it.

Senator O'Connor.—He stated virtually that the case was so obnoxious to you that you did not want to have anything to do with it.

Chairman Lexow.—That is all.

George W. Winterburn, called on behalf of the State, being duly sworn, testified as follows:

Direct examination by Mr. Moss:

Q. Are you a physician? A. Yes, sir.

Q. Where is your office? A. No. 230 West One Hundred and Thirty-second street.

Q. Did you have an experience with a police officer, No. 1052? A. I did.

Q. When? A. On the 1st of July, 1891.

Q. Where did you live then? A. At 328 West Twenty-first street.

Q. Will you state the experience in your own language? A. I was sitting at the front window of my office, about 6 o'clock in the evening, and I noticed a patrolman in uniform coming down the street from Ninth avenue, swinging his club, and when he got in front of a saloon, which, I think, is about 337 of that block, the proprietor was leaning against the lintel of the door, and the policeman stopped and they had a conversation, and I noticed that he lingered there a very long time; in fact, he was standing there for more than half an hour, and I was sitting at the window, as one will, on a summer evening, and I noticed that he stood there a long time, and wondered why a policeman on duty should remain so long in front of liquor saloon; after he had been standing there some time, half an hour or more, he pushed open the green flap-doors and went inside, which seemed still more extraordinary to me, and he remained in there about 20 minutes; as he came out, as they got to the door, I saw the man shake hands with him; I recognized him by the sleeve of his shirt, which was red, I think; I did not see the person, but I saw the hand come forward, and the two men shake hands, and the man came out with his left hand closed; the policeman did, and he walked up the block, swinging his club, and just as he got

opposite my window, apparently, he thought he had got far enough —

(Objected to.)

A. Away from the saloon, and he opened his hand in this way, and he counted out three or four bills, and transferred them to his hip pocket, and he then walked up the block again to the next corner, at Eighth avenue, where he went into the private or family entrance of that saloon.

Q. Was that the same saloon? A. No; at the other corner, the corner of Eighth avenue; I thought that was such a singular proceeding altogether that I put on my coat and hat and walked up to the corner and went into the saloon, and saw the man standing against the bar.

Q. You saw the policeman standing there, you mean? A. Yes, sir; the policeman; and I took his number.

Q. What was that number? A. No. 1052; I then went down to the police station, the Sixteenth precinct, on Twentieth street, and spoke to the sergeant at the desk.

Q. Do you know who that sergeant was? A. I do not know his name; he was a handsome man; I think he was called the handsome sergeant.

Q. What age would you judge him to be? A. Probably 35 years of age.

Q. What was his probable weight? A. One hundred and ninety or 200 pounds; rather a large-sized man.

Q. What was his complexion? A. Dark.

Q. How did he wear his hair or whiskers? A. I could not say about that.

Q. Do you remember the time of day it was? A. It was then about 20 minutes past 7 in the evening.

Q. You have given the day and date of this occurrence, have you not? A. Yes, sir.

Q. Go on, now, and state what you said to the sergeant, and what he said to you? A. I asked the sergeant if there was a patrolman connected with that precinct 1052, and he said he thought not; I said I would like to know particularly, and he said, "Why;" I said I wanted to know; he then turned to a book, which I could not see; it was lying on the desk, and he fumbled with it some little time, three or four minutes, and finally said there was no such man connected with the precinct; I said, "If there is not, then there is a man wearing that shield with that number who is wandering around in this precinct, visiting liquor saloons and he is now, in the saloon on the northwest corner of Eighth avenue and Twenty-first street, unless he has left there within the last three minutes.

Q. When you asked if policeman 1052 was in the precinct, did you give him any idea of what business you had with 1052? A. No, sir.

Q. What was your manner in making the inquiry; was it mild and gentle? A. I presume so, I do not know; I think naturally I am mild; I did not wish to irritate him, certainly.

By Senator Cantor:

Q. You kept a mild exterior, did you? A. Yes, sir.

By Mr. Moss:

Q. Was there anything in your demeanor that would lead or cause the sergeant to imagine that there was trouble between you and officer 1052? A. I think not from my demeanor; but naturally from the inquiry it would.

Q. You spoke to the sergeant and told him that the officer was in the saloon; what did he say then? A. He then called a man from the rear part of the room and said go up and bring that man in, and he then turned around from me; I think he was reading a paper, and I said "I want to make a complaint against that man; I want you to take it down in writing; he then opened the book, which I presume was the blotter, a large book, and began to write, what I said; I then told him this whole story from the beginning of the man going into the saloon; of his taking this money; of his coming out and visiting this second saloon, and I handed him my card and told him I was willing to appear at any time that I was wanted; I then left and went about my business; I had several calls to make that evening, and returned to my house a little after 10 o'clock that same evening; I found this same policeman 1052 there at my house waiting for me, and he asked me if I had made a complaint against him; I said that I had; he said, "Are you sure it was me;" I said, "It was a man wearing the same shield or that same number and of your appearance," and he says, "You are mistaken as to the number;" I said, "No, I am not;" and he said, "Yes, you are, I know who it was, but it was not me;" I said it was policeman 1052 and there is no mistake about the number; for I was within three feet of you and wrote the number down at once so I would not forget it, and went directly to the station; he then blustered considerably; I do not remember the exact words, but the effect of it was that he endeavored to frighten me out of the fact that he was the man, and I admit that was a very large man and he had a long night stick and I felt about as small as a mouse in the lobby with this man who was then really considerably under the influ-

ence of liquor and when he found I was not to be frightened, he began to plead with me, he changed his entire manner; he said that he had gone into the saloon, but the man had not given him any money; that I was mistaken in that; I should not have thought anything of his taking the money, one man may pay another money; but from the fact of his denying it; then he went on to say that he had lost a child the week before and was all broken up and that was the reason he went in to get a drink; I said it was no honor to his child to make a brute of himself by drinking because the child was dead; that he ought to respect the child's memory and not lower himself by drinking, and he talked that way with me a little while, and then he said, "You won't do anything will you," and I said "I made the charge and if I am called upon I will appear; I shall do no more in the matter, because the complaint is already in, but whenever I am called upon I will appear, and say what I saw;" he then again became angry and threatened me that if I appeared against him that he would do me up; he said, "You can't do anything with me but have me fined one or two days' pay, but if you show up against me, I will do you up;" just at that time the roundsman came along and spoke to him and he went off with the roundsman.

Q. That was in 1891, was it? A. Yes, sir.

Q. Have you ever been called upon by any policeman from that time to this, to prove your charge? A. No, sir; I have not.

Q. Nor by the sergeant? A. No, sir.

Q. Nor by anyone in connection with the precinct? A. No, sir.

Q. Nor from anyone at police headquarters? A. No, sir.

Q. So far as you know, the charge remains there still? A. Yes, sir; so far as I know.

Q. Did you ascertain whether No. 1052 belonged to that precinct? A. I was told afterward that he was the regular patrolman on that beat.

Q. Did you have some experience with building incumbrances upon your sidewalk, in front of your building? A. I did; yes, sir.

Q. State that matter briefly—did you make a complaint? A. I made a number of complaints; they ran together for months, from the time they began to tear down the old building, until the other one was plastered.

Q. Speaking of the first complaint, where the policeman went into the building with the man who was making the structure; I refer to that occasion? A. That was hardly a complaint; I have made complaints before that.

Q. Well, I am speaking of that particular occasion? A. One day I did complain about the front of my walk being all covered up with building material, which was put there not for a day

or two, but the same material was left there for more than three weeks; I went around and saw the captain, who, by the way, was very courteous, indeed, to me, and he said—

Q. Who was he? A. I do not know his name, but he sent a man who was known there as the captain's man; I think his name was Dougherty; he came to my office in reference to the complaint, and I said, naturally, where there was a building being put up; there was a certain amount of annoyance to be expected and litter upon the sidewalk, but this man had been exceedingly careless and this thing had been going on for months, and I said it must be stopped, and he went out and met the builder in his place, and he was apparently very gruff with him; that was his manner.

Q. State what he said to him? A. I can't say that, but I can speak of his manner as that of—

Q. Laying down the law to him? A. Yes; laying down the law, and the man made a motion like this (illustrating), and they went inside of this building that was being put up and remained there out of my sight for five or six minutes, and when they came out they were hail fellows well met; they were laughing and were apparently the best of friends and shook hands and the captain's man went away and the bricks remained.

Q. The incumbrance was never removed? A. It was removed when they wanted to use it, but not until then.

Q. There was no redress for you? A. No, sir.

Q. Have you observed the stands kept by the Italians, the fruit dealers in that neighborhood? A. Yes, sir; very often.

Q. Had you a conversation with the keeper of one of those stands? A. I have had with several.

Q. I am speaking of one especially which led to the conversation where the subject of protection was spoken of.

(Objected to.)

Chairman Lexow.—Are you going to connect the officer with this evidence?

Mr. Moss.—I want the name of the street vendor, and I want to know if there was a conversation concerning protection.

Mr. Nicoll.—We want the name of the Italian.

Q. Give the name of the Italian or his location? A. I do not know his name; his stand is well known here; I do not know what it is kept now by the same Italian; it is on the corner of Twenty-first street and Eighth avenue; the southwest corner, and the reason why I complained about it was because the stand projects nearly the width of this railing beyond the stoop line; it was originally built out to the stoop line, and for several years, each spring, the man would add to that six inches or so beyond, and he has a chair there in which he himself sits; this

was two or three years ago, and he would have two or three of his Italian friends sitting around of an evening on chairs, and I have seen ladies have to go out beyond the gutter to get past this Italian stand; I have seen that several times, and I went myself to the station-house and complained against the occupation of the stand in this way.

Mr. Nicoll.—He has not told his name yet.

A. I do not know his name, but I had a conversation with him one day.

(Objected to.)

Mr. Moss.—I have asked for the conversation.

Chairman Lexow.—Are you going to connect it with the officer?

Mr. Moss.—In the first place I am going to prove a matter of general rumor, concerning the occupation of the sidewalk by people of this class.

Senator Cantor.—You have already proven about that particular stand.

Mr. Moss.—Yes; but the conversation concerning the method and the way in which such obstructions are allowed, I have not yet proven.

Senator Lexow.—I think you will have to call the keeper of the stand to prove that.

Q. Did the conversation refer to the manner in which he had protection and the right to keep his stand there? A. He told me —

Q. No; answer the question; did you have a conversation?

A. Yes.

Q. Did the conversation have reference to the protection he had in keeping his stand there? A. Yes, sir.

Q. Did it have reference to a general custom among such people?

Objected to.

By Senator O'Connor:

Q. I will ask the question; is it not understood generally that they have to pay a consideration for being allowed to obstruct the street in the way that you have described? A. Yes; I have heard such things stated.

By Chairman Lexow:

Q. All you know about it is what you have heard? A. Yes, sir.

Q. You have nothing to do with that class of people, particularly? A. No, sir.

Mr. Moss.—I will drop that branch of the examination.

By Mr. Moss:

Q. Did you have a conversation with the police officer, referring to the arrest of such people? A. I did; in regard to making my complaint.

Q. Who was the officer? A. I do not know; it was a man who was patrolling the Eighth avenue side of that district.

Q. What was the conversation? A. He was a young man, and a very nice appearing man, that was the reason I got in conversation with him; I said to him, "How is it you allow such nuisances as this on your beat?" he says, "We can't help ourselves;" I said, "Why don't you report it; don't you know it is a violation of the law?" he says, "I know it is, but we soon learn not to see such things;" he said, "If I would report these things, I would be bounced.

Cross-examination by Mr. Nicoll:

Q. Are you a member of the Harlem Republican Club? A. I am.

Max Deutsch, a witness called on behalf of the State, being duly sworn, testified, and interpreted by the chairman:

Direct examination by Mr. Jerome:

Q. How old are you? A. Twenty.

Q. Where do you live? A. One hundred and thirty-five Third street.

Q. What is your father's name? A. Philip.

Q. Where is he now? A. In Europe.

Q. In 1892 did you work for your father? A. Yes, sir.

Q. Whereabouts? A. Two hundred and fourteen Sixth street.

Q. What did your father have there? A. A coffee saloon.

Q. Did he have girl waiters there? A. Yes, sir.

Q. Who was the wardman in that precinct? A. Hoch.

Chairman Lexow.—This is in the same precinct as the other testimony; is it necessary to go any further into this?

Mr. Jerome.—It is the Fourteenth precinct.

Chairman Lexow.—It seems to me, as one of the committee, that the accumulative evidence in regard to Hick, forecloses any question on his part; there is no question about his guilt before this committee.

Senator Cantor.—We have sufficient information to predicate legislation against Hock.

Mr. Jerome.—I will make it brief.

Q. Did you pay Hock any money? A. Yes, sir.

Q. How many times? A. I paid him four or five times; Captain Doherty was captain at that time, I should think.

Q. How much did you pay him ? A. At first we paid him \$15, and then \$25.

Q. What did you pay him for ? A. Because we did not have a license.

Q. Did you sell liquors ? A. Yes, sir.

Q. Did you see the captain at any time ? A. We never saw him.

Q. Did you have any talk with Hock about the captain ? A. No; we did not.

Q. Did you move from that place and take a new coffee saloon ? A. Yes, sir; we did.

Q. Where was the new place ? A. In Fourth street.

Q. What number ? A. Fifty-eight.

Q. Did you sell liquor there ? A. Yes.

Q. Did you have a license ? A. No.

Q. Did you see the wardman there ? A. Yes.

Q. What was his name ? A. Hock.

Q. The same Hock ? A. Yes.

Q. You kept on paying him money there, did you ? A. Once only; \$25.

Q. Do you know Mr. Leustick ? A. Yes, sir.

Q. Who keeps the place on St. Mark's place, near Third avenue ? A. Yes, sir.

Q. That was a coffee-house, too, was it ? A. Yes.

Q. Of the same kind ? A. Yes, sir.

Q. And a man by the name of Rosenthal, 214 East Sixth street; do you know him ? A. Yes, sir.

Q. And David Cratina, on Second avenue, between Fourth and Fifth streets ? A. Yes, sir.

Q. And Forrest, on the east side of Second avenue, between Fourth and Fifth streets ? A. Yes, sir.

Q. When Captain Cross came in that precinct, did your father and all these persons I have mentioned go up to the station-house one night to see Captain Cross ? A. Yes, sir; but I was not present; my father told me about it.

Q. Is there a Mr. Schwartz, on Fifth street, who keeps "The Black Eagle ?" A. Yes, sir.

Q. Do you know of any other of those places, paying money to any one ? A. I can not say of my own knowledge, but I have heard of it.

Q. Are all those places that I have mentioned, places without a license ? A. With the exception of two, none of them have licenses; the exceptions are Cratina and Forrest.

Q. Rosenthal and Schwartz are here in court ? A. Yes, sir.

Mr. Ransom.—We have no questions.

Max Rosenthal, a witness called in behalf of the State, being duly sworn, testified as follows:

Direct examination by Mr. Moss:

- Q. Did you keep a coffee-house? A. Yes, sir.
 Q. With girl waiters? A. Yes, sir.
 Q. Where about? A. The first time at 6 St. Mark's place.
 Q. Where, next? A. Now, on Fourth street.
 Q. Do you know Mr. Charles Buser? A. Yes, sir.
 Q. He supplies you with beer? A. Yes, sir.
 Q. Do you know Wardman Hock? A. Yes, sir.
 Q. No doubt you paid money to Hock? A. No, sir.
 Q. You did not pay him any money? A. No, sir.

By Chairman Lexow:

- Q. You never paid money to Hock? A. No, sir.

By Mr. Moss:

Q. Hock evidently overlooked you, then; did you hear the testimony of Mr. Buser the other day? A. I read it in the paper.

Q. Do you know that Buser testified to a conversation with you in which you told him that you paid a sum of money, \$15 a month? A. Never did I tell that to Buser; I told him in a business way.

Q. That was business, was it not? A. No; I took beer from him; that is my business.

Q. Did you have an excise license? A. No.

Q. What did you sell in your coffee-house? A. I got beer for myself.

By Chairman Lexow:

Q. You did not sell any? A. Sometimes to good friends of mine.

Q. Did you give it away? A. No; I got some money.

By Mr. Moss:

Q. How much beer did you buy from Buser each week? A. I think four cases; four boxes.

Q. How many bottles in a box? A. Twenty-four.

Q. Did you ever see this man before, Mr. Whitney (directing a man to stand up)? A. I don't know for sure.

Q. Did you ever see him in your cafe? A. I don't know for sure.

Q. Will you swear you never sold wine or other liquor to Whitney? A. I can not swear.

Q. To Whitney and gentlemen in his company? A. I don't know about that.

Chairman Lexow.—You understand that the only protection that this committee gives you is the protection against any testimony, whereby you swear that you bribed any price to corrupt others? The moment you forswear yourself, the moment you perjure yourself, there is no protection at all for you; you are just as amenable to the law for perjury here as though you were testifying before a Supreme Court or any other judge. Now, we expect you to tell the truth.

A. I will tell you the truth.

Q. If you have committed bribery or paid money to buy offices and you testify to it here, that testimony of yours can not be used against you, and your concession of it here will be an absolute bar to any prosecution against you for that cause. We do not protect, however, any witnesses who commit perjury. Did you not sell liquors and wines, as well as beer in that place? A. Yes, sir; sometimes.

Q. Was not that part of the business? A. Yes, sir.

Chairman Lexow.—The testimony that you give here can not be used against you to indict you, or otherwise.

Mr. Nicoll.—That is not quite so; it is only in the case of bribery.

Chairman Lexow.—It is an absolute bar against any prosecution.

Mr. Nicoll.—Not unless being informed of his constitutional right, he declines to answer the question.

Mr. Moss.—This is the second time that Mr. Nicoll has raised quibbles about the protection accorded to witnesses while on the chair, raising some doubt in the mind of the witness in reference to the matter.

Chairman Lexow (to the witness).—You understand it; all you have to do is to tell the truth, and nothing but the truth.

By Mr. Moss:

Q. You sold wines and liquors there, as part of your business, did you not? A. Yes, sir.

Q. And sold them without a license? A. Yes, sir.

Q. And you were violating the law at the time, and you knew it, did you not? A. Yes, sir.

Q. Did not the police in that precinct come to your place and call your attention to the fact that you were violating the law? A. Yes, sir.

Q. What did you do when they came and told you that you were violating the law? A. I was four times arrested.

Q. Hock came around to see you, did he not? A. Sometimes he looked over the business, to see what I was selling.

Q. What else did he do? A. Nothing else; he looked over the business to see if I sold liquors.

Q. Did you pay him money? A. No, sir.

Q. At no time? A. No, sir.

Q. You had girls there that served the coffee and other things? A. Yes, sir.

Q. Sometimes they took men into the back room, did they not? A. I had a small garden there.

Q. If they bought a bottle, the girls could take a man in the back room, could they not? A. Certainly; I have one room, too.

Q. Was there a place connected with your cafe with reference to girls, where the girls and the men could be by themselves? A. There was a store, and the kitchen, and all the rooms were connected.

Q. They could go and be by themselves when they bought a bottle of wine? A. They could go to any part of the house, if they did not want to stay in the store; they could sit in the rear part.

Q. Did Hock ever see the girls sitting with men in the place there? A. Yes, sir.

Q. Was wine before them? A. I don't know.

By Chairman Lexow:

Q. Will you swear he did not? A. I don't know for sure.

Q. Was there any card-playing at your place? A. Yes, sir; last year.

Q. Do you remember a man losing some money or claiming to lose some money, and making some trouble about it? A. No.

Q. Was there not a man who claimed to have lost \$750 there? A. Never.

Q. Were you not arrested upon such a charge? A. On what?

Q. On the charge that a man had lost \$750 in your house? A. No, sir.

Q. You have never been arrested on such a charge? A. No, sir.

By Senator Saxton:

Q. Have you ever been arrested on a charge for any amount being lost in your house? A. No, sir.

Q. If you did not pay Hock any money, who did you pay? A. I did not pay anybody.

Q. Did you ever see the captain of the precinct? A. I do not know; I was not in the station-house.

Q. You never went to the station-house? A. I never was there.

By Chairman Lexow:

Q. You say you have been arrested four times; were you not taken to the station-house then? A. Certainly.

Q. Then you have been there? A. Certainly; but I never saw the captain.

By Mr. Moss:

Q. Did you ever see any other ward man besides Hock? A. The new ward man.

Q. Who was that? A. Mr. Lang and Mr. Taylor.

Q. Have you paid either of them money? A. No.

Q. Are you running that coffee-house now? A. Yes, sir.

Q. Are there girls in it now? A. Yes, sir.

Q. Are you selling liquor in it now? A. No, sir.

Q. Have you a license? A. A United States license.

Q. Any excise license of this city or county? A. No, sir.

Q. Are you selling any beer? A. No.

Q. What need had you of a United States license? A. I got it from the old place and then when I moved, they sent me from the United States office, that I must take it out.

Q. What became of the four cases when you were arrested? A. That was on excise laws.

Q. What became of those cases — you were arrested and taken to the station-house? A. Yes, sir.

Q. Where did you go then? A. Then the next day I went to the Essex Market court.

Q. What happened there? A. I was put under \$100 bail.

Q. In each of the four cases? A. Yes, sir.

Q. What date was the first case? A. The first case was about three years ago.

Q. And the last case was what date? A. The last case was three months ago.

Q. Have you been indicted on either of those cases? A. What do you mean?

Q. Has the grand jury indicted you? A. I never was before the grand jury.

Q. You have never been tried on either of those cases since you were at the Essex Market court? A. Yes, sir; at Special Sessions.

Q. Which case was that? A. The first one and all four of them.

Q. What was the result? A. I paid \$25 fine every time.

Q. Were they for selling liquor on Sunday? A. No, sir.

Q. They were for selling liquor without a license? A. Yes, sir; and I was fined.

Q. Is that the case with each of the four? A. Yes, sir.

By Chairman Lexow:

Q. Each of the four complaints were for the selling of liquor? A. Yes, sir.

Q. The sale of liquor without a license? A. Yes, sir.

By Mr. Moss:

Q. Who was the ward man who arrested you? A. The first and second time it was Meyer.

Q. Did Meyer or anybody see you before you were arrested? A. No; they came in and asked for a bottle of beer.

Q. Did anyone see you before you were arrested? A. No.

Q. Who arrested you the other two times? A. Cohen and Schindler.

Q. They are the present detectives, are they? A. I do not know.

By Chairman Lexow:

Q. Has anybody approached you before you appeared on the stand here, about your testimony? A. No.

Q. Has anybody told you before you were subpoenaed as a witness here, that if you gave any testimony about bribing the police that the excise charges would be pressed against you? A. No; I read it in the paper two days before I got this paper, that my name was taken, and then I told my wife I have got to go before the commissioners; that is all that I know.

Q. Nobody has approached you at all? A. No.

By Senator Bradley:

Q. From the time you opened the place, until the present time, you never paid any officer a dollar for the privilege of keeping open? A. No, sir.

Q. Did you ever hear of a man called Tom Pepper? A. No.

Chairman Lexow.—That is all.

Jacob Schwartz, a witness called on behalf of the State, being duly sworn, testified as follows, and interpreted by Senator Lexow:

Direct examination by Mr. Moss:

Q. Do you keep a cafe? A. A cafe and restaurant.

Q. It is known as the "Black Eagle?" A. Yes, sir.

Q. What is the number of your cafe? A. Three hundred and twenty-five Fifth street.

Q. Do you keep girl waiters? A. Only one, behind the counter.

Q. You have had others, have you not? A. Previously, I had two; one behind the counter and one to wait.

Q. Were those your own daughters or relatives? A. No; they were not relatives of mine.

Q. Have you an excise license? A. No.

Q. Do you sell beer and liquor? A. No.

Q. Have you had an excise license? A. No; I made application, but it was refused.

Q. Do you know Mr. Buser? A. Yes, sir.

Q. Mr. Buser supplied you with beer, did he not? A. He never sold me a bottle of beer in his life.

Q. Who did sell you beer? A. I never bought a bottle from him in my life.

Q. Who did sell you beer? A. I have bought beer from another man, but not from that man; I bought from Mr. Frank.

Q. Did you sell that beer in your cafe? A. No; I am selling weiss beer; not spurious weiss beer, but real weiss beer.

Q. Have you had any conversation with Mr. Buser? A. I have never had anything to do with him; but I have spoken to him, and that is all.

Q. You and Buser live in the same house, do you not? A. Yes, sir; we live in the same house.

Q. How often do you see Buser? A. Sometimes 10 times a day; he passes by me all the time.

Q. And you never talk as you pass by? A. Very seldom, do we talk.

Q. Do you not remember telling Mr. Buser how much you paid a police officer? A. It is not true; I never said any such thing.

Q. Did you not ever owe any money to Mr. Hock or any other policeman? A. My house has always been a respectable one; I have been there two and a half years, and I have never been pulled.

Q. You never had any trouble at all with the police? A.

No; there never has been a complaint from any neighbors or any other person against me.

Q. You have never been arrested for violating the Excise Law, then? A. I was arrested as soon as I started my business by Captain McCullough, was discharged at Special Sessions.

Q. Who arrested you? A. A large, stout German; I have read recently that he has gone to Europe.

Q. What is his name; if you have read that he went to Europe, you must know his name? A. I don't remember his name.

Q. Will you tell me the names of all the police officers who have been in your cafe within the last two years? A. Meehan, Meyer, Hock, Malone, Lang and Taylor, who were in recently to see how my place looked.

Q. What did Meehan do? A. He came to look around, to see whether I was keeping a respectable place.

Q. What did he say? A. He asked me how many girls I had and how many rooms and whether I rented my rooms and whether I kept a respectable house, and I told him my house was respectable, and that is all.

Q. How many times has Lang been in the place? A. Lang came in company with Captain Cross and he looked over my place and examined it and told me that I must draw the curtains before the windows and not have the thing open.

Q. Who told you that? A. Captain Cross.

Q. Captain Cross told you to draw the curtains across the window? A. Yes, sir.

Q. Why did he tell you that? A. He said to me that I must not keep any girls and should keep within the law or else he would be compelled to pull me.

Q. Why did he tell you to put the curtains across the window? A. He gave orders to every one of the cafes to do that.

Q. How many cafes are there running now? A. He did not tell me that; I saw myself that the same thing was being done in each of the other cafes.

Q. How many cafes are running at the present time? A. I know of five, personally.

Q. Do they all have girl waiters? A. Yes, sir; I believe they all have.

Q. And have they all curtains in the windows? A. Yes, sir; every one of them had to put up curtains.

Q. And those curtains shut off the view from the street? A. That is a mistake; the curtains are not to be drawn close, but are to be left open, so people can look into the cafe from the street.

Q. Why then are curtains compelled to be put in the windows at all? A. The curtains were all there and were originally kept

closed and they ordered that the curtains should be open; so that they could look in from the street.

Q. Have you a Federal excise license; or a Federal license? A. Yes, sir; I have to have that.

Q. Why do you have to have that? A. I was compelled to take out a Federal license.

Q. Who compelled you to do that? A. A gentleman from the revenue service came to me and said you must take a license, I said I did not sell any spirituous liquors, and he said that don't matter, you have got to take out a license and pay \$25 for it.

Q. That is a liquor license? A. Yes, a retail license.

Q. Did any excise inspector from the city excise department ask you to take out a license? A. Never from the city.

Q. Have you that Federal license posted up in your place? A. I have it in my showcase.

Q. In plain sight? A. Everybody can see it, but I don't have it there especially for everybody to see it.

Q. Did you sign a written application for that license? A. Yes, sir, I had to.

Q. And in that application you state that you want to sell liquor, do you not? A. I did not understand English; I was told simply that I must have it, and, therefore, I signed the thing and got it.

Q. Do you know any excise inspector from the city? A. I know three, but I don't know their names; they came to me when I made application for a license first.

Q. Have you paid any money to either of those inspectors? A. I swear that I never paid them a single dollar.

Q. Have you paid anyone in the police department, any police officer any money, since you have been keeping that cafe? A. I never did, and it was not necessary, because I always kept within the law.

Q. You say you always kept the law in regard to the Excise Laws as well as anything else? A. So far as I know, I have never broken a law since I opened the cafe.

Q. Look at Mr. Whitney (man standing up); did you ever see him before? A. No, sir.

Q. Will you swear that Mr. Whitney, in company with other gentlemen, never came into your cafe within the past year? A. So many people come into my place that I can not swear that one or another were not there; I can not even swear that persons with others did not drink wine or spirituous liquors in my place within the last year.

Q. But you said you did not violate the law there? A. I say that I did not; somebody in my absence may have sold wine.

Q. I ask you if wine and liquor was not sold to Mr. Whitney and a gentleman in his company, in your presence, in your cafe?

A. I simply can answer to that only that I don't remember; I won't swear that it did not occur.

Q. Will you swear that girls in your cafe did not solicit Mr. Whitney and gentlemen with him in your presence, after they had taken a bottle of wine, to go upstairs, or to go into the back part of the cafe? A. I swear that it never occurred in my presence; I can not swear what occurred when I was not there; they never went in the rear nor upstairs.

Q. Will you swear that girls in your place did not solicit men for immoral purposes, Mr. Whitney among them? A. I do not have rooms upstairs, so that disposes of that part of the thing; there was nothing in the rear part of the establishment, either, for any immoral purposes.

Q. Did you, yourself, request Mr. Whitney to buy a bottle of wine and take a girl into the back part of the cafe? A. No; I am positive that that did not occur; I am absolutely positive of that.

Q. And if Mr. Whitney and persons who were with him swore to that do you mean to say that they swear to what is untrue?

Mr. Lexow.—That is a conclusion.

Senator O'Connor.—It is quite evident that you can not get this witness to admit any violation of the law.

Q. Do you remember when Mr. Parkhurst raised the disturbance in your precinct and that there was great excitement among the cafes? A. Yes, sir.

Q. Did you say to Mr. Whitney and another gentleman who was with him that you would have to serve lager beer as weiss beer, that you had been so ordered to do by the captain? A. I swear positively that no such thing occurred.

Q. Where do you live? A. Five hundred and twenty-five Fifth street; in the same house, not upstairs, but in another department, on another story; the yard is between the restaurant and the place that I live—here is the store and from the store you go out into the yard and on the right-hand side here, are rooms and apartments, and I have my bed and sleep there; the girls never slept there.

Q. How many beds have you? A. Two; one for myself and one for my wife.

Recess.

AFTERNOON SESSION.

June 13, 1894

Present—Senators and counsel as before.

The Chairman.—Mr. District Attorney, if you desire to make a statement the committee will be glad to hear you.

District Attorney Fellows: Mr. Chairman and gentlemen of the committee.—I have thought it proper as district attorney to confer with you before making any public statement in regard to a transaction which occurred first before the committee and subsequently in court a few days ago, and which led to the discharge of a person, the dismissal of an indictment; because I find that a false impression is created with regard to the action of the district attorney. The impression has gone out that every prisoner under indictment who came before this committee and gave testimony which seemed to implicate officials of the police force, or otherwise, would thereby escape punishment. I want to correct that impression. The district attorney, of course, can never consent to dismiss indictments in a wholesale way and to invite a general jail delivery by reason of the fact that witnesses come here and testify. The district attorney is perfectly willing to judge each case upon its own merits and to do just exactly what is right and proper, but it must not be understood by those who are under indictment that the mere fact of going before this committee and giving testimony before this committee will lead to a dismissal of the indictment. That would be the opposite of everything like the administration of justice, and I am very much gratified to know that the committee very largely agree with me in that opinion. I have deemed it best to make that public statement, because I have received from the Tombs information that a number of prisoners are expecting that if they will give testimony they will be relieved of punishment without any further investigation. It is an open invitation, of course, to perjury, and the committee certainly do not wish that any such understanding shall prevail; and I have thought it only fair and proper that the criminal officer of the county should confer with the committee and should make his public statement.

The Chairman.—The committee, through me, beg to say that in their unanimous judgment they do not wish that any action of theirs shall prove an incentive to perjury; that if any witness performs a public duty by testifying before this committee, and the punishment already meted out seems to have been a full punishment, as the case of the witness who was discharged, that in such a special case of that kind that might be proper, with the consent of the district attorney. But that there should be a jail

delivery as the result of any testimony given before this committee is as far from the committee's expectation as it must be from that of the district attorney or of the people.

District Attorney Fellows.—I am very much obliged to the committee.

Mr. Nicoll.—Mr. Chairman and gentlemen — when the transaction to which the district attorney and the Chairman referred, occurred, I was in the city of Albany and read in the newspapers that a certain prisoner who was under indictment by the grand jury of this county and who gave testimony before this committee was subsequently brought to trial; that instead of pleading guilty or going to trial upon the indictment, counsel for this committee made a motion before the court that the indictment be dismissed in consideration of the testimony which the witness had given before the committee.

The Chairman.—You are in error there, Mr. Nicoll, are you not? It was in consideration of the special circumstances of that case. She had been in jail two months and her case developed conditions that appealed very strongly to the sympathies of the committee.

Mr. Nicoll.—I only read the statement of Mr. Jerome to Judge Martine in which he asked that the witness be dismissed; Mr. Davis, of the district attorney's office, said he thought it was a very proper motion; Judge Martine concurred, stating that everybody should combine to render such assistance as was in their power to the committee and that, therefore, the indictment was dismissed. When I read that in the papers I foresaw the conditions in which the city of New York is to-day.

The Chairman.—Mr. Nicoll, we realize that fact. I introduced a bill in the judiciary committee of the Senate granting immunity to witnesses who testified before this committee, and that matter was discussed before the Senators. We came to the conclusion that the final result of the passage of that bill would be tantamount to a jail delivery in this city, and that a person who had substantially committed murder might be subpoenaed here as a witness on the question of bribery and corruption and testify to some fact and make a confession of the murder before this committee, and that that bill would have exonerated him from subsequent punishment. For that reason that bill was never brought to a passage.

Senator Saxton.—The position of the committee is that we desire to do everything that will bring out the truth in this matter, but we do not desire to do anything that will be an incentive to perjury.

Mr. Nicoll.—It is not that to which I wish to address my remarks, and very briefly; but it is of the utmost importance that the position of the committee on this question should be clearly defined so that the 4,000 men who constitute the police force of this city may know the exact situation in which they stand. Why, you perceive, the opinion has gone abroad among them that any person whom they arrest who is locked up in jail may at once communicate with this committee, informing them that he has some evidence to give against the officer who arrested him, and that the committee will receive the evidence, and then advise the court to discharge the prisoner. Why, the most honest police officer in the world will never take that risk. If he should see a man committing burglary under the previous ruling of this committee, he knows that if he makes the arrest the burglar, who may be consigned in the Tombs, may communicate with counsel —

The Chairman.—What ruling do you refer to? No ruling has been made here.

Senator Saxton.—Has not the position of the committee been defined enough on that point?

The Chairman.—I thought I made myself definitely understood when I stated that the only reason why the committee intervened in that case was because of its special features; because this woman had been punished sufficiently; because the facts in the case there showed that she had gone into this business only three months before, and had never been in it previously.

Mr. Nicoll.—And what you are doing now, and what we are doing now—I have been at the point of saying this to you within the last day or two, but I understood that some other witness was to be presented here, and I thought that would be the proper moment in which to make this statement —

Mr. Moss.—Counsel certainly are not going to try to offer immunity to prisoners. There is a person in court to-day, produced from the Tombs, who will be asked to testify. Nothing whatever has been suggested by counsel as to her immunity, or as to any promise or hope of immunity. We do not want testimony that is produced from any such reason as that.

Senator Saxton.—Our position is well understood now. We intend to take every case as it comes up, and if there are any extraordinary circumstances that might induce us to recommend the district attorney to show leniency, we are going to do so.

Mr. Nicoll.—For instance, take a police captain. A disorderly house exists in his district, which he raids —

The Chairman.—He is bound to do his duty.

Mr. Nicoll.—If he raids it and locks the woman up in the Tombs, will you discharge her of the crime of keeping a disorderly

house, in consideration of her assailing the character of the officer?

The Chairman.—Certainly not.

Mr. Nicoll.—That is what I want understood.

The Chairman.—That is very plain.

Mr. Nicoll.—Because that is what you have done.

The Chairman.—No.

Mr. Nicoll.—And that has paralyzed the police force of this city and left them at the mercy of the criminal classes in consequence—

The Chairman.—When has the committee done it? You say the action of the committee has paralyzed the police force?

Mr. Nicoll.—I say that is the impression that has been created, and police officers are in a state—the most honest of them are in a state of apprehension lest this committee will permit their characters to be assailed by persons whom they arrest.

The Chairman.—I can not see how they can reach any such conclusions, because one of the main questions before this committee is as to whether or not the police do their duty. If they close up a disorderly house, they do their duty. The testimony here is that they do not close them up, and take money for not closing them up.

Senator O'Connor.—As far as this committee is concerned, we will assist the police of this city as far as we can to discharge their duty.

Mr. Nicoll.—Well, we shall have to order out the militia to police the city.

The Chairman.—Haven't we made ourselves plain in this matter so you can understand it?

Mr. Nicoll.—I do, but I want your very utterances now, in which you say it is very clearly understood to go out—

The Chairman.—I have made them as clearly as I can. As I read the papers, they are arresting more now than ever.

Mr. Nicoll.—I am informed that one of the witnesses before this committee has resumed business at the old stand.

Senator O'Connor.—Then, why don't the police protect her?

Mr. Nicoll.—She is under the protection of the committee. If they do, there will be a howl from counsel as to the persecution of witnesses.

The Chairman.—Not a bit.

Mr. Nicoll.—Mr. Goff would come here and say we were intimidating a witness, and you would administer one of your withering reproofs and gain the applause of the courtroom.

William H. Clough, called as a witness on behalf of the State, being duly sworn, testified as follows:

Direct examination by Mr. Jerome:

Q. At one time did you have a saloon in this city? A. I did, sir.

Q. Where was it? A. Corner of Sixty-ninth street and Third avenue.

Q. How long did you have a saloon there? A. I owned it three days.

Q. During those three days did you have a license? A. No, sir; I did not.

Q. Did you run it during those three days? A. The bartender did.

Q. And liquors were sold there? A. Yes, sir.

Q. Did you see any police official during those three days? A. I think not.

Q. Did you see the wardman, the ward detective? A. Not in those three days, I didn't.

Q. When did you see him? A. I saw him at a picnic at Washington Park or Jones' Woods.

Q. When? A. A few days after the first Sunday.

Q. Did you have a talk with him? A. I did.

Q. Tell us what he said, please? A. I told him that we had a saloon there and we didn't want to get a license; we wanted to sell it and it wouldn't pay us.

Q. You wanted to sell the saloon and it wouldn't pay you to get a license between then and the short time that you would sell it? A. No, sir; and we wanted to run it until we did sell it; he said, "What is it worth to you;" we walked to one side and I gave him two \$20 bills.

Q. What did he say? A. He might have said all right; that settled it.

Q. You went on and ran it? A. Yes, sir.

Q. And had no trouble? A. No, sir.

Q. Do you know the wardman's name? A. I do not.

Q. Was he the wardman in that precinct? A. I suppose he was; yes, sir.

By the Chairman:

Q. Have you heard his name since? A. I might have known it at the time.

The Chairman.—Do you know the name of the wardman there, Mr. Jerome?

Mr. Jerome.—I do not; no, sir.

Q. What was the date of this? A. I bought it the 29th of May, 1890.

Q. And the conversation with this wardman was when? A. It must have been the next week, I think.

Q. Did he say he was wardman in that precinct? A. He was introduced to me as a man with whom I could deal with.

Q. As the wardman? A. I understood it so.

By Senator O'Connor:

Q. Would you recognize him if you saw him? A. I couldn't now.

Q. Who was the man that introduced him to you? A. He was the bartender.

Q. What is his name, so that we can have him come here? A. That was George Lake.

By Mr. Jerome:

Q. Where does he live? A. I don't know.

Q. Where did he live then? A. At that time he lived on Second avenue, I think, about Sixty-fifth street, I should say; I don't know, positively.

By the Chairman:

Q. How long did you run it after that? A. Our people sold out in about five weeks.

By Mr. Jerome:

Q. Do you know any other persons in that vicinity that paid any money? A. I do not.

Q. I hand you that yellow paper and ask you, after reading it over and refreshing your memory, if you can recollect any (paper shown witness.)? A. No, sir.

The Chairman.—Is that all, Mr. Jerome?

Mr. Jerome.—That is all.

Cross-examination by Mr. Nicoll:

Q. What is your business? A. I am a railroad man.

Q. Are you running a railroad? A. Not at the present time.

Q. What do you mean by saying that you are a railroad man?

A. That I have done all kinds of work for 30 years on railroads.

Q. Were you running a railroad the same time you were running a saloon without a license? A. No, sir.

Q. When did you give up the saloon business? A. It must have been the 1st or 2d day of June.

Q. Eighteen hundred and ninety-three? A. No; three days after I bought it.

The Chairman.—Eighteen hundred and ninety.

Mr. Nicoll.—That is all.

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

Direct examination by Mr. Moss:

Q. Where do you live? A. I live in Fifth street; 612.

Q. In this city? A. Yes, sir.

Q. Do you know a gambling-house on Stanton street? A. Yes, sir.

Q. What is the number? A. One hundred and ninety-eight, E. Feldman's.

Q. Have you played there recently? A. Yes; I was four times there; I was brought by two fellows over there; there is a faro bank there.

Q. Give us the dates when you played? A. I was last week in Brooklyn, at the dancing, teacher, and I am an agent for stationery, and I made about \$7 in my business, and two fellows bring me over there, and I played cards; I won the first night about \$57, and I go home and sleep; the next day I get up and I paid \$2.50 for my rent, and I go to Houston street, and two fellows catch me and bring me down there.

Q. To the same gambling-house? A. Yes, sir; and somebody treated me; I played cards; I lost \$15, and I said "I am done;" he brought more drink, and they pulled out my pocket-book with \$23.

Q. They stole your pocket-book? A. Yes, sir; these fellows bring me out, and I hollered "Murder, thief," and them fellows that bring me out, run away, and the bank keeper he caught that other fellow and take the pocket-book away.

Q. Feldman helped to catch the man? A. Yes, sir; the boss gave me the pocket-book; he says, "You got the money; you go home," and three fellows bring me home; the three fellows bring me home, and I was dead from the whiskey.

Q. You mean you were insensible? A. Yes, sir; they brought me home in my house, and that fellow said, "Look if you got the money;" I opened my pocket-book; my pocket-book was empty.

Q. You only had the pocket-book? A. Yes, sir.

Q. The contents were gone? A. Yes, sir; he said, "Have a sleep, and come to-night back;" I came back, and I said to Feld-

man, "That is a nice place; you robbed me;" he says, "You won, anyhow, the money from me;" I said, "I will get square;" he said, "I got protection; I get no afraid from anybody; that is nothing;" he licked me; he punched me three times in the eye; I go right away to Captain Siebert.

Q. Feldman assaulted you? A. Yes, sir.

Q. Then you went to Captain Siebert? A. Yes, sir.

Q. Whereabouts? A. It was Wednesday of last week.

Q. Where did you go? A. To Captain Siebert, down there.

Q. Whereabouts? A. The station-house.

Q. Where is the station-house? A. In Houston street.

Q. Did you see Captain Siebert? A. Yes, sir.

Q. Tell us what you said? A. He said, "What is your name;" I told him what is the name of the gambling-house; he said, "Wait for my detectives;" he sent Mr. Farrell, Mr. Brennan first —

Q. Brennan and Farrell were called in? A. No; he came inside in the station-house; Mr. Siebert called in Brennan; "there is a gentleman, he wants to see you;" and he went with me outside, and that fellow what got the gambling-house, Feldman, was outside; Brennan said, "Wait, and I will make it good for you; I will look for the fellow;" he called Mr. Feldman over; he said, "Yes, he was by me and he was drunk in my place, and won a couple of dollars, and somebody came in and took the pocket-book."

Q. That is what Feldman told the policeman? A. Yes; he said, "Don't make a charge; I'll look for the fellow and I will catch him."

Q. Who said, "Don't make a charge"? A. Feldman said that.

Q. To the policeman? A. Yes, sir; Mr. Brennan said, "All right;" Mr. Brennan said, "Go home to sleep and come to-morrow;" I said, "I got no fright for you; you say you have got protection; I will go right away to the Lexow committee to-morrow;" he said, "Don't go; I will make everything all right for you."

Q. You say you told Mr. Brennan that you would go down to the Lexow committee? A. Yes, sir; I told Feldman, "I will go to the Lexow committee."

Q. Brennan said, "Don't go"? A. He said, "Don't talk; come to-morrow;" I was the next day; he said, "I have no time;" I said, "I will go for the Lexow committee;" I come this afternoon —

Q. When you say this afternoon, you mean last week? A. Last week; he said he had no time — come the other day; "if he don't find that fellow, I will go over with you and take a warrant; Feldman said if I go to the Lexow committee and make

a squeal he will send over a couple of gamblers and will go and throw me in the river.

Q. Did the police hear him say that? A. No, sir.

By the Chairman:

Q. Brennan was not there when he said that? A. No.

Q. Did he hear what he said? A. No, sir; "I catch next day the two fellows;" he said, "You get nothing back; that is a gambling-house, thieves and robbers;" I go over there to headquarters.

Q. You went to police headquarters then, did you? A. Yes, sir.

By Mr. Moss:

Q. Who did you see? A. I see two friends.

Q. What policemen did you see at headquarters? A. Inspector Williams.

Q. Did you state your case to Inspector Williams? A. Yes, sir.

Q. What did the inspector do? A. He went right away and called a detective down and he sent him down to me to Essex Market court to Judge Koch, and he got a warrant for that gambling-house, and he came down there, and he went away, that detective, to headquarters, and he sent down two detectives, Farrell and Brennan, and 14 or 16 policemen; he came over in the gambling-house and he play cards in the back room and he locked up 46 fellows and that boss too.

Q. They took the boss and 46 men? A. Yes, sir; the next day was the trial in the Essex Market court, and Judge Koch asked Farrell and Brennan if they played cards, and they said no, and he discharged them 46 fellows.

Q. Is that the end of it? A. Yes, sir; he is under \$1,000 for examination.

Q. Did Farrell and Brennan play cards in the place? A. No.

Q. Judge Koch asked them if they had played cards? A. Yes, sir.

Q. Were you asked any question? A. Judge Koch said nothing to me.

Q. The case was tried before Judge Koch on the testimony of Farrell and Brennan only? A. Yes, sir.

Q. And upon that testimony alone Mr. Williams' raid came to nothing? A. Yes, sir; he brought first 46 fellows and he asked him if he plays cards and he said no, and he discharged the 46.

Q. Each of the 46 men said he didn't play? A. Yes, sir.

Q. Was there any table, cards and such things as that taken; did the police officers get a table and cards and such things as that from the place, do you know? A. I don't know; I was upstairs with that one detective from headquarters; he was in

the back room of Feldman's and Brennan and Farrell were down there.

Q. When the arrest was made was a table found by the policeman, do you know that? A. Yes.

Q. A card table? A. There certainly were plenty of card tables there.

Q. Were there any cards found? A. Yes.

Q. Was there anything else, any gambling goods found? A. No; he didn't take anything else.

Q. You said a minute ago that the gambling-house was still running? A. Yes, sir.

Q. How do you know that? A. I have been over there; two fellows bring me over, and they said "Play more;" I have in mine pocket \$15.

Q. Is that the pocket-book (pocket-book shown witness)? A. Yes, sir; \$23; he stole the money off me.

Q. Have you played in the gambling-house since the raid? A. Yes, sir; one day I lost \$15, and he gave me some whisky; I said, "I can no more play; I got money; I will keep that money."

By Senator Saxton:

Q. After the arrest by these police officers, have you played there since then? A. No.

By Senator Cantor:

Q. What game did you play? A. I played faro.

By Senator Bradley:

Q. Did you play any pinocle? A. Faro and washa-washa.

Cross-examination by Mr. Nicoll:

Q. You had \$15 when you went to the house? A. Yes, sir.

Q. You won \$57 that night? A. Yes, sir.

Q. Are you ahead or behind now? A. Yes, sir.

Q. You are ahead, are you not? A. I paid my rent, \$2.50, and I bought something else.

Q. With everything, considering what Feldman gave back to you, you have got your \$15 and more? A. I don't understand.

By Senator Bradley:

Q. Have you got more money now than when you commenced to gamble? A. I have already got \$38; \$23 in that pocket and \$15 in that pocket.

By Mr. Nicoll:

Q. You had \$23 when you started? A. No; I won the first night, \$57.

Q. How much did you have in your pocket when you went there the first night? A. Seven dollars.

Q. You won \$57? A. I won about \$49 or \$50 altogether.

Q. At faro? A. Yes; faro and washa-washa.

Q. What is that game? A. That is like faro, too.

Q. I understood you to say that you paid out some of that money and that the next day you drank a great deal of whisky? A. Yes, sir.

Q. And that some of your money was taken away from you? A. Yes, sir.

Q. How much was taken? A. Twenty-three dollars.

Q. Then you had about \$23 left, didn't you? A. No; I got \$15, I says, in that pocket, and I lose the \$15, and he brought me a whisky; I was a little drunk; I said, "I don't play more."

Q. Did you lose only \$23? A. No; \$15; I got \$23 in that pocket.

Senator Saxton.—You lost \$15 playing there?

Senator Cantor.—When he lost \$15, he stopped playing.

Q. Then you stopped playing? A. Yes, sir.

Q. You haven't played since then, have you? A. Yes, sir.

Q. You haven't played since that time? A. I don't understand that word.

By the Chairman:

Q. Have you gambled since? A. No; arter no more.

By Mr. Nicoll:

Q. How much money was stolen from you? A. Twenty-three dollars.

Q. You haven't lost anything by all of this? A. No, sir; I don't lose nothing.

Q. You are ahead, are you not? A. Yes, sir.

By Senator Bradley:

Q. You have more money now than when you commenced? A. Yes, sir; I have altogether \$38; \$23 in that pocket, and \$15 in the other.

By Mr. Nicoll:

Q. The reason you didn't make a complaint to Captain Siebert was because Feldman told you not to do so? A. Yes, sir.

Mr. Moss.—I object to that; he said he did make a complaint to Captain Siebert.

Q. Did you make a complaint to Captain Siebert? A. Yes, sir; and he says to me, "What is your name?" I said, "Coleman," and the other man, I said, "Feldman;" he said, "Wait until my detectives come;" in about five minutes came Mr. Farrell and Mr. Brennan, and he went outside with me, and Mr. Feldman was there too.

Q. Did you make any complaint? A. Yes, sir.

Q. Didn't I understand that you withdrew that complaint? A. I don't understand that word.

By the Chairman;

Q. Did you take the complaint back? A. No, sir.

By Mr. Nicoll:

Q. Didn't you swear on your direct examination that Feldman said, "Don't make a charge?" A. Yes, sir; he says to me, "I got no afraid for you; I have got protection," go over there and look for that way.

Q. Didn't he say to you, "Don't make a charge"? A. Yes, sir; he said to me, "Don't make a charge; I will look for that fellow; I will catch him and bring him over to the police station."

Q. After that you went to headquarters? A. Yes, sir.

Q. And complained to Captain Williams? A. Yes, sir.

Q. And he assigned some central office detectives? A. Yes, sir.

Q. And they raided the place? A. Yes, sir.

Q. And they took the proprietor and 46 persons? A. Yes, sir.

Q. And they were brought up before Judge Koch? A. Yes, sir.

Q. And the 46 persons were discharged? A. Yes, sir.

Q. And Feldman was held in \$1,000 bail for examination? A. Yes, sir.

Q. And his case has not come up yet? A. It comes up next Friday; I come next day after my sleep, and I ask him who the fellow is, and he licked me and chucked me out.

Q. What is your business? A. I am a dancing teacher and an agent for stationery.

Q. A dancing teacher? A. Yes, sir.

Q. Are you a dancing master? A. Yes, sir.

Q. Where were you instructing; whom do you instruct in dancing, ladies or gentlemen? A. No, sir; in Fifty-fourth

street I have a Bohemian dancing school, and a summer school in Astoria.

Q. You have a dancing school in Fifty-fourth street? A. Yes, sir.

Q. And another in Astoria? A. Yes, sir.

Q. A summer dancing school? A. Yes, sir.

Q. How long have you been in this country? A. Five years next month.

Q. Are you a citizen? A. No, sir; about two months to be a citizen.

By Mr. Moss:

Q. Is your dancing school in Brevoort Hall? A. No, sir.

Q. Feldman got that \$23 for you, did he? A. Yes, sir; because why I am afraid; he said yesterday he would give me \$30 if I wanted to settle.

Q. Who told you that? A. Two fellows were in my house where I live.

Mr. Morris.—You need not be afraid.

The Witness.—He wanted me to settle it. I said no.

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

Direct examination by Mr. Moss:

Q. Where do you live? A. One hundred and sixty Second street.

Q. Did you keep a disorderly house at 180 Allen street? A. Yes, sir.

Q. From April 19th to January last? A. Yes, sir.

Q. At or about the time you opened that house, did you see any police officer? A. Yes, sir.

Q. Who did you see? A. Mr. Glennon.

Q. Who is Mr. Glennon; did you know? A. He was wardman at the time in the Eleventh precinct.

Q. Who was captain at the time? A. Captain Devery.

Q. Where did you first see Mr. Glennon? A. I was introduced to him by ex-Assemblyman Philip Wissig.

Q. Philip Wissig introduced you? A. Yes, sir; he gave me a card to go and speak to him about the house.

Q. Did you have a conversation with Mr. Wissig about being introduced? A. Yes, sir.

Q. Where was that conversation held? A. In his place.

Q. On the Bowery? A. He has got a place in Grand street, corner of Forsythe, and another place in the house that I had.

Q. Where was the conversation with Wissig? A. In his place on Grand street.

Q. Did you talk about opening this house in Allen street? A. Yes, sir.

Q. What was said? A. He said I had to wait a half a month; that was on the 15th of March; he went to Albany, and he said when he came back he would let me know; when he came back, he said, "Yes, you can have the house for \$70 a month, but you must see the people down in Eldridge street;" I said "all right;" he gave me a card with a word "Glennon," I saw a man I thought was Glennon, but it was a Mr. Keenan; he said, "Well, wait; he will be around."

Q. Is Keenan an officer? A. Yes, sir; when Mr. Glennon came around we spoke about it.

Q. What did you say to Glennon? A. I said that Mr. Wissig sent me here and I showed him the card; he said, "What is your name?" I said "Hoffman;" he said, "What are you going to do?" I said, "I rented a house; now I want to ask if I can run it;" he said, "I will see about that all right;" they wanted \$500 and I only had \$250.

Q. Who wanted \$500? A. Glennon.

Q. Did he say so? A. Yes; I said, "I can not at present pay you that in full;" "Well," he says, "I will see about it;" I said, "I will give you the \$250 now, and if you will give me a month's time I will pay another \$100, and so on;" "Well," he says, "We don't do such kind of business;" but he says, "Come around the next night."

Q. Where did you meet him? A. At the corner of Eldridge street, I came, and he says, "Well, I saw the old man, and, on account of Philip Wissig speaking for you we will let it pass."

Q. Do you know who he meant by "the old man"? A. The captain.

Q. That is, he arranged to have you pay by installments? A. Yes; I had to pay him that money and \$50 a month; I paid him the second month I was there the rest of the \$500, and gave him \$40.

Q. When did you make the first payment? A. On the 16th of April.

Q. Where was that payment made? A. In the station-house.

Q. To whom? A. To Glennon.

Q. Was there anyone present? A. No; he told me I should come around at 9 o'clock, and when I see him I should give him

a wink, then it was all right; so he called me inside the station-house to the captain's room; I have been there afterward and spoke to Captain Devery in the room; he used to take the money off me and count it, and say, "If you keep on like that it is all right," and gave me advice; that is all; and I used to go out the same way.

By the Chairman:

Q. Who did that? A. Glennon.

By Mr. Moss:

Q. How many payments did you make of that \$500? A. Three times.

Q. Were they all made in the station-house? A. Yes, sir.

Q. Every one of them? A. All to Glennon.

Q. Then there was, I think you said, \$50 a month besides?

A. I paid \$40 a month besides, but one day—

Q. Who did you pay that to? A. The same man.

Q. In the station-house? A. In the station-house; one day; it was on a Saturday—and I had eight women, they used to stay on the door and call men in from the windows and so, and it happens that Captain Devery passed by in citizen's clothes and this woman by the name of Kate McCarthy says, "Call him up."

Q. Call Captain Devery up? A. Yes, sir.

By the Chairman:

Q. Were you there? A. Sure I was there, but I didn't know nothing that that was Captain Devery; he didn't come up though, but next morning, the next morning at 9 o'clock a police officer in citizens clothes—McCarthy was his name—Hahn and McCarthy used to travel together; this fellow came up at 9 o'clock, he says, I used to keep open until 6 o'clock in the morning.

Q. You used to keep open until 6 o'clock? A. Yes, sir; was always open; he said, "Hoffman, come outside," I went in the hallway; he says, "Say, the captain wants to see you;" I went down to the captain, and he was all right; friendly enough until I told him what my name was, and he says, "You son-of-a-bitch, that is you, is it?" "Well," he says, "if them women cows of yours call me up again, I will take you by the neck and throw you out of the house."

Q. What is that, women cows? A. Yes, sir; I says, "Well, captain, I thought it was all right;" he said, "What do you mean?" I said so and so; he said, "Well don't give me such guff and get out;" a couple of days later Glennon came around and said he hadn't been in New York; he had a couple of days vaca-

tion or something; he said, "What was that?" I told him; he said, "Well, so and so;" he said, "That costs you \$10; you will have to pay \$10 a month more now;" and I paid \$50 a month until the 15th of October.

Q. That occurrence with Captain Devery cost you \$10 a month more? A. Yes, sir; I had to pay \$50 until the 15th of October.

Q. When did you have that conversation with Captain Devery? A. In the month of June a year ago.

By the Chairman:

Q. You didn't go around and see Captain Devery again? A. He never called for me again.

By Mr. Moss:

Q. You ran that house from that time until January? A. Free and open until Devery was gone, and then nobody came and told me I should close it up.

Q. Did you have any trouble at all from the police? A. Yes, afterward.

Q. From June to January? A. No; not from June to January; they used to come around and get money from me.

Q. During Devery's term you didn't have any trouble; you were not arrested? A. Except once; I had a Jewish woman there and she had a brother, and that fellow used to come and try to get money from her and she didn't want it, and I threw that man down stairs, and the captain sent up Wardman Glennon, and the brother said the girl was under 16 years of age, and that was a lie; the girl is 20 now; he says, "Where is that girl?" I told him I hadn't such a girl; he asked us all questions as to her; he said, "When that fellow comes next do not say nothing; come down to the station-house, and we will give him six months;" but that cost me \$10, you know.

Q. You said something about "Come down to the station-house, and we will give him six months;" did Glennon say that? A. Yes.

Q. What did you understand by that?

The Chairman.—He answered that if this man came to his house again he was to bring him down to the station-house and they would give him six months.

Q. That is, six months for annoying you? A. Yes, sir.

By Senator Saxton:

Q. Did you say you paid him \$10? A. Yes; he said he had to square it with the old man.

By Mr. Moss:

Q. Glennon accepted the money; he didn't give it back to you, of course? A. No.

Q. Except on that occasion the police didn't arrest you, or cause you any trouble during Captain Devery's term? A. No, sir.

Q. Do you remember the month in which Captain Devery left the precinct? A. He left on the 1st of November.

By the Chairman:

Q. During all this time, from June to January, were those women in the house there, openly and publicly soliciting men? A. Sure.

Q. From the windows? A. Yes, sir.

Q. And from the stoop? A. Yes, sir.

Q. And that was public? A. Yes, sir.

Q. So that the police who came by there could see it? A. The police a couple of times snatched two or three girls from the stoop and brought them to the station-house and gave me notice, and I went up and gave ex-Assemblyman Wissig \$5 for each girl, and he had them bailed out over night, and the next day they used to get one month and two months on the island, and I paid \$25 and they were discharged.

By Mr. Moss:

Q. That is, \$25 to Wissig? A. Yes, sir.

By Senator Bradley:

Q. The \$25 got them clear from sentence? A. Yes, sir; I wouldn't have said all this, but, gentlemen, the dirty tricks they played me afterward forced me to do it.

Q. Did I understand you to say that Captain Devery called you a son-of-a-bitch? A. Yes, sir.

By Mr. Moss:

Q. Then you saw Philip Wissig very frequently about these girls and your troubles generally? A. Sure.

Q. Where did you go to find him? A. In his place.

Q. Did you have to go to the station-house to find him? A. No; sometimes he was not there; one time he was there, and he couldn't leave the saloon, so he sent me for a bail bond, and I fetched it back and he put his name on it, and I got it and got the girls out.

By Senator Saxton:

Q. Did I understand that you rented this place from Wissig? A. Yes, sir.

Q. He was the proprietor of the place, the property? A. I understand he is only the agent of the place, but he has got a saloon in the house.

Q. You did the business with him? A. I had got the receipts from him; they are written on paper from Albany.

By Senator Bradley:

Q. On the official envelope of the Assembly chamber? A. Yes, sir.

By Mr. Moss:

Q. You said that you went to Mr. Wissig and had him sign a bail bond? A. Yes, sir.

Q. Where was that bail bond signed? A. In his place.

Q. In his saloon? A. In a saloon on Grand street.

Q. Sure of that? A. Sure.

Q. What was done with the bond after it was signed? A. I fetched it back.

Q. He gave it to you? A. He put it in an envelope; whatever he put inside I don't know.

Q. You took it to the station-house? A. Yes, sir; and gave it to the sergeant.

Q. Did you give any money to the sergeant? A. No; I gave it to the man in the store.

Q. To Wissig's man? A. Sure; to him.

Q. You didn't look into the envelope after he gave it to you with the bond in it? A. No; it was closed.

Q. Did you see the bond taken out of the envelope? A. It was under the desk; I can not look under the desk.

Q. You know the girls were discharged? A. They were discharged; they had to put their name down and went home with me.

Q. You said a minute ago, that Captain Devery left the precinct in November? A. Yes, sir.

Q. But you didn't know that he had gone until someone came to you? A. I know, but nobody said I should clear out or close up; I kept it open, and then some officers came around; I always had a notion to close it up, but they said that so long as I paid them little fees, it was all right.

Q. At the time that Captain Devery left the precinct there was a great deal of excitement there, was there not? A. Yes, sir.

Q. Captain Devery was indicted for neglect of duty in allowing four houses to be open? A. Yes, sir.

Q. And immediately upon that was transferred to the first precinct where he is now? A. Yes, sir.

Q. That is right? A. Yes, sir.

Q. Did you close up your house when Captain Devery was indicted? A. No.

Q. Did anybody tell you to close it up? A. They came around and said I should look out for Captain Cortright.

Q. Captain Cortright succeeded Devery? A. Yes, sir.

Q. Who told you to look out for Cortright? A. Officer Foley, Rosenberger, Hahn, McCarthy, a lot of them.

Q. Mention all you can? A. All there in the precinct.

Q. Pick out some besides those four? A. There is Hahn, McCarthy, Rosenberger; one man's name is Ambrowitch or some name; he used to come up in full uniform in my place and take girls.

Q. And take girls upstairs? A. Yes, sir.

Q. What is his name? A. I can not tell you; he is a big, strong fellow.

Q. Do the best you can; what does it sound like? A. He is a Jewish man, a young fellow; he used to go with Rosenberger; they were brother officers; they always went around in the night time in citizen's clothes and picked up girls; they used to go together; I don't know his name; I could find out.

Q. Mention more of those policemen? A. One is named Foley, Schneider; some other fellows now, I can not give you the names.

Q. You said you paid some of these men \$5? A. Yes; and New Year's each \$10.

By the Chairman:

Q. As a New Year's present? A. Yes, sir.

By Mr. Moss:

Q. Did you give these wardmen any presents around Christmas time and New Years? A. The new ward men, no; but they got \$150 out of me when I was pulled.

Q. What do you mean by that? A. The new wardmen; they didn't know me, you know; them officers used to keep them away; but on the 13th of January Captain Cortright broke into my house—I had it closed then—and arrested me and eight women and 11 men, and marched us down to the station-house; there was another place along side of me; Vorack kept it; and Captain Cortright wanted to know if I kept it; I said, "No;" he said, "Why don't you get out here; you are told to close up;" I said, "By whom?" he said, "By Glennon;" I said, "No;" he says, "Well, you will have to suffer now;" I tried to settle with him, but I couldn't; he said, "I will send you all up to State prison

if you don't get out;" that night I was bailed out by Wissig; the next morning I was brought down to the court; I was under \$500 bail; the women were fined \$2 and the men \$5 each; I paid the fine and the bail.

Q. You say you paid your bail? A. A man by the name of Turk went bail for me; I gave him \$50.

Q. That was a personal matter between you and Turk? A. Yes, sir.

Q. Didn't you give your lawyer some money for detectives? A. Yes, sir; but it was about a week ago or so; he sent for me three times.

Q. Who was that? A. Nathan S. Levy.

Q. He was your lawyer? A. Yes, sir; he says, "these men want money; you are all right —."

Q. What men? A. Those detectives, Hunt and Levy; they were wardmen there; they came in with Captain Cortright and a lot of other officers; he says to me, "They want money;" I says, "For what?" "Well, then, they would not say nothing against you, and you get off free and clear;" I doubted that; he said, "Now, you would not get a minute;" he said, "You can not settle with the captain; if you give them people the money, they will keep him from going down to Special Sessions, and you will be discharged;" other people told me not to do it, but I went and drew \$150, and in three brand new \$50-notes, I brought it down to them; he said he gives it to them; eight days later the case came up in Special Sessions again; he says, "Hoffman, we can not go on with the case to-day; the captain is here; I am wondering that he is here;" I said, "That is funny;" he said, "I will tell you: the Society for the Prevention of Cruelty to Children, Dr. Jenkins, has put his nose in, and we have to settle that matter with him too; he got \$40 and \$35 — to get the papers back, you know, from the hands of the clerk in the court, or some way, to have them printed over again; I gave him the money, and when my trial came up — that was \$215, he got from me for the police and this business, and when my trial came up I was not asked a word; I got two months, and I served them.

Q. Did you see any money paid by Levy to these two detectives that you mention? A. He said he paid them.

Q. Did you see it? A. I said to him, "Why can't I pay them myself?" He said, "They wont deal with ou, because you know the captain is so damned strict, and they do not trust you far."

Q. Did you talk with Levy about that? A. I asked him, but he denies everything; he was transferred away.

Q. You was sentenced to two months upon that? A. Yes, sir.

Q. At Special Sessions? A. Yes, sir.

Q. You say you had no chance to talk yourself? A. Not a word.

Q. Weren't you examined on the stand? A. Not a bit; there was Hunt sitting — Hunt was on the witness chair; he never spoke a word there, and so was Captain Cortright, and I was standing with the lawyer; the lawyer said to the three judges — gentlemen, you don't suppose — I am going to plead guilty to this charge, and they told me that I was going to get out, and they said "two months," and I done the two months.

Q. Do you know who took your house after you left it? A. It is empty yet.

Q. The girls that sat in the windows and around the stoop and called to men, how were they dressed? A. They had wrappers on.

Q. Did they sit in the windows with little or no clothing at times? A. They didn't sit in the window, but they looked out and stood downstairs and walked in the street.

By the Chairman:

Q. Walked up and down in front of the house, do you mean? A. Yes, sir.

Q. How long was that kept up publicly and openly? A. I had that over — that was public and open when I got the house; the other fellow had been arrested a couple of times, and had to give it up; he wouldn't pay that high rent what I paid; I kept it public until about Christmas.

Q. Down until Christmas, these girls of yours were soliciting men from the stoop, from the windows, and from the open street? A. Yes; they used to come around and tell me some nights, and say, "Look out; there will be officers from headquarters," and so it is very strict, because of Parkhurst; and I should look out for them men, and I closed up.

By Mr. Moss:

Q. How many other houses were running like yours in that neighborhood? A. There was one alongside of me, 180 1-2; and there was 150, and there was 50, and 56, and 32 and 34 Stanton street; there was a half a dozen in Rivington street; I don't know the numbers exactly.

Q. Any others that you think of? A. In Delancey street, 6, 8 and 12.

Q. Can you tell of any others? A. One in Eldridge street, between Hester and Canal.

Q. What number in Eldridge? A. And then 136 Chrystie street.

Q. What number in Eldridge street? A. I think it is 70 or 72.

By the Chairman:

Q. Are these all well-known houses? A. Sure.

Q. No attempt made to conceal their character? A. Every body knew it.

By Mr. Moss:

Q. Do you know 51 Eldridge street? A. Yes, sir.

Q. Was that a house of ill-fame? A. Yes, sir.

Q. Were these houses all open, doing business the same as yours, at the beginning? A. Yes, sir.

Q. Were the women at the windows and around the doors? A. Yes; through the shutters.

Q. How long did that general condition continue? A. Until Dr. Parkhurst commenced that business; when Devery was transferred, as soon as Mrs. Schubert had been fined for something, they ran the place anyhow.

Q. There were five cases suddenly brought up by Dr. Parkhurst's society? A. Yes, sir.

Q. And there was a riot? A. Yes, sir.

Q. When the agents of the society appeared in the Essex Market Court against those five houses there was a riot there, was there not? A. I had nothing to do with that.

Q. Do you know anything about it? A. Yes.

Q. Wasn't it a matter of general knowledge through the whole Eleventh precinct? A. I guess, between them people.

Q. The detectives were chased half a mile through that precinct, were they not, and stoned on the Bowery? A. I had nothing to do with that.

Q. Did you know of it? A. Yes, sir.

Q. Do you know any men that were in the riot? A. No.

Q. Can you give us any information on that point that would locate any individual who was in that riot? A. No; I can not do that.

Q. Do you know any of the police officers that the mob passed as they were chasing the detectives? A. Yes, sir.

Q. Who were they? A. One is Beck: he acknowledged it; he was drunk afterward, and he said, "We chased them away up to the Bowery."

Q. Beck said that? A. Yes, sir.

Q. Chased who? A. Parkhurst's fellows, he said.

Q. Do you know there were several police officers along the route that mob took? A. Yes, sir.

Q. They didn't interfere with the mob but allowed them to chase the detectives? A. No, sir; they didn't.

Q. Was there any other officer besides Beck that you know of? A. No, sir; I can not tell; I wouldn't say nothing about that.

Q. Don't hold it back, if you know? A. Well, the men that chased them down, they were not people who kept the places; they were paid for it.

Q. Who paid them? A. That I can not tell you.

Q. Have you any information on that subject? A. No, sir.

By Senator Bradley:

Q. Did you subscribe any money toward it? A. No, sir.

By Mr. Moss:

Q. Did you subscribe any money toward it? A. No, sir.

Q. Who is Hockstern? A. I don't know him; he is not a friend of mine.

Q. Was he connected with Silver Dollar Smith? A. Yes; he bails lots of people out and so.

Q. Smith's friends? A. Yes.

Q. Did he run a house himself? A. I don't know for sure.

Q. Do you know whether he has run a house? A. No; I don't know for sure.

Q. Have you any information of any house that he runs? A. No; I can not tell, because the houses what I think he had any connection with it were run through other people; they never told me that he was the proprietor of it; I will not tell things that I don't know.

Q. Do you know Isidore Cutter? A. No.

Q. Do you know Bessie Butler? A. Yes, sir.

Q. Do you know that she kept a house at 81 Eldridge street? A. Yes.

Q. Do you know a man named Putter or Butler, who was said to be her brother? A. No, sir.

Q. Do you know whether Bessie Butler ran that house 81 Eldridge street, in the interest of any other individual? A. No, sir; I guess she ran it in her own name.

Q. Was any other person connected with the house? A. I don't know if it was her husband or not; he only was there sometimes during the day; he never was there during the night time.

Q. Do you know anything about a business connection between Mrs. Butler and Silver Dollar Smith? A. No.

Q. Wait a moment; think? A. He may have done favors for her; but I don't know; I have been in her house and drank wine and had a good time.

Q. You knew it was a house of prostitution? A. Yes, sir.

Q. You saw acts leading to prostitution there? A. They all laughed when I fell into the hole because they spent money and got no time, and I spent money and got two months.

Q. They spent money? A. All those women.

Q. Did Bessie Butler spend money? A. Yes, sir.

Q. How? A. She spent a hell of a lot of money for lawyers' fees.

Q. How do you know?

Mr. Nicoll.—I think this conscientious brothel-keeper ought to be limited.

A. I have heard of it off a woman.

Q. From her? A. Not direct from her, but from others.

Q. Who have you heard it from; I simply want to locate the persons? A. I will tell you from whom; from Lawyer Levy; he says, "When he asked me for the money," he says, "Look how much Plattdeutscher Lizzie spent; she had been pulled twice, and Mrs. Butler; they spent twice as much as you, but they got clear."

Q. Did you know Mrs. Werner's house? A. Yes.

Q. Where was that? A. In Chrystie street.

Q. What number—144? A. One hundred and forty-two, I guess.

Q. One hundred and forty-four? A. No; that is Mrs. Schubert; Werner's was in Forsythe street; 48.

Q. Was that a house of prostitution? A. Yes.

Q. Were you ever in that house? A. Oh, yes.

Q. Have you seen acts of prostitution in it? A. Certainly.

Q. Lascivious conduct? A. Yes.

Q. Was the house open like yours? A. No; the doors were always closed; it was a good, fine house.

Q. Were they fastened? A. You had to ring the bell.

Q. Do you know whether Mrs. Werner paid any money for protection? A. Sure.

Q. How do you know? A. Nobody could run a house without it.

Mr. Nicoll.—The witness is now testifying as to someone else paying for protection.

By the Chairman:

Q. Have you any knowledge of it? A. I know it to go around.

Q. You know it simply from general reputation and rumor?

A. Yes, sir.

By Mr. Mass:

Q. Do you know of any house of ill-fame in that district besides your own, the proprietor of which has paid money to

the police, in a way that you could state specifically? **A. Yes, sir.**

By the Chairman:

Q. Did you know it? **A. Yes, sir.**

By Mr. Moss:

Q. Who? **A. There is Freitag, 180 1-2 Allen street, alongside of my house.**

By the Chairman:

Q. Did you see the money paid? **A. He bought the house, and the people that sold him the house —**

Q. Did you see the money paid? **A. He went down the same way I went down to the station-house, and saw Glennon, and me and that man happened to be drinking together.**

Q. Did you go with him? **A. Yes; Glennon told me to tell him one night to go down.**

Q. What did Glennon say? **A. He said if I saw Freitag to tell him to come down; "If he don't come down quick, I will close him up."**

Q. How much was Freitag's charge? **A. He said he only paid \$30.**

Q. Who said that? **A. Freitag said, because he bought the house, and he said when he bought the house — I spoke to him yesterday about it; he paid \$200; the man who had the house paid to the police that, and he paid \$300 then, and \$30 a month; but in the last three months they asked him \$50; those are his words.**

Q. Where is he? **A. Two hundred and seventeen West Eighteenth street.**

Q. Is he in the business of keeping a house of prostitution now? **A. No; he was arrested in my house, but he was only fined \$3 in the morning; I didn't tell them that that was the proprietor for the next house.'**

By the Chairman:

Q. Why was it that the arrest of Mrs. Schubert made such an impression on you and the others engaged in that kind of business? **A. At the time when Mrs. Schubert had moved, when she had been pulled, and had paid \$250 fine, she gave up the house, sold everything out, and the house was empty, and I had money then, and I was well known, and I thought, so long as**

they don't do nothing to me, I will try and make more; so I went to the janitor and looked over the house, and he wanted \$80 a month rent for the house; I paid \$20 down, and then I found out I couldn't run it, and he paid me \$10 back; he told me Mrs. Schubert paid so much money, and he told me when she was pulled, and the next day was her birthday; something like that.

Q. That is hearsay; you stated on your examination before that the arrest of Mrs. Schubert had created so much excitement?

A. Yes, sir.

Q. Around there? A. Yes, sir.

Q. Why was it that her arrest created so much excitement there? A. Because people may have thought that she, while she was well known, known to be rich, and paid much money —

Q. Was it because there was a general impression throughout the district that she was under special protection of the police?

A. Yes.

Q. Because she paid so much? A. Yes; paid more than any of them.

By Mr. Moss:

Q. Do you remember that in August of last year, Dr. Parkhurst made a demand upon Captain Devery, and upon the police commissioners, and upon the superintendent of police, and upon the mayor of the city to close up about 50 houses — a public demand which was published in the newspapers? A. Yes.

Q. Do you remember that Captain Devery and Inspector Williams and all who were concerned in the matter, denied that there were any houses of ill-fame in existence there? A. It was in the papers.

Q. Your house was in that list, was it not? A. Yes.

Q. Your house was in that list which Dr. Parkhurst's society, the Society for the Prevention of Crime, charged with running; I think my name was signed to the charge, wasn't it? A. Yes.

Q. And the police captain, inspector and the officials all declared that there were no houses running; now, when they declared that your house was not a house of ill-fame, did they tell the truth? A. No; they lied.

Q. Did they know that they lied? A. Sure.

Q. They were receiving your money? A. Yes, sir.

By the Chairman:

Q. Were they receiving your money because it was a house of ill-fame? A. Yes; I would not have paid but for that.

Q. But, did they know it? A. Sure.

By Mr. Moss:

Q. Do you remember that about two months later —

Mr. Nicoll.—He can not testify as to whether anybody knew it but Glennon.

Mr. Moss.—The police official denied it; it was a matter of public knowledge.

Q. Now, your name was published as running a house at that place; did Inspector Williams send for you to see if that was true? A. No.

Q. Did he come to your house to see if it was true? A. There were five detective-sergeants from headquarters one night.

Q. What were their names? A. I only know one by name, Reap; it was Sunday night, and he brought four girls down the hall-way; he came upstairs and gave me hell — excuse the expression; and chased them all out; they told him to nail me, but he said, "Let him go this time, now."

Q. Did Mr. Reap make any complaint against your house? A. No.

Q. Do you know that Mr. Reap reported to Superintendent Byrnes, that he found no violations of law at your house at all; do you know that? A. I don't know if he has said that; I don't know.

Q. That has appeared as a matter of record in the trial of Captain Devery; if he said that then, he didn't tell the truth, from your knowledge?

Senator O'Connor.—Did this witness testify on the trial of Captain Devery?

Mr. Moss.—No; we didn't know of him then, and couldn't have used him anyhow, because it was another house; Captain Devery was accused of neglect of duty in failing to suppress the house 81 Eldridge street, kept by Bessie Butler, and as there was no proof which would show why he was neglectful, and as it appeared that headquarters detectives hadn't found anything and that the superintendent of police was making an investigation on his own account, the jury hesitated to find that Captain Devery was guilty when all the officers above him had participated in the same condition of affairs.

Senator O'Connor.—If these witnesses are testifying the truth, how do you account for the fact of the police making the kind of reports that they made to their superior officers and to the public?

Mr. Moss.—I can account for it only because of the general demoralization of the force.

Mr. Goff.—The revenue.

Mr. Moss.—In the case of 81 Eldridge street, Superintendent Byrnes was on the stand and testified that he had sent these five

detectives down to the district, besides giving the captain special instructions, and that they had reported to him every day: and each report was put in evidence, and showed that not a violation of law could be found; Roesch was one of the detectives, for I was present at the trial.

Q. Reap was the wardman under Captain Cassidy in that precinct, was he not? A. Yes, sir.

Q. The same man? A. Yes, sir.

Q. Did you see any other headquarters detectives? A. Yes; there were four others with him.

Q. But you were not raided? A. No; it was Sunday night.

Q. There was no complaint made against you? A. No; he said I should keep my doors closed now.

Q. Did you see Inspector Williams at all? A. I had seen him pass; I watched for him outside of the house.

Q. Did he walk into your house? A. He could not.

Q. You had a chain on the door? A. I had it closed; nobody could open it, except I opened it from the outside.

Q. Did anybody ever go to your house with a warrant from the superintendent of police, under section 285 of the Consolidation Act? A. No, sir.

Mr. Nicoll.—Is this man a student of the municipal law?

Mr. Moss.—The Consolidation Act, section 385, gives the superintendent of police power to issue his own warrants, without going near a magistrate; upon which warrant any suspected house may be raided; so the evidence need not be given out publicly or submitted to any influences that may exist in a police court; under a superintendent's warrant the house may be raided and the people caught in it arrested.

Q. Now, I ask you if no one came to you and tried to get admission to your house with a warrant signed by the superintendent of police? A. When Captain Cortright broke in the doors, in my house, I said, "What do you want;" he said, "I am arresting you;" I said, "What for?" he said, "For keeping a disorderly house;" and he broke all the doors, got all the girls and men out; I said, "Who are you;" he said, "I am the captain;" I said, "Have you a warrant;" he said, "Yes;" I said, "Show it to me;" he said, "I have got it in my pocket;" that is all right; I didn't see what warrant it was or not.

Q. That is long after these Devery troubles? A. Yes, sir.

Q. Now, let us go back to that story; Dr. Parkhurst served one notice, and then there were the denials that you testified about; some two months after that, didn't Dr. Parkhurst serve a second demand upon the police officials, the captain, the superintendent, the commissioners and all, that these 50 houses, including your own, should be closed? A. Yes.

Q. Saying that they were open houses; and wasn't that complaint by Dr. Parkhurst met with the same denial by the police officials? A. I only know what I read in the paper.

Q. Of course, it was a matter of public notoriety; you read the replies in the newspapers? A. Yes, sir.

Q. Now, was your house open during those two months? A. Yes, sir.

Q. Were the police officers coming there during those two months? A. They came there for money.

Q. You paid them money during those two months? A. I did; I paid the \$5 and \$10, so that they didn't give me away on the captain.

Q. Within two weeks after that second complaint, did Dr. Parkhurst, the agent of the Society for the Prevention of Crime, appear in the Essex Market Court and take out five warrants against keepers of houses of ill-fame in your district?

Mr. Ransom.—Mr. Moss has been steadily testifying now in this way for 10 minutes.

The Chairman.—I think it is a little leading.

Mr. Moss.—They were all together. They were all interested in this riot when they mobbed the agents. I do not expect him to admit that, though.

Q. You know there were five cases there made by agents of the Society for the Prevention of Crime, don't you? A. Yes.

Q. You know the names of the people that were arrested, don't you? A. Yes; three.

Q. Who were the three that you knew? A. Mrs. Schubert, Mrs. Werner, and Mrs. Butler.

Q. Now, those five arrests, coming after the demands of Dr. Parkhurst's society, and the denials by the police officials, are they the things that you spoke of as Dr. Parkhurst's movements that caused this excitement among the keepers of houses of ill-fame in the eleventh district? A. Sure; they wanted to get satisfaction, I guess, and not spoil the business.

The Chairman.—He means the mob wanted to get satisfaction, because the business was being spoiled.

Q. Do you know whether a house of ill-fame was opened in the district by a man named Levy? A. I have heard about that; that was in 32 Stanton street.

Q. What was Levy's full name? A. I don't know; he was wardman; that is the man I gave money to.

Q. Do you mean to say that wardman, policeman Levy, opened a house at 32 Stanton street? A. Well, him and Whittaker, the man who owns the house, together; I guess that man is the landlord, and he couldn't keep no house open.

Q. When was that? A. That was about two months ago, or a month and a half, six weeks.

Q. Is that house running now, do you know? A. It is an ice-cream parlor; it says on the windows.

Q. It is running under the guise of an ice-cream parlor? A. Yes, sir.

Q. Do you know of any other ice-cream parlors, which are really houses of prostitution or disorderly houses, in that district to-day? A. Well, I don't know.

Q. Do you know of one on Forsythe street? A. I know one on Chrystie street.

Q. Supposed to be an ice-cream establishment? A. That is supposed to be a restaurant.

Q. Where do you live now? A. One hundred and sixty Second street.

Q. Where have you been living recently? A. Fifteen Second street.

Q. Were you living in the house No. 15 Second street when Mrs. Miller was arrested recently? A. Yes, sir.

By Senator O'Connor:

Q. Did you give up this business? A. Yes, sir.

Q. You have given it up? A. Yes, sir.

By Mr. Moss:

Q. Do you know who kept No. 51 Eldridge street? A. Bergen, I guess, is her name.

Q. Was it Schlessinger? A. I don't know for sure.

Q. Do you know Mr. Schlessinger? A. No.

Cross-examination by Mr. Ransom:

Q. How old are you? A. Thirty-four years.

Q. How long have you lived in New York? A. Since 1883.

Q. What countrymen are you? A. German.

Q. Did you come from Germany here in 1883? A. No; I was a sailor; I came here from Brazil.

Q. Have you a family? A. No.

Q. When did you commence keeping a house of prostitution? A. Last year, on the 1st of February.

Q. Was that the first time you have been engaged in that business in your life? A. Yes, sir.

Q. How long did you keep the house? A. Until the 13th of January, when I was arrested.

Q. Did you ever see Captain Devery, except the one time when you say he went by your house and the girls tried to get him to come in? A. I never saw him, except that time when I went to the station-house.

Q. Did you see him at the station-house after that? A. I have seen him, but not spoken to him.

Q. You went down to the station-house, and you have already told us what he said to you at that time? A. Yes, sir.

Q. He called you a vile name? A. Yes, sir.

Q. And said he would do something to you; what was it? A. He was going to throw me out by the neck.

Q. Did you ever pay Captain Devery any money yourself? A. Not him.

Q. All the money that you ever paid was paid to Glennon? A. Glennon and others.

Q. You are sure about that? A. Sure.

Q. Was anybody present at any time when you paid Glennon money? A. No; he used to take me in the captain's room or in the sergeant's room.

Q. You and Glennon were alone always, when you paid it? A. Yes, sir.

Q. How much did you pay him altogether? A. I paid him \$500, and then in the first two months or three months, \$40 a month; then, the other months, \$50 each, and besides I gave him a couple of times \$10, when he told me something.

Q. Who was this man, Wissig, that you speak of? A. Well, he is an ex-Assemblyman.

Q. What? A. He has been an Assemblyman.

Q. When? A. Years ago; he ran for Senator two years ago, or three years ago.

Q. Do you know where he lives now? A. Yes.

Q. Where? A. He lives in Eldridge street, but he has one saloon corner of Grand and Forsythe street; a wine saloon; and he has another beer saloon place, corner of Stanton and Allen.

Q. What is his full name? A. Philip Wissig.

Q. Did you say that you paid money to Wissig? A. Yes; I paid him.

Q. Gave Wissig money? A. I had to pay him \$70 rent.

Q. You paid him rent? A. Yes; he has done me favors, you know; got women out when they were arrested.

Q. When any of your women were arrested, Wissig would get them out? A. Yes, sir.

Q. You paid him for that? A. Yes, sir.

Q. I understood you to say that you had paid several policemen \$5 and \$10 at a time? A. Yes.

Q. Can you mention the name of any one of these policemen ?

A. There is Foley.

Q. Foley ? A. Yes.

Q. What is his full name ? A. I don't know, sir.

Q. Is he an officer now ? A. Yes, sir; he is an officer.

Q. Do you know what precinct ? A. In the Eleventh.

Q. How long has he been a policeman ? A. I don't know.

Q. Tell me when you ever paid him any money ? A. I paid him three or four times.

Q. When ? A. He came up one night after Dr. Parkhurst had made that row, and the girls I had told him not to go down.

Q. You are wandering a little; I only want to know when it was ? A. I can not tell you exactly the date, but I will tell you the month; in January.

Q. January of this year ? A. Yes; he went up and brought an officer with him, and he says, "You stay here" —

Q. I don't care just at this moment for anything but an answer to my question; I wanted to fix the date; you think it was in January of this year ? A. Yes; January I paid him \$10, a New Year's gift, and in December I paid him \$10 for another fellow who was with him.

Q. In December you paid him \$10; where was it ? A. On the corner of Allen street, where I lived.

Q. Nobody with him ? A. His partner was with him.

Q. What was his partner's name ? A. I think Snyder was his partner at that time.

Q. Is he a policeman now ? A. Yes; but I am not sure if that man is Snyder.

Q. You think it was Snyder ? A. Yes.

Q. The same man is a policeman now ? A. Yes, sir.

Q. In that Eleventh precinct ? A. Yes, sir.

Q. He was Foley's partner ? A. Yes, sir.

Q. In January you gave Foley \$10 ? A. Yes; for New Year's.

Q. Where was it you gave it to him ? A. On the corner where I lived.

Q. Eldridge street ? A. Allen street.

Q. Do you mean that it was in your house ? A. No; outside of my house.

Q. Did you meet him by accident ? A. No.

Q. Did you expect him ? A. He told the girls that were traveling on the street then to go and tell Hoffman to come down; he expected me on Saturday to meet him in a saloon, but I had no time or I forgot.

Q. You went down and met him on the street and paid him \$10 ? A. Yes, sir.

Q. In what kind of money ? A. Two \$5 bills.

- Q. Sure of that? A. Yes, sir; I always gave him his money.
- Q. In \$5 bills? A. Yes, sir.
- Q. Was there anybody present? A. His partner.
- Q. Nobody was there but you and Foley? A. Me and him went up and had a drink.
- Q. Was there anybody but you and Foley there? A. That was all.
- Q. Have you ever paid anybody any money since? A. Since then; no.
- Q. What other policeman did you pay money to? A. Rosenberger.
- Q. Do you remember his first name? A. I do not.
- Q. Where is he now? A. In the Eleventh precinct.
- Q. The same precinct? A. Yes, sir.
- Q. Have you known him long? A. I know him since last year in November; he used to come around.
- Q. How many time did you pay him money? A. I paid him about 10 times.
- Q. How much? A. Two dollars and \$3, and even one New Year's I gave him and his partner each \$5 and I even went by and paid him the money for my neighbor next door; because he was too cowardly to go out himself; so he sent me with the money.
- Q. You were not afraid of him? A. No; why?
- Q. Who was Rosenberger's partner? A. Abramvitch, or some name; I can not tell.
- Q. Is that man a member of the police force now? A. Yes, sir.
- Q. Over in that precinct? A. Yes, sir.
- Q. Was anybody present when you paid Rosenberger the money? A. They both were there.
- Q. Did the other man, the partner of Rosenberger, see you give Rosenberger the money? A. Well, I saw Rosenberger hand him the half of it.
- Q. Then he must have seen him get it; you are sure of that? A. That was in the saloon.
- Q. Fix the time? A. That was 9 o'clock in the evening.
- Q. What month? A. That was the 2d of January, the day after New Year's.
- Q. This year? A. This year.
- Q. You remember that perfectly, do you? A. Yes, sir.
- Q. Can you remember the other times when you paid Rosenberger any money? A. Well, you know he came around regular for \$2 and \$3; sometimes I gave it to him; sometimes I gave it to the other.
- Q. Did he come alone or come with his partner? A. They always were together.

- Q. You gave it first to one and then to the other? A. Yes, sir.
- Q. You never gave it to both of them? A. No, sir; only to one.
- Q. What business are you in now? A. At present I do nothing.
- Q. How long have you been engaged in that business? A. Since I am out of prison.
- Q. How long have you been out of prison? A. Since the 1st of April.
- Q. You were in prison two months? A. Yes, sir.
- Q. For keeping a disorderly house? A. Yes, sir.
- Q. Were you defended on the trial? A. I was defended; I was not asked a question.
- Q. I mean, did you have a lawyer? A. I had a lawyer; yes.
- Q. Who were the witnesses against you? A. That was Hunt and Levy, and Captain Cortright.
- Q. Levy was Captain Cortright's wardman? A. Yes, sir.
- Q. Is he the man that you say is now engaged in keeping a disorderly house? A. Yes, sir; I don't know if he keeps it; I can not swear to that.
- Q. I understood you to say that he did? A. No, sir.
- Q. All you know about Levy keeping a house is what you heard? A. Yes, sir; that is what they say.
- Q. All you know about Whittaker is what you heard? A. Whittaker keeps the place there, sure.
- Q. You have been in there? A. I have been in there and had a cup of coffee.
- Q. Recently? A. Yes, sir; it is open every day.
- Q. Tell me why you know it is a disorderly house? A. Well, there is only disorderly people hanging out there.
- Q. Do you mean disorderly men or women? A. Disorderly women and men, gamblers.
- Q. These are people that you believed were disorderly, women and men, gamblers? A. Yes, sir.
- Q. You don't know whether they were or not? A. Yes, sir; because I met them on the street, and they told me they could go in with me there.
- Q. Women have told you that? A. Yes, sir.
- Q. That is the reason that you say it is a disorderly house? A. Sure.
- Q. Now, about the ice cream part of it; you say they keep an ice-cream place there? A. So the sign says.
- Q. That is all the ice cream they had; that is, on the signs? A. I guess so.
- Q. Were you ever arrested before this one time that you speak of? A. Sure.
- Q. What? A. Yes; I have been.

- Q. What for? A. For fighting.
- Q. Anything else? A. No.
- Q. Never arrested for stealing? A. Yes; innocent.
- Q. In this city? A. In this city.
- Q. More than once? A. Once.
- Q. Were you convicted? A. Yes.
- Q. How much time did you serve? A. Four years and 10 months in State prison.
- Q. What was your sentence? A. Burglary.
- Q. Were you defended? A. Yes.
- Q. Had a lawyer? A. Yes.
- Q. And he succeeded in getting you convicted? A. Well, you know the—
- Q. Never mind; you were convicted; how long were you sentenced for? A. I was not convicted; I pleaded guilty, because I couldn't get out of it.
- Mr. Ransom.—I do not think that I wish to ask any more.

By Mr. Moss:

- Q. Did you say that some of the women in Detective Levy's house had been inmates of your house? A. Yes, sir.
- Q. Then you knew they were prostitutes? A. Yes.
- Q. The lawyer that defended you when you got the two months, I understand, was Nathan S. Levy? A. Yes, sir.
- Q. The same man that had taken \$215 from you to fix up the detectives? A. Yes, sir.

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

By Mr. Moss:

- Q. You are now living in the Tombs? A. Yes, sir.
- Q. Before you went there, you lived at No. 15 Second street? A. Yes, sir.
- Q. When did you move into 15 Second street? A. In January.
- Q. Last January? A. Yes; the middle.
- Q. What kind of a house did you keep there? A. A furnished room house.
- Q. Were there any disreputable women in the house? A. No.
- Q. What kind of women were in the house? A. All workmen who lived there.
- Q. Gentlemen? A. Yes.
- Q. Some men and some women? A. Not single women; man and wife together, and the rest were men.

Q. Did you have a visit from a police officer? A. No.

Q. When was the first time that you saw a police officer at your house? A. That night when I got arrested.

Q. When was that? A. The 31st of last March.

Q. Who called on you? A. Cohen and Schindler; those are the only two officers I know; the rest I don't know.

Q. Are they connected with the police station at Fifth street? A. Yes, sir.

Q. Tell us what happened? A. I was arrested on the 31st of March; I was alone; me and Mrs. Vandever; Mr. Vandever was not at home; Mr. Schuman, Mr. Gilbert, an old man 70 years of age.

Q. Was Schuman and Gilbert regular boarders in your house, lodgers? A. No; furnished rooms.

Q. They had furnished rooms in your house? A. Yes, sir.

Q. Tell all about the rest? A. I was sleeping on the lounge; it was about 11 o'clock; the bell rang; I even didn't hear it; so Mr. Schuman come and woke me up; he says, "The house is full of officers;" the same time that they woke me up the officers came downstairs, and says, "There is only one man in the whole house, and that man is sleeping;" so Officer Schindler says, "Go around to 27 Second avenue; they sent all the officers away; so they took Mr. Gilbert out and Mr. Schuman, and then they took me in Mrs. Vandever's; we came to Fifth Street station-house, and Captain Cross asked Mr. Gilbert if he lived in that house; he said, "yes;" he said, "Did you know that it was a disorderly house?" he said, "No; I didn't know nothing about it;" he said, "All right, go home;" so he sent him home; me and Mrs. Vandever and Mr. Schuman were all locked up for the night; I begged Captain Cross to send Mr. Schuman home; I said, "The rest of the people aint home; I have so many strange people living in the house; send him home;" he said, "I will not."

Q. You went to Essex Market court in the morning? A. Yes, sir.

Q. What happened? A. Me and Mrs. Vandever, we got called upstairs; first we were in the basement; then I sent for —

Q. Nathan S. Levy? A. Yes; I knew him when I was a servant girl in that same house; so I sent the officer there, and he came and he called me, and the two officers, Schindler and Cohen, were standing where the man is writing in the court; so he talked to them first, and then he came over to me; he said, "Will you give each \$10?" I said, "Yes; why not?" so the two came over; he called them over; Levy said, "Will you take each \$10?" that they would do all right; he said, "Yes, sir;" and they were satisfied; and I gave \$20 in Levy's hands, and Levy gave it to them two.

Q. Now, you saw the money paid to Cohen and Schindler? A. Yes, sir.

Q. Ten dollars a piece? A. Yes, sir.

Q. Those were the officers that had you arrested? A. Yes, sir.

Q. You say that Mr. Levy said that would make it easy for you? A. That would make it easy, and we would get out.

By the Chairman:

Q. Get free? A. That we would get free, and to get discharged, and two got discharged, and I was held in \$500 bail.

By Mr. Moss:

Q. Did you get bail? A. Yes.

Q. Who went bail for him? A. I don't know the man; Mr. Levy got him for me.

Q. Did you give Mr. Levy any more money for that purpose? A. Thirty-five dollars for bail.

Q. You don't know who the man was? A. No.

Q. Did you see him? A. Yes, sir.

Q. Did he sign the bond in the court? A. Yes, sir.

Q. Have you seen him since? A. No, sir.

Q. After that? A. After that; I got called on Monday; I was awful sick, and Levy called for me; Mr. Hoffman came the same day to my house, and I told him how things happened, and I said that he should go down to Levy and tell him that I was sick, and I couldn't come; and he came Saturday and said that the two officers were in his house, and wanted more money; I said, "I can not give no more money."

Q. Was any sum mentioned? A. No; he didn't say how much.

Q. He said they wanted more money? A. Yes.

Q. Were you able to pay, and did you pay any money then? A. No; I wouldn't give it to them; I said I had no money.

Q. Shortly after that you came up for trial, didn't you? A. Yes.

Q. What happened at the trial? A. Then I got fined \$100; I had five witnesses that I had a decent house.

Q. Were those witnesses examined? A. Yes; they all were asked.

Q. What did Cohen and Schindler testify to; did you hear them? A. I don't know what they said; the officer on beat was asked if he knew anything about it; he said no, he didn't know nothing about the house; he was watching the house, but didn't know nothing about it.

Q. The officer on beat said he knew nothing against the house?

A. Knew nothing about the house; as far as he knew it was a decent house.

Q. The result of that was that you were fined \$100? A. Yes, sir.

Q. What occurred then? A. Then I had rest until the 1st of May.

By the Chairman:

Q. Who testified against you? A. Schindler and Cohen at the time.

Q. Did you hear them testify against you? A. Yes, sir.

Q. They said you kept a bad house? A. That I kept a bad house.

By Mr. Moss:

Q. You were tried in the Special Sessions? A. Yes, sir.

By the Chairman:

Q. Was this testimony of Cohen and Schindler given after you had paid them the \$10 apiece? A. Yes, sir.

Q. How long after? A. I got tried; my trial was coming off on the 14th or the 15th; I am not sure what date it was.

Q. What month? A. April.

Q. The 14th or 15th of April? A. Yes, sir.

By Mr. Moss:

Q. It was also after you had refused to pay any more money? A. Yes, sir; then I got fined \$100.

By the Chairman:

Q. How much more money had they demanded? A. They didn't say how much they wanted.

Q. They didn't make any direct demand on you at all, did they? A. No.

Q. Levy made the demand, or said that if you paid more money you could get off? A. Yes; he said that the officers were there, and wanted more money; I said that I couldn't give it to them; that I didn't have it.

By Mr. Moss:

Q. Did you see Officer Schindler again? A. I saw him after the 1st of May.

Q. What did Schindler say to you? A. I had a rest for two weeks; nobody troubled me; nobody came in the house,

only policemen asked for furnished rooms; after the first of May I had my rent paid, and one night the bell rang, and Mr. Hoffman opened the door, and the boy asked that a party wanted to see me; he didn't say who wanted to see me.

Q. You went out? A. Yes, sir.

Q. Who was it? A. Schindler.

Q. You saw Schindler on the street? A. Yes, sir.

Q. What did he say? A. He said, "What are you going to do?" I said I wanted to stay; he said, when I didn't pay no money I couldn't stay there.

Q. Did you talk about the character of your house? A. No; I said I wouldn't pay no money; I have a decent furnished room house, and I don't want to pay no money.

Q. Then you refused to meet his demands? A. Yes, sir.

Q. What occurred then? A. Then they didn't do nothing to me, and on the 19th of May I was arrested again.

Q. That was about two weeks after? A. About two weeks after.

Q. What was the charge against you that time?

Senator Saxton.—Do I understand that she paid the first time?

The Witness.—Yes, sir.

Mr. Moss.—Then Schindler saw her and demanded she should fix things, and she was arrested again on the 19th of May.

Witness.—When I came home they told me that I should go out on the 1st of June, and I was willing to go out on the 1st of June.

Q. Who told you to go out on the 1st of June? A. All my friends; they said I should get out, or they would arrest me again; they didn't wait until the 1st of June, and so I got arrested on the 19th of May.

Q. Charged with what? A. Busch said that he went with myself.

Q. Who is Busch? A. He was an officer on the beat.

Q. Was that true? A. No, sir; I had three doctors; I am awfully sick since eight months.

Q. You mean to say that such a thing is physically impossible? A. It is not possible; I have Dr. Fischer, 87 Second avenue, near Second street, and I have two professors in the dispensary.

Q. They say such a thing as that is not possible? A. It is not possible.

Q. But he swore to it? A. He swore to it.

Q. Any other policemen? A. I don't know what he said, I couldn't hear that.

Q. You were arrested by Busch, were you not? A. No.

Q. Who arrested you? A. I don't know the officer at all; I don't know the name either.

Q. You have been held upon that charge? A. Yes, sir.

Q. What were you charged with; were you charged with keeping a house of ill-fame, or what? A. I don't know what they said.

Q. You don't know what the charge was against you? A. No, I don't.

Q. You are held to bail? A. In \$500.

Q. But you can not furnish that bail? A. No.

By the Chairman:

Q. Have you had any trial? A. Yes; yesterday, three weeks ago, I went to the Tombs, and saw my lawyer; he put it down town to the grand jury.

By Mr. Moss:

Q. You mean to say that you went to the Special Sessions three weeks ago and your lawyer has transferred your place to the General Sessions? A. Yes, sir.

Q. How long have you been in the Tombs? A. I am in three weeks Monday, in the Tombs.

Q. What lawyer is representing you now? A. I can not tell the name; I always forget his name. (Witness handed a card to the chairman, bearing the inscription, "Lauren & Andrews, 25 Chambers street.")

Cross-examination by Mr. Nicoll:

Q. Where did you live? A. Fifteen Second street.

Q. Before you went to live at 15 Second street? A. One hundred and sixty-seven Allen street.

Q. What is that house? A. A tenement house.

Q. Were you living there alone? A. Yes.

Q. Have you never kept a house of prostitution in this city? A. No, sir; I never have.

Q. What was your occupation when you were living in Allen street? A. I am always working; and my work is washing and ironing, and I was living before that by Mrs. Gross, a midwife; she gave me people to take care of, sick women, and before that I was a servant girl, always.

Q. And 15 Second street, when did you go there? A. In January, I rented the house; it was the 14th or 15th.

Q. What rent did you pay? A. Seventy dollars.

Q. A month? A. Yes, sir.

Q. Did you rent your rooms to whoever applied? A. Man and wife, and gentlemen.

Q. You didn't ask any reference from your lodgers, did you?

A. No.

Q. Any man could go in there with his wife, for the time being, and have a room, couldn't he? A. No.

Q. He couldn't? A. No.

Q. Would you require a marriage certificate to be produced?

A. No; I did not.

Q. When you let your rooms, you let your rooms to couples?

A. Couples, by the week.

Q. By the week? A. Yes, sir.

Q. And by the night? A. No, sir.

Q. Never by the night? A. No, sir; never.

Q. How much a week? A. The highest I got was \$3.50 a week for a room.

Q. What was the lowest? A. One dollar.

Q. A dollar a week? A. Yes, sir.

Q. How many couples paying a dollar a week had you in your house? A. Well, that was gentleman what paid \$1.

By the Chairman:

Q. Alone? A. When they were alone, man and wife, \$2 was the lowest on the top floor; and down stairs, \$3.50 and \$3 a week.

By Mr. Nicoll:

Q. How many couples does your house contain? A. There were four couples living in it at the time when I got arrested.

Q. How many men? A. There were two men, two single men.

Q. Didn't you have any girls in the house? A. No, sir; I never had.

Q. None? A. No.

Q. Were not women in the habit of coming to the house in the evening? A. No, sir.

Q. And bringing men there? A. No, sir.

Q. And paying you \$1 or \$2 for a room? A. No, sir.

Q. Didn't you know that citizens made complaints against you for doing that? A. No, sir; they never did.

Q. Don't you know that people in the neighborhood complained against your house?

Mr. Moss.—Unless Mr. Nicoll can show that that is true, it is an unfair question, is it not? I happen to know something about the locality and I don't think it is true.

Q. Don't you know that citizens in the neighborhood complained against your house? A. No; they can not; they never could.

By the Chairman:

Q. They didn't either, did they? A. No, sir.

Q. I mean, so far as you know, did anybody ever say that your house was a bad house? A. No; they never did; even that man that has the plumber shop down stairs was a tenant from me, went up and spoke for me.

By Mr. Nicoll:

Q. You had a lawyer at the Special Sessions? A. Yes, sir.

Q. You had a trial? A. Yes, sir.

Q. Before three judges? A. Yes, sir.

Q. After the three judges had held the case against you, did you testify there yourself; did you give evidence there?

The Chairman.—But you swore, as you have been sworn here; on that trial were you sworn and did you testify?

By Mr. Bradley:

Q. The same as you are doing now; did you do that at Special Sessions before the three judges? A. Yes, sir.

By the Chairman:

Q. Did they put you in the chair? A. Yes, sir.

Q. And you kissed the Bible and said what you wanted to say?
A. Yes, sir.

By Mr. Nicoll:

Q. And you had your trial and the three judges found you guilty of keeping a disorderly house? A. Yes, sir.

Q. And fined you \$100? A. Yes, sir.

Q. And now you are in the Tombs, charged with keeping a disorderly house again? A. Yes, sir.

Q. Did you write a letter to the Lexow committee, or to Mr. Moss, telling them that you were willing to testify here? A. No, sir; I never wrote a letter.

Q. Did you send anybody? A. No, sir; not so far as I know; I can not write no English or read no English.

Q. Don't you know how they knew your story? A. The lawyer must have told them that, I suppose.

Q. A lawyer? A. Yes.

Q. Levy? A. No; the lawyer I got now.

Q. Are you testifying under any agreement that you shall be relieved from prosecution? A. I understand that.

By the Chairman :

Q. Has anybody promised that in case you testify here you would not be punished? A. No, sir; nobody said that at all.

Q. Nothing like it? A. No; I never heard it, either.

The Chairman.—The witnesses subpoenaed for to-day will present themselves to-morrow morning at half-past 10 o'clock, without further subpoena.

The committee now stands adjourned until half-past 10 o'clock to-morrow morning.

Proceedings of the twenty-sixth 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, in the County Court house, in the city of New York, Thursday, June 14, 1894, at 10.30 a. m.:

Present.—Senators Clarence Lexow, Edmund O'Connor, David Bradley, Charles T. Saxton, Jacob A. Cantor; Mr. Goff, Mr. Jerome and Mr. Moss for the committee; Mr. Ransom for the police board.

Chairman Lexow.—Will you call your witness, Mr. Goff?

Mr. Goff.—Yes; in one moment; Miss Harvey, if you please.

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

Direct examination by Mr. Goff:

Chairman Lexow.—I will say that no testimony given by you upon the question of bribery or corruption, the giving of money to police or otherwise, can be used against you in any other proceeding; but that upon the contrary the testimony that you give here, if you do give it upon that question, will be an absolute bar against any proceeding being brought against you criminally or otherwise; all you have to do here is to tell the truth; and if you do tell the truth on those subjects you are protected.

Q. Now you have heard what the chairman of the Senate committee has told you, and you understand it; do you not? A. Yes.

Q. And as the chairman has informed you, you have nothing to fear from anything you may testify here; you understand that? A. Yes, sir.

Q. Where do you reside? A. One hundred and forty-four West Twenty-fourth street.

Q. And your full name, please? A. Maud Harvey.

Q. How long have you resided at 144 West Twenty-fourth street? A. Ten years in November.

Q. Ten years last November? A. November coming.

Q. I believe you own the house you reside in? A. Yes, sir.

Q. And that house is situated in that delightful spot of our city called "The Tenderloin," is it not? A. I believe they call it that.

Q. Tenderloin precinct? A. Yes, sir.

Q. Now, you have kept the house on a furnished-room house? A. Yes, sir; furnished-room house.

Q. Some people call that a bed-house; isn't it so? A. Yes, sir.

Q. You have not kept girls of your own, Miss Harvey? A. Sir?

Q. You have not kept girls of your own? A. No, sir.

Q. You kept those rooms to let out to ladies and gentlemen when they called there? A. Yes, sir.

Q. And you have conducted that house for the past 10 years? A. Yes, sir.

Q. Attended to all the business affairs yourself? A. Yes, sir.

Q. You tried to keep it as orderly and quiet as possible? A. Yes, sir.

Q. You never had any trouble in your house, had you? A. Yes, sir.

Q. Had you? A. Two years ago.

Q. What was the trouble? A. Two or two years and a half ago when they raided me, that is all.

Q. You were raided two years and a half ago? A. Yes.

Q. And that was the first trouble you had? A. Yes, sir.

Q. I mean you had no disorder or fights, or quarrels, or anything of that kind or loud noises? A. No, sir.

Q. You kept your house as quiet as possible? A. Yes, sir.

Q. And you did not permit any disorderly person, drunken person of either sex to go into your house? A. No, sir.

Q. Who raided you? A. McLaughlin.

Q. That is Inspector McLaughlin now? A. Yes, sir.

Q. He was then captain of the Tenderloin? A. Yes, sir.

Q. Before—we'll go back a little, Miss Harvey—before McLaughlin raided you, was you there, when Inspector Williams was captain of that precinct? A. Yes, sir.

Q. Do you remember him; do you know Captain Williams? A. No, sir.

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

Q. Did any of the police officials ever visit your house at the time Captain Williams was there in that precinct? A. No, sir.

Q. Do you know Officer Price? A. No, sir.

Q. How many years did you continue in business in that precinct before you were raided? A. Well, take two years and a half from it.

Q. Seven and a half years? A. Yes.

Q. Now, during the seven and a half years that you were there, how many captains were in the precinct, before you were raided? A. I could not tell you that.

By Chairman Lexow:

Q. Can you approximate? A. I don't know what you mean.

Q. About the number? A. No, sir.

Q. Three or four, or five or six, about? A. No.

By Mr. Goff:

Q. Do you know what captain went there after Captain Williams? A. That was the one — McLaughlin?

Q. Was it Captain Reilly? A. I could not tell you that.

Q. Well, it is all right, Miss Harvey; now, up to the time you were raided had you ever to pay any money to any person? A. No one; only the Sisters of Charity come there once a month.

Q. Those are the only persons you ever paid money to? A. Yes.

Q. Policemen never visited your house? A. No, sir.

Q. Police officials never visited your house? A. Only at the time of the raiding.

Q. Did you pay any money then? A. No, sir.

Q. So that you have conducted that house for 10 years in the Tenderloin precinct, and never had to pay police officials a dollar; is that true? A. The truth; yes, sir.

Q. What; is that true? A. At the time I got arrested, you say?

Q. Any time? A. I never gave up a cent there.

Q. You never paid a dollar? A. No, sir.

Q. When you got arrested, then did you have to give up any money? A. No, sir.

Q. So now you tell the Senate committee, Miss Harvey, that you never had to pay a dollar to any person on account of police protection, is that true? A. Yes, sir.

Q. Did you ever say to any person that you had to pay? A. No, sir.

Q. Did you ever talk with any person about having had to pay money? A. No, sir.

Q. And you are thoroughly innocent of anything called police protection, are you? A. Yes, sir.

Q. You let out your rooms now? A. No, sir.

Q. You have shut down, have you? A. Yes, sir.

Q. When did you shut down? A. At the time of all the talk in the paper.

Q. What? A. At the time all the talk was in the paper.

Q. At the time of the appointment of this Senatorial committee? A. Yes.

Q. What caused you to shut down then? A. Because I retired from the business.

Q. Was it on account of the Senate committee you retired from the business? A. I intended to go out of it anyhow.

Q. Why did you retire? A. Because I did not want to get in any trouble; I knew you would bring me up here, I suppose.

Q. You knew you could not get into any trouble because you had no relations with the police; isn't that so? A. I do not know what you people can do.

Q. But since you have had no transaction with the police you could not get into any trouble about it, could you? A. I simply retired from the business, that is all.

Q. What made you retire when the Senate committee went into this investigation? A. Reading so much in the paper.

Q. Your name was not mentioned? A. There was other places; all shut up together?

Q. What other places were shut up together? A. Lots of places; I read it in the papers, were closed up.

Q. Don't you know of any place around there? A. No, sir.

Q. Don't you know any house at all? A. What?'

By Chairman Lexow:

Q. Miss Harvey, do you mean to be understood as saying that the mere appointment of this Senate committee had more terrors for you than the 3,800 policemen in the city of New York? A. I don't understand what you mean.

Q. Do you mean to say that you became more alarmed by the mere appointment of this Senate committee than you were alarmed with reference to the entire police department of the city of New York? A. For the simple reason of having the trouble before I closed up.

Q. But you had gone for two years after you were closed up for the first time by the police; and do you mean to say that the mere fact that this Senate committee was appointed caused you to close up, and the whole police department of this city could not compel you to close up? A. I closed it on account of the talk in the paper.

Q. Can't you answer a simple question; did the police department of this city have no terrors for you at all? A. No.

Q. None at all; you were not afraid of the police department of the city of New York at all? A. Of course, I was.

Q. If you were afraid of the police department, why was it that the mere appointment of this committee closed your house, and the police department of the city could not close it up?

A. I don't know.

Q. Did you have any conferences or conversations with any of the police in your district? A. No, sir.

Q. Don't you know any of them? A. No, sir; only Captain McLaughlin at the time he raided me.

Q. Did you know him personally? A. Just the night I was arrested.

Q. What was the result of that raid? A. I was discharged in the morning.

Q. In the morning? A. Yes.

Q. Did you give bail? A. Yes; I can not tell you who went my bail.

Q. Before what judge were you brought? A. Judge Brady.

Q. What police court is that? A. Jefferson Market.

Q. And he put you under bonds? A. Yes, sir.

Q. Who gave your bond? A. I could not tell you that.

Q. Did you pay for it? A. No, sir.

Q. Didn't you pay a dollar there in the police station? A. No, sir.

Q. Were you fined? A. No, sir.

Q. Was anything done afterward? A. No, sir.

Q. Nothing but the simple bond given? A. Yes, sir.

By Mr. Goff:

Q. Who gave your bonds here?

By Senator O'Connor:

Q. Right in this connection, you went right back conducting your business as you did do after giving the bond? A. Yes.

By Chairman Lexow:

Q. And did not stop it until the committee was appointed? A. No, sir.

Q. During all this time was any other raid attempted on your house? A. No, sir.

Q. So the fact was you were under bonds, that no trial was had, that the police had visited your house and arrested you, that you immediately returned, reopened the house, and the police did not do anything until two years after — until this Senate committee was appointed; is that the fact? A. Yes, sir.

By Senator O'Connor:

Q. Of course, the police knew you were keeping that house?

A. Yes.

By Senator Bradley:

Q. What did they put you under bonds for? A. To appear at the station-house in the morning.

By Chairman Lexow:

Q. To appear in Special Sessions? A. No, sir; down at the Jefferson Market.

Q. You went there in the morning and gave bonds there?
A. Yes, sir.

Q. That was to appear at Special Sessions? A. I don't know, sir.

Q. Did you have a lawyer? A. Yes, sir.

Q. Who was he? A. I couldn't tell you that.

By Mr. Goff:

Q. Who got you the lawyer? A. A friend of mine.

Q. Who was the friend?

By Senator Bradley:

Q. I suppose you don't know his name, either?

By Mr. Goff:

Q. Yes, she does? A. I decline to answer that.

Q. Was your friend connected with the police department?
A. No, sir.

Q. Let us see; you are not a bad woman yourself, are you?

Mr. Ransom.—Mr. Chairman—

Senator O'Connor.—Mr. Goff ought to have a pretty free hand with this witness. Don't interrupt or interfere until he gets through with the examination.

Mr. Ransom.—This is not fair.

Senator O'Connor.—Yes, it is.

By Mr. Goff:

Q. You are not a bad woman, yourself? A. No, sir.

Mr. Ransom.—He should appeal to her conscience at a respectable distance. The counsel for the police should have opportunity to hear the witness.

Senator Bradley.—I will protect her from the counsel.

Mr. Ransom.—I am glad to hear that. I will sit down.

Q. You would not deliberately perjure yourself? A. No, sir.

Q. You know you have got a conscience, haven't you? A. Yes.

Q. You know an oath has a binding effect upon the conscience? A. Yes, sir.

Q. I want you to look at this Bible; do you know the difference between the various Bibles? A. Yes, sir.

Mr. Ransom.—What is the question?

Mr. Goff.—What is the difference between different Bibles?

Mr. Ransom.—I think, Mr. Goff, the witness can hear you without getting so near to her. I appreciate the fact of your showing the book, I appreciate that, but want to hear the question.

Mr. Goff.—I will try to talk louder, Judge.

Q. You know there are such things as the old Bible, and the new revision; do you know that? A. Yes, sir.

Q. Well, do you make any distinction of taking an oath upon the old Bible or the new revision? A. I take an oath to the truth, and nothing but the truth.

Q. Do you make any distinction between the taking of an oath on the old Bible or the new revision? A. No, sir.

Q. It is the same to you? A. Yes.

Q. Do you make any distinction between taking an oath on a Protestant Bible and a Catholic Bible? A. I don't know what you mean; a Protestant Bible, I have no faith in it; I won't take an oath to any lie.

Mr. Ransom.—She has no faith in a Protestant Bible?

Mr. Goff.—Yes.

Q. You have faith in the Catholic Bible? A. Yes.

Q. Will you look at that and state whether it is a Catholic or Protestant Bible? A. I can tell when it has a cross.

Q. That is a Catholic Bible? A. Yes.

Q. Do you think an oath on a Catholic Bible binds your conscience? A. Yes, sir.

Q. And you have sworn on your Catholic Bible to tell the truth? A. Yes.

Q. And is all that you have said in answer to the questions I have put to you the truth? A. Yes.

Q. Every word? A. Yes, sir.

Q. Do you remember saying to any person—asking on what kind of Bible you were to be sworn in court? A. Yes, sir.

Q. Do you remember saying that you did not give shucks for a Protestant Bible? A. Yes, sir.

Q. Now, look at that again, and see if it is the Catholic Bible? A. Yes, sir.

Q. That is a Catholic Bible? A. Yes.

Mr. Goff.—Senator O'Connor, are you an authority? (**Handing Bible to the Senator.**)

Senator O'Connor.—I can tell whether it is a Catholic Bible or not.

Mr. Ransom.—Whether it is or not; she says it is.

Senator O'Connor.—This is not a Catholic Bible.

Mr. Ransom.—She believes it to be a Catholic Bible. I suppose that is all that is necessary.

By Mr. Goff:

Q. Didn't you ask a person what kind of a Bible you would be sworn on, and didn't that person tell you on a Protestant Bible?

A. I said to a man that came to my house last night and the night before about a Protestant Bible; I said, "I will go up there and tell the truth, no matter what kind of Bible they will put me on."

Q. Yes; but you asked about the Bible? A. I guess I did.

Q. What kind of a Bible you would be sworn on, didn't you? A. I guess I did.

Q. Now, what idea had you in your mind about the different kinds of Bibles; did you mean to let up on your conscience, according to the Bible you would be sworn on? A. No; you cross-question me here in everything, and I might say something; I don't know what I am saying, and you would turn around and say it on the Bible; I will tell the truth and nothing but the truth on the Catholic Bible.

Q. Didn't the man tell you that it was a Protestant Bible that was in use in the court here? A. I don't remember, sir.

Q. Will you swear he did not? A. Yes, sir.

Q. Didn't he tell you that it was a Protestant Bible, and didn't you say you didn't give shucks for a Protestant Bible? A. I might have said it.

Q. So you came to court this morning with the knowledge that you was going to take an oth on a Protestant Bible? A. No, sir; I did not; I came to tell the truth.

Q. Can you tell a Protestant Bible from the Catholic Bible, only from the cross on the cover? A. That is all.

Q. So, if there was a cross on the Protestant Bible, you would believe it was the Catholic Bible; is that it? A. Yes, sir.

Q. Now, since you told us, Miss Harvey, about this conversation regarding the Bible, won't you tell us the conversation that you had about Eveline Bell, for instance? A. Why, the man came to the house last night—

Q. Will you please tell us what you said about Eveline Bell? A. I said, "How is it—" the man that came to the house last

night said, "You are not the only one in it;" I said, "Why, have they got me?" I said, "I never had any connection with the police or anything;" I said, "Why, have they got me; there is others," and with that he showed me a paper like this. (Showing a paper.)

Q. A subpoena? A. Yes.

Q. Then didn't you say that one woman had skipped for Europe; now, remember? A. Yes, sir.

Q. What was her name? A. Lucy McCarthy; I said, "If I knew I was going to be mixed up in anything like this, I would not stay here."

Q. How do you know Lucy McCarthy has skipped for Europe? A. I heard she went away; I did not say skipped.

Q. Who told you? A. I don't know.

Q. Did you know Lucy McCarthy? A. Not intimately.

Q. You knew her? A. I have seen her.

Q. You knew she was recently mixed up in a case with a person of the name of Munzinger? A. Reading it in the paper.

Q. And when did you first learn that Lucy McCarthy went to Europe? A. I heard it one day upon the race-track.

Q. Who told you on the race-track? A. I couldn't tell you that, sir.

Q. A man or woman? A. A woman.

Q. Can't you tell her name? A. No, sir.

Q. Where; Morris Park? A. Yes.

Q. What name did she go by, the woman that told you? A. I couldn't tell you that.

Q. That is the meeting since Decoration Day, isn't it? A. It was on Decoration Day.

Q. It was on Decoration Day? A. Yes, sir.

Q. Didn't the person who told you tell you that Lucy McCarthy had gone to Europe on account of the Senate committee? A. No, sir.

Q. Didn't you say anything about Mrs. Schatz? A. Who?

Q. Miss Schatz. A. I don't know her.

Q. Haven't you heard the name before? A. Yes, sir.

Q. Well, Josephine Shaw? A. I don't know her; I know of her name.

Q. You know she has gone too? A. No, sir.

Q. Where is she? A. I could not tell you; I don't know the woman.

Q. Don't you know whether she is there in Twenty-fourth street or not? A. No, sir; I don't know of any woman in that street by the name of Shaw.

Q. Don't you know that Josephine Shaw keeps a house? A. There is a Shaw, uptown somewhere; but I don't know where.

Q. Is this the first time you heard her name? A. No, sir.

Q. You said to the man last night, you did not see why you should be called, while there was plenty of houses around the street; isn't that so? A. Yes.

Q. And there are plenty of houses in that street, aren't there? A. I don't know; you ought to know that, too.

Q. Well, now, Miss Harvey, you say your conscience is bound by an oath; do you think you told the truth, when you said I ought to know that? A. Well, I—I don't know.

Q. Well, don't you know you are under oath? A. You people know all about anything that is going on here in New York.

Q. Have you seen him before? A. No, sir.

Q. How do you know I know anything about the house in Twenty-fourth street? A. I don't know sir; I read in the paper.

Q. Now, Miss Harvey, you know it is under an oath, and it is not a laughing matter here? A. I know that, sir, but you don't want me to sit up and cry here, do you?

Q. I would rather see you laugh; I only don't want you to turn it into a light matter, Miss Harvey; you know, if you commit perjury here, you are liable to punishment here, don't you? A. Yes, sir.

Q. Will you swear you never said to any person, any man or woman, that you had to pay police captains for protection? A. Yes, sir.

Q. You swear that positively? A. Yes, sir.

Q. Will you swear that you did not say that you had to pay Captain Williams? A. Yes, sir.

Q. Or his wardman? A. Yes.

Q. You swear you did not say that? A. I did not.

Q. Or anyone for you? A. I did not.

Q. Your housekeeper? A. I did not.

Q. Or any person acting for you? A. I did not.

Q. Did you ever part with any money to any person for the purposes of police protection? A. I did not.

Q. Who did you see since the subpoena was served upon you last night? A. I saw a gentleman friend of mine.

Q. Who was the friend of yours? A. I don't care to tell that.

Q. Well, I think we will inquire who that friend was, after the subpoena was served upon you last night?

Mr. Ransom.— You press that question?

Mr. Goff.— Yes; I press that question.

Q. Answer who it was? A. It was a race-horse man.

By Mr. Goff:

Q. Did you talk to him about this subpoena? A. Yes, sir.

By Chairman Lexow:

Q. And about the testimony you would give here? A. I said to him, "I am in trouble; I don't know why they have got me in this place."

By Mr. Goff:

Q. Now, here is a Catholic Bible; you can read, can't you? Senator O'Connor.—Is it the Duey edition?

Mr. Goff.—Yes; I think so. You look at the imprimatur there. I ask you, Mr. Senator, to administer the oath to this witness on that Bible.

Senator Lexow.—You solemnly swear that the evidence that you shall give from now on in the investigation of the police department in the city of New York, under the Senate resolution of January 30, 1894, shall be the truth, the whole truth, and nothing but the truth, so help you God?

The Witness.—Yes.

Chairman Lexow.—Kiss the Bible. (The witness kisses the Bible.) Do you consider that a binding oath?

The Witness.—Yes, sir.

By Mr. Goff:

Q. Now, will you tell us the name of your race-horse friend with whom you talked relating to this subpoena last night? A. He is the one I went to the time I was in trouble before.

Mr. Ransom.—Do you think, Mr. Goff, you ought to press that question?

Mr. Jerome.—Yes.

Mr. Goff.—Yes.

Chairman Lexow.—If the witness has any delicacy about giving the name in public, why don't you give it in private?

Mr. Goff.—I ask you to give the name to the chairman in private.

Chairman Lexow.—I would rather you received the name.

Mr. Goff.—Will you give me the name of your friend in private?

The Witness.—Yes, sir.

Mr. Goff.—Give it to me. (The witness gives the name to Mr. Goff.)

Q. Now, Miss Harvey, this friend of yours obtained a lawyer?

A. No, sir; he did the last—

By Chairman Lexow:

Q. The first time? A. Yes; the first time.

By Mr. Goff:

Q. You were arrested more than once, weren't you? A. No, sir.

Q. When you say the last time, what do you mean? A. I mean this lockup.

Mr. Ransom.—This conversation with the friend about the subpoena was the last time she mentioned.

Mr. Goff.—Yes.

Q. This friend of yours told you last night not to tell anything on the stand, didn't he? A. No, sir; he told me to tell the truth, and nothing but the truth.

Q. Do you remember the lawyer who was in court when you were brought to Jefferson Market? A. Well, I couldn't say; I think it was Moss, or—I couldn't tell you that; I think it was Moss; I don't know.

Q. Moss? A. Moss, Moss, or Mose—Mose, if I am not mistaken.

Q. It was someone from the firm of Messrs. Howe & Hummell, wasn't it? A. Yes, sir.

Q. And this friend of yours went and obtained this lawyer for you? A. Yes, sir.

Q. Now, Miss Harvey, can you tell the truth to these Senators, whether or no you paid money to this lawyer, or any lawyer, for the purpose of fixing the matters with the police for you? A. I never paid a cent for it.

Q. Did you ever pay a cent to your friend whose name you have mentioned to me? A. I did not, sir.

Q. The race-horse man? A. Yes.

By Chairman Lexow:

Q. You mean you got your legal advice and everything free? A. I went down there when I was brought—he got me a lawyer and bondsman, and they put me under bonds the first morning, until the 15th or 20th, a month or so afterward, until the 20th, and when I was brought before the judge I was discharged; I know he did not give anything.

Q. You did not give him anything? A. No, sir.

Q. Neither for the bond nor for the advice from the lawyer? A. No, sir.

Q. Were you over night in the station-house? A. No, sir.

Q. Were you discharged without bond, at once, when you were brought before the judge? A. In the morning.

Q. You say the next morning you had to give a bond to appear 15 or 20 days later? A. I don't know who gave that bond.

Q. You don't? A. No, sir.

Q. At night, when you were brought to the station-house, there was a bond asked for you? A. Yes, sir.

Q. You gave two bonds, then; one you gave at night, and one the next morning? A. Yes.

Q. Do you know who was on your first bond? A. I could not tell you that.

Q. Did Captain McLaughlin himself take you to the station-house? A. No; a detective.

Q. A detective? A. Yes.

Q. Was he a ward detective? A. I couldn't tell you that.

Q. How many of them were together? A. I think five or six.

Q. Did you have any conversation with them on the station-house or on the way to the station-house? A. No, sir.

Q. Have you seen any of those detectives since? A. No, sir.

Q. Not even a man who arrested you? A. Only at the time I—in Jefferson Market, next morning; I have never seen him since.

Q. Did anybody appear against you on the 20th, the day of adjournment? A. Yes, sir.

Q. Who appeared against you then? A. I could not tell you that.

Q. Was it the same detective who arrested you? A. No, sir.

Q. Who was it; do you know? A. I don't know.

Q. Anybody connected with the police department? A. Yes.

Q. It was a policeman, was it? A. I couldn't tell you that.

Q. Was he in uniform? A. No, sir.

Q. He came to your house and got a room? A. Yes, sir.

Q. And then made this charge against you? A. Yes, sir.

Q. And appeared on the adjourned day and testified against you? A. Yes, sir.

Q. And notwithstanding his testimony you were discharged? A. Yes, sir; I was not discharged the next day; I was put under bonds.

Q. No one taken out of the house that night but yourself? A. No, sir.

Q. You did not deny before the justice, did you, that he had come to your house and slept in one of your rooms with another woman? A. I could not remember him.

Q. Did you deny it? A. No, sir; I did not say anything; I was tried for disorderly house, and was discharged.

Q. And you didn't say anything at all? A. No, sir.

Q. He gave his testimony that you had been keeping a disorderly house, and, notwithstanding that, the judge discharged you, without any fine, and without imposing any penalty at all? A. Yes, sir.

By Senator O'Connor:

Q. Were you sworn as a witness before Justice Brady? A. I don't remember that.

Q. Do you remember whether you went on the stand and gave the judge any explanation? A. A lawyer talked for me.

Q. You denied on that occasion you kept one of those houses ?

A. I didn't open my mouth.

Q. You didn't say anything ? A. No, sir.

Q. Are the police in that neighborhood there acquainted with your house ? A. I don't know, sir.

Q. Do you know whether or not they knew there was such a house there ? A. I don't know, sir.

By Chairman Lexow:

Q. Did they ever from that time on make any attempt to molest you ? A. No, sir.

Q. No other officer went to your house and attempted to get a room there ? A. Yes; they might have had a room and I did not remember them.

Q. But never made any charge against you ? A. No, sir.

Q. The same officer that got a room and made a complaint against you, did he ever come to your house again and have a room ? A. I couldn't tell you that.

Q. Don't you know he did ? A. I couldn't tell you that.

Q. You are not positive whether he did or not ? A. No, sir.

Q. Were you not on the lookout for him ? A. No, sir.

Q. You did not care whether he came again or not ? A. When I was discharged not guilty of keeping a disorderly house I went on.

Q. Then officers could come in civilians' clothes, and sleep there, and that the same judgment would be meted out against you, and you would be discharged, and, therefore, you did not pay attention to anybody that came to your house ? A. If anybody came there and got a room I did not know them.

Q. And you thought you were protected by reason of a judgment rendered against you in the first place ? A. Yes, sir.

By Mr. Goff:

Q. Did you see a lawyer last night ? A. No, sir.

Q. Anyone from a lawyer's office ? A. No, sir.

Q. Or this morning ? A. No, sir.

Q. Didn't your friend tell you he would go and see a lawyer ? A. No, sir.

Q. Don't you know he saw a lawyer ? A. I don't know, sir.

Q. Didn't he tell you he would see a lawyer ? A. No, sir.

Q. Look at the subpoena; did you notice anything peculiar about it ? A. No, sir.

Q. Did you notice any name upon it ? A. No, sir.

Q. Look at it now ? A. Only what is up there.

Q. What name is that? A. Sawyer.

Q. You noticed that yourself, didn't you? A. He gave me his —

Q. You noticed it when the subpoena was served last night; you noticed it? A. Yes, sir.

Q. And you said, "Why, I know that man," did you not? A. Yes, sir.

Q. And Mr. Sawyer had been to see you before? A. Yes, sir.

Q. Who is Sawyer? A. I don't know the man; I only saw him that day.

Q. You remember the name? A. Yes; because he wrote it down on a piece of paper and gave it to me.

Q. He had been to see you before the subpoena was served upon you? A. He was to see me two or three days before.

Q. You had a talk about keeping a house? A. I said I had been closed there; he was in between the outside and inside doors; I said, "I have not opened my doors since last December and I can live here."

By Chairman Lexow:

Q. Did you say you had been closed? A. I said, "I have been closed here since December."

Q. By that who did you mean closed you? A. I closed of my own accord.

By Senator Bradley:

Q. Did you still pay the rent? A. It is my own house.

By Mr. Goff:

Q. You had quite a long talk with Mr. Sawyer about the place, hadn't you? A. No, sir.

Q. Not a word? A. I said to him, I said, "How is it they have got me in this side."

Q. Yes; well, but didn't Sawyer ask you if you had not paid money for protection? A. No, sir.

Q. Didn't he say a word to you? A. He showed me on it where it stood on the corner, it was Mr. Goff and my name, and my address, and Captain Connors, \$500, and \$275 or \$375 or \$300 — \$500, I gave him, he said, and it was on this piece of paper, and \$50, \$75 a month.

Q. That is it; yes; and you said, you were frightened at the figures he produced; didn't you? A. No, sir.

Q. Didn't he take down those figures in your presence? A. I couldn't tell you that, sir.

Q. Didn't he write down those figures in your presence? A. No, sir.

Q. Will you swear he did not? A. I won't swear to it; no; I am not sure.

Q. Isn't it the truth that Mr. Sawyer, in your presence, wrote down the figures \$500, for certain captains; isn't that true, in your presence? A. No, sir.

Q. Didn't you see him write at all? A. He wrote down Mr. Sawyer, his address.

Q. Didn't he write down \$500 to this captain and \$500 to that captain? A. No, sir.

Q. Didn't you talk about it? A. No, sir.

Q. Not a word? A. No, sir; when he showed me this piece —

Q. Wait a while, please; when you said, a moment ago, that he put down \$75 where you had been paying \$50, what did you mean? A. I did not say I had been paying \$50; I have never given anything to the police; he had on this when he showed it to me, and I said, "I don't know what this means;" I said, "I have not had any dealings with the police."

Q. And did you have any talk with him about this Senate committee? A. No, sir.

Q. Not a word? A. No, sir.

Q. You mean to say you did not say anything to him about whether the Senate committee would break up the police blackmail? A. No, sir.

Q. Not a word? A. No, sir.

Q. Nor to the man last night? A. No, sir.

Q. You did not talk about politics at all, did you? A. I know nothing about politics.

Q. Did you mention Tammany Hall last night? A. No, sir.

Q. Now, your friend has told you to answer no to every question; hasn't he? A. No, sir.

Q. Did he tell you how to conduct yourself to-day on the stand? A. No, sir.

Q. Did you ask him how to conduct yourself? A. No, sir.

Q. What did you tell him about the subpoena for? A. Because I had to go to someone.

Q. Where was he when you went to him? A. Up at the Brower House.

Q. That is Twenty-eighth street and Broadway; and you went to him after you got this subpoena; didn't you? A. Yes, sir.

Q. And you remained quite a time with him at the Brower House? A. No, sir.

Q. How long did you remain? A. I did not remain with him at all; I left a note.

Q. You did not see him? A. I saw him last night.

Q. He called at your house? A. Yes, sir.

Q. What did you say to him in the note? A. I said, "I want to see you," that is all, "as soon as you get this."

Q. Didn't you say you had got a subpoena for this committee?

A. Not by the letter, I didn't; I showed him this after he came to my house.

Q. What did you go to him for after you got this subpoena?

A. Because I wanted a friend; that is all.

Q. What did you want a friend for? A. I don't know.

Q. You don't know; didn't you ask the man who served the subpoena last night if you wanted a lawyer? A. Yes, sir.

Q. And didn't he tell you you did not want a lawyer? A. Yes, sir.

Q. Didn't you ask him if it would cost you anything to come down here, and he said it would not? A. He said I would get 50 cents.

Q. That instead of it costing you anything that you would get 50 cents? A. Yes.

Q. Didn't you tell him that if the Senate committee would break up Tammany Hall this fall you would be glad of it? A. No, sir.

Q. You made up your mind to answer no to everything, haven't you? A. No, sir.

Q. Made up your mind to swear your way out of it? A. No, sir.

Q. Answer "No, sir," to every question; wasn't that told you? A. No, sir.

Q. Not to give away anything? A. No, sir.

Q. Well, now, what did your friend tell you to do or say here? A. Why, he told me to tell the truth; that is all.

Q. You mean to say that your friend that you got from the Brower House went down to your house and told you to tell the truth? A. Yes, sir.

Q. Well, tell us, now, what you said to your friends last night; tell us what you said first to your friend? A. Why, I just told him I wanted to see him.

Q. I would like to look at you, because you are an attractive-looking lady, and would rather look at you than you look at your fan; tell us what you said? A. I said, "How is it they have got me in this;" I said, "I never kept any house, only a furnished room; it is funny they got me; what have they got me for?"

Q. What did he say? A. I couldn't tell that; I have forgotten.

Q. Oh, have you forgotten that; and he remained silent? A. Did he remain silent?

Q. Yes? A. He is not a man that has much to say, any way.

Q. Did he remain silent last night? A. All he said to me is, "There is no use of your worrying; you have got to go down there;" that is all.

Q. Is that all he said? A. Yes.

Q. That is all you said to him? A. I said, "It is very funny they have got me."

Q. Did you say anything else to him? A. No, sir.

Q. So you went to your friend at the Brower House and left a note, just to say what you have told us? A. Yes.

Q. And he to say to you there was nothing but to go down there and tell the truth? A. Yes, sir.

Q. Your friend is mixed up in horse-racing, you say? A. Yes, sir.

Q. And a book-maker? A. Yes, sir.

Q. Follows the races? A. Yes, sir.

Q. And this friend of yours, a race-track follower and a book-maker, told you to tell the truth? A. Yes, sir.

Q. And that is true? A. Yes, sir.

Q. That he told you that? A. Yes, sir.

Q. Is there any one in this court-room that you know? A. That gentleman over there, that was there last night.

Q. Anyone else?

Mr. Ransom.—That is hardly fair.

Q. I only want to know, Miss Harvey, if you have any special understanding with anyone in the court-room as to your looks and actions here on the witness stand? A. No, sir.

Q. Do you know if there is any messenger, or any clerk, or any person in any lawyer's office in the city that you are looking around for? A. No, sir.

Q. Did you understand any friend was to come to court for you? A. No, sir.

Q. Is there any friend here? A. No, sir; not to my knowledge: I don't know that there is any.

Q. Weren't you told there would be a friend to look after you here? A. No, sir.

Q. How came you to court this morning? A. Alone.

Q. Did you leave your house this morning? A. Yes.

Q. On Twenty-fourth street? A. Yes.

Q. Came directly here? A. I went over the Brooklyn Bridge.

Q. Why did you go over the Brooklyn Bridge? A. I came back again.

Q. Why did you go over the Brooklyn bridge before you came here? A. Because it was not time to come; I wanted to get a little fresh air.

Q. You rode in the cars and rode back again? A. Yes.

Q. Did you see anyone you knew? A. No, sir.

Q. Talk to anyone? A. No, sir.

Q. Did you talk to anyone from the time you left your house this morning until you came into court here? A. Only this gentleman.

Q. You saw your friend this morning? A. Yes.

Q. Where? A. He went to go to the races.

Q. Where did you see him? A. Up at the Brower House.

Q. Then you went to the Brower House this morning? A. Yes, sir.

Q. What time? A. I couldn't tell you that.

Q. Did you go to the Brower House before you came down here? A. Yes.

Q. Did you have an arrangement with your friend last night to go to the Brower House this morning? A. I went there to get my breakfast.

Q. Did you have an arrangement with your friend last night to go to the Brower House this morning? A. No, sir.

Q. Don't you cook your meals in your own house, or your servant? A. Cook my meals there.

Q. How is it you did not take breakfast this morning in your own house? A. Because I did not feel like it; I had a cup of tea in the Brower House and went over the bridge.

Q. Did you see anyone in the Brower House you knew? A. Yes.

Q. You met him there again? A. Yes.

Q. He went with you to the Brower House? A. No; I met him in there.

Q. After you met him at the Brower House, you talked with him this morning about this subpoena, didn't you? A. Yes, sir.

Q. And I suppose he told you again to come down and tell the truth? A. Yes.

Q. Nothing else? A. No, sir.

Q. Not a word? A. No, sir.

Q. Never uttered a word there, except to tell you to come and tell the truth? A. No, sir.

Q. Was Police Captain Williams name mentioned? A. No, sir.

Q. Or any police captain? A. No, sir; I said, "It must be for what they have gotten me up here now was on account of being arrested two years and a half ago."

Q. When did you say that? A. Last night or this morning.

Q. You told us a while ago you gave us all a conversation you had last night; is your memory getting refreshed; are you refreshing your memory, Miss Harvey? A. No, sir.

Q. Will you give us the whole of the conversation you had at the Brower House this morning? A. I don't know; I don't remember it.

Q. Has it escaped your memory so rapidly, that you don't remember? A. Yes; well, he told me I was to come down and tell the truth.

Q. We have had that a good many times; can't you give all you said to him and he said to you? A. I could not remember all.

Q. Can't you remember a little more than what you have told us?

By Chairman Lexow:

Q. Was there so much more that you can not remember all? A. Some nonsense stuff, I suppose, that I don't remember.

Q. But nothing relating to this investigation here, or to what you were to testify before this committee; was there so much spoken about that that you can not remember the details of it? A. He said to me — I said to him — I said, "Shall I go in the private room;" he said, "No;" he said, "Go right down and tell the truth, and that is all."

By Mr. Goff:

Q. Did you know he was to be at breakfast at the Brower House this morning? A. Yes, sir.

Q. When did you know that? A. Last night; he lives there.

Q. You made an appointment with him, didn't you? A. Yes, sir.

Q. Why didn't you say that before; now, when you said in answer to my question that you did not make an appointment with him, did you tell the truth at that time? (No answer.)

Q. Please favor me by looking at me; when you told me a little while ago — A. We talked a lot.

Q. Wait a while; when you told me a little while ago that you did not make an appointment with your friend last night at the Brower House this morning, did you say what was true? A. No, sir.

Q. And there are a good many other things that you have said this morning that are not true, are there not; a good many other things? A. I don't know, sir.

Q. You are a little excited? A. The only thing I know —

Q. You are a little excited?

By Chairman Lexow:

Q. Is it not a fact that you told a good many things here this morning that are not true? A. I don't know.

Q. But you are not certain about it? (No answer.)

Q. Is that so, Miss Harvey; how is that? A. All I know is, I never gave up any money to the police or nothing —

By Mr. Goff:

Q. Oh, yes; but the chairman's question?

By Chairman Lexow:

Q. Was that part of the conversation of this morning with your friend? A. Yes, sir.

Q. You spoke of whether or not, you would be asked about giving up money to the police? A. I said, "How is it they have got me?" That is all.

Q. Did you tell him at that time, you had not given up any money to the police? A. He knows I had not.

Q. Did he do the business for you? A. No, sir; I didn't have any business with them.

By Mr. Goff:

Q. Were you told to keep cool on the witness stand, this morning, weren't you; didn't your friend tell you to keep cool? A. Yes; he says to be, "You answer their questions, and tell the truth; that is all."

Q. He told you to keep cool, didn't he? A. Yes, sir.

Q. And he told you that you should not get excited, didn't he? A. I don't remember that.

Q. He told you to keep perfectly cool, didn't he? A. I guess so.

Q. Isn't that so; didn't he tell you to keep perfectly cool this morning? A. I don't remember that.

Q. You don't remember that? A. No.

Q. Don't you remember him telling you that if there was any question —

Senator Bradley.— You answered yes to that question two minutes' ago? A. I said, "Will I be up there before a whole lot of people?" And he said, "Yes; go up there and tell the truth."

Q. Wasn't there something said about if any question was asked you, if you did not understand it to say you did not recollect? A. No, sir.

Q. Did you hear those words this morning? A. No, sir.

Q. Was there anyone with this friend of yours at the Brower House this morning? A. No, sir.

Q. Did you talk with nobody else? A. Yes.

Q. Sure of that? A. Yes.

Q. Be careful? A. Yes.

Q. Did you see anybody in the Brower House this morning that you knew outside of your friend? A. No, sir.

Q. And speaking about this \$75 a month, you objected to the figure \$75 a month, didn't you? A. No, sir; he showed me the piece of paper, and I said, "I don't know what it means."

Q. Didn't you say you had been paying \$50 and the money was raised to \$75? A. No, sir.

Q. Didn't you say anything about it? A. No, sir.

Q. He talked to you about money matters? A. No, sir.

By Chairman Lexow:

Q. Not at all? A. The man yesterday?

Q. Yes. A. The man last night only give me the summons, that is all; and he says, "When you go down there to-morrow, you tell the truth," he says; I says, "You bet, I will tell the truth," just like that.

Q. Do you mean to swear now that nothing was said between you and him with reference to money matters at the time? A. Yes, sir.

Q. Not a word? A. He said that; he said, "When you go down there, you tell the truth, and nothing but the truth."

Q. You understand my question, don't you; was anything said between you and him on the subject of police protection and money matters at that time? A. Last night?

Q. Yes. A. Yes; he said, the Lenox men were going to down him.

Q. What do you mean by that? A. He said they would knock out Tammany.

Q. They were going to knock out Tammany? A. Yes.

Q. I mean about money matters?

Senator Cantor.—The subpoena server said they were going to knock out Tammany?

By Chairman Lexow:

Q. Was anything said about money payments? A. No, sir.

Q. Not a word? A. He said, "If you have given up anything you turn around and tell it."

Q. And nothing else? A. No, sir.

Q. Why did you say a little while ago he had spoken about \$500 to Captain Connors? A. Not that man; another man; day before yesterday, Mr. Sawyer.

Q. Did he speak about \$500? A. He showed me a piece of paper that had \$500, and \$75 a month on it.

Q. And did you tell him on that occasion those were the correct figures? A. No, sir.

Q. Did you find fault with the figures? A. No, sir.

Q. Did you have any dispute or argument with him about the figures? A. No, sir.

Q. Not a word? A. No, sir.

By Mr. Goff:

Q. When you looked at your subpoena last night you saw Sawyer's name to that; did you call the subpoena server's attention to it? A. Yes.

Q. You remembered Sawyer's visit to you? A. Yes.

Q. Do you remember telling the subpoena server the conversation you had with Sawyer between the two doors? A. Yes.

Q. You remember telling him you were surprised how exact he had the figures? A. No, sir.

Q. Something like that? A. No, sir.

Q. Didn't you see a man in company with your friend in the Brower House this morning that told you how to answer questions here to-day? A. No, sir.

Q. That is true, too? A. Yes, sir.

Q. You are not mistaken about that? A. No, sir.

Q. Didn't you tell the subpoena server last night you would come here and give up everything? A. No, sir; I said, "They are not going to get any money out of me; I have not got anything;" he said to me, "I know you will get 50 cents."

Q. Did you ask him if the Lexow committee was going to take any money from you; didn't you? A. No, sir.

Q. What did you say? A. I said, "Well, they are going to get any money from me."

Q. You said? A. Yes, sir.

Q. Did you expect this Senate committee — did you think this Senate committee was going to make you give up to them; did you? A. I don't know.

Q. What made you ask that? A. When I —

Q. Wait awhile; what made you ask that question? A. I am not a lawyer.

Q. When you never paid money for a lawyer before, did you think the lawyers were going to take money from you? A. I did not know; I suppose I had someone to protect me, and speak up for me, and I not do all the talk.

Q. You asked this subpoena server whether you would have a lawyer? A. Yes.

Q. What lawyer had you in mind when you asked him that? A. I have not got any.

Q. What lawyer had you in mind when you asked him that?
A. Not any lawyer.

Q. You expected to get your friends to procure a lawyer for you? A. No, sir.

Q. What made you ask the question? A. The little gentleman said last night the Lenox committee would give me a lawyer.

Q. When you say Lenox, I suppose you mean Lexow, is that the name? A. Yes, sir.

Q. Is it Lenox or Lexow? A. Lexow.

Q. Why did you say Lenox three times, one after the other?
A. I don't know.

Q. Did you ever hear of Lenox before? A. I thought that was the way they pronounced it.

Q. Did you ever hear of the Lenox club? A. No, sir.

Q. Does this friend of yours belong to the Lenox club? A. No, sir.

Q. How do you know he don't belong to the Lenox club; how do you know that? A. By reputation.

Q. If you never heard of the Lenox club before, and you don't know whether there is a Lenox club or not, how do you know this friend of yours don't belong to the Lenox club? A. Because I did not think they would have him in it; there are gentlemen in there.

Q. Turn around please; you are answering at random? A. I did not think they would have a sporting man in the Lenox club.

By Senator Bradley.

Q. Do you remember seeing me on the Brooklyn bridge this morning? A. No, sir.

Q. Did you see me at the terminus on the Brooklyn side this morning? A. No, sir.

Q. Who was that gentleman talking with you when you got off the cars? A. That same gentleman.

Q. Who was the other gentleman standing beside him? A. I don't know, sir.

Q. Wasn't he in conversation with you, too? A. No.

Q. Didn't you notice me on the bridge? A. No, sir.

Q. Didn't you see the gentleman pointing to me when I was walking on the bridge? A. No, sir.

By Chairman Lexow:

Q. Miss Harvey, a few questions more; did you go right on with your house as it had been on the very next day after your arrest? A. No, sir.

Q. Did you close it? A. I closed it, I guess, two or three weeks.

Q. You kept it closed two or three weeks? A. Yes.

Q. And then reopened it? A. Yes.

Senator Bradley.—The Judge wants to hear those answers.

By the Chairman:

Q. Then you reopened it as soon as you were discharged? A. Yes; no — after the trouble; I think a week or 10 days; I don't know exactly.

Q. You kept closed a week or 10 days after you were arrested and were discharged? A. I couldn't tell that for sure; I think I opened soon after I was discharged, not until after the 15th or 20th, when I was called up for trial.

Q. Had you kept your house from the time of your arrest and the time of your discharge absolutely closed? A. No, sir.

Q. You had it opened, didn't you? A. Yes.

Q. And it was carried on just the same as it had been before, wasn't it? A. Yes, sir.

Q. And did you make any difference in the way in which you carried on that house after your discharge than you had carried it on previous to your arrest? A. No, sir.

Q. Conducted it exactly the same way? A. Yes, sir.

Q. With the same people, and for the same customers? A. I don't know, sir; I don't know my customers.

Q. You never see them? A. I have seen them; but I don't know who they are.

Q. Have you a housekeeper? A. No, sir.

Q. Who represents you? A. Myself, alone.

Q. You say you never see the people? A. I say I don't know the people; I don't know them by name.

Q. They come in and go without your knowing who they were? A. Yes.

Q. You carried on your house, notwithstanding the proceedings had been taken against you, in exactly the same way afterward that you had before? A. Yes, sir.

Q. Take any additional precautions? A. No, sir.

Q. Was not on the lookout for the police? A. No, sir.

Q. Didn't care about the police at all? A. Because I was discharged, and thought everything was all right.

By Mr. Goff:

Q. Now, Miss Harvey, will you look down this way; is there any gentleman in view that you recognize; look down this way here; do you recognize any one here? A. No, sir.

Q. Did you come into court with any man this morning? A. No, sir.

Q. What? A. No, sir.

Q. Who opened the gate for you into the wicker there? A. I didn't pay much attention.

Q. Was it a man or woman opened it for you? A. A man.

Q. Who was he? A. I did not look at his face.

Q. Did you ever see him before? A. I did not look at him.

Q. Did you ever see him before? A. No, sir.

Q. Do you know who he is? A. No, sir.

Q. How was he dressed? A. I couldn't tell you.

Q. Didn't he walk into court with you? No, sir; I came up in the elevator, and asked a gentleman down stairs where the committee-room was; and in a little room right next the elevator, and I came up stairs and asked another gentleman outside the door where this room was.

Q. Who was the gentleman you asked outside? A. I could not tell you that, sir.

Q. Did that gentleman come in and open the gate for you? A. No, sir.

Q. By the way, did you ever hear of such a thing during your 10 years' keeping house as women paying for protection? A. Yes, sir.

Q. And you knew that was a common thing all around, didn't you? A. Reading it in the paper.

Q. Did you ever hear it from anybody else? A. No, sir.

Q. And that is true? A. Yes, sir.

Q. Did you ever think you would be called upon to pay protection money? A. No, sir.

Q. You knew that women like you, who keep houses like you do, did pay protection, didn't you? A. I never had any cause; I never kept a regular house; I only furnished rooms.

Q. Did you ever send out for girls to Georgiana Hasting's? A. No, sir.

Q. Or to Lucy McCarty's? A. No, sir.

Q. Or to Mrs. Shaw's? A. No, sir.

Q. To any house? A. No, sir.

Q. You have cards printed, haven't you? A. Yes, sir.

Q. Have you got any with you? A. No, sir.

Q. Any of your business cards, I mean? A. No, sir.

Q. You sent your cards around to the hotels, didn't you? A. No, sir.

Q. Where did you keep your cards? A. In the hall.

Q. In the hall, in a card-case? A. Yes.

Q. Tell us what is on your cards? A. M. Harvey, 144 West Forty-fourth street.

Q. Did you sell wine in your house? A. Yes, sir.

Q. Opened wine; you have not got a license? A. No, sir.

Q. And the gentlemen who patronize your house buy this wine and open it? A. Very little, I have.

Q. I have not asked what you have; it is purchased in your house, and they open the wine in the rooms? A. Yes, sir.

Q. And they pay you so much for each room they occupy? A. Yes, sir.

Q. How much? A. Two dollars.

Q. Two dollars for each room; and you kept those in your house all night or pretty near all night? A. Up to 12 o'clock.

Q. Your house is open after 12 o'clock? A. No, sir.

Q. No one can get in after 12 o'clock? A. Yes.

Q. By pulling the bell? A. If I feel like getting up.

Q. You have a housekeeper who attends to the business? A. No, sir.

Q. Who opens the wine? A. Myself.

Q. You open the wine? A. Yes, sir.

Q. Do you know some cabdrivers? A. No, sir.

Q. Cabs frequently drive up to your house? A. No, sir.

Q. Your patrons always come on foot; is that it? A. When they come there I never take any notice of it.

Q. Will you step here in this chair one moment, Miss Harvey?

Edgar A. Whitney, called as a witness on behalf of the State, being duly sworn, testified as follows:

Direct examination by Mr. Goff:

Q. Now, raise your voice so all the press men can hear you? A. Yes, sir.

Q. You have been connected with a society called the Dr. Parkhurst Society? A. I have.

Q. And you are engaged now in the service of subpoenas for this committee, under my directions? A. I am.

Q. Did you serve the subpoena upon this woman, Miss Harvey, last night? A. I did.

Q. Go on and state to the committee without any question from me what conversation took place between you and this woman last night?

Mr. Ransom.—Mr. Chairman, I wish to suggest that, in the orderly course of the investigation, I think it is right and fair to these defendants there should be some, at least, pretense of deference to legal proceedings; and that this witness should be set aside and put in a chair to be confronted by some other witness who is called to contradict her story, I think, is out of order; and I object to it. I suggest, respectfully, to this

committee, who are composed of lawyers, and are fair men, and are desirous of getting the truth in this proceeding, and I desire to assist them in that; and I think this young man should be called as a witness after this witness has been exhausted, and then he may go on the stand and testify.

Chairman Lexow.—I suppose it is for the purpose of refreshing the recollection of Miss Harvey.

Mr. Ransom.—Surely, you can not be in earnest about that, because Mr. Goff has interrogated this witness at great length in regard to the persons in her view. Mr. Whitney has been here paraded so she could see him very well.

Chairman Lexow.—If a document can be used for refreshing a witness' recollection after a witness has testified to facts under interrogatories, I do not see why the witness should not be used for that purpose.

Mr. Ransom.—The precedent you had in mind was the trial of the distinguished individual in Washington, the Breckinridge trial. I suppose that is the case. I know the court there ruled the document might be used, and if you rule on that as a precedent, I do not know that there can be any overruling.

Senator O'Connor.—We want to get at the truth if we can; she is a good witness for the defense.

Mr. Ransom.—I do not know whether she is or not; she could be rated to Senator Bradley's friends, to whom he referred Tom Pepper. I can not say as to that. She is a witness I do not know anything about, and she has been literally baited upon the stand here, and she is entitled to the ordinary respect of every man of chivalry who has a mother, should pay to a woman, because she is a woman. And there should be a limit; there should be a time when even the distinguished counsel filled with zeal, which is wholly, if you please, there should come a time when he should stop.

Senator O'Connor.—She can take care of herself.

By Mr. Goff:

Q. Go on and state the conversation that took place between yourself and this woman last night in reference to this subpoena at the time you served it? A. I went to Miss Harvey's house about 7.30, and went up the front stoop, and rang the bell, and there was a colored servant girl came to the basement area, and asked me to come in that way; I went down and asked if Miss Harvey lived there, and she said she did; she asked me who I was and what I wanted; I told her I had an important paper to show her, and Miss Harvey came to the door, and she asked me to

come in, and read it over, and asked what it was; I told her they wanted her to come down and testify before the Senate Investigating Committee; she said, "Why is it that they take me when the street is full of such houses as mine?" I said, "I suppose they will all have to take their share;" she says, "Have you got any for anybody else in the street?" I said, "I have not; there are a number of other subpoena servers, and possibly they have, and she then caught the name — looked at the corner of the subpoena, and saw the name of Mr. Soyer written across the corner of it.

Q. Just look at that subpoena there? (Witness looks at the subpoena.)

Q. That is the subpoena, is it? A. Yes, sir.

Q. Go on? A. She says, "C. Soyer; he was the man that was at my house the other evening," and she said, "I was talking with him for an hour up in the confession box."

By Senator O'Connor:

Q. What was that? A. She was talking with him half an hour up in the confession box.

Q. Did she explain where it was? A. I am simply giving her words, and they are her exact words; she said, "He had a paper which he showed me, which made me shake with fear, because he had the identical figures on that paper, \$500 for the captain, and \$75 a month, which I paid;" I said, "How long have you been in this house?" She says, "Between nine and 10 years;" I said, "Who was the first captain of the precinct when you came to this house?" and she said, "Captain Williams;" I said, "Is he the first man that was paid to?" She said, "Yes, him, McLaughlin, Connor, Schmittberger, and she named one other; I think it was Reilly; I would not say positive about that; then she asked me if it would cost her anything to come down here; I said, "It will cost you nothing, and I believe they will give you 50 cents for your car-fare down there; she says, "Will I need a lawyer?" I said, "You will not; the police have a lawyer there on their side of the case, and Mr. Goff is counsel for the committee, and I said, "They will protect you;" I said, "All you have got to do is to go down there and tell the truth."

Mr. Ransom.— Who was to protect her? A. The committee; I said, "All you have to do is to come down and state the truth and nothing but the truth;" she said, "Can they lock me up?" I said, "Not unless you commit perjury; she says, "I must go and see somebody;" I said, "Are you to go to see the police?" she said, "What, those God damned sons-of-bitches; no, the stinken bastards, I wouldn't go to them;" those are the exact words she said; she then asked me if I thought it

would break up Tammany Hall; I said, "I don't know whether they will or not;" she said, "Do you think I can run my house, if they are closed up?" I said, "I don't know about that;" and she said, "I hope to Christ they do break up Tammany Hall, and I can open my house again and make some money, which I have not done in the past;" I thereupon bid her good-by and left.

Cross-examination by Mr. Ransom:

Q. How long have you been at work for the Parkhurst Society?

A. One year and a little over.

Q. What is your salary? A. Is it necessary I should answer the question?

Q. Certainly? A. Twenty dollars a week and expenses.

Q. Where were you born? A. In Maine.

Q. What place in Maine? A. Bancroft.

Q. How old are you? A. Twenty-eight years old on the 9th day of last March.

Q. Are you a married man? A. I am.

Q. Have you a family living in the city of New York? A. I have; there was an increase last night.

Q. Your wife is aware of the business you are engaged in? A. She is.

Q. And approves of it? A. She has perfect faith and confidence in me, as also has Dr. Parkhurst.

Q. Have you any children? A. I have two—I had one last night—my wife did.

Q. Was this interesting event happening at the time you were visiting the house of this women? A. It was; yes, sir; I discovered it there when I got home at 9 o'clock.

Q. Where were you educated, young man? A. Where was I educated?

Q. Yes? A. Bangor, Maine.

Q. Graduated from some school or college? A. High school.

Q. What is the name of it? A. Bangor High School.

Q. Bangor High School? A. Yes, sir.

Q. Tell me how you came to enter the employment of Dr. Parkhurst's Society? A. I went and made an application.

Q. You made an application? A. I did, to Superintendent Wissel.

Q. You gave credentials? A. I did.

Q. A certificate of character from somebody? A. I did.

Q. You never have had any personal trouble in your life, have you? A. In what respect?

Q. Any respect; have you ever been charged with any crime? A. Never.

Q. Never in your life? A. Never.

Mr. Goff.—I wish to state to the committee right here the Judge has pursued this line of questioning to a number of witnesses, "Have you ever been charged with crime; have you ever been arrested?" It is not only the rulings of the courts, but the positive statute laws of this State that such questions are incompetent, to ask them.

Chairman Lexow.—We understand that. We have allowed lots of questions that would not be competent.

Mr. Ransom.—I feel that I ought to state to the committee, and through the committee, to Mr. Goff, my sense of obligation by pointing out in his remarks the distinction which he always makes between the intimidation and the attacks which he makes on the witnesses when he takes the latitude to fish, and try to attack and destroy the credibility of the witnesses by any question.

By Mr. Ransom:

Q. Now, Mr. Witness, were you ever arrested in a gambling-house? A. I was.

Q. Were you there in the service of Dr. Parkhurst's Society? A. I was not.

Q. Was you there on your own business? A. I was.

Q. Was you there for the purpose of entertaining yourself by gambling? A. I was not.

Q. Was you there for the purpose of profit yourself by winning at the game? A. I was not.

Q. Did you play? A. No.

Q. What were you there for? A. I was on business; I had a bet with the man that ran the place; I bet him \$5 he could not open his place 48 hours without having the police knowing it; he had been paying Mr. James Reilly; Captain Killelea's wardman.

Q. You have been testifying under the obligation of an oath? A. Yes.

Q. Do you swear to a Protestant or Catholic Bible? A. If I take an oath, it don't make any difference whether I take an oath on the Protestant or Catholic Bible; an oath is an oath to me.

Q. Now, you are meaning, and take it to tell the truth under the obligations of an oath? A. Meaning to tell it; I am telling it.

Q. Did you not just testify that certain police officers had been paying protection money—this roundsman—did you just testify? A. That certain police officers had been paying protection money?

Q. Had been receiving protection money? A. Yes; I paid some of it myself.

Q. Tell me the man whom you paid some of the money to? A. Jimmie Reilly; Captain Killelea's wardman; in Captain Killelea's presence.

Q. When? A. Eighteen hundred and eighty-nine or 1890.

Q. What business; what unlawful business was it you were employed to secure protection for? A. I will tell you; the fellow that ran this —

Q. Answer the question? A. Give me a chance to answer it.

By Chairman O'Connor:

Q. Tell the whole business? A. There was two men running a gambling place up in Broadway, and there was a man of my acquaintance; he was a friend of mine; was going to buy this place out; he could not get the protection from the police; he got one of these gentlemen to take me down and introduce me to Captain Killelea and Mr. Reilly and see if I could not get protection of them, which I did.

Q. Were you then employed by the Parkhurst Society? A. No, sir.

Q. What business were you then? A. In the detective business.

Q. On your own account? A. Yes, sir.

Q. You go floating around the streets picking up any money you could by detecting something? A. No, sir.

Q. Were you employed by anybody else to see the police to get protection? A. I was not employed by this man.

Q. You were requested by this man? A. I was asked to do it as a favor to him.

Q. Did he pay you for your services? A. No, sir; I did not ask anything.

Q. Did you expect to get anything? A. No.

Q. You succeeded by paying to him — Reilly, the wardman, in getting protection for this place? A. Yes, sir.

Q. You said that was in the presence of the captain when it was paid? A. In the presence of the captain, and once I gave the money to Captain Killelea in an envelope.

By Mr. Ransom:

Q. Where was this place? A. This gambling place?

Q. This place you paid to have protection? A. No. 1610 Broadway.

Q. A gambling place? A. Yes.

Q. How much did you pay Reilly? A. Twenty-five dollars.

Q. Who was present when you paid it to him; this time you paid him \$25? A. Nobody but myself.

Q. Where was it? A. In the station-house.

Q. When was it? A. Eighteen hundred and eighty-nine or 1890; I couldn't tell positively now; I think it was in the fall of 1889, and it ran into the spring of 1890.

Q. Sometimes you paid this money in the presence of Captain Killelea? A. Yes, sir; the first payment was made in the presence of Captain Killelea.

Q. The second time that you paid the man Reilly some money was in the presence of Captain Killelea; where? A. In the station-house; Captain Killelea was at the desk.

Q. At whose desk? A. Captain Killelea was behind the desk and Jimmie Reilly was standing in front of the desk, and I went in and passed him the envelope.

Q. You mean to say that at that time you paid Reilly money in the perceptive presence of Captain Killelea? A. I guess he could see it.

Q. Did Captain Killelea know then you were paying Reilly money? A. I passed Reilly the envelope in his presence, with the money in it.

Q. You might have passed the envelope; what I want to get at is this, did Captain Killelea know you were then paying Reilly protection money; do you mean to swear to that? A. I don't know; there is no doubt but he knew it.

Q. I do not ask for your deduction; I ask you to state on your knowledge of facts, whatever that is; did Captain Killelea know you were paying Reilly protection money? A. I wouldn't swear to it; but I know he did.

Chairman Lexow.—Strike out, he knows he did.

Senator O'Connor.—He already testified he had made the arrangements with Killelea.

The Witness.—No; I made the arrangements with Reilly.

By Mr. Ransom:

Q. We will pass that; did you —

Chairman Lexow.—That is stricken out, "But I know he did."

By Mr. Ransom:

Q. Now, Mr. Witness, at that time did you have any talk with Killelea on the subject of paying money to Reilly? A. At which time; the second time?

Q. Yes; at the time you handed Reilly the envelope? A. I did not.

Q. Did Reilly have anything to say to you? A. He did not.

Q. Now, let us go to the next occasion when you say you paid Killelea money himself? A. Yes, sir.

Q. When was that? A. The next month.

Q. You must give me the month, if you can? A. I won't say positively; it was right in the fall of 1889, I think; perhaps, the 1st of January; perhaps, 1890; it was along that time; it was late in the fall.

Q. You were not in the employ of the Parkhurst Society at the time? A. I worked for Dr. Parkhurst's Society a year ago last May.

Q. At the time you paid Killelea money, you were on your own account as detective? A. I was.

Q. And you had no office? A. No, sir.

Q. What? A. Worked for private individuals.

Q. What sort of detective work was it you were engaged in? A. Serving subpoenas, looking up characters, shadowing.

Q. That is another name for spying? A. Oh, no; you might call it that way.

Q. What is the difference between shadowing and spying? A. You people employ a great many detectives to spy, and you know more about it.

Chairman Lexow.—Don't answer in that way, sir.

Mr. Ransom.—I am willing the witness should insult me.

The Witness.—I don't desire to insult you.

Chairman Lexow.—I don't think the counsel is justified in doing that to the witness, either.

Mr. Ransom.—I have not made any impertinent remarks to the witness. I have asked him fair questions.

Q. Now, will you state, if you please, in your mind, what is the distinction between shadowing and spying?

Chairman Lexow.—If there is a distinction say it, name it.

The Witness.—He can call it spying; I don't care to make any distinction.

Q. There is no distinction between the two? A. No; I don't know that there is.

Mr. Jerome.—Spying is a more offensive word than shadowing.

Chairman Lexow.—It is only in the name.

Q. Did you make any memorandum at the time of the payment by you of the money to Reilly? A. I did not; I done it for my friend.

Q. You did it for your friend? A. Yes, sir.

Q. Did you refrain from making a memorandum? A. Refrain from it?

Q. Yes. A. I have no occasion for it.

Q. Tell me now it is you recollect so clearly the transaction and the day, the date of the month, the year? A. I don't remember the month; I remember the year; the latter part of 1889, possibly the first part of 1890.

Q. I thought you said December or January? A. It was long that time.

Senator O'Connor.—He said in the spring of 1890, about 1890.

Q. In my country they call that midwinter; now, won't you relate to this committee all that took place when you paid Captain Killelea money personally? A. I will; I went down to the station-house with the envelope containing \$25, and went to the desk, and asked if Jimmie Reilly was in; he said he was not; I said I have the envelope for him from 1616 Broadway; he said, "I will take it, and pass it to him when he comes in."

Q. Was the envelope addressed? A. No, sir.

Q. Was it sealed? A. Yes.

Q. And it contained \$25? A. Contained \$25.

Q. In what shape was the money — what form? A. It was in \$5 bills, I believe.

Q. You recollect that? A. Well, they might have been two tens and a five, or all in one bill.

Q. It might have been a twenty and five ones? A. No; it was not; I remember there wasn't any smaller bills than \$5 bills.

Q. I wanted to get your recollection. A. I know there wasn't anything smaller than a \$5 bill put in.

Q. It was in currency? A. Yes, sir; United States bills.

Q. And the envelope was sealed? A. Yes.

Q. And it was not addressed to anybody; it was a blank? A. It was a blank.

Q. From whom did you receive the money? A. From the fellow that run the game.

Q. That was the third payment you had made, as I understand you, for protection? A. Yes, sir.

Q. For that game? A. Yes.

Q. Were you compensated for these services? A. I was not.

Q. Were you a frequenter of this place? A. I used to go up and take a hand occasionally.

Q. Take a hand? A. Yes.

Q. And one time when you were taking a hand you were arrested with the other gamblers? A. No, sir.

Q. You were arrested there at that time and place? A. No, sir.

Q. Was it at some other gambling-house you were arrested? A. Yes, sir.

Q. And when you were arrested, were you employed by that gambling house to procure protection? A. No, sir.

Q. Were you arrested as a customer of the house? A. No, sir.

Q. Were you there as an officer? A. I went in there that night—

Q. You were simply a looker-on? A. I was not playing.

Q. Was it because you hadn't any capital to play with? A. No; I had some coin.

Q. Were you still in the private detective business? A. Yes.

Q. Have you heard of a young man called "The Angel," formerly employed in Parkhurst's society; are you that man? A. No; I think it is Dennett, from New Hampshire.

Q. He is the angel, and you are not? A. No, sir.

Q. No soubriquet was ever given to you; you are simply plain Whitney? A. Plain, every day Whitney; yes.

Mr. Goff.—Judge, you have got a little mixed up in your celestial figures.

Q. Were you at one time arrested for stealing chairs? A. No.

Q. Or chains? A. What?

Q. Chains, c-h-a-i-n-s? A. I told you once I was never arrested, charged with any crime.

Q. Never in your life? A. No, sir.

Q. Weren't you charged with some crime when you were arrested in a gambling-house? A. No, sir.

Q. What was the charge? A. No charge against me at all.

Q. You were discharged at the station-house? A. Yes.

Q. Your name did not go down on the blotter? A. Yes; I gave my name at the desk.

Q. Wasn't some charge recorded against your name? A. If there was I didn't know anything about it.

Q. Who was at the desk, the sergeant or captain? A. That I don't remember.

Q. Was that the precinct of your friend Reilly? A. It was, but it was later; my friend Devery was there then.

Q. Was your friend Devery there? A. Yes, sir.

Q. He is a friend of yours; you have testified, "Your friend Devery?" A. You asked me if it was my friend Reilly, and I counted Mr. Devery the same friend as Reilly was.

Q. The claim of friendship between you and Reilly was that you were trying to persuade him with money to protect your friend's gambling-house? A. I didn't have to try very hard.

Q. You tried? A. Didn't have to try very hard.

Q. What is it you are doing; I can not understand what you say half the time? A. Chewing tutti-frutti.

Q. You don't look like a dyspeptic? A. No, sir.

Q. Now, you were never arrested by Captain Devery for stealing? A. Never in my life; I told you once; I was never arrested,

charged with any crime; I never could be, because I never stole anything.

Mr. Ransom.—That is all.

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

Senator O'Connor.—What did he pay the seamen on the different occasions when he asked for protection?

Mr. Goff.—Tell the whole story.

By Senator O'Connor:

Q. Give us the whole story? A. This party introduced me to Jimmie Reilly, and told him that there was—he was going to sell out his game to me, and he says, "This fellow is all right;" and Reilly said, "Did you ever run any gambling place;" and I said, "No, sir;" he said, "You know you want to keep everything quiet there and no disturbance of any kind;" I says, "All right, sir;" this man that introduced me to him said, "I suppose you will charge him the same protection I have been paying;" and he says, "Yes;" I said, "How much is that?" and he said, "\$25 a month."

Q. That was the arrangement? A. That was the arrangement.

Q. To pay \$25? A. He asked us what the limit of the game was; I told him it was only 25 cents limit for the young fellows around there, that came up there to play; and he said he would only charge \$25 a month, the same as the fellow had paid that had been running the game.

By Chairman Lexow:

Q. You say you went into this other place on a bet? A. Yes, sir.

Q. Your bet was that the place could not run for 24 hours without being pulled? A. For eight hours.

Q. And you went in there, and it was pulled? A. Yes; and I would like to tell, the fellow running the game before this in 1616, how he happened to go in the place that happened to be pulled.

Q. Tell us what occurred, and your going in that place where you were arrested? A. Well, this fellow had been running the game at 1616 Broadway, and his name was Pease, and he had been paying Captain Devery for protection; I tell you how I know it; either the last day of September, or the first day of October, in 1892, I was in the room one evening alone about 5 o'clock.

Q. At 1616 Broadway? A. Sixteen hundred and sixteen Broadway; Mr. Pease said he was going to supper, and asked me if I would attend to the game until he came back; I told him I

would; he left, and went to supper; the game was going, there was five or six men playing, and the door opened and Mr. Glennon gave the word, and said, "Is Mr. Pease in;" I said, "No, sir; I am taking care of the game while he is at his supper;" he said, "Come to one side;" he said, "The captain wants this game closed up until after election time; that if the Tammany Hall ticket is elected," he says, "we will protect you for anything from a poker game to a whore-house."

Q. Glennon said? A. Yes; Mr. Pease did not want to lose all his friends around there, and —

By Chairman Lexow:

Q. State what happened? A. He went to work and said he was going to get a room in Fifty-third street, and run it for six weeks, and then come back there, and pay for protection; said he was going to run the place in Fifty-third street unknown to the captain; I said, "You can not do it; there is no gambling-house can run for 48 hours without the captain knowing it," and I won, too.

Q. You made a bet with him that that house he was going to open, as you say, unbeknown to the captain, could not run for 48 hours —? A. Without the captain finding it out; and I said, "If you do, there will be trouble."

Q. And you went to that house, and it was pulled the same night? A. Yes, sir.

Q. Who made the remark, "If the Tammany Hall ticket was elected"? A. Mr. Glennon; he said to tell Pease to close it until after election, which would be this week, and he said, "If the Tammany Hall ticket is elected, the captain said he will give you protection from a poker game to a whore-house."

By Senator Cantor:

Q. What year was that? A. In 1892.

By Mr. Goff:

Q. When you were arrested, were you discharged at the station-house? A. I was; yes, sir.

Q. You did not appear in the police court, or anything? A. No; not at the station-house; I went up to the police court; they held the two men that ran the room, and, through political pull, they knew they had to pay a fine of \$10 at Special Sessions, and they had it with them; and when they came out, Glennon said, "You got off God damned cheap; but, you son-of-a-bitch, you will never run a house in my precinct."

Q. This was at Special Sessions? A. Yes.

Q. Were you discharged? A. Yes, sir.

Q. Were you discharged at Special Sessions? A. No; I was not taken to Special Sessions; I was told to come up to the—I went up to the Yorkville Court, and there were no questions asked me, or nothing; but these two fellows said they pulled these gambling-houses, and these fellows were all in it; and he said, "Who is the proprietor?"

Q. Who said that? A. The judge said that; and they said Pease and some other man, they claim, was the proprietor, and Glennon claimed he was a proprietor, but I knew he was not.

Q. But the judge asked who was the proprietor, and he was told who the proprietor was; what did he say? A. He held him for \$100 to Special Sessions, and told the rest of us to go.

Q. That is all that was connected with that case? A. Yes, sir.

By Chairman Lexow:

Q. Do you know of any other cases of the payment of protection to any of the police captains, sergeants or wardmen in the city here? A. I do; yes, sir.

Q. Don't say anything you don't know; don't give your impression; but if you know the fact of any payment, just make the statement? A. Yes; I know it; I can name Mel Rickard who ran the Homestead Club, Fifty-first street and Broadway, over Bach's saloon; he ran the game there six or eight months, and paid Jimmie Reilly, and I know a fellow lost a lot of money in there, and the proprietor held his overcoat, and he went down to the police station and brought Jimmie Reilly, and he made him give up the overcoat; I know another place—a place was raided, and I helped move it.

Q. Jimmie Reilly, the wardman, came up and told you Comstock's men were in that precinct? A. Yes; Comstock's men were around, and we had better move the stuff out that night after 12 o'clock.

Q. You helped move the stuff? A. Yes, sir.

Q. And helped move it back again? A. Yes.

Q. When you say "stuff," you mean the gambling instruments? A. The tables, chips, and cards, and everything of that kind.

Chairman Lexow.—Why don't you go on and see what this witness does know.

Q. Is there any other matter that occurs to your recollection; do you know anything about payment being made to police officers? A. I used to go with Riker quite often, and one time

I went to the station-house and see him give the money to Ryan; I saw him pay the money in.

Q. How much? A. Twenty-five dollars a month.

Q. Every month you saw him pay in \$25? A. No; there was two or three times I walked down to the station-house when he paid money, possibly two or three.

Q. What was the limit of the game? A. Twenty-five-cents limit.

By Senator O'Connor:

Q. Does the price increase as you increase the limit of the house? A. Yes, sir; if they have a big limit then they have more to pay; that is what these parties told me.

By Chairman Lexow:

Q. Who told you that? A. I think I got the idea from what Reilly told me, asking me if I was going to run a 25-cent limit, and I told him, yes; and he said he would charge only the same amount.

By Mr. Goff:

Q. Was there other transactions of similar nature occurred to your recollection? A. No, sir; but I know a pile of gambling-houses running up there.

Q. Do you know that gambling-houses are running? A. Yes, sir.

Q. At the present time? A. I know where there are some running at the present time, but not in that precinct.

Q. In the city of New York? A. Yes, sir.

Q. Tell us where they are? A. Back of Burgess' saloon, in One Hundred and Twenty-fifth street, near Eighth avenue, I think it is.

Q. That is in Captain Meakim's precinct? A. Yes, sir.

Q. Do you know any policemen go in and gamble in that saloon? A. That is about all that does play there.

By Senator Bradley:

Q. That is all that play there? A. About all.

Q. How do you know that? A. Because I have played there for five or six times.

Q. Recently? A. Yes.

Q. You have? A. Yes.

Q. You have seen policemen there in the saloon gambling? A. With their uniform on, and on post.

Q. How many at a time? A. Two.

By Mr. Goff:

Q. Did you go to that saloon under my instructions? A. Two with uniforms on; yes, sir.

By Chairman Lexow:

Q. How many without uniform? A. Four, I believe; I believe the most that were there was six; two with uniforms on, and four without.

Q. Did you see different men at different times? A. Yes; not always the same; those in uniform; after they came out, I would follow them and they would go to the police station.

By Mr. Goff:

Q. What sort of a game was carried on there? A. Well, I think it was a skin game.

By Senator O'Connor:

Q. What do you call a skin game? A. They skin every fellow that comes in that don't belong to the clique; for instance, if I am in a game and a stranger.—

By Senator Cantor:

Q. What kind of game? A. Poker game.

Q. He is describing for the benefit of Senator O'Connor what is a skin game? A. For instance, I am a stranger; I go in to play, and there is an officer on each side, and they keep raising, and once in a while when I call them down I find nothing, and they would get your money.

By Mr. Goff:

Q. Did you play there? A. Yes, sir.

Q. And you played there under my instructions? A. Yes, sir.

Q. Do you remember if you received instructions to go to that place on any particular date, in addition to when you first reported? A. I did; but I can not remember the date now.

Q. Any day of the week? A. Yes.

Q. What day of the week? A. Saturday night, and I was there until 4 o'clock Sunday morning, and went again Sunday morning and played.

By Mr. Ransom:

Q. Under Mr. Goff's instruction? A. Yes, sir.

Q. Sunday afternoon? A. Yes, sir.

By Mr. Goff

Q. What was the instruction you received in regard to Sunday afternoon? A. I was sent to go into the place and play accompanied by Mr. Lemon — Mr. Dennett, the angel, was sent to go around, or I had instructions from Mr. Goff to take Mr. Dennett with me and have him count the number of the saloons that were open in that neighborhood while the officers that should be closing those saloons was in Mr. Burgess' saloon, playing poker.

Q. That is, you were to note the number of saloons that were open? A. Mr. Dennett was to do that.

Q. That was the instruction? A. Yes; while the officers.—

Chairman Lexow.— Why won't you interrupt at this point, and have this witness, Miss Harvey, testify? You have gone with this witness through that part of it.

Mr. Goff.— I did not intend to open up this.

Mr. Ransom.— Mr. Chairman, in regard to the disposition of this testimony.

Chairman Lexow.— You will have an opportunity to cross-examine here.

Mr. Ransom.— There are three or four questions in regard to the examination that were called out by his examination-in-chief, as he was called by Mr. Goff, that I want to ask.

Chairman Lexow.— It does not refer to the testimony of Miss Harvey.

Mr. Ransom.— In regard to his testimony which he was called to give on account of Miss Harvey's presence, that is all; I only wanted to ask two or three questions.

The Chairman.— Certainly.

By Mr. Ransom:

Q. I want to ask if you testified as a witness on the trial on behalf of Captain Devery? A. I did, sir.

Q. And were you inquired of there in regard to the transactions you have testified to here? A. Most of them.

Q. Were you inquired of in regard to the transactions which you have prescribed to-day? A. I was inquired of as to my arrest by Captain Devery in Fifty-third street only.

Q. Only? A. I wanted to tell the rest, and Colonel James wouldn't let me.

Q. You mean the court wouldn't let you? A. Colonel James objected.

Mr. Ransom.— Colonel James had an influence which I have not got.

Senator Cantor.— A different tribunal, judge.

Mr. Ransom.— Yes; a different tribunal.

Q. Did you ever work for the Broadway Railroad Company?

A. I did; yes, sir.

Q. When were you discharged? A. I don't know that I was discharged.

Q. Is that true? A. Yes, sir.

Q. You swear you don't know that you were discharged? A. Yes, sir.

Q. When did you quit the employment of the road? A. I was there doing detective work.

Q. Did you resign? A. I did not.

Q. Who employed you to do detective work? A. As a general thing when I undertook to do detective work —

Q. Will you answer my question; now, you left the employ of the railroad company? A. I did!

Q. Why did you leave the employ of the company? A. Well, I was doing detective work; I was sent on a kind of a case; I was day conducting, but the object of my being there was understood, as I understand it, between the officials of the road, and a private individual, who I was doing work there for; and I suppose, so far as I understood, the case was finished.

Q. How long were you at work for the road? A. I was there, I think, between three and four months.

Q. Were you employed by the officials? A. I was.

Q. Were you paid for your services? A. I was.

Q. And the regular pay of the conductors? A. Yes.

Q. And no more? A. No more.

Q. Did you knock down while you were there? A. What do you mean by knock down?

Q. Don't you know? A. I don't know what you mean.

Q. You don't know what I mean when I asked you if you knocked down? A. I suppose you mean, I took something that did not belong to me; or you might mean I knocked anybody down in the car.

Q. You are testifying under oath? A. Yes.

Q. Of course, you are telling the truth? A. Yes.

Q. Did you knock down? Knock down what.

Q. Did you steal any money; any fares? A. I did not.

Q. Take any fares and put them in your own pocket? A. I rung every fare; I put them all in my pocket; I turned them over to the company,

Q. Did you ring up every fare? A. I did, so far as I knew.

Senator Bradley.—If he did steal any of the company's money it was all fair.

Mr. Ransom.—That depends, Senator, how you spell the word.

Chairman Lexow.—That is not a part of these proceedings, gentlemen, will you continue your examination?

Mr. Ransom.—That may be the fair they had in Brooklyn; I don't know; I don't think I will ask him anything further; not now; some other day.

Mr. Goff.—That is all for the present, Mr. Whitney.

Maud Harvey, recalled, and further examined:

By Mr. Goff:

Q. Just one or two questions; now, Miss Harvey, you are a little hard of hearing, aren't you? A. Yes.

Q. Do you think that all the questions you answered me to-day, that you heard my questions? A. Yes, sir.

Q. You hear me now distinctly, do you? A. Yes, sir.

Q. Have you heard the testimony that the last witness has given on the stand? A. Something

Q. About his conversation with you last night? A. Yes, sir.

Q. I do not want to call your attention to the other parts of his testimony, not relating to you; but you heard all he said relating to you? A. Yes, sir.

Q. And to your conversation? A. Yes, sir.

Q. Will you swear that what he swore to is untrue? A. Yes, sir.

Q. The whole of it? A. Yes, sir.

Q. Every word? A. Yes, sir.

Chairman Lexow.—That is all, I think.

The Witness.—Because he said I called the man—

By Mr. Goff:

Q. You understand now you have sworn that every word that witness has testified to on this stand in regard to the conversation between you and him was all false; there was not a single word in all that conversation between you and him that was true, even when he said to you good-day; that was false? A. No; he said, "Good-day." when he came in; and I said, "How did you get me?" He said, "There is others with you;" he said, "Rosa Bell, up in Seventy-sixth street;" and then he said to me, "When you go down there you tell the truth;" and showed me a Masonic ring, and said to me, "If you go down there you'll be protected by the Lenox"—

Q. The Lexow committee? A. He says, "You tell the truth, and they will protect you;" and he said, "I will bring my friends here;" I said, "I will tell the truth, and nothing but the truth; I am not going to perjure myself."

By Mr. Goff:

Q. All he said about the conversation that passed between himself and yourself, as he swore it, as to your payment of money, to police captains, or police officials, is all untrue, every word of it, is it? A. Yes, sir.

Q. Every word of it? A. Yes, sir.

Q. And you don't hesitate now; you have no doubt at all in your mind about that? A. Yes.

Q. What do you understand me — have you any doubt in your mind that everything he said about your pay for police protection is untrue? A. He told a lie there.

Q. Every bit of it; every word of it? A. He tells a lie when he says I called the man vile names, and also he said to me — he says to me, "You go down there, and the Lexow people will protect you."

Q. You have told us that three or four times? A. He says to me, "You tell the truth; I advise you to tell the truth;" I said, "I will tell you the truth."

Q. You have told us that a great many times; will you swear that every word that the witness Whitney said regarding this conversation between yourself and himself, that you paid protection to the police, or to some police official was untrue; will you swear that? A. Yes, sir.

Q. Every word of it? A. Yes, sir.

Q. And you swear that he must have coined all of that out of his imagination? A. Yes, sir; he may have asked me what captains was in it, and I told him I did not know it myself.

By Chairman Lexow:

Q. Didn't you tell him of a conversation together in which you referred to the examination-room upstairs, or whatever he called it, the confession-room upstairs? A. That was with Mr. Soyer.

Q. Didn't you have a conversation with Mr. Whitney on that occasion in which you spoke of having gone up with Mr. Soyer into the confession-room? A. Yes, sir.

Q. Didn't you tell what occurred between you and Mr. Soyer in that confession-room; didn't you tell him that you were surprised when Mr. Soyer produced figures which represented

exactly what you paid to the police captains for protection?

A. I said it was a lie; I said, "I don't know what to make of this; what is it for?"

Q. Didn't you say to Mr. Whitney on that occasion that you had gone up to the confession-room with Mr. Sawyer and that you were surprised that Mr. Sawyer had produced a paper on which there were figures that represented exactly the amounts that you paid to captains for protection? A. No.

Q. Didn't you have that conversation with him? A. I said to him when he—when he showed me this man's name; I said, "I don't know what to make of it, bringing me in this;" he said to me, "When you go down there, I advise you to tell the truth;" I said, "I would tell the truth."

Chairman Lexow.—There is nothing further, Mr. Goff.

By Mr. Goff:

Q. Oh, yes; what is the name of the colored woman in your house? A. Lizzie Jefferson.

Q. What does she do there? A. Cook.

Q. Is that all she does? A. Usually, and general housework.

Q. Nothing else? A. No, sir.

Q. She is up there now? A. Yes.

Q. Will you send Lizzie down here? A. Yes, sir.

Q. Will you hold yourself in readiness to come before this committee again when you are called upon? A. Yes.

Q. You won't go and leave the city, will you? A. No, sir.

Q. Do you remember saying to Mr. Whitney or Mr. Soyer, that you could not see how the police could interfere with you, because you lived in your own house; do you remember saying that? A. I don't remember saying that; all I said, "I do not see how they interfered;" I said, "there were other people they could interfere with."

Q. Did you say anything you did not think they could interfere, because you lived in your own house? A. No, sir.

Q. When did you buy that house? A. Two years ago.

Q. And all your own money? A. Yes, sir.

Q. How much did you pay for it? A. Seventeen thousand dollars.

Q. And did you pay all in cash? A. Yes, sir.

Q. And you were running the house from the time you went there 10 years ago? A. Yes, sir.

Q. And out of the profits of your business and keeping a bedhouse, you were able to save \$17,000 to pay for this house you are in now? A. Yes, sir.

Q. And you were able to do that in about seven years and a half? A. Yes, sir.

Q. And you lived pretty well all the time? A. Yes, sir.

Q. You dressed nicely? A. Yes, sir.

Q. And you go to the races? A. Very seldom.

Q. Where you go with your friends, the bookmaker? A. No; I go alone.

Q. Didn't you go with him to Morris Park that day? A. No.

Q. You met him? A. Yes.

Q. You go to Gravesend? A. No, sir.

Q. Coney Island? A. No, sir.

Q. Never to the Sheepshead Bay track? A. No, sir.

Q. Any other track but Morris Park? A. Long Branch.

Q. And Guttenberg? A. No, sir.

Q. You keep a horse? A. No, sir.

Q. Do you go out driving frequently? A. No, sir.

Q. In the park? A. No, sir.

Q. Do you ever go out driving? A. Very seldom.

Q. In a Victoria—open carriage? A. Yes.

Q. And you could do all these things, and live nicely, and keep servants, etc., off the profits of keeping this bedhouse in New York in seven years and a half, and buy this house you are in? A. Yes, sir.

Chairman Lexow.—Have you finished, Mr. Goff?

Mr. Goff.—Yes, sir.

Cross-examination by Mr. Ransom:

Q. Miss Harvey—is it Mrs. or Miss Harvey? A. Miss.

Q. In answer to Mr. Goff, you testified to some trouble in your house that you used at one time, I think, when you were arrested two and a half years ago, and you mentioned the name of Mr. Munzinger; do you remember that testimony? A. I mentioned the name.

Q. Mr. Goff mentioned the name, and you adopted it in some form.

By Chairman Lexow:

Q. In reference to Mrs. McCarty? A. Yes, sir.

By Mr. Ransom:

Q. The name of Munzinger was used, and I want to know if you remember it? A. Yes, sir.

Q. Do you know that man? A. No, sir.

Q. You don't know whether his name was John or Lewis, do you? A. No, sir.

Q. Don't you know anything about it? A. No, sir.

Mr. Ransom.—I want to know if it was the same man we had here as a witness.

Chairman Lexow.—No.

Senator O'Connor.—I want to say, as one of the committee, that any witnesses subpoenaed, I shall insist on the disclosure of any person having a conversation with the witness after the subpoena is served.

Mr. Goff.—The witness communicated to me. I, of course, am not at liberty to announce; but at the same time I think it important, in connection with other matters, that this name shall be known. I think it very important.

Chairman Lexow.—So far as you know it, you can bring it out at any time.

Mr. Goff.—I think it should appear in the record.

Senator O'Connor.—I do not think, hereafter, when they interfere with witnesses after they have been subpoenaed as witnesses, there should be any confidence about it.

Senator Saxton.—If Mr. Goff thinks it material—

Mr. Goff.—I think it material in connection with other matters that will come before the committee at a later date.

Chairman Lexow.—Put your question.

Mr. Goff.—Miss Harvey.

Chairman Lexow.—Put the question right from there, Mr. Goff.

Mr. Goff.—Miss Harvey, just stand up where you are, please.

Q. You tell the committee the name of your friend, to whom you went to the Brower House to meet last night? A. Teddy Foley.

Q. The bookmaker? A. Yes, sir; he makes his living on the race tracks.

Q. What is his real name? A. Teddy Foley.

Q. Do you know of any other name but Teddy Foley? A. No, sir.

Q. By the way, when I am asking about names—Miss Harvey is not your real name? A. No.

Mr. Goff.—Well, I won't ask. That is all. Now, Mrs. Bell.

Mr. Ransom.—Are we to have the luncheon hour?

Mr. Goff.—We want to take but a short time with this witness.

Chairman Lexow.—We will take the time, when we do adjourn.

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

Direct examination by Mr. Goff:

Q. I understand, Mrs. Bell, that you have been sick recently?
A. Yes.

Q. And you are ill now? A. Yes, sir.

Q. Well, I put my questions to you as briefly as possible, and as few as possible; did you ever pay any money to any police official for protection? A. No; never in my life; not a police official.

By Chairman Lexow:

Q. To whom did you? A. I do not remember any, except one wardman.

Q. A wardman? A. Yes, sir.

Q. What was his name? A. His name was Burns.

By Mr. Goff:

Q. Mrs. Bell, you say his name was Burns? A. Yes.

Q. What was his first name? A. I don't know.

Q. How often did you pay him? A. A number of times; I could not tell how many.

Q. Every month? A. No; I never paid by the month.

Q. How did you pay; under a contract with him? A. No; I paid whenever I choose; every three months.

Q. And was it a stated price? A. No; what I choose to give.

Q. How much did you give him? A. One hundred and fifty dollars every three months.

Q. And did you pay him what is called initiation fee? A. No; I never did.

Q. On the transfer of captains? A. No.

Q. Do you know what he did with the money? A. I do not, sir.

Q. He came to your house? A. He did.

Q. And asked you for money? A. No; he came to the house; I knew what he came after.

Q. How did you know he came after money? A. I had been paying it for so many years; I knew.

Q. Had you paid it to people before? A. Yes.

Q. Wardmen before? A. I did.

Q. Who was the wardman before Burns to whom you paid money? A. You must excuse me; I don't know his name.

Q. You don't know his name? A. No.

Q. You know he was a wardman? A. Yes.

Q. Who was the captain of the precinct at the time? A. They changed captains so often that way.—

Q. How many years back has this payment, paid every three months, of this amount of \$150—how far back does it extend? A. Ten years.

Q. And has the price been the same? A. Always the same.

Q. What precinct was it, Mrs. Bell? A. The Nineteenth.

Q. That is called the Tenderloin? A. Yes, sir.

Q. What captain was in at the time you paid Burns the money? A. The captain that is now there; Captain Schmittberger.

Q. When did you give him the last money? A. I don't remember.

Q. A few months ago? A. Because I have been so very ill — yes.

Q. But as near as you can recollect some few months ago? A. Yes; about seven months ago.

Q. You kept a house of prostitution — kept girls? A. One or two; yes.

Q. Did you let out rooms in addition to keeping the girls? A. Certainly.

Q. Where is the house? A. Seventy-four West Thirty-sixth street.

Q. How long have you been there? A. Ten years.

Q. Do you own the house? A. I do.

Q. You own the house? A. Yes.

Q. And you saved money enough out of your business to buy the house? A. Yes.

Q. Within the 10 years? A. Yes.

Q. Were you ever raided? A. Yes.

Q. When were you raided? A. That I don't remember; about three years ago, I think it was.

Q. Who raided you; you remember what captain it was.

The Chairman.— Can you suggest the name?

Mr. Jerome.— Reilly?

The Witness.— No; not Reilly.

By Mr. Goff

Q. O'Connor? A. No; I can not think of his name.

By Chairman Lexow:

Q. McLaughlin? A. McLaughlin; yes.

By Mr. Goff

Q. Did you pay any money then, Mrs. Bell? A. Not to any captain; I never see the captain.

Q. Who did you pay money to at the time you were raided?

A. At the time I was raided?

Q. Yes. A. I paid the money in court.

Q. You paid money in court; were you fined? A. I was.

Q. How much were you fined? A. Five hundred dollars.

Q. Did you pay any other money but the \$500? A. No, sir.

Q. That is the only money you paid? A. That was all, to the best of my knowledge as far as I remember.

Q. Did you give any money to any body to pay for you? A. no.

Q. Do you remember? A. No; I attend to my own affairs.

Q. After you paid the \$500 fine you kept the house the same as ever? A. Certain, I did.

Q. The police did not raid you again? A. Yes; they did the second time.

Q. Was it the same captain, or another captain? A. I think it was—I am not positive—I think it was the same; but I am not sure; I would not be positive.

Q. Did you pay any money the second time you were raided? A. I was sick in bed and they took my colored girl.

Q. You were not arrested the second time? A. No; I was not.

Q. Did you pay any money at all that time? A. No.

Q. Who did? A. The colored girl.

By Chairman Lexow:

Q. Did you give it to the colored girl to pay? A. Certainly.

Q. How much? A. One hundred dollars.

Chairman Lexow.—The colored girl was arrested and she gave \$100 to pay her fine.

By Senator Saxton:

Q. How long was that after the first raid?

By Mr. Goff

Q. How long was the second raid after the first? A. I was trying to think; not far along.

By Chairman Lexow:

Q. Was it a year, or a month, or weeks? A. It might have been a year; I am not positive.

By Mr. Goff:

Q. Did you pay any money between the first and second raid to any wardman? A. Not as I remember.

Q. Did you pay any money after the second raid to the wardman? A. No; I did not; because then I ceased business.

Q. You ceased business then; when did you open up again? A. I did not open up again.

Q. How long ago is the second raid? A. I think it was about seven or eight months ago.

By the Chairman:

Q. That would be about November? A. Yes.

By Mr. Goff:

Q. It must be Captain Schmittberger that raided you? A. Perhaps it was; I could not say positive.

By Chairman Lexow:

Q. Was the same wardman in the precinct at the time of the first raid as at the time of the second? A. I think not.

Q. A different man? I think so; I wouldn't be sure.

By Mr. Goff:

Q. Did any wardman, or any one from the station come to you lately to tell you to keep quiet until this investigating committee got out of town? A. No, sir.

Q. Did you hear anything about it? A. I heard it from the girls from the outside, not from the police station.

Q. Did you ever pay any money to the policemen on the beat? A. Never.

Q. Did they ever call into your house at all? A. Never.

Q. The only money you ever paid was to the wardman? A. Yes; that is all.

Q. Now, didn't you pay more money than to Burns the wardman; didn't you pay money to other wardmen? A. I say, yes; but I don't remember their names.

Senator Bradley.—She said she did; but don't remember their names.

Q. You paid it right along to the wardmen for 10 years? A. I did.

Q. Every three months? A. Yes.

By Senator Bradley:

Q. One hundred and fifty dollars? A. Yes.

By Senator Saxton:

Q. Did she pay this money at the house? A. At my house.

Q. Every three months regularly? A. Yes, sir; I did.

Q. Do you remember a wardman there by the name of Price? A. I heard of him.

Q. Did you every pay him any money? A. I could not say.

Q. Do you know Price? A. I may have seen him; but I could not say whether I had or not.

Q. Where did you see him? A. I say I could not say whether I have or have not seen him; I don't remember.

Q. Do you remember whether Captain Williams was in that precinct? A. I certainly do.

Q. Didn't you pay the whole amount as usual? A. Certainly.

Q. To Captain Williams' wardman? A. Yes.

Q. Don't you remember his name was Price? A. No; I do not.

Q. You remember it was the wardman? A. That is all I remember.

Q. Do you remember that wardman; can you describe him? A. It is so far back I could not.

Q. Did you ever hear the wardman to whom you paid the money when Captain Williams was in that precinct was afterwards made captain himself? A. No, sir; I did not until I read it in the papers.

Q. Oh, you read it in the papers? A. Yes, sir.

Q. That is, that Price had been made a captain? A. Yes, sir.

Q. And when you read it in the papers, didn't you recognize the name as the same wardman you had paid the money to when Captain Williams was there? A. There are so many Prices, I do not know which was the one.

Q. Did you ever know a policeman or wardman of the name of Price? A. I heard of them.

Q. Would you be able to recognize him, if you saw him again? A. I don't know whether I would or not; perhaps I would, and perhaps not.

Q. Have you seen Captain Price's picture in the newspapers? A. Certainly I have.

Q. Did that resemble the wardman to whom you paid the money? A. That is so many years ago, and I have been so sick, really I could not tell.

By Mr. Goff:

Q. I want to ask her one more question; did you ever make presents around Christmas or New Years, Mrs. Bell? A. Certainly I did.

Q. Did you ever make presents to the wardmen around that time? A. Never in my life.

Q. Or any other police officials? A. No; only the same as I would to the postman; I always did; at New Year's time I gave to the postman and all the people that worked for me I gave presents.

Q. Did you remember the policemen at the time you remembered the postman? A. Certainly I did; I didn't forget anyone.

Q. You gave the policeman on the beat a little present around Christmas time? A. Certainly I did; he never asked for it.

Q. You gave it to him? A. Certainly I did.

Q. How much did you give them? A. I never gave them more than \$5 apiece.

Q. Do you remember the time a wardman went around to you saying that they were going to make a present to the captain; they wanted to get up a nice present for him? A. Often people called, but I never seen them.

Q. Don't you remember subscribing money to buy a nice present for the captain? A. No; I do not; I should think he had money enough without me making him a present.

Chairman Lexow.—Are you through, Mr. Goff?

Mr. Goff.—Just one word.

Q. You are married A. I am.

Q. Do you know if your husband ever made payments to the police for you? A. He did not; not to my knowledge, he never did.

Chairman Lexow.—The witness has stated she did her own business herself.

Q. Is your husband in court? A. No, sir; he is not.

Q. When did he leave New York? A. I have not seen him since Monday.

Q. Since last Monday? A. Yes.

Q. Do you know where he is? A. I do not.

Q. Well, do you know why he left? A. He goes wherever he likes; he goes often; I never see him sometimes for a month.

Q. You and your husband had a talk about the Lexow committee, haven't you? A. No.

Q. Didn't he tell you that someone was trying to serve a subpoena upon him? A. No, sir; I never thought I would be called.

Q. Your husband I am speaking of now? A. I know; he never thought, nor I or he that he would be called.

By Chairman Lexow:

Q. Mrs. Bell, you stated you have paid this \$150 every three months to the wardman? A. Yes, sir.

Q. Because you had to do it? A. Yes.

Q. How did you first ascertain you had to pay \$150 every three months? A. I bought the house from Rosie Bell, and she told me what I had to do.

Q. You bought the house from Rosie Bell and she told you that was the tariff on that house, and that would have to be paid? A. Yes.

Q. And from that time, without making any agreement with the wardman, you paid the wardman \$150 every three months?

A. I did.

Q. And that continued for a period of 10 years? A. Yes, sir.

By Mr. Goff:

Q. Do you remember at one time complaining that you could not pay your bills and were hard up? A. Certainly I do.

Q. And don't you remember saying that you could not pay your bills, because the assessments were so heavy? A. No.

Q. Are you sure, now? A. I am sure of that; because of my own extravagance.

Q. Your own extravagance? A. Certainly.

Q. Did you ever say anything about heavy assessments? A. No.

Q. Well, don't you know that your husband used to go out on the street and make appointments with the captain of the precinct? A. No, sir; I do not.

Q. Did you ever hear that? A. Never heard that in my life before.

Q. Has any one been speaking to you since you have been served with a subpoena? A. No.

Q. Did you see any one about it? A. No.

Q. Have you been talking with any one about it? A. No.

Cross-examination by Mr. Ransom:

Q. I understood you to say that you had never paid any money to any police officer except the wardman, Burns, and some other wardmen, whose names you do not remember? A. That is right.

Q. Is that right? A. I did say so.

Q. And that is true? A. That is true.

Q. Was anybody present at any time when you paid money to the wardman except yourself and the man? A. No; that is all.

Q. Did you keep any memorandum of the payments that you made? A. No.

Q. None at all? A. No.

Q. I wish you would state, if you can, the time when you paid the wardman you say was with Captain Williams in that precinct—when was it? A. I beg your pardon?

Q. When was it you paid Captain Williams' wardman money? A. I paid it at the house.

Q. I wanted to get the time? A. In 1884.

Q. Williams was captain of that precinct then? A. Of that precinct.

Q. How long was he captain of the precinct? A. I don't remember.

Q. Do you remember how many times you paid his wardman money? A. No; I do not.

Q. You can not say whether it was more than once? A. Oh, I said more than once; but I can not remember how many times.

Q. What I was trying to get at is this; I understood you to say to the chairman you paid \$150 every three months? A. Every three months; that is right.

Q. And your payment was made regularly every three months? A. So it was.

Q. I would like to know how many times, if you can remember, you paid when Williams was captain of the precinct? A. I tell you I don't remember.

Q. You never kept any track of it? A. No; I did not.

Q. Do you remember the name of any of the policemen to whom you made the Christmas presents of \$5? A. Certainly not; I never asked them.

Q. I understood you to say you were in the habit of giving Christmas gifts of some moderate size to all the people who worked for you? A. Yes, sir.

Q. And you included the postman? A. Yes.

Q. And the newspaper man? A. And the milkman and all.

Q. You mean the man that supplies you with papers? A. Yes, sir.

Q. You included the policeman as one of the persons who worked for you? A. He passed up and down and took care of my house.

Q. Looked out for your house? A. He did.

Q. Can you remember his name? A. No, sir; I do not.

Q. Not any of them? A. No.

Mr. Goff.—That will do, Mrs. Bell.

Mrs. Bell.—Thank you.

Mr. Goff.—Now, I want to swear another witness.

George Appa was called as a witness, and the chairman administered the oath.

The Witness.—Before I proceed to that, I have been taken up unknowingly and brought here as a witness. I have not had any chance to think of this matter.

Chairman Lexow.—That is not the question. The committee here is empowered to administer the oath to you.

The Witness.—I am an unwilling witness.

Chairman Lexow.—That is all right. Kiss the book.

Mr. Goff.—We have compelled the witness to come here. Where is the sergeant-at-arms.

The Chairman.—The witness is placed in the custody of the sergeant-at-arms.

Mr. Goff.—Yes. The deputy is here. Will you please instruct Mr. Appo, Mr. Chairman, that he is now being sworn, he is in charge of this committee.

Chairman Lexow.—You are under the protection now of this committee, Mr. Appo, and the sergeant-at-arms, who represents the authority of this committee, will take you in custody until you are examined. All witnesses subpoenaed for this morning will attend this afternoon at half-past 2 o'clock. We now stand adjourned until that time.

AFTERNOON SESSION.

June 14, 1894.

Present — Senators and counsel as before.

The Chairman.—Are you ready, Mr. Goff?

Mr. Goff.—Yes, sir.

The Chairman.—Where is the witness?

George Appo resumed the stand.

The Chairman.—We understand that you come here against your will. The committee will give you every protection that you require. Any testimony that you may give here with reference to bribery or corruption, paid to the official, either in this city or elsewhere is privileged. You can plead it in bar absolutely against any prosecution that may be brought against you. So you have nothing to fear excepting to tell the truth. Now, if you do not tell the truth you know you are subject to the penalties for perjury.

Direct examination by Mr. Goff:

Q. How old are you? A. Thirty-six years of age.

Q. Where was you born? A. New Haven, Conn.

Q. You have been in this country all your life? A. Yes, sir.

Q. Do you remember when you first came to New York? A. I was born in New Haven, Conn., and I came here when I was 2 months old.

Q. So that you were brought up in New York city? A. Yes, sir.

Q. You were a little unfortunate when you were a boy, were you not? A. Yes, sir.

Q. I think you were about 16 years of age when you first went before Recorder Hackett, do you remember that? A. Yes, sir.

Q. When you were 16 years of age you were sentenced to State prison? A. Yes, sir.

Q. By Recorder Hackett? A. Yes, sir.

Q. Do you remember the sentence you got? A. Two years and six months.

Q. You were quite a little fellow then; you were quite small, were you not? A. Yes, sir; only 16.

Q. Did you find a suit in State prison small enough to fit you? A. They were all too big.

Q. What were you sent to prison for? A. Picking pockets.

Q. After you served your term in State prison did you ever go there again? A. Yes, sir.

Q. How soon after? A. Nine months after my release.

Q. Who sentenced you the second time? A. Judge Gilder-sleeve.

Q. How long were you sentenced at that time? A. Two years and a half.

Q. What did you do that time? A. Picking pockets.

Q. Did you ever go to State prison again? A. Yes, sir.

Q. How soon after your release? A. Five years.

Q. Now the third time that you went to State prison, how long were you sentenced for? A. Three years and six months.

Q. Who sentenced you at that time? A. Recorder Smyth.

Q. What did you do the third time? A. Picking pockets.

Q. The same thing, picking pockets? A. Yes, sir.

Q. Have you told us all the times you have been in State prison? A. I served a year in the penitentiary.

Q. When was that? A. Eighteen hundred and eighty-nine.

Q. What was that for? A. Picking pickets.

Q. The same thing? A. Yes, sir.

Q. Were you ever in Elmira? A. No, sir.

Q. You were also in prison up in Connecticut, were you not, at Weathersfield? A. Never, sir.

Q. Were you in prison in any State outside of New York? A. Pennsylvania.

Q. When were you in prison there? A. Eighteen hundred and eighty-six.

Q. What for? A. Picking pockets.

Q. The same thing? A. Yes, sir.

Q. Have you told us all the places that you have been in prison? A. That is all.

Q. How long were you in prison in Pennsylvania? A. Eleven months.

Q. Do you remember what time it was; how long ago? A. In 1886.

Q. So, that you have given us now all the times that you have been in prison in any State? A. Yes, sir.

Q. Have you ever been in Europe? A. No, sir; I have never been ashore; I have been there on board ship, though.

Q. You have gone over on shipboard there? A. Yes, sir.

Q. Outside of picking pockets have you been engaged in any other crooked business in this city? A. Yes, sir.

Q. What other crooked business have you been engaged in? A. Greengoods business.

Q. That has been your principal business, has it not? A. Late years; yes, sir.

Q. And did you understand the greengoods all the way through; do you not? A. Yes, sir.

Q. Now, we know what the term greengoods generally means; will you please explain to us how the greengoods are sold?

A. There is a circular sent out stating that there is a duplicate of the genuine money manufactured from the same place.

Q. Let us see; in the greengoods business there are quite a number of men engaged, are there not? A. Yes, sir.

Q. Now, we will say, first, there is the backer, is there not? A. Yes, sir.

Q. Or the bank-roll man, as he is called? A. Yes, sir.

Q. He is the head, is he not? A. Yes, sir.

Q. He is the man that supplies the capital? A. Yes, sir.

Q. He is the man with the money? A. Yes, sir.

Q. Then, there is the writer? A. Yes, sir.

Q. That is two? A. Yes, sir.

Q. Now, what does the writer do? A. Well, he sends out his mail; sends out these circulars.

Q. Then there is the steerer? A. Yes, sir.

Q. What does the steerer do? A. He goes after the victim.

Q. And the victim is the man that comes way from the backwoods here to New York to buy the greengoods; that is what he is called? A. Yes, sir; and from towns, too, and cities all over the United States.

Q. There is a man called the ringer, is he not? A. Yes, sir.

Q. What does the ringer do? A. He is behind the partition; he takes the good money away and puts the green goods back.

Q. He takes the good money from the victim? A. Yes, sir; and puts the bad money? A. Yes, sir.

Q. Or the counterfeit money—? A. Yes, sir.

Q. Or the bricks? A. Or the bricks.

Q. In its stead? A. Yes, sir.

Q. Is there any other man that has to do this thing; isn't there a turner? A. A turner.

Q. What does the turner do? A. Well, he is supposed to be the son of the old man.

Q. He is supposed to be the son of the old man? A. And he sells the goods.

By the Chairman:

Q. He does the selling of the green goods? A. Like a salesman over the counter.

Q. He handles the green goods over the counter and sells them to the victim.

By Mr. Goff:

Q. Now, we will see; what is the man called that takes charge of the victim after he finds out that he has been fleeced, has been robbed? A. Well, the steerer takes him away, and then there is the tailer that tails him up in case he should open up.

Q. Now, you speak of the old man; that is the person who is introduced as the father, Ikie? A. Yes, sir.

Q. It is his son that does the selling work? A. Yes, sir.

Q. His supposed son? A. Yes, sir.

Q. Now, is there not a place called the "turning" joint? A. Yes, sir.

Q. What is the "turning joint?" A. It is a store, just an empty store with a desk in it, like an office.

Q. That is the place where the job is done? A. Yes, sir.

Q. But there are more places than the turning joint that the victim is brought to, are there not? A. There are more places than the turning —

Q. He is brought to other places, is he not? A. He is instructed to come on to a hotel 50 or 100 miles from New York, say Elizabeth, N. J., Poughkeepsie, Fishkill, or any of those towns out of New York city; they send a steerer out there after him; he is supposed to be a messenger.

Q. Can you tell us how these various persons divide up the proceeds of the money that is taken from the victims? A. Well, the writer gets 50 per cent.

Q. The writer gets 50 per cent.? A. And the backer gets 50 per cent., and the steerer gets 5 per cent., but he is supposed to get 10 per cent.

Q. Out of which 50 does the steerer get his percentage? A. He has 5 per cent.

Q. Out of which 50; you say the writer gets 50 per cent.? A. Both of them; each gives 2 1-2 per cent.

Q. Each gives the steerer 2 1-2 per cent? A. Yes, sir.

Q. How do the other men get paid? A. They get \$5 for each man; the turner gets \$10, and the ringer gets \$5, and the tailer gets \$5.

By the Chairman:

Q. For each victim that they bring in? A. Yes, sir.

By Mr. Goff:

Q. Will you explain to the committee what the writer does and how the victims are got? A. He sends out his circulars and then he gets an answer by telegraph.

Q. How does he get the list of names to send the circulars to? A. From Bradstreet's, from Dunn's, and from all the other city directories.

Q. City directories of the far-away towns and cities? A. Throughout the United States.

Q. And it is the writer's business, is it, to select the names from the mercantile agencies and city directories? A. Yes, sir.

Q. And mail them this matter? A. Yes, sir.

Q. First he mails the circular, does he not, imitating a type-written circular? A. Yes, sir.

Q. And in that circular is described the greengoods? A. Yes, sir.

Q. Counterfeit money? A. Yes, sir.

Q. Now, along with that circular, there appears to be what is a newspaper clipping, is there not? A. Yes, sir.

Q. It looks like as if a column was cut out of a paper? A. Out right out of the paper like.

Q. That contains some account of the greengoods, does it not? A. It gives an account of the Democratic or Republican party that is in power at the time, discovering some superfluous money.

Q. Counterfeit? A. An over-issue of money in the Treasury Department, or wherever they print these bank notes; it gives an illustration about them making an over-issue of each denomination of money.

Q. All the bills? A. Yes, sir.

Q. Does it not say something about the plates having been stolen from the Treasury Department in Washington? A. Yes, sir.

Q. And then does it not say something about a man having been arrested? A. Yes, sir.

Q. And that he had to be discharged? A. Yes, sir.

Q. Because it appeared that the bills were taken from the plates stolen from the Government; isn't that so? A. Yes, sir.

Q. These so-called newspaper clippings are not from real newspapers, are they? A. No, sir.

Q. They are printed specially for that purpose? A. Printed specially.

Q. Was there anything else in the envelope sent with the names? A. Nothing, only giving them instructions what to do.

Q. Is there not a telegraph blank sent? A. Yes, sir; with instructions; that tells them to send whatever the writer wants them to send, so he will understand who he is; for every circular he sends out he makes a record in a book, an enumeration; say, John Howard, 106; well, he tells him to sign "106, J. H." in his telegrams; not the full name; just "J. H., 106;" and he will consult his book if he gets an answer to that that that fellow is a "come-on."

Q. So that all communications after between this supposed to be John Howard are signed "J. H., 106;" then, suppose he wants to communicate with him again, how does he communicate with him? A. He sends him instructions where to go; what hotel to go to and what town to go to, and he will send his messenger there to meet him.

Q. How does he send the instructions, by mail or telegram? A. By mail.

Q. Isn't the victim cautioned not to write anything at all, but to send everything by telegram? A. Yes, sir.

Q. So that all the messages received, all the communications received from the victims, called "come-on's," are all received by telegraph here in New York? A. Yes, sir.

Q. To whom is that telegram directed? A. To the writer himself.

Q. Under whatever names he gives? A. Whatever address he has.

Q. Do you know if he goes to the telegraph office or the telegrams are delivered? A. The telegraph office delivers it to him.

Q. Can you tell if he gives the same address as where the turning joint is kept? A. No, sir.

Q. A different address altogether? A. Yes, sir.

Q. He selects any address that he can? A. That he can; the operator understands that himself.

Q. The telegraph operator understands what this is? A. Yes, sir.

Q. Do they know what these messages relate to? A. Yes, sir.

Q. And they deliver them? A. Yes, sir.

Q. After the message has been sent to the "come-on," and he has been told to stop at some hotel, what is next done? A. Well, they get their messenger, their steerer, and give him the pointers; he gives the victim the password; the victim is to recognize the messenger by a password.

Q. Is there a different password used in each case? A. He may give him "Speedy Fortune;" "How are you, Speedy Fortune; glad to see you," or something like that, and he recognizes him.

Q. "Speedy Fortune," that is a password sometimes used? A. They manufacture their own passwords; "Good luck, Mr. So and So;" something like that; so that the "come-on" will know that he is up against the right party to do business with.

Q. What does the steerer do when he meets the victim and gives him the password; suppose he met him in Elizabeth? A. He takes him on to New York and puts him in some saloon; then he goes and notifies the turner that he is here; then he takes him to the turning joint, and, after he is through business, takes him away and puts him back on the train and sends him home.

Q. Will you explain to us what is done after the steerer tells the turner that the victim is here, and the steerer brings the victim to the turning office; will you tell us just what is done? A. He takes him to the turning office and he shows him from \$5,000 to \$10,000, in ones, fives and tens.

Q. In genuine money?

By the Chairman:

Q. Good money? A. In good money; yes; he represents this money as so-called counterfeit; he packs it up for him in a box and lays the box on a shelf like, and raises up the lid of the desk for him to put his name down on the book; when the lid comes down the good stuff is gone and the ringer is there, with nothing in it; a box with nothing in it is on the shelf.

By Mr. Goff:

Q. The ringer is behind the desk? A. It is changed from the ringer behind.

Q. The ringer is behind, and when the lid is raised up the ringer puts his hand up and takes in the box with the good money and slips back the box containing the bricks or paper? A. Yes.

Q. Before we finish that, I want to know where the old man comes in? A. He just sits there, merely as a matter of form.

Q. So as to give an air of respectability to the place? A. Yes, sir.

Q. Does he introduce any of them, the steerer, the runner or turner as his son? A. The steerer introduces him; "This is Mr. Howard, Mr. So and So; Mr. So and So, this is my son."

Q. Who does the old man say this is his son? A. This is the old gentleman, Mr. Howard; this is the son, Mr. So and So."

Q. So that the old gentleman appears as the father of the steerer? A. No; as the father of the turner.

Q. Does the old gentleman say or do anything at all? A. Not a thing; he just sits there and listens; that is all.

Q. Does he not sometimes draw out a genuine \$1 bill or send it out? A. The turner does that; does all the talking.

Q. Doesn't the turner draw a \$1 genuine bill, show him a \$1 genuine bill, as a sample of the counterfeit bills? A. He shows him \$10,000 right there, and he has already had a sample sent to him, when he is home.

Q. What I want to ask is this; isn't the victim asked to go out and change a dollar, given to him, a bill? A. No, sir; he has already had a sample, and he has had a chance to investigate that sample before he came here.

By the Chairman:

Q. Is that sample a genuine bill? A. Yes, sir.

By Senator Cantor:

Q. They send him that? A. They send him that.

By Mr. Goff:

Q. The sample is a genuine bill? A. Yes, sir.

Q. These 10,000 dollar bills are in the box, and they are all genuine? A. All genuine.

Q. And those bills all belong to the bank-rollman, do they not? A. Yes, sir.

Q. His property? A. Yes, sir.

Q. Now, is it true that this bank-rollman or backer of the game has to keep quite a large sum of money on hand all the time? A. Yes, sir.

Q. To make this showing? A. Yes, sir.

Q. After the box is changed by the turner, what is done next? A. He is instructed to keep quiet, and then the steerer is instructed to see him to the depot and see that he gets his train and gets away all right, and he pays for the goods; they do not do less than \$300 a deal; that is the smallest deal they make, \$300.

Q. How much counterfeit money are they supposed to give for \$300? A. Three thousand dollars; they are allowed \$250 for expenses.

Q. Just explain that, please? A. They get \$3,000 for \$300, or 10 per cent.; they get the goods at 10 per cent.; they are supposed to get \$3,000; then they are allowed \$250 in the so-called counterfeit money; that is for their expenses, for the trouble of coming, traveling expenses.

Q. In addition to the \$3,000? A. Yes, sir.

Q. Is that the rate all the way through, no matter what amounts are bought — 10 per cent.? A. Yes, sir; 10 per cent.

Q. That is the rate? A. Yes, sir.

Q. Now, we come to the point when the steerer is told to go with the victim to the depot or to the ferry, I suppose to either one or the other? A. Yes, sir.

Q. Is there anything said to the victim about being careful to look out for the police? A. Oh, yes.

Q. What is said to him? A. They have to throw a scare into him, so that he won't burst the box open; "You have to be very careful now and make no friends or confidants while you are on the road, because you know the nature of your business, and it is a matter of 10 or 15 years if you are caught issuing those; this section of the country is flooded so you want to be very careful; sometimes they burst open.

Q. If they burst the box open too soon, then there is trouble? A. The steerer gets that.

Q. Does the steerer carry the box to the ferry or the depot? A. The steerer takes the box to the ferry or depot.

Q. Is the victim told that it is safer for the steerer to carry it? A. Oh, yes; in case there are any of the United States detectives around the depot.

Q. That is what the victim is warned of? A. Yes, sir.

Q. When the steerer gets to the depot with the victim, does he see the victim on the cars? A. Oh, yes.

Q. On his way home? A. He sees him right on board the cars.

Q. Does he go any distance with him? A. Oh, no; the trains start; very seldom they come back; maybe the next day; they may burst it on the train, and come back the next day.

Q. In case the man finds out, or the victim finds out, the fraud, what occurs then? A. There is a lookout, the tailer; if he comes back, the lookout throws a scare into him and makes out he is an officer.

Q. The tailer does? A. Yes; he is generally big and strong and looks like an officer.

Q. What does he do with the victim? A. And tells him that he is just as bad as they are, and puts himself more liable to the law than the turner or the steerer, and that the best thing he

can do is to get the train and go back home as quick as he can go; and he takes him to the depot and sends him off.

Q. Do you know of any case where the turner has brought the victim to the police-station? A. There have been cases of that; yes, sir.

Q. What has occurred in those cases? A. Well, they throw a scare into him there.

Q. The police throw a scare into him? A. Yes, sir.

Q. Do you know of any cases, within your memory, where the victim had been brought into the station-house and where the captain or the sergeant talked with him? A. I recollect one case myself.

Q. Will you tell us about that? A. I don't like to compromise anybody or incriminate anybody.

Q. You can not help that; it is not compromising or incriminating; you are simply telling the truth. A. It is incriminating a friend; I do not want to do that.

Q. You know that we can not regard anything of that kind; we must have the whole truth and nothing but the truth, and there is no incrimination so far as you are concerned. A. Well, I will give you the illustration; but I won't tell you where it happened.

The Chairman.—Let him give the illustration first.

Q. Very well; go on? A. There was a man that had a friend, a victim; it was done about three weeks previous to this man coming on; I went to Philadelphia after him; I brought him on; it was a Sunday morning; I brought him to a certain hotel here in the city; then I took him from the hotel to a saloon where he was to meet the goods; while there two men came in, the turner and the old gentleman, the so-called old gentleman, and sat down; and he said that he didn't have the key of the safe, but he would take his order; they asked him how big a deal he was going to make; he said, "\$800;" he would invest \$800; they only had \$85 in samples to show him; the rest of the bank-roll was locked up in the safe and the banker was downtown attending to some fellow that got arrested in the business and they couldn't get the bank-roll, so we showed him \$85 in samples and the result was they says, "I will take your order; I will give you \$15,000 in the goods, but I will have to ship them to you C. O. D., and you will leave \$400 deposit; I will give you a receipt for that, and when the goods reach you; I will send them by Adams Express, and remit you through registered letter the receipt, so that you can take this receipt and go to the Adams Express Company and get the goods there; for which you will pay

G. O. D., the balance, which will be \$400 more;" so, he says, "I will take these samples here"—the victim did, and he put them in his coat pocket; he says, "Do you want my money now;" he says to the turner; the turner says, "Yes; if you please; I will give you a receipt for it;" he goes down in his pocket and he pulls a big 48-calibre and lets go.

Q. Fired? A. Yes, sir; I got the gun away from him.

Q. Didn't some one throw a coat in his face, if I remember right? A. No; I grabbed the gun myself; wrenched it out, and the turner and the old gentleman ran out and left me alone there with him; the turner took the gun out of my hand when he ran out and left me alone there with him; I, thinking that he was going to pull another one to give it to me, picked up a spittoon to defend myself with, and he drew a big bowie knife and slashed me across here. (Indicating.)

Q. Slashed you across the hand? A. Yes, sir.

Q. Have you got the marks there yet? A. Yes, sir.

Q. After this man cut you with a bowie knife, what took place? A. He ran out into the street, and he saw the turner running down the street, and he ran after him; the turner took his overcoat off and threw it in the fellow's face; he was a Tennessee detective.

Q. A town marshal? A. He was a Tennessee detective; marshal of some town.

Q. A town marshal from Tennessee? A. Yes, sir; two officers heard the rumpus; saw them running Sunday morning and a big crowd, and they arrested him; brought him to a station-house and turned out all hands; all hands were turned out; I was not arrested though; I was not brought there; the marshal was arrested there and the turner, and they both got turned out.

Q. Turned out from the station-house? A. Yes, sir.

Q. That is, discharged? A. Discharged.

Q. Will you tell us what station-house that was? A. No.

Q. You will not? A. I decline to answer that question.

Q. It was a station-house in New York here? A. Yes, sir; if you want any information about the backer you can subpoena him.

Q. I want to ask you a few questions about this old man; there are some men who play that character in New York, are there not? A. Yes, sir.

Q. How about that old bank burglar that used to play that character, you remember his name, don't you; did Bill Vosburgh ever act the man? A. He is a friend of mine; I decline to answer; that is incriminating the man.

Q. All right; I do not want to press you, because I know the situation and position in which you are; can you give us the name of any other man who acted as an old man not long ago here? A. No, sir.

Q. Is it because you do not want to give the names; is it because you decline to give the names? A. Walter Haynes.

Q. Was that big Walter? A. Yes, sir.

Q. Big Walter Haynes? A. Yes, sir.

Q. Does he act the old man now? A. No.

Q. But did up to a little while ago? A. He is away somewhere; he is out for himself now.

Q. You spoke a moment ago about the backers; suppose you give us the name of the principle backer of this business in New York? A. James McNally.

Q. Give us the name of the next rival to McNally? A. I decline to answer that; I will tell you all about McNally; I will tell you everything you want about him.

Q. You won't give us the name of the principal rival in the business of McNally—his next biggest competitor? A. Frederick Hadlick.

Q. A great deal of this mail matter must go through the post-office? A. All of it goes through there.

Q. Is it not the custom and the system to put the letters in the various letter-boxes? A. Scatter them all around the city, and sometimes put them in in bulk.

Q. And when they are put in bulk they are brought to the general post-office? A. Yes, sir.

Q. Now, from the general post-office there is a lot of mail matter delivered to the men? A. I never heard of it.

Q. They are not delivered? A. No letters come from the victims.

Q. Only telegrams? A. Only telegrams; unless, if they write a letter they have their own address; every writer has his own address; he has a private letter-box.

Q. Speaking about the victims, do you know of any case where the victims, when they receive these greegoods' circulars, send the circulars to the superintendent of police or the postmaster here? A. I have heard of such things; I have heard of Anthony Comstock getting a good many of them.

Q. Did you ever know of any case where a police officer or wardman went around to the writer and told him to strike a certain name off the list, as he was a squealer? A. I did not catch that.

Q. Do you know that after some of these men from Texas and Mississippi, etc., the victims—sometimes they sent all the cir-

circulars that they received to the superintendent of police or the mayor? A. There is no doubt; there must be some complaints like that; there must be some honorable men in the United States, where there are 10,000 or 15,000 every day going out.

Q. Ten or fifteen thousand circulars go out every day? A. Yes, sir; there must be one honorable man in the whole 10,000 or 15,000, but I can not swear; I never seen any of them coming back.

Q. I want to know if you know of a case where a ward detective in this city ever went to the steerer or writer and told him to strike off his list certain names, because they had sent the circulars to the superintendent of police? A. There is no doubt about that; they all work under protection.

Q. They all work under protection; the protection of whom? A. I never had any intercourse—the steerer has never any intercourse with the officers; the only man that has intercourse with anybody is the backer.

Q. Isn't it part of the system that you all understand, all the men in that business—isn't it part of the system that you work under police protection.

Mr. Ransom.—I object.

The Witness. We all work under police protection. I will swear to that.

The Chairman.—The objection is overruled. We will take his answer.

Mr. Ransom.—You will take his answer?

The Chairman.—Yes.

The Witness.—Because they see me going along with victims. Why don't they stop me and arrest me?

Q. That is, when the police see you going along with a victim, why do they not stop you and arrest you? A. Yes, sir.

By the Chairman:

Q. Just get out whether the police know that he is in that business? A. Every one of them know it.

Mr. Ransom.—I think the witness ought to be asked to testify from personal knowledge.

The Chairman.—That was the question, whether the police know him to be in the business, and he says every one of them know him.

M. Ransom.—That is an obvious impossibility, for them all to know him.

Q. What do you mean? A. My picture is up in the Rogues' Gallery, in the Central office, and they pass me by in the street

and I have a victim alongside of me, and they bow and look and all that sort of thing.

Q. They bow to you? A. Yes, sir; I saw one at the Grand Central depot the other day.

Q. Do they know who your backer is? A. They must know.

Q. Do you know, as a matter of fact? A. Certainly.

Q. Is it known throughout the police circles who the backers of these various greengoods shops are? A. That has been running for the last 20 odd years; there are men who made fortunes in the business, making from \$50 to \$200,000.

By Senator Bradley:

Q. Do you know the policeman that saw you steering a man up at the Grand Central depot; do you know that policeman or detective; do you know his name? A. Yes, sir.

Q. Won't you give his name to the committee? A. He saw me; I can not say whether he saw me with a victim or not, but he spoke to me afterward, and he told me that I should have to keep away from around there.

By Mr. Goff:

Q. Wasn't that Detective Rogers? A. It was a detective from the Central office.

Q. Wasn't Rogers his name; you might as well tell the whole thing?

Senator Bradley.—Make a clean breast of it, George.

The Witness.—Yes, sir.

Q. We will get back to the backers; you have given us the name of McNally and Hadlick; let me ask you, isn't it a well-understood thing among the greengoods men that they have a representative in the post-office? A. Well, the mail goes through all right.

Q. Isn't it known, isn't it part of the system? A. I can not swear to that; I never saw this man, but no doubt there is somebody; they have got rights there.

By the Chairman:

Q. Without mentioning the name— A. I can not swear to that.

Q. But, without mentioning the name of the person in that office, in the post-office, is it considered by those who are in the business that you speak of, as part of the general system of that business, that they have their representative in the post-office?

A. A representative?

Q. A man to look out for their interests in the post-office and see that their mail reaches them? A. I can not swear to that; I couldn't swear to that positively; I have no doubt there is somebody.

By Mr. Goff:

Q. Hasn't Hadlick a brother in the post-office? A. I believe he has; I have heard he has.

Q. Isn't it a well known thing and recognized among the green-goods men, that Hadlick got his brother appointed in the post-office through Mike Ryan, a leader in Tammany Hall? A. For the past 15 months I have been confined within the walls of a prison, and Hadlick's brother, if he is in the post-office, must have got there since I was in State prison; I don't know anything about it.

Senator Cantor.—Mr. Goff, do you know that Mike Ryan is a leader in Tammany Hall? A. I do not recognize any such name as that of a leader in Tammany Hall.

Mr. Goff.—I think your observation is correct there, Senator.

The Chairman.—The Senator said yesterday that he didn't belong to Tammany Hall.

Senator Cantor.—No; but I said that I did belong to Tammany Hall.

Mr. Goff.—I will modify that, Senator. I will say a man of influence.

Senator Cantor.—I hope you are not governed by any political prejudice, Mr. Goff, in making such an assertion.

The Chairman.—We are governed by no prejudice. On the contrary, I think the members of this committee are more anxious to get abuses which may exist among members of their own party than against anybody else. I must say that until the present time the committee has been dealing more largely with men belonging to their own party than with any others.

Senator Cantor.—I have no desire, as my fellow members on this committee will recognize, to shield any man in Tammany Hall, either in the police department or outside of it, who has been guilty of any fraud, corruption or blackmail. You have referred to Michael Ryan, as a leader of Tammany Hall, in connection with this subject. Of course, if you have personal knowledge of it, that is another thing.

Mr. Goff.—I think your observation is justified with regard to the word "leader." I may not have used the proper word there.

Senator Cantor.—But you don't know whether he belongs to Tammany Hall or not.

The Chairman.—If you will just name who the individual is, I think we can trace his affiliations afterwards.

Mr. Goff.—I may not have used the most felicitous phrase.

Senator Cantor.—But it is a question of fact, not of phrase.

Q. Did you ever hear of Mike Ryan? A. I have heard of him; yes, sir.

Q. Is he connected with the greengoods business in any way? A. I decline to answer that.

Q. Did you ever hear of this Mike Ryan being the means of obtaining a position for Hadlick in the post-office? A. They are very good friends.

Q. Can you tell me further? A. They are very good friends, but I can not swear whether he got any position for this man or not; I was not there to see it; all I can say is they are very good friends; in every sense of the word, friends.

Q. Was it not spoken of among the greengoods men, turners and ringers, steerers and tailers that they had a man in the post-office to look after their interests? A. I have heard it; yes, sir.

Q. Do you know Hadlick's first name, the man that is in the post-office? A. I believe it is Charles.

Mr. Ransom.—I did not understand the witness to say that he knew that he was there.

Senator Cantor.—He said he understood he was there.

The Chairman.—He has even given his first name now.

Mr. Ransom.—He is assuming that he is there; I am only asking for information.

By the Chairman:

Q. Do you know that he is there? A. I heard that he was there.

Q. Have you seen him there? A. I have never seen him there.

Q. You have heard that a man by the name of Charles Hadlick is in the employ of the post-office? A. And a brother of Fred. Hadlick.

Q. A brother of this backer? A. Yes, sir.

By Mr. Goff

Q. Would you know Charles Hadlick if you saw him? A. I never saw him in my life.

Q. Would you know his brother? A. I know him; yes, sir.

Q. Did you ever work for him? A. I did; yes, sir.

Q. Are he and McNally the principal backers of the green-goods in this city? A. Yes, sir.

Q. I ask if it is not a well-understood thing among the men working in that business that some one in the telegraph company looks after their interests? A. Yes, sir.

By the Chairman:

Q. That is a part of the general system? A. Yes, sir.

By Mr. Goff:

Q. Do you know the parties in the telegraph company that look after their interests? A. Every writer gets his own telegraph operator to look after his own interests.

Q. Every writer gets his own telegraph operator? A. Gets him right.

Q. You say, "Gets him right?" A. Pays him.

Q. Pays him? A. For every "come-on."

By the Chairman:

Q. That is to say, for every answer from a man who proposes to come on here, the telegraph operator gets his divvy? A. Yes, sir.

By Mr. Goff.

Q. Do you know if there is a man at the central office; the head office at Broadway and Dey street; the Western Union office, that is supposed to look after the interests of the green-goods men? A. I have heard so; but I have never had any intercourse with him myself; I have heard so.

Q. That is, heard it spoken of? A. Yes, sir; I can not say that he is, but I have heard so; you will have to go to the backers for that information.

Q. Are there any other backers besides the two that you have mentioned, McNally and Hadlick? A. That is all I know of that I can swear to.

Q. Are there not men in this city, small backers? A. Men all over the United States; traveling on the roads; one got arrested in San Francisco, California, the other day; three weeks ago; they are all over the United States.

Q. These men do business on their own account? A. Yes, sir.

Q. This McNally, for instance, has he got places in more than one precinct in New York? A. Well, I have known him to be all over the city; he is down here at the corner of Elizabeth and Broome streets; he has been over to Farley's

- Q. Ex-Alderman Farley's? A. Yes, sir.
- Q. That is in Grand street, isn't it? A. Yes, sir; he has been over to Jersey City; he has been in Hoboken.
- Q. When you first knew McNally, what was he? A. He lived off the shame of a woman.
- Q. Do you know her name? A. I don't know her name; but she used to keep a restaurant on Sixth avenue.
- Q. If I mentioned her name, would you know it? A. No; I wouldn't name; I am speaking of 18 years ago; way back.
- Q. You don't mean Lou Applegate, do you? A. No; she is merely a mistress of his; he is the sucker for her; that is the only explanation that I can give, in the slang phrase; I am not educated.
- Q. When you first knew McNally, 18 years ago, he lived in this relation, you say; did he do anything at all for his living? A. Only living off the shame of a woman; he had several girls.
- Q. Living off the shame of the girls? A. Prostitutes.
- Q. Where did he hang out in New York? A. Sixth avenue and Twenty-ninth street; around Farrell's corner; it is on Sixth avenue; it is on the southwest corner; I am not sure whether it is Twenty-ninth or Twenty-eight street.
- Q. That is Twenty-ninth street? A. It is the southwest corner; I don't know whether it is Twenty-ninth or Twenty-eighth street.
- Q. It is Twenty-ninth street? A. It is Twenty-ninth, I think.
- Q. When did he first go into this greengoods business? A. About 1886, to my knowledge.
- Q. Did you ever work for him? A. Yes, sir; when I got shot I was working for him.
- Q. Where did you get shot? A. I got shot through the eye in Poughkeepsie.
- Q. Your eye was shot? A. Shot right out.
- Q. Do you carry the ball yet in your head? A. Yes, sir.
- Q. You got shot by some victim, did you? A. Yes, sir.
- Q. When was that? A. That was February 11, 1892.
- Q. Where did you get shot? A. At the New York Hotel, in the city of Poughkeepsie.
- Q. You were working for McNally at that time? A. Yes, sir.
- Q. Has McNally a great deal of money invested in this green goods business? A. He is worth from \$75,000 to \$100,000.
- Q. Do you mean that he has that money in the business, or is he worth that money? A. He is worth probably that in real estate and personal property; he is worth about that, so I hear; every one says so; he has got a deposit right there in the Garfield Safe Deposit Company.

Q. Twenty-third street and Sixth avenue? A. Yes, sir.

Q. Do you know that he has got to keep a large deposit on hand for the purpose of showing up? A. Yes, sir; he has always got from eight to ten thousand dollars.

Q. Always ready to show up to the victim? A. Yes, sir; right in his possession.

Q. Genuine money? A. Yes, sir.

Q. Do you know where he first started? A. He first started in Farrell's corner of Sixth avenue, wherever that street is.

Q. This one you told us about? A. Yes, sir.

Q. Did he have other places besides Farrell's corner? A. He had down at Elizabeth street and Broome; then he had over in Hoboken and Jersey City; on Tenth street, Jersey City, Tenth and Court.

Q. Didn't he ever have a place in Greenpoint? A. I was away then, when he had that place.

Q. You were in prison then? A. Yes, sir.

Q. But he did have a place there? A. Yes sir; I heard he did while I was up there.

Q. Isn't there a place down here in Albany street, 19 Albany, I think, is the number? A. I believe so; yes, sir.

Q. Who has that; is it Hadlick or McNally? A. I understand Hadlick has that.

Q. Do you know any arrangements between the police and Hadlick or McNally that no one else will be allowed to work in the precinct with their men? A. As long as I have been working for them, I have never seen anybody else around there; I have heard of them being chased away; I have seen this Hadlick put up a job on another fellow to have him shot and the bank-roll taken away from him, that was working on the quiet; what is called stealing the guys; he put up a job on a man—I don't want to mention his name, because I might incriminate him; he is a good fellow and, of course, he has got to make a living; he rigged up a fellow as a guy, and I saved him from losing his bank-roll; that was done at a certain hotel.

Q. You saved him from losing his bank-roll? A. I saved him from losing his life and losing his bank-roll; they put up a job to murder the man; what they call stealing a guy—for instance I take a man; I rig him up; I say, "Do you want to make \$5,000 or \$10,000?" "Yes, sir;" well, you go up to a hotel-room, and I will touch the wires to a party band, bring him there with his bank-roll, and you play guy; when he comes in and shows his goods, take your gun, stick him up and take his money away from him; if he goes to make a kick, shoot him; he can not do that much, the law will protect you; see how Tony Martin got killed there in

Brooklyn; them men got out; it was cold-blooded murder; willful, deliberate, premeditated murder; fixed up; my case was fixed up there in Poughkeepsie; the man sneaked up behind me in cold blood and shot me, and sent me to State prison for three years and two months.

Q. And got money away from you? A. Yes, sir; every dollar I had in the world, about \$365.

By Senator Bradley:

Q. Well, you saved this man down here from meeting a similar fate? A. Yes, sir; from Hadlick.

By the Chairman:

Q. You don't mean to say, do you, that the police had anything to do with fixing up this game on this man you speak of?

A. On Martin?

Q. Yes. A. Well, they must have had something to do to turn those two cold-blooded murderers out free; they are out in the street now, free.

Q. That is a matter of conjecture on your part; this job that you speak of, where you saved a man? A. Yes, sir.

Q. Where you saved a man from being killed — A. Yes, sir.

Q. Did the police have anything to do with putting that job up on that man? A. It is a very strange thing that they would allow a man like Hadlick to live and run around that precinct there with impunity, knowing what he is, and knowing that he is a thief and crook, from way back.

Q. And chasing everybody out of the precinct that otherwise does the same business; that is what you mean? A. Yes, sir.

Senator Cantor.— Did you say who put up this job?

Senator Bradley.— Hadlick.

A. I was put out, myself

By the Chairman:

Q. You were put at this afterward, to hunt this man down?

A. I was put out of the precinct; I was told to keep away from down there.

Q. From the precinct? A. One of the greengoods men came to me and he said, "George, I can not go into details; I am sorry; I will do anything for you; I don't like to stop any man from making his living, his bread and butter, but I was told by a party that I can not explain, for you to keep away from this precinct; if they catch you down here they are going to run you

in; that is all, and I can not tell you the way or wherefore;" five weeks ago.

Q. But they didn't run Hadlick in, did they? A. No, sir.

By Mr. Goff:

Q. Do you know how many places McNally has now in New York? A. I have been trying to locate it for the last three months, he has had a place on the corner of Twentieth street, the Knickerbocker, Twentieth street and Eleventh avenue, and I heard he had another place there around Sixteenth street, between Seventh and Eighth avenues.

Q. Did he ever have a place up at Washington Heights? A. I don't know where Washington Heights is.

Q. Way up in Harlem; way up on the west side in Harlem? A. He had a place up in One Hundred and Forty-seventh street some years ago; about 1891 he had a place way up there in One Hundred and Forty-seventh street.

Q. Has he any other business, or does he pretend to be in any other business? A. That is the only business I ever heard of; he is a so-called pimp, living off the shame of a woman, and the greengoods business; and he was interested with that woman in the restaurant; he sold that out, and that is where he got his bank-roll from; he got all her property in his name, signed over to him, the restaurant and her money; kicked her out, and started in the greengoods business.

Q. Is there a man in the green goods business by the name of Sanders? A. Yes, sir.

Q. Has he any place in New York? A. He is with McNally; he is one of the writers for McNally; that is the name he goes by, Doll Sanders, Sheeny Doll.

Q. Did you ever know Barney McGuire? A. Yes, sir.

Q. Did you ever work for Barney McGuire? A. Yes; years ago.

Q. Is Barney in the business now? A. No, sir.

Q. He has retired? A. Yes, sir.

Q. Did you ever work for Ed. Palmerly? A. I decline to answer it; that is my friend.

Q. Palmerly is in Europe now, so you need not be afraid. A. It will come out in the newspapers.

Q. But that can not hurt him in Europe?

The Chairman.—No remark that you may make can hurt him. The question is whether you worked for him.

The Witness.—I worked for him.

By Mr. Goff:

Q. He goes by the name of Palmerly Jones sometimes, doesn't he? A. Falmerly is the only name that I know him by; he went to Europe a few weeks ago.

Q. He went to Europe a few weeks ago? A. I heard so.

Q. He is in that business, is he not, now? A. He has retired long ago, three or four years ago.

Q. Doesn't he back the business? A. No; he don't back it or anything; he is entirely disinterested in the business, in the greengoods business.

Q. Do you know if he backs the policy business? A. I don't know anything about the policy business.

Q. You only have the greengoods business? A. Greengoods business.

Q. Do you know where the first precinct is down here? A. Down at the Battery.

Q. And including Cortlandt Street ferry and Liberty Street ferry and all those ferries? A. Yes, sir.

Q. That is a pretty good place for a greengoods man down there, isn't it? A. Yes, sir.

Q. That is considered the best precinct in the city for the greengoods business, is it not? A. Well, it is to pick up a guy once in a while; the best place to pick him up, to steal him; but any precinct is good enough if they are willing to come on and do business; that place down there is quite handy — coming from the depot; but some man has to come by Forty-second Street depot, and it is a big ride through the city down there; any place near a depot is good ground.

Q. I speak of the first precinct down here; don't you know there is a good deal of steering and picking up guys down here in the first precinct? A. Well, I can candidly say that those that are stealing guys are doing at the risk of being arrested; they can not work with protection.

By the Chairman:

Q. Those are not protected? A. No, sir.

By Mr. Goff:

Q. The fellows that steal the guys are not protected? A. Working on their own hook.

The Chairman.—He says it is dangerous to do that, because they are not protected.

By the Chairman:

Q. You mean by that that it is only those who have permanent places of business, those that have a regular layout in the way of a store, and that sort of thing that get protection?

A. Yes, sir.

By Mr. Goff:

Q. The men who have got the big backer, they have protection? A. Yes, sir; like McNally.

Q. When I said the First precinct I was in error; I meant the precinct where the Church Street police station is; do you know that precinct? A. I know where it is; yes, sir; that is where Hadlick is.

Q. That is Hadlick's ground down there? A. Yes, sir.

Q. Can you tell this committee now if there are a number of places in the precinct now where this business is done, where the ringing is done, the turning is done? A. I heard the other day they are closed up.

Q. They are all closed up; but they were not closed up a little while ago; they were in full blast a month ago, were they not; they were doing business a month ago? A. Yes, sir.

Q. Didn't you hear that they were only closed up on account of this Senate committee being here? A. I heard of them being closed up; I don't know the why or the wherefore; I just heard that they were closed up.

Q. Did you ever hear of a place at 100 Wall street, near the ferry, down near Wall Street ferry; do you know where that is? A. Yes, sir; I know where it is, but I never heard of a place down there.

Q. It was called Coenties Slip? A. I never worked down that way; there might be somebody down there working on the quiet.

Q. By the way, do you remember Eugene Marvin, the printer? A. I recollect him getting arrested for printing some time ago.

Q. He is the man that did all the printing for the greengoods men; was he not? A. That I can not swear to; I never had any access to him; I was simply a steerer; the steerer don't get any of that information; that is between the writer and the backer.

Q. Did you ever fill any other capacity to a steerer? A. That is all.

Q. That is the only capacity that you filled? A. That is all.

Q. Is the steerer brought into contact with the backer; does he meet the backer? A. Only when he gets his money; when he gets his percentage.

Q. Who was the last backer that you worked for in New York?
 A. Well, I can not say that I worked with any particular party lately since I came home, but the last backer I worked for under protection was McNally.

Q. When you say protection, do you mean police protection?
 A. He guaranteed me protection — McNally.

Q. Protection from whom, or by whom? A. He didn't tell me the who or the why or the wherefore; he said he guaranteed me protection.

Q. What is the understanding? A. Well, the understanding is that I don't get into any trouble.

Q. That you wouldn't get arrested? A. Don't get arrested.

Q. In your agreement with McNally, when you were working for him, when he said he guaranteed protection, you understood by that that the police would not interfere with you? A. Yes; that I could walk along with impunity.

Q. Did you walk along? A. Yes, sir.

Q. You are well known to the detectives and policemen as being engaged in the greengoods business? A. Yes, sir.

Q. I understand you to say to the Senators here that the police have seen you sometimes with victims in tow, that you had victims with you? A. Well, they must have seen me; they passed me by.

By the Chairman:

Q. You say they nodded to you? A. If I passed by any of them and tried to pick a pocket they would see me pretty quick, but it seems that when I passed by them with a victim they never saw me.

By Mr. Goff:

Q. So that it appears this way; that you were never arrested for the greengoods business? A. No; only when I got shot.

Q. But you were never arrested for being a steerer or for the greengoods frauds, but you were arrested everytime that you attempted to pick a pocket? A. Yes, sir.

Q. So that if you went along in the greengoods business you were not molested; you were not interfered with by the police?
 A. I run nine years in it.

Q. And every time that you attempted to pick a pocket, you were promptly arrested and sent to prison? A. I ran a little over four years one time, but I was away out on the road.

Q. In the greengoods business? A. No; picking pockets.

Q. Around the ferries and at the Grand Central depot, I will take it now; do you know a detective at the Grand Central depot, by the name of McMahon or McManus, or some such name? A. I know of him; yes, sir.

Q. Does he know you? A. Yes, sir.

Q. Did he ever see you in company with a victim? A. That I couldn't swear to, because the steerer coming through a depot with a victim is never alongside of him; the victim always follows him, about five feet behind him..

Q. Following the steerer? A. Yes, sir.

Q. Has this detective ever seen you when you were steering somebody? A. Yes, sir; but I can not swear whether he positively knew that I was steering this man; but he saw me.

Q. He saw you when you were, in fact, steering a man? A. Yes, sir.

Q. And he never interfered with you? A. No, sir; never.

Q. He has seen you more than once? A. Yes; seen me four or five times a week.

Q. Will you tell the Senators the biggest day's business you ever did? A. As a steerer?

Q. As a steerer? A. I got \$600.

Q. Six hundred dollars; 5 per cent.? A. Five per cent., and what I would get off the guy afterward; after he does business I shake him down.

Q. Do I understand you that your 5 per cent. amounted to \$600? A. I never got as high as that in one day's business — just the percentage.

Q. Give us just the percentage? A. I had \$125 in a day.

Q. That is the aggregate of your 5 per cent? A. Five per cent.

Q. Where did the other amount come from that made up the \$600? A. After a guy does business, after he has given up — say he takes a \$300 deal — sometimes they are under cover; they have \$300 or \$400 left in their pocket; they are very timid; they imagine all sorts of things; they keep under cover; they only flash \$300; then, after they get through with that, I take them in hand, and I throw a scare in them; "Well, now, I have seen you through all right, and here is your train, and my fee is \$150;" so, if he is fool enough to give it up, I take it.

By Senator Bradley:

Q. You take all you can get? A. Yes, sir.

By the Chairman:

Q. And this case you spoke of, you got \$500 additional from him? A. I got about \$200 off one, and \$175 off another.

Q. You would take more than one in one day? A. Yes, sir; half a dozen.

By Mr. Goff:

Q. Will you tell the Senators the average amount of business that McNally did while you were with him? A. He has had the cream of the business; he has had on an average, to my knowledge, about \$8,000 worth of game in one day.

Q. Made \$8,000 in one day? A. One day; yes, sir.

Q. Off these victims that were brought? A. Yes, sir.

Q. Do you know how many men he had employed? A. Well, McNally had about a dozen men employed, at 25 per cent.—writers.

Q. A dozen writers? A. Yes, sir.

Q. In different parts of the city? A. No; he had them all over in Jersey; he had a shop over in Jersey; he had a dozen men employed over there on Fifth street in a basement; the shop was in a basement; they called it the synagogue; he had Sig Hess; he was called the rabbi, and he had all those Sixth avenue pimps that formerly lived off the shame of prostitutes up there; he picked them all up from Sixth avenue, and put them to work for 25 per cent. in the synagogue.

Q. How many men had he that worked in New York, do you know? A. Well, then he had 50 per cent. men, that put out their own money; these men he backed for their labor, these over at the synagogue; he backed them for their labor; put up the money for them, for the stamps, and gave them 25 per cent. of every guy that they would bring on; working on speculation.

Q. That was a speculation? A. Yes, sir.

Q. Those men that put up their money and were backed by McNally they got 25 per cent.? A. Fifty per cent.

Q. Could you tell the Senators about how many men all over McNally had working for him in the greengoods business at one time, take the writers and the steerers and the turners and the ringers and the tailers, and the old men, altogether; how many? A. I couldn't give you the exact number of them; it would take some time to figure that up.

By the Chairman:

Q. About how many?

Mr. Goff.—Let him figure that up, if you please, Mr. Chairman.

A. About 35.

By Mr. Goff:

Q. I understood you that you got 5 per cent.? A. Yes, sir.

Q. Was there not 10 per cent. to go to the steerer altogether?
A. Well, we were entitled by rights to 10 per cent. but 5 per cent. was held back on us.

Q. What was the 5 per cent. held back on you for? A. They say for protection.

Q. That 5 per cent. was held back by the backer, by McNally?
A. Yes, sir.

Q. Or any other man that you were working for? A. Yes, sir.

Q. First you were entitled to 10 per cent.? A. Yes, sir.

Q. But 5 per cent. was kept back for the purpose of paying for protection; is that it? A. Yes, sir.

Q. And by that protection you understood it was for police protection? A. What I understood was I could go along with impunity; I don't say police particularly; I say I could go along with impunity.

Q. And not be interefered with? A. Yes, sir.

Q. Or molested or arrested? A. Yes, sir.

Q. Wasn't there a railroad conductor up on the New York Central interested in the business, too? A. New York Central?

Q. Yes.

Senator Bradley.—The Hudson River road?

A. Yes; but he is dead; all I know is that he was a wise, fly fellow, and knew what was what; he always minded his own business; I don't know whether he was made right by financial means; all I know is, that he was a wise man.

Q. I didn't know that he was dead, or I wouldn't have asked for his name; I will take the ferries down here; don't some of the men around the ferries know the business that you and the other men are engaged in? A. Certainly; all of them do; all the cabmen; they are looking for themselves.

Q. They are looking for the guys themselves; they like to do a little business on their own account, is that it? A. Yes, sir.

Q. And these cabmen are allowed to stand around the ferries there? A. Yes, sir.

Q. How about the ferry hands; do they know anything about it, or are they mixed up with them in any way? A. They know enough to knock a guy if they get a chance.

Q. Knock a guy if they get a chance? A. Knock him so that you can not get him.

Q. They will notify the guy? A. They will notify him.

Q. That is what you mean? A. Yes, sir.

Q. That is, that the ferryman will caution him against you or the other men working? A. Yes, sir.

Q. So that the ferrymen are not engaged with you in steering the guy or taking hold? A. No, sir.

By the **Chairman:**

Q. They will try and protect the guy? A. They will protect him.

Q. Against you? A. Yes, sir.

By Mr. Goff:

Q. Take the police that are stationed at these ferries; do they know you; know the men that are working at these ferries? A. They never showed any recognition of me.

Q. But you were never molested by them? A. No.

Q. Did you know any of the other steerers engaged in that business that were ever interfered with by the police at the ferries? A. I never saw any of them get into trouble.

Q. So far as what you call protection is concerned, do you know of other cities, in your business, where protection was guaranteed to you? A. Never; no other city; anybody that works in any other city, works on the quiet; he can not work with impunity; no other city in the United States.

Q. Only New York? A. Yes, sir.

By Senator Bradley:

Q. Not even in Brooklyn? A. That belongs to New York.

Q. No; Brooklyn don't belong to New York? A. Well, I have heard of them working over there, but I couldn't say whether they were working under protection or not; that is where Martin got shot.

Q. You were never guaranteed any protection there, were you? A. No, sir.

By Mr. Goff:

Q. You never worked in Brooklyn? A. No, sir.

Q. New York is the headquarters, is it not, the central place? A. Yes, sir.

Q. And I understand that New York is the only city in the Union, so far as you know—? A. That I can go along with impunity in.

Q. That you can go along in safety? A. Yes, sir.

By the Chairman:

Q. Did I understand the witness to say that New York city was the only city in the country in which immunity from arrest was to be had? A. Yes, sir.

Senator Saxton.—In which he could go along without being interfered with.

By Senator Saxton:

Q. Do you mean by that, that you are known in all the cities of the country? A. I have been sent away, after them, and I would have to be very careful; I would be sent after a victim after a messenger.

Q. You mean that in any other city of the country you are so well known that you would be likely to be interfered with, except New York city? A. I never was interfered with in New York city, but in another city I have.

By Mr. Goff:

Q. Would you tell us where McNally lives? A. I understand that he built a house up in Bridgeport, Conn.; I believe that is his permanent place of residence; he has got a livery stable there at 14 West Forty-fourth street, near Fifth avenue.

Q. Forty-fourth street near Fifth avenue? A. Yes, sir.

By the Chairman:

Q. In this city? A. Yes, sir.

By Mr. Goff:

Q. I understood you to say that he had no other business but this greengoods business; how is it that he has a livery stable? A. He has his brother there, Walter; he has his rigs in there, where he can be found.

Q. So that so far as the livery stable is concerned, that is only a blind, is it? A. Apparently; yes, sir.

Q. Doesn't Ed Parmerly live up at Bridgeport, too? A. I heard he was up there.

Q. Did I understand you to say that big Walter Haines was now doing the old man act in New York? A. Well, he has been turner, and old man and everything else.

Q. He has gone through the whole range of preferment in the business, is that it? A. Yes, sir.

Q. Does McNally, or did he, to your knowledge, ever do any of those things himself; did he ever steer? A. He used to turn, himself.

Q. He used to what? A. He used to be turner himself.

Q. By the way, do you know anything of this new act of theirs in the cab, where the box is changed in the cab? A. Yes, sir.

Q. That is the newest invention, isn't it? A. That is a new invention.

Q. Will you explain that to the Senators, the new invention, how the money is changed in the cab? A. The cab is up against the curb of the walk, and the steerer walks ahead, and the turner walks with the guy, and he is talking to him; the steerer gets in the cab first, and he sits toward the door leading to the middle of the street; when he gets in there is a ringer down here by his left foot; say this is the walk—

Q. A what? A. A ringer.

Q. A little valise? A. Yes.

Q. Then he gets the guy; this is the sidewalk here, and the turner sits in front; he has a Buffalo robe or a blanket over your knees, displays the goods right there; after he is through, and he is satisfied, and he gets the money, gets paid for the goods, he says to the steerer, "You take Mr. So-and-so to the depot and see that he gets his ticket and gets away all right on the train;" we get down to the depot; the turner opens the door, and naturally the guy has to get out, and his back is turned; I pick up the ringer and cover up the goods with a covering.

By the Chairman:

Q. And substitute the other for it? A. Yes, sir; and I take the bag, the ringer.

Q. Meanwhile you have taken the good bills out of a bag? A. No, sir; there are two bags alike.

Q. You have changed the bag? A. Yes, sir.

Mr. Goff.—The ringer is the dummy bag, I understand, Senator.

Q. What do they put in the ringer or the dummy bag, brick? A. Bricks, or to give it the same weight of \$10,000, or whatever the amount is; sometimes they have papers cut the size of a bill; if they get a hard guy, they give him tops and bottoms.

Q. A hard guy? A. Yes; a fellow that wants to count them all the time.

Q. That is, a bill at the top and a bill at the bottom? A. Yes, sir.

Q. And then pieces of paper cut the same size as bills to make up the package, apparently? A. Yes, sir.

Q. That is for a hard guy? A. Yes, sir.

Q. A man that is suspicious? A. Yes, sir.

Q. Does it ever occur, or has it ever occurred in your experience, where a man has been taken in once, that he ever come on again? A. I have seen him beat three or four times.

Q. The same man? A. Yes, sir.

Q. How did that happen; do they make any explanation about having been beaten before? A. Well, sometimes — the first time he has been beaten they take his order; then the next time he comes on they express the goods; they lose it through the express company; they bring him on again, and he carries it away with him to the depot in a bag, and they make him check it with his ticket; then the baggageman must have stolen it; the next time he carries it along with it himself, and then he opens it.

Q. That is the last time? A. Yes.

Q. I suppose you know a guy when you see him pretty well, can select him out pretty well in your experience? A. Yes, sir.

Q. Can you say if that business is being done to-day in New York? A. Yes, sir.

Q. By the way, we spoke of Parmerly; do you know what sent Parmerly to Europe, Ed. Parmerly; he went about Saturday week last, I think? A. Very sick; very, very sick.

Q. Do you know if Parmerly is acquainted with Captain Meakin? A. I don't know what intercourse or how much intimacy he has; I don't know whether they are friends or personally acquainted or not; I never saw them together.

Q. Do you know of Parmerly making presents to Meakin of anything? A. I don't know of any presents; I never saw him making any.

Q. Did you ever know of Parmerly making a present of a horse to Captain Meakin; did you ever hear of it? A. No, sir.

Q. Do you know a man by the name of Dixon? A. That is the name I went under.

Q. Did you ever go under the name of Gillette? A. Yes, sir.

Q. Did you ever go under the name of Wilson? A. You asked me if I went under the name of Gillette?

Q. Yes. I thought you said if I knew of anybody by the name of Gillette.

Q. That is what I asked? A. Yes; I knew him.

By the Chairman:

Q. But you didn't go under that name? A. No.
Mr. Goff.—He went under the name of Dixon.

By Mr. Goff:

Q. Where is Gillette now; do you know? A. I haven't seen him in three years; I guess he has retired or is in business for himself, legitimate business.

Q. By the way, is Frank Turner in New York? A. I don't know that name.

Q. Do you know a man by the name of Frank, who is called Frank? A. Frank Pollard.

Q. He acts as a turner, called Frank the Turner? A. I never heard of him; do you mean Frank McGuire?

Q. Do you know Frank Rivers, who acts as a turner in the business? A. I never heard of him; Frank McGuire.

Q. Does he act as turner? A. He used to, but he don't now; he used to be with Barney McGuire.

Q. Is he a brother? A. They are cousins.

Q. Do you know Frank Jones? A. Yes, sir.

Q. Does he act on his own hook, or is he backed by McNally or Hadlick? A. I don't know exactly where he is; he is everywhere; he is with McNally some days; with anybody that will give him anything to do; he has no permanent place.

Q. There are quite a number of men in New York who are trying to steal the guys from the regular backers? A. Yes, sir.

Q. They go on their own hook? A. Yes, sir.

Q. Those men, you say, have no protection? A. No, sir.

Q. Isn't it a fact that they are driven out of some precincts, will not be allowed to go into them? A. As far as my observation goes, they are always complaining, saying, "You better keep out of down there," and they put up all sorts of jobs on them.

Q. Do you know Captain O'Connor? A. The greengoods men that are in these wards put up jobs on the men that are out stealing guys.

Q. The greengoods men who are in the wards or precincts put up jobs on the outsiders? A. Yes, sir.

Q. And fellows that are stealing their guys? A. Yes, sir.

Q. Did you ever meet Captain O'Connor down at the Church street police station-house? A. The only time I met O'Connor, I met him to my sorrow, in a court-room, when he was a detective in the district attorney's office.

Q. That is the only time you have ever met him? A. Yes, sir.

Q. You never met him since he has been down in the Church Street station? A. No, sir.

Q. That is one of the times you were arrested? A. Yes, sir.

Q. Why did you give up the business? A. Why, I was forced to give it up.

Q. Who forced you? A. As I told you, I was told to go out of the ward.

Q. What? A. I told you I was told to keep out down there; to keep away from down there.

Q. Is that out of the first ward, down there? A. Yes, sir; by Hadlick.

Q. Do you know a policeman by the name of McNally, down at one of the ferries or railroads? A. Jersey Central.

Q. Is he on the New York side? A. No; he is over on the Jersey side; he comes across the ferry once in a while.

Q. He comes across the ferry to New York? A. He belongs to the railroad, the ferry.

Q. He is a railroad policeman; is he in with the boys? A. Well, I can not swear that I ever saw him intimate with them.

Q. What? A. I can not say that I ever saw him intimate with any of them or talking to them; I saw him around there very often; see guys going over there.

Q. Does he wear a uniform? A. I never saw him; no, sir.

Q. Never saw him in uniform? A. No, sir.

Q. You may have forgotten, and I want to ask you, will you state to the Senate committee the circumstances of your being turned out of the business; how you were forced out of it? A. My only supposition in reference to that is—

Mr. Ransom.—Will we take the supposition?

The Chairman.—Don't tell about your suppositions. Tell the facts as you know them to be.

A. (Continued.) I was told that I would be stopped working; that McNally would do me all the injury he could to stop me from getting a living, and then three or four days after that I was told to keep away from down that ward; he couldn't go into details telling me the who, why and wherefore, but I would have to stay away.

Q. So far as you know, did I understand that the police had anything to do with stopping you? A. I couldn't swear to that.

Mr. Ransom.—I don't think that is a fair question.

The Chairman.—He says he can not swear to it anyway.

By Mr. Goff:

Q. Did you tell us who put the job up on you in Poughkeepsie at the time that you were shot? A. Well, I was sent there with a letter.

Q. Who sent you? A. A sealed letter, by one of McNally's men.

Q. What was his name? A. Doll Sanders; he sent me there with a letter; I presented a letter.

Q. To whom? A. To Cassell and Hogshead, the men that shot me; Ira Hogshead and Hiram Cassell; I delivered that note to them; I was told to take them down to New York where they would be met by Mr. Mansfield, their friend, whom they came on to do business with; on the way down to the depot an officer up there who keeps a saloon on Market street; I don't know

whether his name is Mullen; all I know is that he is an ex-shoe-shop keeper in Sing Sing prison, but I hear he is an official on the railroad; I saw these two men following me down to the depot; he asked one of them if they were connected with me, pointing out me; they said, "Yes;" he said, "Have nothing to do with him; he is a sawdust swindler; I didn't hear or see this man warning them until I got down to the depot; I saw only one man standing on the platform; I went to him and asked him what was the matter with his friend; he said, "I don't know;" "He stopped to talk to somebody," I said, "That will never do; he knows the nature of his business and he shouldn't talk to anybody; I will go back; don't you board this train until I come back;" I went up and I saw this Hogshead standing over the tunnel there at Poughkeepsie, trying to attract his friend's attention; I called up to him and asked him what was the matter; he says, "I don't go no further; you are a swindler;" I said, "I beg your pardon; I don't know what you are talking about; you go back to your room and explain yourself; I will go and bring your friend;" I went back to the depot and brought his friend back to the room; when I went up his friend sat down on the edge of the bed, and he stood up, and he had his valise on a chair and his valise was open and he had a bottle of whiskey in his hand, drinking, the man named Hogshead; I asked Hogshead what was the matter; he says, "Well, I don't go no further with you;" "Why?" he says, "You are a swindler;" I said, "You have come all that distance to insult me in that manner. I told you I was simply a messenger in that matter, and I am sent here to conduct you to your friend, Mr. Mansfield; now, if you have any doubts as to the honesty of the business which you have come on to-day — to-day is Sunday, the banks are all closed, or I would have you go and deposit your money and valuables in the bank; but this is a first-class hotel; you can deposit your money and valuables in the safe and come down with me empty-handed, and I will pay all your expenses; furthermore, I will leave you whatever money I have in my possession, my watch and chain, and my stud, and when you get there, if you find that the goods are not just as they have been represented to you, I will pay your expenses to and from your home, and make you a present of this," showing him my watch; Cassell says, "That is fair and square, Hiram, that is fair and square;" he says, "I don't care; I will not go another step;" "Well," I says, "I will bid you good-bye; I am sorry you are leaving the opportunity of your life go by unheeded;" he wouldn't shake hands with me; I turned around to his friend, and I said, "I will bid you good-bye, Mr. Cassell, and any time you wish to make up your mind, you know where the address is; I

will bid you good-bye;" I started to turn away from Cassell; he still had my hand; my back was turned to Hogshead, and he had a 38-calibre revolver in his valise; he threw it up against my eye here and let go; I didn't remember anything for eight days; so, the case came to court; it seems the official up there — the judge, off the bench — says to me, "I am somewhat against you;" I said, "Why are you against me; what have I done?" "Well, we are out for the money," he said; I will swear to that — a judge off the bench.

Q. What judge said that? A. Judge Morchausan.

By the Chairman:

Q. That is a Poughkeepsie judge? A. Yes, sir; I got the case in book form.

By Mr. Goff:

Q. You have got the case in book-form? A. Yes, sir.

Q. It was printed in the courts? A. Yes, sir; I brought it to the Court of Appeals.

Q. You brought the case to the Court of Appeals? A. And they reversed the decision of the law court and turned me out; I was there 10 months.

Q. Give us the name of this judge? A. Judge Monchauser.

Q. What was he, a justice of the peace? A. He was the recorder of the city of Poughkeepsie.

Q. Was he the judge before whom you were brought for trial? A. He was the judge that issued the warrant for my arrest when I lay in the hospital, to commit me to the grand jury, without bail, as if I had been a murderer.

Q. As if you had been the man who had done the shooting? A. Yes; he sent me to the grand jury, without bail, and kept me four weeks without a hearing; I was entitled to a hearing every 24 hours, and he wouldn't give me any hearing for four weeks; kept me locked up in jail, trying to shake me down for money.

Q. You had been shot at this time? A. Yes, sir.

Q. Your eye shot out? A. Yes, sir; given up for dead.

Q. And you were four weeks in jail? A. Yes, sir; my trial was a farce.

Q. Was McNally ever arrested, to your knowledge, in connection with the greengoods business? A. He never did two hours in a jail in his life, to my knowledge.

Q. I am speaking now of McNally, the backer, Jim McNally? A. He never was arrested, to my knowledge, in his life.

Q. How many years has he been engaged in this greengoods business? A. To my knowledge, since 1886.

Q. Right here in the city of New York? **A.** Yes, sir.

Cross-examination by Mr. Ransom:

Q. Did you personally ever pay a policeman in the city of New York any money to protect you in your business? **A.** I never did in the greengoods business; I never paid any money myself personally in the greengoods business; never paid personally to an officer; the 5 per cent. of the 10 per cent. was paid for protection to the backer; he is the man who could tell you.

Q. I want simply an answer to my questions; if I can get your personal knowledge? **A.** Yes, sir.

Q. A good deal of evidence which has been given by you is what we call your business knowledge, or understanding; I want you to testify to me two or three questions from your personal knowledge; have you ever paid to any police captain or police sergeant in the city of New York any money to protect you in your business, either as pickpocket or a greengoods man? **A.** No, sir.

Q. Do you know, of your own knowledge, that any captain or sergeant of police in this city was ever paid by anybody any money to protect you or your employer in the greengoods business; remember, I ask you for your personal knowledge? **A.** I can not swear to that; no.

Q. All you know upon the subject of protection furnished by the police to your people in your business is what somebody has told you? **A.** What the backer told me.

Q. And you believe what he told you, of course? **A.** I believed it.

Q. And you allowed him, under your arrangement, to hold back, as I understand, 5 per cent. of your gains or profits or interest for the protection which he told you was furnished? **A.** Yes, sir.

Q. And that is really all you know about it? **A.** Yes, sir.

Mr. Ransom.—I have no further questions.

By the Chairman:

Q. But you do know this, do you not; that in this city, where you have been known as a criminal for years by the police, that when you paid the 5 per cent. you got absolute protection and immunity, and when you left this city to go to other places in the country you had to act cautiously and had no immunity from arrest? **A.** Yes, sir.

By Mr. Ransom:

Q. I suppose that your answer to the chairman, being translated by me — if you will adopt my translation — is that in the city of New York you have never been troubled by the police when engaged in the greengoods business; have you or not?

A. I have passed under their very eyes with victims alongside of me.

Q. That we have already had. A. With impunity.

Q. You say with impunity? A. And I give 5 per cent. of my money to the backer, for he guaranteed me protection; McNally guaranteed me protection.

Q. When you say you have passed by the police with a victim with impunity, you mean by that — A. They would stand around on corners and away, and I would pass them right by.

Q. When you say you have passed the police officers with a victim with impunity, you mean that the police officer has not arrested you? A. Has not arrested me.

Q. That is what you mean? A. Yes, sir.

Q. You don't mean anything else but that? A. Has not arrested me.

By Mr. Goff:

Q. You said, in answer to Judge Ransom, that you never paid any money to any police officer or captain in the greengoods business; did you ever pay money to a police officer or captain for any other business, or in any other transaction? A. I decline to answer that.

Q. You said that you didn't pay in the greengoods business, and that was true? A. I never paid a dollar in the greengoods personally.

Q. But you won't say the same thing with regard to other matters that you have been engaged in; you will not say that you didn't pay the policeman money for protection? A. Well, being under oath, I will state that I was caught with a revolver on my person once at an opium joint, and I gave up \$25, and I got my revolver back.

Q. To whom did you give the \$25? A. I decline to answer that.

Q. Did you give it to a police officer or a sergeant or a captain? A. To a police officer, a detective.

Q. A detective who arrested you? A. Yes, sir.

Q. But you decline to mention his name; is that it? A. Yes, sir.

Q. Was it a ward detective, or was it a Central Office man? A. A Central office detective.

Q. Is he there now? A. Yes, sir.

Q. Where were you arrested? A. In Forty-second street, McNally's opium joint.

Q. Then McNally keeps an opium joint, as well as a green-goods business? A. He used to keep it; he used to back it.

Q. Where in Forty-second street was it? A. Over Whitaker's stables.

Q. Near what avenue? A. Broadway — Seventh avenue there.

Q. How long is that ago? A. Somewheres in 1884 or 1885; I forget; my memory is bad; I think it was in 1888 or 1889, I aint sure.

Q. Was there a regular raid made upon the joint? A. No; there was no raid; he was told to close up.

Q. They were not arrested? A. No.

Q. Nobody was taken to the police station? A. No.

Q. Was there more than one detective at the raid? A. They were to close up; they got a warning to close up.

Q. Was it at that time that you were arrested with a revolver in your possession? A. Before they were closed up; no; I was laying down there smoking one day; I had just come into the city; I was laying down smoking a pipe and a party came up and handed me a letter in a lady's handwriting; it read, "Friend George.—Please come down to the corner of Forty-second street and Seventh avenue and take me down into the joint; I have got a very bad habit and they will not let me in because I am a stranger. Yours, Mamie." I knew several girls by the name of Mamie that were addicted to the use of opium; knowing her feeling, I went down to see if I could get her in. I went down to the corner; I didn't see any lady there; nobody; I went over to the saloon, thinking that she might be in the private entrance there; the family entrance there; the family entrance; the side-door entrance; I looked in and didn't see anybody; when I came out there were two detectives; they said, "They want to see you down below;" I said, "What for;" they said, "Well, Byrnes wants to see you;" I said, "What does he want to see me about;" they said, "We have got your pal down here;" I said "I have no pal; I don't travel with anybody; whom do you allude to as my pal;" they said, "Big Walter."

Q. Walter? A. That is another big Walter.

Q. Not Haines? A. No; says I, "I left my overcoat over there; was it you signed that letter Mamie sent a decoy in to get me out this way;" he laughed; I said, "I want to go back to get my overcoat;" I had a revolver on me that I had just purchased that day, and it was not loaded; and think-

ing that they might sentence me to six months or fine me, I wanted to get rid of the revolver; so he says, "Never mind; come over to the Rossmore Hotel, and I will send a boy after your coat;" so I went over to the Rossmore and went to the bar, and I treated them to a cigar; I said to the bartender, "Where is the urinal;" he said, "Right down stairs, sir;" I started to go down and tried to get rid of the revolver; that is all I asked to go down for; on the way down, I tried to get rid of it and he caught it, the detective; he said, "What are you doing with this George?" "Oh," I says, "I will make you a present of it; I was going to get rid of it; that was all;" he said, "You know we can do you on that;" I said, "I know it;" "Well," he says, "You know what it will amount to?" I says, "Yes; about a month or may be \$10 fine;" "Well," he says, "You can fix that all right; you have got plenty of money;" I says, "No; I have not;" "Oh, yes; you are a regular Jew with money;" "Well," I said, "What is your price?" they said, "\$25 apiece;" I said, "I'll give you \$25; that is all I have got;" and I gave it to him; I got turned out the next morning; I was only arrested as a suspicious character.

Q. Were you brought down to headquarters? A. Yes, sir.

Q. And kept there as a suspicious character? A. Yes, sir.

Q. And there was no charge made against you? A. Only suspicious character.

Q. You were not put through to the third degree, were you; you know what the third degree is at police headquarters? A. No, sir.

Q. You got turned out next morning, did you? A. Yes, sir; Judge Duffy.

Q. Before Judge Duffy? A. Yes, sir.

Q. And they made no charge against you at the police court? A. No, sir.

Q. I will only ask you one or two more questions and let you go; I suppose you are tired? A. No; I am not tired.

Q. Did you ever meet Captain O'Connor but once in the district attorney's office? A. I met him on Broadway several times when I was a boy.

Q. But lately, since you have been in the greengoods business? A. I have seen him pass by — I saw him cross over a street one day at a distance; I was about a block away; I saw him crossing a street, but I never spoke to him.

Q. Did you ever speak to Captain Meakin? A. Yes, sir; I spoke to him; I was brought up with him.

Q. You know Captain Meakin? A. Yes, sir.

Q. He knows you? A. Yes, sir.

Q. You were brought up with him? A. Brought up in the same ward.

Q. Does Captain Meakin know that you are in the greengoods business? A. He is a pretty smart man; he knows everything.

Q. Did you ever have any connection with him in the greengoods business? A. I never did.

Q. Did any of your people ever have any connection with him? A. Not that I know of; I can not swear to it.

Q. Was it while you were in business and while McNally had his place of business uptown; do you know anything that occurred in relation to Captain Meakin? A. Only about that Tennessee police officer.

Q. About the marshal? A. That is the only thing I know of.

Q. Where was he then; what precinct? A. Meakin?

Q. Yes. A. Down on the 14th, I think.

Q. Do you remember what street it was where you were brought; where the Texan marshal was brought? A. One Hundred and Eighteenth street.

By Senator Bradley:

Q. Was that where the station-house was? A. He was brought to the One Hundred and Twenty-fifth Street station.

By Mr. Goff:

Q. That is Captain Meakin's station-house? A. Yes, sir.

Q. You say Barney McGuire is out of the business? A. Yes, sir.

Q. Barney used to keep an opium joint himself, used he not? A. Yes, sir.

Q. Where did Barney keep his opium joint? A. In Crosby street; Mat Grace's old place.

Q. You used to go in there? A. Yes, sir; I got arrested there; I got three years and a half out of there.

Q. That is one of the times you got arrested for picking pockets? A. Yes, sir.

Q. Did you ever see policemen in there? A. Oh, yes; lots of them.

Q. Going into smoke a pipe? A. Yes, sir.

Q. Of opium? A. Yes, sir.

Q. Do you remember Captain Meakin when he was Sergeant Meakin? A. I remember him; yes, sir.

Q. Did you ever see Sergeant Meakin in there? A. Never.

Q. But you saw a good many policemen in there; will you tell the committee had the policemen to pay anything for a pipe? A. Oh, no.

Q. Or used they get it free? A. Free.

Q. Outsiders, used they have to pay? A. Oh, yes; 50 cents and a dollar.

Q. About how long was that ago? A. I came home in 1884; I got three years out of there; I did two years and eight months out of three years and a half; it was in 1881.

Q. That was the usual charge, was it, 50 cents and a dollar? A. Fifty cents a shell.

Q. Are there not some men in New York known as shell men? A. Yes, sir.

Q. What does that mean? A. Peeling walnuts and putting a little rubber ball under them; you have got to guess the joker; thimble-rigging.

Q. Do you smoke a pipe yourself, do you not? A. Yes, sir.

Q. You can not get along without it very well, now, can you? A. Yes, I can; but I have got the habit; there is only one remedy for it, and that is compulsion.

Q. That is to compel you to keep without it? A. Yes, sir.

Q. When you can get it, and it is within your power, you do get it? A. You drift right to it; you can not resist the fascinating temptation, the feeling, the inclination to lay down.

Q. There are a good many opium joints in New York now, are there not? A. Well, everybody has got his own layout now; they are all closed up, but there may be one or two; everybody that is a smoker — there are 10,000 smokers right in New York city —

By the Chairman:

Q. And they have each got their layout, you say? A. Yes, sir.

Q. That is to say, they have their own private pipes? A. Yes, sir; pipes.

Q. And places for smoking? A. The same as men have their own tobacco and pipes; that is a coming vice here.

By Mr. Goff:

Q. Are there not places here in New York where people go to smoke a pipe by paying so much? A. You can do it, but you have got to know a friend; it is a friend to friend — a friendly acquaintance, not a friend; you go there and you do not like to smoke his opium for nothing; it is a very expensive luxury; if you are an opium smoker, and I call on you, and I am down town here, and I want to smoke and have got to have it, I naturally think of you, and go to your house and ask to have a smoke, and I leave a half a dollar there, so that you can get some more for yourself.

Q. That is the way it is done? A. That is the way it is.

Q. Now, there are no regular joints running?

By Senator Bradley:

Q. How long since the joint was abolished? A. About a year ago.

By the Chairman:

Q. What is "Yen-yen?" A. That is the opium desire; "Yen-yen" means desire, want.

By Mr. Goff:

Q. Isn't there a joint in Pell street now? A. There is no regular joint; there are lots of Chinese — that is the natural vice of the Chinese, and, naturally, every Chinaman has his own lay-out; there are girls there that have fallen down from forming that habit; have got addicted to that habit, and, naturally, they are living with these Chinamen down there.

By Senator Cantor:

Q. I am requested to ask you whether "Yen-yen" was not the password that was used to enter those joints? A. They don't have any password; they know everybody; you can tell a person —

By Mr. Goff:

Q. In this place in Pell street, haven't you seen policemen in there smoking? A. No, sir.

Q. Not lately? A. I have seen them standing around; there is a law against selling opium, I believe.

Q. Well, do they stand around in front of the place? A. I have seen them standing around Chinese stores, around the stores where they sell this.

Q. Don't you know that in many of these places up around Pell street and Mott street that the Chinamen sell opium prepared right for smoking? A. All opium is bought that way, prepared that way, for smoking.

Q. But these Chinese merchants sell it right out? A. Yes, sir.

Q. Any one who goes there can get it? A. Yes, sir.

Q. Did you ever see or know of any police interference up there with the sale of opium? A. Not to my knowledge.

Q. And the policemen are around there? A. I have heard of the one at 15 1-2 Mott street being arrested for having smuggled opium there.

Q. Don't you know of some places up there in Chinatown where there are white girls prepared and brought there for Chinamen? A. There are white girls there; they live there right in tenement-houses; right in amongst them.

Q. Is there not a place there where young white girls are specially brought for Chinamen? A. There are white girls there, yes; they live around there; they have their own homes; pay their own rent, and make their living that way; there is no doubt about that; they are prostitutes that have got down to the opium habit and have got to get money to buy it; they can not work.

Q. What I want to know is, is there not a place up there where white girls are procured; do you know what procured is? A. They can be gotten there; yes, sir; but I don't know of any place.

Q. Do you know Mrs. O'Donnell's place? A. I do.

Q. Doesn't Mrs. O'Donnell keep a place for procuring young girls for Chinamen? A. I know she has girls boarding there; that is all I know of.

Q. White girls? A. I couldn't swear whether she procured girls for immoral purposes or not; all I know is she boards a couple of girls.

Q. Don't Chinamen go there? A. I see Chinamen around there; I never saw them inside her house.

The Chairman.—Do you want to call any more witnesses to-day, Mr. Goff?

Mr. Goff.—Considering the circumstances, we had better adjourn.

The Chairman.—All witnesses subpoenaed for to-day and not examined will appear here to-morrow morning at half-past 10 o'clock, to which time this committee stands adjourned.

Proceedings of the twenty-seventh 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, in the County Court-House, in the city of New York, Friday, June 15, 1894, at 10:30 a. m.:

Present.—Senators Clarence Lexow, Edmund O'Connor, Jacob A. Cantor, Daniel Bradley, George W. Robertson and Cuthbert W. Pound.

John W. Goff, Travers Jerome and Frank Moss, of counsel for the committee:

De Lancey Nicoll, counsel for the police board.

Chairman Lexow.—Are you ready, Mr. Goff?

Mr. Goff.—Mr. Chairman, I observe in the court a number of men connected with the police courts of this city, not here as witnesses. They are monopolizing seats where witnesses are required. They are not here as witnesses. I don't know what their business is. We ought to have accommodation for our witnesses; and these men, who are here for some purpose attending the sessions of this committee day after day without being called as witnesses, are connected in some mysterious way with the police of this city. I wish to give public notice if they do not leave their chairs, and if they continue to come here, I will point them out openly in court, and I give them public notice here to-day. They have attended these sessions day after day and monopolized the chairs here. I have my own idea as to their purpose.

Chairman Lexow.—There ought certainly to be accommodations provided for the witnesses.

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

Direct examination by Mr. Jerome:

Q. You speak English, do you? A. No.

Q. What language do you speak? A. Hungarian.

Marcus Braun, was sworn by Chairman Lexow to translate the testimony of the witness truly, and the witness was examined through the interpreter.

Q. What is your business? A. I have had a cafe myself, but lately I am working.

Q. Where did you have your cafe-house? A. In Allen street.

Q. What number? A. Eighty-nine.

Q. When did you first open that cafe-house? A. Last year, November 15th.

Q. How long did you keep it open? A. Two and a half months.

Q. Did you have girls there? A. Yes.

Q. While you were there did you see any police officers at your place? A. Yes, sir; I saw; and once I was arrested because I sold schnaps.

Q. What officers did you see at your place? A. Levy.

Q. Who was Levy, the wardman in that precinct? A. He was the detective.

Q. How long had you been open before you saw Mr. Levy? A. One month.

Q. What did Mr. Levy say to you? A. He did not say anything; he simply called me; I should go with him because I am selling liquors.

Q. And he arrested you ? A. Yes, sir.

Q. What became of your case? A. Nothing; there was nothing done with me, because I was not done, and I never sold the liquors.

Q. Were you discharged in the police court the next day? A. Yes, sir.

Q. Did they lock you up over night? A. No, sir; I was bailed out.

Q. Who was your bondsman? A. It was a saloon-keeper in Rivington street, but I don't know his name.

Q. Who got you your bondsman? A. A girl who was working for me.

Q. Did you have to pay for it? A. No, sir.

Q. When did you next see Mr. Levy after you were arrested? A. The next day in court.

Q. Did you have any talk with him? A. No.

Q. When did you next see him after that? A. The day after I saw him.

Q. Where did you see him? A. In that beer saloon.

Q. What did you say to him, and what did he say to you? A. He said that he—he told me to tell the truth to the court, and on account of that I was discharged.

Q. What next? A. I thanked him for his kindness; I told him at the same time my partner would pay him for the future; that there should not anything happen of that kind anymore.

Q. What did he say to that? A. Not I said that, but my partner said.

Q. But you were there? A. Oh, that did not happen while I was in the saloon; when my partner said that to Mr. Levy I was not there.

Q. Did you see Mr. Levy after that? A. I saw him, but as I could not speak to him, we were not doing any talking.

Q. Did you ever give him any money? A. I did not give him at no times; but my partner said always that he pays—
Mr. Nicoll.—One moment, please.

By Mr. Nicoll:

Q. Did Mr. Levi used to come to your place often? A. Yes, sir; he was there; but I never spoke to him.

Q. Did you see your partner speaking to him? A. Yes; my partner was speaking to him, but once he was not at home when Mr. Levi called.

Q. Then what happened? A. Then he went away.

Q. Did you see anyone give Mr. Levi any money? A. No, sir; I did not see it.

Q. What was your partner's name? A. Leckoff.

Q. What is his first name? A. I don't know.

Q. Where is he now? A. I don't know where he is now; I guess he went to the old country.

Chairman Lexow.—How long ago?

By Mr. Jerome:

Q. How long ago? A. Two months after I closed my business.

Q. When did you close? A. I closed in May, and two months after he went away.

Q. Why did you close? A. Because I wanted to go to South Beach, but I did not go finally.

Q. Do you know where Mr. Levy's house was? A. Yes; in Stanton street.

Q. What number? A. Thirty-two.

Q. That was a disorderly house, was it? A. I don't know.

Q. Didn't you have some girls that came from there? A. Yes, sir.

Q. And they were prostitutes, weren't they? A. No; they were not bad girls; they were very decent.

Q. What were they doing with Mr. Levy? A. They were there, the servant girls.

Q. They were the servant girls in Mr. Levy's house? A. Yes.

Q. What kind of a house is it Mr. Levy has there? A. They had a cafe-house, as far as I know; I never have been there myself.

Q. Wasn't it commonly said and understood in that neighborhood that it was a house of prostitution? A. I heard of it; but when I asked the girls they denied it emphatically, and I can say that the girls were very decent in my house.

Q. Was not that the character of the houses, though, in that precinct, in the neighborhood? A. Yes, sir; I heard so.

Q. Now, what did your partner say to you in reference to money given to Levy?

Mr. Nicoll.—One moment. I object to that.

Mr. Jerome.—The object of this is exactly the same as that upon which the ruling of the committee was made yesterday when Whitney was called to interrupt the testimony of Maude Harvey, in order to give Mr. Levy an opportunity to have his attention called specifically to these facts, facts which we do not know, of course, never having spoken to the witness. The facts are not those from which her say so will lead the committee to draw inferences against Mr. Levy, but it will put counsel in the possession of facts when Mr. Levy seeks his vindication.

Chairman Lexow.—It is not offered as any proof against the witness at all.

Mr. Nicoll.—I do not want any hearsay evidence such as that.

Mr. Jerome.—That was the same ruling as that rendered yesterday.

Chairman Lexow.—I can not see any distinction between the two cases, and while I was reluctant to see the evidence of that kind go on the record and weaken the balance of the testimony, it has been made the ruling of the committee, and we have got to abide by it now, I suppose.

Mr. Nicoll.—Is it thoroughly understood that all hearsay is to be admitted?

Chairman Lexow.—No.

Mr. Nicoll.—That there is no limitation and objection is fruitless.

Chairman Lexow.—The ruling is simply that hearsay evidence of this character was to be taken to enable counsel hereafter to examine the person accused upon. Now, the counsel desires to have this testimony go upon the record for that purpose, I understand it.

Mr. Jerome.—That is it.

Mr. Nicoll.—I look upon it as the grossest hearsay.

Mr. Jerome.—Judge Ransom stated yesterday it was established in a celebrated case in Washington, alluding to the Breckinridge case.

Mr. Nicoll.—There is no precedent for any such evidence.

Chairman Lexow.—If the majority of the committee rules that for this purpose only the name of the person with whom the conversation has been had, without the substance of the conversation, may be given, and that for the purpose of enabling them to track up the evidence hereafter; so we substantially reverse to that extent the ruling of yesterday.

Mr. Jerome.—Will not the committee permit me to ask what amounts, that is a material thing, and the dates; I do not care for the bulk of this conversation with this person that has gone to Europe, but it is manifest I can not get this person from Europe, and it is an important thing when Mr. Levy takes the stand to be able to ask him specifically as to dates and amounts.

Chairman Lexow.—It looks to me as if you would get out the whole conversation, if you get that out, because those dates and amounts are substantially the foundation of the whole conversation.

Mr. Nicoll.—Of course, that is all there is to it.

Mr. Jerome.—If the committee says I can not go on, that is all. I should like the dates and amounts.

Chairman Lexow.—I think, Counselor, it weakens the strong testimony that you have here before the committee, to take any testimony of this kind. You can get the dates and amounts from the witness without her being under oath. She evidently is not so reluctant a witness, but you can ascertain that.

Mr. Jerome.—I will ascertain that in that way. You may inquire.

Mr. Nicoll.—No questions.

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

Direct examination by Mr. Moss:

By Chairman Lexow:

Q. You consider this a binding oath, binding your conscience?

A. Yes; to tell the truth.

Q. To tell the truth, the whole truth, and nothing but the truth? A. Yes, sir.

Chairman Lexow.—You understand any testimony you may give with reference to bribery or corruption is privileged, that you can not be prosecuted by any other tribunal or indicted for any such crime you may confess on the witness stand; that it is an absolute bar if you make a confession here, it is an absolute bar from any prosecution against you for that cause.

By Mr. Moss:

Q. Your name is Bessie Butler, isn't it? A. Yes.

Q. And your residence is known to the counsel of the committee, but you desire, for your own reasons, to keep that private between you and the counsel? A. Yes, sir.

Q. What is your husband's name? A. Edward Butler.

Q. Do you reside at 81 Eldridge street, or were you interested in a house there? A. I resided there some few years ago.

Q. How close was that to the police station of the Eleventh precinct? A. Well, I don't know; you know that.

Chairman Lexow.—Describe it. The committee do not know.

By Mr. Moss:

Q. Do you know the number of the police station? A. I really don't know.

Q. As far as you know? A. I can not just remember.

Q. Near what street was your house? A. Between Hester and Grand.

Q. And the police station was on the next block, wasn't it? A. Yes, sir.

Q. Just across what street? A. Grand street.

Q. Grand street separated the block you were on from the block on which the station-house was situated? A. Yes, sir.

Q. And the officers of the station-house passed your house very frequently, didn't they? A. Not that I know of.

Q. Going to and from the station, didn't you see them on the street? A. I never paid any attention.

Q. Was that house a house of ill fame? A. No, sir.

Q. What? A. Not when I had it.

Q. It was carried on as a house for lady boarders, wasn't it? A. No, sir.

Q. Do you know Grace Welch? A. Yes.

Q. Who was Grace Welsh? A. That is the housekeeper.

Q. Your housekeeper? A. After I left.

Q. When did you leave? A. How?

Q. When did you leave? A. Two years ago.

Q. Will you be good enough to look at that card and see if you recognize it? A. I recognize it; it was one of the cards that belonged to the house.

Q. It reads B. Butler, 81 Eldridge street, N. Y., between Grand and Hester? A. Yes.

Q. That is your name, isn't it — "B. Butler?" A. Yes, sir.

Q. I take this card from the document signed, "A. E. Wilson, dated October 17, 1893," for certainty, and offer it in evidence. (Marked Exhibit "P," June 15, 1894.) Was not Grace Welsh convicted of keeping that house as a disorderly house in November, 1892? A. You know that.

Q. Was it; it was so, wasn't it? A. Well, she was; yes.

Q. How many girls lived in the house? A. That I don't know.

Q. How many girls lived in the house while you were there? A. There wasn't any; I rented furnished rooms.

Q. What kind of people took your furnished rooms, ladies and gentlemen? A. Different ones.

Q. Different ones; ladies and gentlemen would come together? A. Certainly.

Q. And occupy the furnished rooms? A. They occupied by the week.

Q. Are you acquainted with Captain Devery? A. No, sir.

Q. Did Captain Devery ever come to your house? A. No, sir.

Q. If Captain Devery reports that he came to your house, do you mean to say that report is untrue? A. I do; yes.

Q. Do you know that your house was reputed to be a house of ill fame? A. Not when I was there.

Q. Well, after you left there? A. That I don't know.

Q. What date did you leave? A. What date?

Q. Yes. A. Well, I don't know as I can remember exactly the date.

Q. Give me about the date? A. In about September.

Q. September of last year? A. No, no; two years ago.

Q. September of that year? A. No, no; two years ago.

Q. How much was Miss Welsh fined for keeping that house as a housekeeper? A. That I don't know exactly.

Q. You don't know? A. No.

Q. Do you recall a conversation had with him yesterday? A. Oh, yes.

Q. Now, I ask you again how much was Miss Welsh fined?

A. You know that without asking me.

By Chairman Lexow:

Q. The committee do not know it; it is for the information of the Senate committee; Mr. Moss is getting at these facts that he don't testify to, but asks you to? A. Asks me to do it?

Q. Yes; he asks you now how much this woman was fined; how much was she fined? A. She was fined \$50.

By Mr. Moss:

Q. And did you not pay that fine? A. No, sir.

Q. Or give the money to Grace Welsh? A. No, sir.

Q. I ask you again, and recall the conversation you had yesterday? A. No, sir; I told you yesterday she paid her own fine.

Q. You did? A. Yes, sir.

Q. Did you not thank me yesterday for some kind offices that you thought I had performed in reducing that fine from \$250 to \$50? A. For her.

Q. Didn't you thank me yourself? A. I thanked you for her.

Q. Why did you thank me for her? A. Because she was unfortunate, and you was kind to her.

Q. Did you say yesterday I had saved you \$200? A. Certainly you saved me.

Q. Two hundred dollars? A. Yes—how much did you save me?

Q. That is what you said? A. That you saved me; you told me that I said that to you.

Q. You recall that Grace Welsh was prosecuted as the proprietor of the house, don't you? A. Well, you know that, don't you.

By Chairman Lexow:

Q. Is that not a fact, Mrs. Butler? A. She was fined; yes.

By Mr. Moss:

Q. And didn't it come out on the trial she was acting as housekeeper, and that you were the real proprietor? A. That I don't know.

Q. You don't know that at all? A. No, sir.

Q. Don't you recall that the court made some inquiry concerning the situation, that I, as the prosecuting attorney, stated it to the court that Miss Welsh was only housekeeper, and might have to pay some fine, and that might be some reason for not fining her as much as the other persons who were tried and convicted at the time; do you remember that? A. I do not remember that.

Q. And do you remember the judge had already written down \$250 on the papers, and on that statement changed it to \$50? A. No; I don't remember that.

Q. You remember we talked about it? A. You told me; that was all.

Q. You recall it, don't you? A. No.

Q. Didn't you say to me the other women whose houses were pulled and were fined \$250 were jealous of you, because you had got off with \$50? A. I told you that; yes.

Q. You told me that yesterday? A. Yes.

Q. And you said you thanked me for having saved you \$200? A. No, sir; I said I thanked you, yes, after you explained that to me.

Q. And I told you I thought I had saved Grace Welsh as being only housekeeper, from having to pay the same fine as the real madames did; that was the conversation, was it not? A. Yes.

Q. How long did you live in that house; give it as nearly as you can? A. I was there about five years.

Q. About five years; and went away in what month of last year? A. September.

Q. September of last year? A. Yes, sir.

Q. What caused you to go away? A. Because the neighborhood was not suitable for me any more.

Q. What was the trouble with the neighborhood? A. Well, it did not suit me; that is all.

Q. What was the trouble? A. Too many Israelites living around there; the houses were not as nice as formerly.

Q. Weren't there a number of houses of ill-fame in that neighborhood? A. No, sir; not that I know of.

Q. Don't you know one at 70 Eldridge street, across the way? A. I don't know.

Q. Kept by Mrs. Hortell? A. No, sir.

Q. Didn't you tell me Mrs. Hortell told me? A. No, sir; somebody else told you that.

Q. In your presence? A. In my presence.

Q. And you assented to it? A. I did not.

Q. Did you not speak about the peculiar circumstances that would enable Mrs. Hoertell to do business after she had been convicted? A. No, sir; I did not.

Q. How long after the conviction of Grace Welsh before she and you lived away from the house? A. I was away from the house right along.

Q. How long was it after this conviction that this Welsh left the house? A. That I don't know.

Q. Don't you know; think? A. No.

Q. Who had the lease of the house? A. Who had the lease?

Q. Yes. A. There is no lease attached to it any more.

Q. Who hired the house? A. I did.

Q. Who did you hire the house from? A. The landlord, of course.

Q. Who was the landlord? A. Sanders.

Q. What is his first name? A. I don't know his first name.

Q. You have paid Mr. Sanders a great deal of rent for that house, haven't you? A. I don't know any more than what he was entitled to.

Q. How much was the rent per year? A. I paid him \$130.

Q. One hundred and thirty dollars per month? A. Yes; a that was the rear house.

Q. There is a rear house? A. Yes.

Q. When did you stop paying Mr. Sanders rent? A. When?

Q. Yes? A. Some time ago.

Q. When? A. Well, I couldn't tell you exactly when.

Q. Tell me as nearly as you can? A. About six months or so.

Q. About six months ago you stopped paying him rent; where did you pay him rent? A. He called for it.

Q. He called himself? A. Yes.

Q. How long did you pay him rent; how many years ago? A. Well, I told you about five or six years I paid him rent.

Q. And in all that time, did you not know his first name? A. No, sir.

Q. Where is his office? A. He has got no office.

Q. Where did he live? A. Somewhere in Jersey.

Q. Whereabouts in Jersey? A. I couldn't tell you.

Q. Has he any office in New York? A. No, sir.

Q. Isn't the name of the owner Caroline Zander? A. I always dealt with the gentleman; I don't know; it may be his wife.

Q. Is the name spelt Z-a-n-d-e-r? A. I believe so; yes.

Q. Doesn't she live in Jersey City? A. Yes, sir.

Q. And you dealt with Carolina Zanders personally; isn't that the fact? A. That is so.

Q. Now, I ask you to recall; think carefully; did any detectives or Central Office men call at your house at any time after August, 1893? A. Not that I know of; I was not there.

Q. Did Mr. Glennon or Mr. Kiernan call there? A. No, sir.

Q. And you say Captain Devery did not call there? A. No, sir.

Q. And if Mr. Glennon and Mr. Kiernan and Captain Devery say they have called there, you persist in your statement that they have not? A. Yes.

Q. If Superintendent Byrnes says these gentlemen, or any of them, called at your house to investigate its character, do you still insist in saying they did not call? A. Not in my presence; I know they did not.

Q. You have no knowledge they came there at all? A. No.

Q. How frequently did you see Grace Welsh? A. Very seldom.

Q. During all that time that you had that house, Mrs. Butler, I understand you to say that you did not pay a single dollar or a single cent to any police officer for protection? A. I still say so.

Q. You still say that? A. Yes.

Q. You never were interfered with by any policemen, were you? A. No, sir.

Q. And to that extent, you had protection, did you not; you were not interfered with? A. I don't know what protection I had; no one interfered, because I kept myself away from anybody; I did not interfere with anybody.

Q. Why do you think you were not interfered with? A. Because I gave no one any cause.

Q. Were any of your girls ever arrested, or any girls from that house? A. No, sir.

Q. Never? A. No, sir; not to my knowledge.

Q. Do you remember stating to me yesterday why you thought you had protection? A. No, sir.

Q. Do you remember stating two reasons; do you remember a little conversation over in the corner of the court-room there, in which I asked you how you could account for having protection? A. I told you I could not account for it.

Q. Didn't you say something like this: I kept a quiet house; and then you mentioned some names; you mentioned another person's name, and then said, you thought that accounted for it all? A. I did not say that; you put that question to me.

Q. And did you say yes? A. Sir?

Q. Did you say yes? A. I did not say yes; I said I did not know.

Q. Did you assent to it? A. No, sir; I did not assent to it.

Q. Can you recall what I said to you? A. You can recall it, can't you?

Q. Can you state what it was I stated? A. I will let you state it.

Q. Do you remember? A. No, sir; I remember your making the proposition to me; yes.

Q. What was that proposition? A. I don't know; you say that yourself.

By Chairman Lexow:

Q. Do you remember the statement, Mrs. Butler? A. Not exactly; no, because he made a great many statements to me.

By Senator Bradley:

Q. State one of the statements he made to you? A. I don't remember.

By Mr. Moss:

Q. Didn't you say you kept a quiet house? A. I said that; yes.

Q. And did you say that your husband was the partner of Silver Dollar Smith? A. He was; yes, sir.

Q. Did you not give that as a reason why you did not have to pay any money? A. No, sir; I did not give that reason at all; you put that question to me, and I said it is not so.

Q. You say that positively, that you said it was not so? A. Yes, sir.

Q. Now, let us see; who is Silver Dollar Smith? A. He is alderman in the Third district.

Q. Is he now alderman? A. Yes, sir.

Q. He has been an Assemblyman, hasn't he? A. I suppose so.

By Senator Bradley:

Q. Do you know? A. Yes, sir; he has been an Assemblyman.

By Mr. Moss:

Q. Where does he do business? A. In the store.

Q. Where is the store? A. I guess you know as well as I do, Chairman Lexow.—Now answer, Mrs. Butler.

A. Sixty-four Essex street.

By Mr. Moss:

Q. And that is a liquor store, isn't it? A. Yes.

Q. With rooms upstairs, used for various purposes? A. Not that I know of.

Q. Doesn't Mr. Smith spend a great deal of time in the Essex Market Police Court? A. Not that I know of.

Q. You say that because you have not seen him there, I suppose? A. I don't know anything about where he spends his time, or where he don't.

Q. You have seen the man? A. Certainly, I have seen him.

Q. Wasn't your husband a partner of Silver Dollar Smith? A. He was.

Q. When did he cease to be a partner? A. About three years ago.

Q. As long as that? A. Yes.

Q. You say up to three years ago he was a partner with Silver Dollar Smith in that saloon? A. Yes.

Q. You know Silver Dollar Smith, do you not? A. Yes.

Q. You have met him frequently? A. I have; yes, sir.

Q. You have had many conversations with him, haven't you? A. Not so many.

Q. Did you ever talk to him about your house, 81 Eldridge street? A. No, sir.

Q. Did Mr. Smith ever receive any part of the proceeds of the house No. 81 Eldridge street? A. No, sir.

Q. You never paid him any? A. Or nobody else.

Q. You say Grace Welsh didn't? A. No, sir.

Q. But you were pretty good friends with him? A. With whom?

Q. With Silver Dollar Smith? A. We were friendly; why shouldn't we be; my husband was in business with him, and everybody else is friendly with him, not alone me.

Q. Of course, I understand that; I met him myself, talked with him, and shook hands with him; he is a large, strong, powerful man, isn't he? A. Well, you have seen him and know.

Q. And his friendship is very powerful in the Eleventh precinct, isn't it? A. I don't know nothing about that.

Q. He has a great many friends who are keepers of saloons, hasn't he? A. That I don't know.

Q. Has he a number of friends who are keepers of houses of ill fame? A. I don't know.

Q. Do you know whether he goes bonds for people that are arrested by the police? A. I don't know anything about that.

Q. How long ago did you see him last? A. I only seen him last night.

Q. Last night? A. Yes; right after I seen you.

Q. Where did you see him? A. Right in his place.

Q. That is, the saloon? A. I went and asked him for his advice, and he told me to come here and tell the truth.

Q. You went to 64 Essex street and asked Silver Dollar Smith for his advice? A. Yes, sir.

Q. And he told you to tell the truth? A. Yes.

Q. I saw you yesterday at your lawyer's office, didn't I? A. You did.

Q. And we had a conversation and came to a pretty good agreement, didn't we? A. Yes.

Q. There was no disagreement about it at all? A. No.

Q. And at my request you came over voluntarily, having previously been served a subpoena that had expired, you came and sat here? A. I came of my own free will, because I didn't receive that subpoena, the lady took it with her.

By Chairman Lexow:

Q. Did you ask Silver Dollar Smith whether you were to tell the truth here? A. No, sir; I told him how I was situated; and he says, you go there and you tell the truth.

Q. If what you have told here is the truth, what possible object would there be in asking him whether you should tell the truth or not? A. I did not ask him whether I should tell the truth; I asked him if I should appear, and he said if you come here you should tell the truth.

Q. Why should you want any advice if what you have told here to-day is the truth, why should you want any advice from anybody whether you should tell anybody? A. Certainly I should ask advice.

Q. You have not told anything here that you need to be afraid of, have you? A. I don't know anything to be afraid of.

Q. Why did you go and ask whether you should tell the truth or not? A. I did not ask whether I should tell the truth.

Q. Or ask advice? A. Advice I am entitled to ask.

By Senator Bradley:

Q. Mrs. Butler, did you read Mrs. Harvey's testimony yesterday; she came before the committee? A. I did not.

By Mr. Moss:

Q. After yesterday's conversation, there was a substantial agreement between you and me as to the facts which you would testify to is true, and we parted fairly friendly, didn't we? A. We did; yes.

Q. And after what you had told me I asked you to come nere and testify? A. You did; yes, sir.

Q. And then relieved you yesterday afternoon and asked you to come and testify this morning; we have had no conversation together about your testimony since yesterday afternoon, have we? A. No.

Q. But you have talked to Silver Dollar Smith? A. Well, I didn't speak about anything, only asked —

Q. And yesterday you told me you did keep a house there, and that you desired to be protected and concealed now, because you were out of it? A. I have told you I have been there five years ago; I understand you; I didn't tell you I kept a house; I kept the house — certainly — but you didn't ask me what kind.

Q. In deference to your wishes, I have concealed your present residence; that is true, isn't it? A. Yes.

Q. Why did you want me to conceal your present residence? A. Because I did not want the public to know it; because I had folks at home; I did not want to be published.

Q. Was it on account of the business you were engaged in in Eldridge street? A. No, sir.

Q. Didn't you say you got out of that and was glad of it? A. I told you that.

Q. That is true, isn't it? A. When I was there; when I got out of the entire thing —

Senator O'Connor.— Do you mean to say she told you a different story than she told you to-day?

Mr. Moss.— I agree with her she did not pay a dollar. I believe she tells the truth when she says that.

Senator O'Connor.— She says — she admitted she kept a house, and won't admit she kept a house of ill fame. Do you think we are children?

Mr. Moss.— Of course not. I will drop that.

The Witness.— I do not know nothing.

By Mr. Moss:

Q. You say you have not paid a dollar to anyone for protection? A. No, sir.

Q. You saw Mr. Smith last night? A. I did; yes, sir.

Q. And have talked with him frequently? A. No.

Q. And he and your husband have been partners together in business? A. Yes, sir.

Q. And you are good friends at the present time? A. I don't see why I should be anyway else.

By Chairman Lexow:

Q. How many wardmen do you know in that district? A. Not any.

Q. Not one? A. No, sir.

Q. Do you know a wardman by the name of John Wade? A. No, sir.

Q. Did you ever hear of him? A. No, sir.

Q. How many years did you have a place on Eldridge street? A. I was there about five years myself.

Q. Not longer? A. No, sir.

Q. Didn't you know a wardman in 1881 by the name of John Wade? A. No, sir.

Q. Are you positive about that? A. Yes; I am positive.

Q. And you don't know the name of any wardman? A. No; none at all.

Q. And never met one? A. No, sir.

Mr. Moss.—That is all the questions I want to ask.

Chairman Lexow.—Any questions on the cross?

Mr. Nicoll.—No.

Chairman Lexow.—That is all. The next witness.

Mr. Moss.—I want to read in evidence right here, from original reports brought down from police headquarters. I read now from a report dated New York, April 1, 1892, "Precinct No. 1," addressed to Thomas Burns, Esq., acting superintendent of police: "Sir.—In compliance with rule 64, I respectfully submit the following report for the month ending March, 1892, William W. McLaughlin, Captain, Eleventh precinct." At the bottom of the first page is this entry: "Reputed house of prostitution, 81 Eldridge street; proprietor, Betsey Butler; owner or agent, Henry W. Sanders." "Report of July 1, 1892, signed by Adam A. Cross, captain Fourteenth precinct," "Reputed house of prostitution, 81 Eldridge street; proprietor, Betsey Butler; owner or agent, Caroline Sanders;" October 1, 1892, by the same captain to the same effect.

Senator O'Connor.—What is the report?

Mr. Moss.—A reputed house of ill fame.

Chairman Lexow.—Reported that it was a reputed house of ill fame?

Mr. Moss.—Yes; these captains so reported.

Chairman Lexow.—Your next witness, Mr. Moss.

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

By Chairman Lexow:

Q. Do you speak English? A. Yes.

Direct examination by Mr. Goff:

Q. Mr. Pospissil, what is your business? A. Saloon-keeper.

Q. Where do you keep your saloon? A. No. 1370 Avenue A.

Q. In this city? A. Yes, sir.

Q. What nationality are you? A. Bohemian.

Q. By birth? A. Bohemian.

Q. How long have you been in this country? A. About 23 or 24 years — 23 years.

Senator Bradley.— You will have to keep your voice up, Mr. Pospissil. Speak so Mr. Nicoll can hear you. A. All right, sir.

By Mr. Goff

Q. How long have you been in the saloon business? A. Fourteen years.

Q. How long have you kept the saloon at the present place while you were keeping that saloon? A. About four months.

Q. About how long have you kept the saloon in the Twentieth Assembly district of this city? A. About eight years; seven or eight years; seven years.

Q. Your present place is in the Twentieth Assembly district; is it not? A. Yes, sir; Twentieth and Twenty-second.

Q. You have got only one place, have you? A. Yes.

Q. And that is in the Twentieth Assembly district? A. Yes; that is correct.

Q. The Twenty-second is above? A. That is right; I am in the Twenty-second.

Q. What street are you? A. Corner of Seventy-third street and Avenue A; it divides right in the center.

Q. The north side of the street divides? A. Yes.

Q. That is right; you are in the Twenty-second; do you belong to any Bohemian organization? A. I do.

Q. Do you belong to any organization of saloon-keepers? A. I do.

Q. What is it called? A. Called the Bohemian Liquor Dealers Association.

Q. And is it called the Bohemian Liquor Dealers Association of any particular Assembly district? A. Of the Twenty-second and Twentieth Assembly districts.

Q. And that district of the city runs from about Seventieth street up to about Eightieth street on the east side, where most of the members live? A. It runs, I believe, from Fifty-ninth to Seventy-ninth.

Q. And mostly east of Second avenue, between Second avenue and the Eastern boulevard; isn't that so? A. Yes; that is right.

Q. And it is in that region that most of the Bohemians live?

A. That is right.

Q. There are quite a number of Bohemians live in that district?

A. Most all of them.

Q. Most all Bohemians; there are a number of saloon-keepers that belong to this liquor dealers association? A. That is right.

Senator Bradley.— Say yes or no.

Q. When was it organized? A. I believe it was organized in 1889; I can not exactly say — 1888 or 1889.

Q. Were you its first president? A. Yes, sir.

Q. Now, I hand you the New York Listy, Bohemian paper; isn't it? A. Yes; I can read it.

Q. You can read it; can't you? A. Yes, sir.

Q. What is the date there in 1891? A. That is on Monday.

Q. What month? A. It is in September; the fifth.

Q. The 5th of September, isn't it, 1891? A. Yes.

Q. Now, this is a paper published in the Bohemian language? A. Yes, sir; that is all right.

Q. And I call your attention to and advertisement in this paper which I have marked in blue pencil, and ask you if that is not the advertisement of the Bohemian Saloon-keepers Association of the Twentieth and Twenty-second Assembly districts?

A. Yes, sir.

Q. And the names of the officers? A. That is right.

Q. Were you an officer at the time that advertisement appeared? A. I was in Europe.

Q. You had been president and your term expired? A. Yes, sir.

Q. And you went to your native country on business? A. Yes, sir.

Q. Secora was president, wasn't he, while you were away? A. Yes, sir.

Q. Who organized that society? A. All of our men; all of our saloon-keepers.

Q. You was the principal man that organized it, weren't you? A. Yes, sir.

Q. You found it necessary for the Bohemian saloon-keepers to get together? A. Exactly.

Q. For mutual protection? A. Yes.

Q. Before your society was organized, the Bohemian saloon-keepers had a good deal of trouble, hadn't they about the excise law? A. Not as I know.

Q. Had they any trouble? A. I don't know.

Q. What? A. I don't know anything about it.

Q. What was the society organized for? A. The society organized to assist; one other should assist themselves.

Q. Assist them how? A. Assist them financially; providing for him if he needs it; if he needs the lawyer, or gets in some trouble, or so; each one will help him out of it.

Q. That is in connection with the excise law, isn't it? A. Just the way you take it; yes.

By Chairman Lexow:

Q. It is, isn't it? A. Yes.

By Mr. Goff:

Q. That is the only object the society had when it was organized? A. That is right.

Q. That was, to subscribe money, so much a week, to go into the treasury, and to have funds to help a saloon-keeper if he got into trouble with the police; isn't that so? A. Yes; that is right.

Q. To bail him out? A. That is right.

Q. And pay for a lawyer? A. That is right.

Q. And pay his fine? A. Yes; the majority of it.

Q. And you went around and got members to join that society; didn't you? A. Yes.

Q. Who organized it? A. Oh, they have it general.

Q. Wasn't there some one who organized it? A. No, sir; organized what; we hold meetings every week.

Q. Before you commenced to hold your meeting? A. They all came together at once.

Q. Who invited you all to come around at once? A. There was about seven or eight of them.

Q. Name any one of the seven or eight? A. I can mention you half a dozen.

Q. Wasn't you one? A. Yes; I was the president.

Q. So that you were instrumental in getting your fellow-countrymen to come together and form a society? A. Exactly.

Q. And you were elected the first president? A. Yes, sir.

Q. Who was the treasurer, Neuxset; was he the first treasurer? A. No; Mr. Wappolack.

Q. Who was the first recording secretary? A. The first recording secretary, I can not recollect now any more.

Q. You can not recollect the first recording secretary? A. No, sir.

Q. How long were you elected president for? A. From one year to another.

Q. How many times were you elected president? A. Elected now four or five times.

Q. Who else have been president of that society but yourself? A. Mr. Sykora.

Q. He is the only one that has been president? A. Mr. Fealo.

Q. Those are all that have been presidents of the society since its existence? A. Yes, sir.

Q. What have you done with the money collected? A. What is that?

Q. What have you done with the money collected? A. Paid for the lawyer, paid for the printing, and for different kind of expenses.

Q. Any other kind of expenses? A. I don't know.

Q. Don't shake your head; keep your head still or it will fall off your shoulders; have you got that circular you sent out Saturday night? A. No, sir.

Q. Have you got it with you? A. No, sir.

Q. Why didn't you bring it? A. I didn't call for it.

Q. Look at your subpoena? A. (Witness examines subpoena) I did not understand it there; I did not bring it along with me.

Q. "Also the circular issued and circulated on last Saturday evening to the Bohemian saloon-keepers to close, or to be watchful on Sunday;" where is that circular? A. I have not got it with me; I can bring it to you if you want it.

Q. Didn't you read the subpoena? A. I can tell you.

Mr. Nicoll.—Let him tell the contents.

Mr. Goff.—No; he can not tell the contents.

Q. Didn't you read the subpoena? A. I did.

Q. Didn't you read that that circular was wanted here by this committee? A. I didn't understand it.

Q. Don't you understand English; you have been here 23 or 24 years? A. It came so sudden to me.

Q. It came so sudden; I know it did; but when you read—you know what a circular is, don't you? A. Yes.

Q. When you read on the subpoena to produce this circular, why didn't you bring it here? A. I did not understand you wanted that circular.

Q. You brought your book with you? A. That is what I understand.

Q. When you brought your book, you knew the committee wanted your book, didn't you? A. Yes.

Q. Didn't you know they wanted the circular also? A. I didn't understand it.

Q. You did understand it for the book, but not for the circular? A. No.

Q. You have the circular at home? A. I have.

Q. You go up at recess and bring that circular down to the committee; do you understand? A. Yes, sir.

Q. Who wrote that circular? A. I did.

Q. Was it all in your writing? A. Yes, sir.

Q. And you sent it around to the saloon-keepers on Saturday night? A. Yes, sir.

Q. Do you recollect I was in that neighborhood on Saturday night? A. I can not tell; I don't know.

Q. Did anyone tell you? A. No, sir.

Mr. Nicoll. What Saturday night?

Senator O'Connor.—Last Saturday.

Q. What made you send around the circular on Saturday night? A. Because I read in the papers.

Q. What did you read in the papers? A. I read in the papers it was going to be very strict.

Q. What paper did you read it in? A. In the Bohemian paper on Saturday.

Q. What Bohemian paper? A. Just as you have got over there.

Q. Give me the name of it—New York Listy? A. That is the paper I read it in.

Q. What day? A. Saturday morning.

Q. What did you read in that paper Saturday morning? A. I read it was going to be very strict.

Q. Give the committee the words? A. It is going to be very strict on Sunday.

Q. What is going to be very strict? A. Strict excise law; on account of that I sent about everybody should close up.

Q. Was that all that was stated in the paper; is that all that was stated in that paper, that the excise law was going to be very strict? A. Yes, sir.

Q. That is all? A. That is all.

Q. And after you read it in the paper on Saturday morning, you sent out this circular? A. That is right.

By Chairman Lexow:

Q. Then all that is necessary for you to know in order to close up all your saloons is that the excise law is going to be strictly enforced; is that all? A. Sir?

Q. Is that all? A. I don't understand.

Q. All that is necessary for you to know is that the excise law is going to be strictly enforced to make you close up? A. As long as we find it out by reading the paper, of course we close up.

Q. As soon as you find out that any effort is going to be made to enforce the excise law you close up? A. We close up; that is right.

Q. Now, Mr. Pospissil, after you read this notice in the New York Listy on Saturday morning, did you talk with any one about it? A. No, sir.

Q. You are a friend of the editor, Mr. Wertersheck? A. I am, sir.

Q. Did you talk with him about it? A. No, sir.

Q. Did you know what was going to be in the paper? A. No, sir.

Q. You did not leave this circular with each saloon-keeper, did you? A. What is that?

Q. You did not leave this circular with each saloon-keeper, did you? A. No; not me.

Q. You merely showed the circular to each saloon-keeper, is that it? A. That is right.

Q. You did not leave it? A. No, sir.

Q. Why didn't you leave it? A. I had only one bill, just the one paper, to go around and show it to them.

Q. That is in your handwriting? A. That was in my handwriting; yes, sir.

Q. And you told the saloon-keepers to keep the door on the chain the next day? A. To close it the next day.

Q. You did not say close up the next day? A. Well, be very careful.

Q. You have got to produce that writing here, so don't state anything the writing does not state? A. That is correct.

Q. You told them to keep the doors on the chain, didn't you? A. Yes, sir.

Q. You did not tell them to stop selling, did you? A. I told them to look out.

Q. Did you tell the saloon-keeper to stop selling liquor or beer on Sundays? A. I told them to look out for themselves.

Q. Did you tell them to stop selling liquor or beer on Sundays? A. No.

Mr. Goff.—If you will please answer my questions it would save you —

Chairman Lexow.— He said no.

Mr. Goff.— After two or three questions.

Senator Cantor.— Why wasn't that circular good information to the police that they were in that kind of business; violating the excise law constantly?

Chairman Lexow.— Mr. Goff will find the circular, but the police could not.

By Mr. Goff:

Q. Now, you kept your saloon open on Sunday? A. No, sir.

Q. You kept the door on the chain? A. I closed on Sunday.

Q. Didn't you keep your door on the chain? A. I did; yes, sir.

Q. And you sold to all who went into your saloon? A. Just my friends I took in.

Q. Didn't you sell to all? A. Yes, sir.

Q. That is right; let us have the truth; and you did in your saloon what you advised all the members of your saloon-keepers' association to do? A. What is that?

Q. You did yourself in your saloon what you advised all the other saloon-keepers to do on last Sunday? A. Yes, sir.

Q. You were not interfered with by the police last Sunday? A. I was.

By Chairman Lexow:

Q. You were interfered with? A. Yes, sir.

Q. Last Sunday? A. Yes.

Q. Were you arrested? A. No, sir; I did not meet nobody in the saloon.

By Mr. Goff:

Q. Were you interfered with by the police on last Sunday? A. Yes, sir.

Q. Were you arrested? A. No, sir.

Q. What inference, then, was there? A. Well, I did not leave anybody in; I had my place closed.

Q. Did the police go near you? A. Yes, sir.

Q. Last Sunday? A. Yes, sir.

Q. What policeman went near you? A. I don't know his name.

Q. What was his number? A. I did not think of it.

Q. Did he go into your saloon? A. I had my place closed; he could not come in.

Q. Did he go into your saloon? A. No, sir.

Q. Where did you see him? A. Seen him outside.

Q. How did you come to see him outside? A. I seen him outside in the hallway.

Q. He came into the hallway alongside of your saloon? A. Yes.

Q. Knocked at the door? A. Yes.

Q. You expected him, didn't you? A. No, sir.

Q. You knew a policeman would come around? A. No, sir; I didn't expect anybody.

Q. Don't shake your head? A. That is my habit.

Q. Then break your habit now; just answer yes or no; so the stenographer can take down your answer; did you expect the police officer to come around? A. No, sir.

Q. You went out to see him in the hallway? A. I did not; I closed the door, and I left him out there in the hallway.

Q. Where did you talk with him? A. I did not talk with him at all.

Q. Did he talk with you? A. No, sir.

Q. What made him say he came to tell you to keep closed?

A. He did not tell me that.

Q. Who told you that? A. Nobody.

Q. What brought the policeman in the hallway? A. I don't know.

Q. How do you know he was there? A. Well, I see that is an officer, and I would not leave him in.

Q. What is that? A. Well, I see that it's an officer, and I would not leave him in.

Q. You saw it was an officer and you would not let him in? A. No, sir.

Q. Did he knock to get in? A. No.

Q. How do you know he wanted to get in; now, you are under oath, sir, and this is not a trifling matter? A. I do not understand you; what do you say?

Q. If he did not knock to get in, how did you know he wanted to get in? A. He did knock, and the door was closed, and just the chain on, and he went away.

Q. He was in full uniform, and he knocked at the door, and you opened the door? A. I did not open it; he opened it himself, the chain is on the door.

Q. The door opened to the end of the chain? A. That is right.

Q. And you went to the door to take the chain off, did you? A. No, sir.

Q. Did you go to see who was there? A. I went to see who was there; yes, sir.

Q. You saw an officer in uniform? A. Yes, sir.

Q. And when you saw the officer in uniform? A. I closed the door.

Q. Did you say anything to him? A. No, sir; I closed the door.

Q. You closed the door? A. Yes, sir.

Q. He never asked to get in? A. No, sir.

Q. Nor did he ask for a drink? A. No, sir.

Q. Sure? A. Sure.

Q. Sure; that is remarkable; did you ever see that officer before? A. No, sir.

Q. Were there any arrests made among the Bohemian saloon keepers for violating the excise law last Sunday? A. I don't know.

Q. You are president of that association? A. Yes, sir.

Q. It is your business to know? A. I don't know of anyone arrested Sunday.

Q. Isn't it a part of the duty of the president to look after the members that may be arrested? A. Yes, sir.

Q. That is his duty? A. Yes.

Q. You didn't hear of any arrests being made last Sunday?

A. No, sir.

Q. You have been in the habit of sending around notices such as you sent last Saturday? A. What is that?

Q. Have you sent around other notices on other Saturdays?

A. No, sir.

Q. Last Saturday was the first time you sent the notice around? A. And a couple of more times already.

Q. How long ago? A. A couple of years ago already I used to send notices out.

Q. Didn't you send notices out when you got notices from the police to close up; now, look at me; don't look down? A. Yes, sir.

Q. Did policemen give you notice to close up on Saturday?

Mr. Nicoll.—What Saturday?

Mr. Goff.—Any Saturday.

The Witness.—I can not tell the name, because I don't know.

Q. Was it the wardman or the regular patrolman? A. No; the regular patrolman told me.

By Chairman Lexow:

Q. Last Saturday? A. Last Saturday; yes; to keep closed.

Q. Was that in addition to your reading it in the Bohemian paper, the police officer went around on Saturday to you? A. What is that?

Q. Did a police officer go around on Saturday to you? A. Yes, sir.

Q. Last Saturday? A. Yes.

Q. What did you say? A. We told him to look out for next day.

Q. Told you to look out for next day?

Senator O'Connor.—Who did that; a policeman?

Mr. Goff.—Yes; certainly.

By Mr. Goff:

Q. So, when you said a little while ago you sent out the notice because you saw it in the Bohemian paper you did not state the whole truth, did you? A. Yes, sir.

Q. Well, but wasn't it on account of the policeman coming to the saloon on Saturday? A. I read it in the papers.

Q. It was on account of the policeman coming he sent the circular around, wasn't it not?

By Chairman Lexow:

Q. That was the reason? A. Sure; that was so.

Q. You thought that came from headquarters when the policeman did that? A. That is right.

Q. You thought it meant business for next day? A. That is right.

By Mr. Goff:

Q. The policeman who told you knew you were president of the saloon-keepers' association, did he not? A. No, sir; he told it direct to me, to keep closed the next day.

Q. Didn't he tell you to tell all the other members to keep closed? A. No, sir.

Q. What did you send around the notice for? A. Because he told it to me; and I sent notice to my friends.

Q. You did that because it was given to you as president of this association? A. That is right.

By Senator O'Connor:

Q. Do you know of a policeman informing any other persons there?

By Mr. Goff:

Q. I was going to ask that; do you know whether the policeman went to any other member of the saloon-keepers' association? A. No, sir.

Q. You didn't hear anything about that? A. No, sir.

Q. Who did you send around with this notice? A. I sent my friend around, a man that is in my house.

Q. What is his name? A. Mr. Harburder.

Q. Is he in business with you? A. No; he is in the cigar business.

By Chairman Lexow:

Q. Did the policeman know you were president of this association? A. I don't know, sir.

Q. It is Harburder? A. Harburder; that is right.

Q. How many members belong to your association? A. I can't exactly tell; I guess about 35 or 36.

Q. How many members belong to your association? A. I say about 35 or 36; somewhere around there; I can not say exactly.

Q. Are there any saloon-keepers — are there any Bohemian saloon-keepers up there who do not belong to the association? A. Yes, sir.

Q. You did not send them around notices, did you? A. I sent every one.

Q. Did you send notices to any saloon-keeper that was not a member of your association? A. I sent all around.

Q. Did you send notice to any Bohemian saloon-keeper that was not a member of the Bohemian Saloon-keepers Association? A. Yes, sir.

Q. Give me the name of one? A. Well, I have to look on the slip.

Q. Well, look at the slip? A. Mr. Vopelak was the first one.

Q. Isn't he a member? A. No, sir.

Q. But he was? A. He used to be.

Q. He was president of this association? A. No, sir.

Q. He was an officer of the association? A. He was an officer of the association.

Q. Give me another outside of Mr. Vopelak? A. I can not tell now.

Q. Have you thought of another name? A. I don't.

Q. Don't you think that you did not send a notice to any man that was not a member of the association; isn't that a fact? A. I sent a whole lot around; I don't know where the man went.

Q. Don't you know that Mr. Harberder did go to the members of the association? A. He went all around.

Q. You gave him a slip of names; didn't you? A. Yes, sir.

Q. With the number of names he should go to? A. He went all over.

Q. Answer me; you gave him a paper with the names of the saloons to which he should go with the notice? A. Yes, sir.

Q. And didn't you take the names that you put on that paper from the membership-roll of the association? A. Yes, sir.

Q. Oh, you only put down the names on the slip of paper that you found on the membership-roll? A. No; there is some strange names over there.

Q. Give me a name outside the membership-roll? A. I can not tell you now.

Q. Have you got that slip? A. I have it home.

Q. You will bring it down at recess? A. Yes, sir.

Q. With the circular? A. Yes, sir.

Q. Why did you hesitate to give us Mr. Harberder's name? A. What is that?

Q. Why did you hesitate, or did you refuse at first to give us his name? A. I did not refuse.

Q. You hesitated; you understand the word hesitate? A. Yes.

Q. You hesitated; why did you hesitate? A. Because I did not want to pronounce the name; I told you I did not know the name; that is about all.

Q. Let us get his full name; give me his first name? A. Nicholas Herberder.

Q. Well, we will get at it; you write his name and address on

that paper? A. His address I can not write, but will give you the name and send the address from my place.

Q. Well, you said that he lived in your house? A. No; he is not living in my house; I said he send it to me, because I do not know his direction.

Q. Does he work for you? A. No, sir.

Q. How is it you sent this man around; he did not work for you? A. He is in my saloon every day.

Q. He frequents your saloon every day; do you know what his business is? A. Yes; cigarmaker.

Q. And if we send to your residence we can get him? A. Yes.

Q. Now, the first term of your office as president you had a secretary, Joseph Vopelak? A. Yes.

Q. And you had a treasurer, Peter Stastny? A. Yes.

Q. I hand you a book, produced here by your recording secretary, by Sudeck, who is your present recording secretary? A. Yes, sir.

Q. Now, I hand you this book, and ask you to state when that book was first written, the first date; look at the first page there; the book is written in the Szeck language, is it not? A. That is right.

Q. Now tell us the date? A. That is in February 18th.

Q. What year? A. It don't say here; it just says—

Q. Whose handwriting is that? A. I can't tell; there is Mr. Vopelak's here; there is no year in that; the date is on there, but no year.

Q. When the officers of that association have changed the books have always been left in the possession of the association, haven't they? A. What is that?

Q. When the officers of that association have changed the books have always been left in the possession of the association, haven't they? A. Yes, sir.

Q. Can you state if this is the recording secretary's book for that association from the time it was organized up to the present date? A. No, sir; I can not say that.

Q. Where are the other books? A. I don't know.

Q. Who keeps the books? A. Well, the secretary generally keeps it, and the treasurer; that is, the secretary mostly.

Q. The recording secretary? A. Yes; everybody keeps his own books.

Q. Isn't it your duty to see the books belonging to the association are always kept by the association? A. Yes, sir.

Q. Can you answer, now, whether or no that is the book of minute of the recording secretary of that association from 1891 up to date? A. I can not.

Q. You can not? A. No, sir; that is not the proper book.

Q. That is not the proper book? A. That is not a book -- there must be another book beside it; I don't know where the book is, though, but I asked of a party on First avenue who used to be secretary of the association, and I asked him for the book and can not get it.

Q. Who is that certain party? A. That is Mirofsky.

Q. Have you seen Mirofsky? A. No; he is not here.

Q. Now, Mr. Pospisil, you are connected with politics, are you not? A. No, sir.

Q. What? A. No, sir.

Q. As president of the Saloon-keepers' Association you have a good deal to do with the politicians, haven't you? A. No, sir.

Q. About the excise law? A. No, sir.

Q. Nothing at all? A. No, sir.

Q. Do you know the man that is called the leader of your district? A. I do.

Q. What is his name? A. Morris Featherstone.

Q. That is of the Twenty-second? A. Yes, sir.

Q. Do you know the leader of the Twentieth Assembly district? A. Yes; his name is Mr. Tom Dunn.

Q. Have you not dealing with either of those gentlemen about the Sunday law? A. No, sir.

Q. Never went to them? A. No.

Q. To get men out of the station-house? A. No, sir.

Q. Haven't you dealing with the police, Mr. Pospisil? A. I have not.

Q. None whatever? A. No, sir.

Q. Do you know of any money ever having been paid to the police? A. Not in my presence.

Q. Do you know, sir, of any money ever having been paid to the police by your association? A. Yes, sir; a couple of years ago, though.

Q. Now, wait awhile; was it not the object of your organization that you could deal with the police as an organization; was not that one of the objects of your association? A. I don't understand what you mean.

Q. Was it not one of the objects of the Bohemian Saloon-keepers Association to deal with the police as an association?

By Chairman Lexow:

Q. Directly? A. Well, it was really.

By Mr. Goff:

Q. Yes? A. Yes.

Q. And before the association was organized the saloon-keepers

were annoyed a good deal by the police individually, weren't they? A. Yes, sir.

Q. Now, that is right, Mr. Pospisil; let us have the truth; and the purpose of the association was that they could band themselves together and pay the police as an association; wasn't that it? A. No.

Q. Don't shake your head.

By Chairman Lexow:

Q. Isn't that the fact; that as an association, instead of individuals contriving with this, that or the other policemen, the association as a whole could gather the fund together, collect it, and pay it over to the police? A. I can't tell that.

Q. Is that a fact or not? A. I don't know anything about this.

Q. Did you do it?

By Mr. Goff:

Q. You were president; you knew everything? A. I don't know everything.

Q. You knew what the moneys were collected for, did you not? A. Yes.

Q. Now, answer right out, so the stenographer can hear you; you knew that the members of the association paid in so much every week? A. Yes.

Q. How much a week? A. Seventy-five and 50.

Q. Seventy-five and 50 cents? A. Yes.

Q. Each? A. Yes.

Q. Who paid the 75 cents a week? A. Well, it was uncertain; sometimes 75 and sometimes 50.

Q. Sometimes 75 and sometimes 50.

By Chairman Lexow:

Q. Do you mean your rate of assessments was 75 or 50 cents on the members according as you had to pay? A. Yes.

By Senator Cantor:

Q. And all the members paid alike? A. Yes.

Senator O'Connor.—Paid it how?

Chairman Lexow.—To the treasurer of the association.

By Mr. Goff:

Q. When this money was paid into the treasury of the associa-

tion the treasurer paid out money on order of the association?

A. That is right.

Q. After a resolution was passed? A. Yes.

Q. Wasn't it? A. Yes.

Q. Did the association keep a bank account? A. No, sir.

Q. And whatever money was paid out was paid out in bills?
A. Yes, sir.

Q. For any purpose? A. Yes, sir.

Q. Now, every month did not the treasurer of the association pay so much money to the police of that precinct?

Mr. Nicoll.—Objected to, that he stated he never saw it paid in his presence; and if the treasurer did pay it, call the treasurer at once; this witness can not prove it.

Chairman Lexow.—This witness, as president of that association, is chargeable with the knowledge of the disposition of the funds; I think it is perfectly proper he should answer as to the society as to the method of procedure. It would not be the ascertainment of the fact of payment, but the system of the organization on which it was based.

The Witness.—I am speaking of about four or five year ago.

By Mr. Goff:

Q. When the money was paid into the treasury the treasurer was ordered to pay by resolution of the association; was he not?
A. Yes, sir.

Q. And you were in the chair as the president of the association? A. Yes, sir.

Q. And put the question? A. Yes, sir.

Q. Now, were there ever any resolutions passed in the association directing the treasurer or any other person representing your society to pay money to the wardman in that precinct?
A. Yes, sir.

Q. Now, who was the captain of that precinct at that time—the first captain? A. Captain Gunner.

Q. And what was his wardman's name? A. Campbell.

Mr. Goff.—Is Campbell in court? Ex-Wardman Campbell?
(No response.)

Q. Morris Campbell, was it not? A. Yes, sir.

Q. What was the name of the other wardman? A. I don't know of any other wardman.

Q. All the business was done with Morris Campbell? A. That is all.

Q. Did you do the business with Morris Campbell? A. No, sir—that is, I did—

Q. Let us have the truth; this association will benefit you saloon-keepers if you tell the truth.

Chairman Lexow.—The fact is, the only way in which this kind of blackmail can be stopped is by coming before the committee and telling the truth so we can legislate so as to stop it.

Q. We are not here to harm you at all, or do you any injury, and you are protected from any testimony from prosecution? A. I can not tell more than I do know.

Q. The law protects from prosecution for any testimony you may give before this committee on that point; do you understand? A. Yes, sir.

Q. Now, let us have the truth; when did you first do business with Campbell? A. As soon as the organization started.

Q. As soon as the organization started? A. Yes.

Chairman Lexow.—Just get out whether Campbell suggested the making of the organization.

Q. Yes, in a moment; you were a little afraid this morning to give your testimony, wasn't you? A. Not a bit.

Q. Weren't you afraid the police would trouble you after you gave your testimony? A. No, sir.

Q. Well, you are not afraid now, are you? A. No, sir.

Q. That is right, and you are prepared to tell the whole truth, aren't you? A. Yes.

Q. Now, didn't Campbell suggest to you—tell you it would be a good thing to have all the Bohemian saloon-keepers in one organization? A. No; he never told me.

Q. Did any other wardman or police officer tell you? A. No, sir.

Q. That it would be a good thing for all the men to get into the organization? A. No, sir.

Q. After the organization was formed you said you had a talk with Campbell? A. Yes, sir.

Q. What was the talk; just tell us the whole thing—what he said, and what you said? A. Well, he was bothered by the liquor-dealers' association, and we thought it would be proper for us to talk with the wardman to be with us.

Q. Where did you see him? A. I met him outside on the street.

Q. Near the station-house? A. No, sir.

Q. You met him in the street? A. Yes, sir.

Q. You knew him? A. Yes, sir.

Q. Who were you with? A. A party of the name of Mr. Politzer.

Q. Is he here in court? A. I guess, Senator, he was a little while ago.

Q. Is Mr. Politzer in court? A. Not here.

Q. Well, he was a member of the association, wasn't he? A. Yes, sir.

Q. And the association passed a resolution authorizing you, on behalf of the association, to see the wardman, didn't it? A. Yes.

Q. And didn't it authorize you to ascertain from the wardman how much it would cost for the association to keep open on Sundays? A. Yes.

Q. That is it; well, you asked the wardman how much it would cost, didn't you? A. Yes, sir.

Q. To get protection; and what did he say? A. He would not give me no sufficient answer.

Q. What? A. He would not give me no sufficient answer.

Q. What did he say? A. I should meet him up in his house.

Q. You should meet him in his house? A. Yes, sir.

Q. Did you meet him in his house? A. I did.

Q. That night? A. No; the next day.

Q. Was any one with you? A. No.

Q. He told you to go alone? A. Yes, sir.

Q. And when you went to his house what took place between yourself and Morris Campbell? A. Well, he —

Q. Just give his conversation? A. He called for about \$125 a month.

Q. He wanted how much? A. One hundred and twenty five dollars a month.

Q. For the whole association? A. Yes, sir.

Q. Well, did he ask you how many members belonged to your association? A. Yes.

Q. And you told him? A. I did.

Mr. Nicoll.—Won't you find out what year this was?

Q. I will; was this in 1891, when you first organized? A. I can't exactly tell what year it was.

Q. It was shortly after your organization, wasn't it? A. Yes.

Mr. Goff.—It was in 1891, as near as we can get at it!

By Chairman Lexow:

Q. How soon after you organized — the next day? A. A couple of weeks after.

Q. Was this the first official act that was done by the association after its organization? A. What is that?

Q. Was this the first official act that you did by resolution after the association was organized? A. Yes, sir.

Q. That was the first business the association transacted?

Mr. Nicoll.—I understood it was four or five years ago?

The Witness.—That is about six years ago.

By Mr. Nicoll:

Q. That is very important; Mr. Goff said 1891, and you say six years? A. About five or six years ago; I can not get exactly what year.

Q. Was it over five? A. Yes; it is over four; I am sure of that.
Chairman Lexow.—You will have an opportunity to get that out, Mr. Nicoll.

By Mr. Goff:

Q. It was shortly after the association organized? A. Yes, sir.

Q. Within a few weeks? A. Yes.

Q. And it was the first official business that was transacted?

Mr. Nicoll.—He did not say that.

Mr. Goff.—Yes; he did. The record is here.

Q. Didn't you tell Campbell the Bohemians were very poor?
A. Yes, sir; I did.

Q. And you could not afford to pay \$125 a month? A. Yes.

Q. And that you had only just commenced as an association?
A. I did; yes, sir.

Q. You told him that, didn't you? A. Yes.

Q. And told him the association could not afford it? A.
That is right.

Q. And you wanted him to take less? A. Yes.

Q. How much less did you want him to take? A. I offered him a \$100.

Q. What did he say when you offered him a \$100? A. He said, if it can't be helped, he would accept it.

By Chairman Lexow:

Q. That is to say, if you could not get more; is that it? A.
That is right.

By Mr. Goff:

Q. Did you give him a \$100 then? A. I didn't never give him any money.

Q. You agreed to give him a \$100? A. Yes, sir.

Q. Did you agree with him who should hand the money?
A. Yes, sir.

Q. Who should hand the money to him? A. It was the secretary.

Q. What was his name? A. He called along with me and he generally handed him the envelope.

By Chairman Lexow:

Q. And you knew that a \$100 was in that envelope? A. I don't know; the secretary is the man that generally put the money in there.

Q. Did the secretary tell you he had the \$100 in there? A. Yes, sir.

Q. And made his report accordingly? A. Yes.

Q. And you saw this envelope passed to the wardman? A. Yes, sir; not to me.

By Senator Bradley:

Q. Did you see the \$100 go into the envelope? A. I see the envelope.

Q. Did the secretary have to get the money from the treasurer? A. Yes.

Q. And you saw the transaction between them? A. Yes.

Q. And you saw the treasurer handing the money to the secretary and putting it in the envelope? A. Yes, sir.

Q. And you went with him to the detective or ward officer? A. Yes, sir.

By Mr. Goff:

Q. Before the \$100 was given by the treasurer to the financial secretary, was there not a resolution passed that \$100 be appropriated for that purpose, for the wardman? A. Yes, sir.

Chairman Lexow.—Have you a copy of the resolution?

By Mr. Goff:

Q. I will get at that in a little while; you are clear that Morris Campbell was the man with whom you first made the arrangement? A. Sam. Campbell, not Morris.

Q. Did he say anything to you about the captain? A. No, sir.

Q. Did you ever see the captain? A. No, sir.

Q. How soon after you made the arrangement with him in his house for \$100 a month was the first \$100 paid to him?

A. I can not tell.

Q. Was it within a week? A. I don't know, sir; I don't know whether it was paid or not paid a week or two weeks.

Q. But it was paid? A. It was paid.

Q. And it was paid every month, was it not? A. I can't tell that; I don't know.

Q. While you were president, was it not ordered to be paid

every month? A. Well, yes; I don't know about whether it was paid or not.

Q. I am asking you as president?

By Senator Bradley:

Q. You, as president, did not you put the motion to the members whether they should pay the \$100 or not? A. Yes, sir.

Q. You know whether it was paid? A. I suppose it was paid; but I can not tell; I did not see it.

Q. Didn't you put the motion? A. Yes, sir.

By Mr. Goff:

Q. Didn't you go with the financial secretary every time he went to Campbell? A. Yes, sir.

Q. And you went for the purpose of paying the \$100; wasn't that it; you went to see him for that purpose? A. Certainly.

Q. And the financial secretary had the money in an envelope, isn't that true? A. Yes.

Q. And handed it to the wardman in your presence? A. Yes.

Q. How long did that continue? A. I guess about a year.

Q. About a year? A. Before I left New York.

Q. Before you left; was the rate raised higher than a \$100 while you was president? A. I guess about \$125 was the highest paid.

Q. After you had paid the \$100 how did it reach \$125? A. Increase of members.

Q. Because the number of members increased; is that it? A. Yes; that is it.

By Chairman Lexow:

Q. See whether there was a tariff of so much ahead.

Mr. Goff.—It was 50 and 75 cents, you know.

Q. Now, did the wardman know when the number of members increased? A. Yes, sir.

Q. And when the number increased he demanded increased pay every month? A. Yes, sir.

Q. One hundred and twenty-five dollars? A. Yes, sir.

Q. What did he say about that? A. I never had any conversation with him.

Q. What? A. I never had any conversation with him.

Q. Did you have some conversation with him when he said \$125 would be necessary? A. Yes, sir.

Q. What did he say about that? A. Well, he asked me that the men should pay a little more.

Q. Pay a little more; and then did you increase the fees, the dues? A. No, sir.

Q. Only the number of members came in? A. That is all.

Q. Wasn't that \$100 a month—

Chairman Lexow.—See if he had a list of membership, the wardman.

By Mr. Goff:

Q. Yes; we will see; that is a good idea; do you remember ever giving a wardman a list of the members? A. Yes.

Q. And you gave him a list of the members so that they would not be interfered with for selling on Sundays? A. Yes, sir.

Q. Now, don't you know as a matter of fact, that some Bohemian saloon-keepers who didn't belong to the association were arrested for violating the excise law on Sunday? A. Yes, sir.

Q. And didn't you say to a number of Bohemian saloon-keepers that if they joined the association they would be protected? A. Yes, sir.

Q. Didn't Campbell tell you to tell all the Bohemian saloon-keepers to join the association in order to get protection? A. Yes, sir.

Q. Just a little louder? A. Yes, sir.

Q. Now, when you left the association as president you went to Europe, did you? A. Yes, sir.

Q. How long did you remain in Europe? A. Three months.

Q. Three months? A. Three months.

Q. Do you remember what year that was in? A. That was three years; that was in 1891.

Q. You went to Europe in 1891? A. Yes, sir.

Q. Now, from the time you were first elected president, up to the time you went to Europe, in 1891, this money was paid every month to the wardman? A. Yes, sir.

Q. Did the same wardman remain there all that time—Campbell? A. He was there all the time.

Q. When you went to Europe, who was elected president in your stead? A. Mr. Sykora.

Q. Is that gentleman in court? A. Yes, sir.

Q. When you returned, after your three months' stay in Europe, you still continued to belong to the association as a member? A. Yes.

Q. And you know that every month the dues were collected for the purpose of paying to the police? A. Not after I came back.

Q. You didn't know about it? A. I say there was nothing paid after I came back from Europe; they stopped paying then.

Q. Are you sure of that? A. Yes; they stopped paying after I came back from Europe.

Q. Why did they stop paying? A. They did not want to pay any more to the wardman.

Q. How did it come about; tell the committee how it came about they stopped paying? A. I can not tell you; I came and found they paid no more, and I did not pay nothing any myself.

Q. Did you know whether that association has paid anything since? A. No, sir.

Q. It has not paid anything since? A. No.

Q. You are president of that association? A. Yes, sir.

Q. And not a dollar has ever been paid? A. No, sir.

Q. Now, did you stop because you did not pay it yourself, or because the association did not pay it? A. There is nobody paid one cent; we paid just our dues, and that is all.

Q. What is done with your dues? A. We only pay \$1 a month.

Q. You do not pay for police protection? A. No, sir.

Q. Yet you are not bothered for Sunday violation? A. Once in a while.

Q. Now, I hand you the secretary's book, on page 12; can you tell us the date on that book? A. Right away, sir.

Q. Tell us the date? A. That is in June.

Q. In June of what year? A. It don't say.

Q. That is Mr. Vopelak's writing; is it not? A. Yes.

Q. That is his name, Joseph Vopelak, secretary? A. Yes, sir.

Q. Were you present at the time? A. Yes, sir.

Q. And this page contains the minutes of the recording secretary of that meeting in June? A. That is right.

Q. And you can not tell the year? A. It don't state the year.

Q. Do you remember what year? A. It must be 1890 or 1889; something like that; I can not tell.

Q. Eighteen hundred and eighty-nine or 1890? A. Somewhere around there.

Q. Now, my Czeck is not very good, so you will excuse me; I am going to commence, and I want you to pay close attention; we will start with the Twenty-second Assembly district? A. Yes, sir.

Q. Now, read that where my finger is, Twenty-second Assembly district; read it out to the committee? A. Excuse me, and give me a little time.

Q. Certainly; take your time.

Mr. Nicoll.—Read it slowly.

A. Well, you want me to start from here?

Q. From the Twenty-second Assembly district there, and read right down here? A. Well, this resolution was passed; \$100 was allowed on the National Building, New York, what is building now.

Q. What building is that? A. The National Building and Turner Hall, and all those kind; that is where the \$100 came; and it should be paid as soon as the committee is going to be accepted, and on the committee is Mr. Joseph Pospisil, Frank Kimeschel.

Q. Tell us what it is? A. It is a hard thing; I don't understand this.

Q. Yes; you must. A. I have somebody over here to read it; I don't know what they mean by this; well, it says, no officers is allowed to come in the saloon with uniform.

Q. Read that again. A. "No officer is allowed to come in the place with his uniform;" that is what it says.

Q. That is the resolution; who says that? A. Well, that is what was carried in the meeting.

Q. Carried in the meeting?

By Chairman Lexow:

Q. The meeting resolved no officer should be allowed in a saloon with his uniform on? A. Yes, sir.

By Mr. Goff:

Q. What I want to get is about the Twenty-second Assembly district; what does that mean there, and the \$1,000 there? A. That is only a \$100.

By Senator O'Connor:

Q. That is a \$1,000? A. I know; but that is only a \$100.

By Mr. Goff:

Q. What is this here? A. That is \$2.

Senator O'Connor.—Let him study that out during recess.

Chairman Lexow.—All witnesses subpoenaed shall present themselves again at 2:15. We stand adjourned until quarter after 2 o'clock.

AFTERNOON SESSION.

June 15, 1894.

The Chairman.—Are you ready, Mr. Goff?

Mr. Goff.—Yes, sir.

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

The Chairman.—Do you understand English?

The Witness.— Only a little.

The Chairman.— This gentleman says that he does not speak much English.

Direct examination by Mr. Goff:

Q. Are you a Hungarian? A. I am a Bohemian.

Mr. Nicoll.— May I ask where the witness is that was on the stand before luncheon.

Mr. Goff.— He is not here yet, but I presume he will be. He is, I think, searching for those certificates.

Q. What is your business? A. I keep a saloon.

Q. What nationality are you? A. I am a Bohemian.

Q. How many years have you been in America? A. I am here 14 years.

Q. How long have you been in the saloon business? A. About nine years.

Q. Where is your saloon now? A. My saloon is on the corner of Forty-seventh street and Avenue A.

Q. What Assembly district is that in; is it in the Twentieth or the Twenty-second Assembly district; do you know? A. It is the Twenty-second.

Q. Do you belong to the Bohemian Saloon-keepers' Association? A. No, sir.

Q. Did you belong to it? A. Yes, sir.

Q. Did you ever hold office in it; were you secretary? A. I was secretary.

Q. And you wrote down the minutes of the meetings? A. Yes, sir.

Q. Who is the present secretary of the association; do you know? A. I don't know because I do not belong to it.

Q. When did you cease or stop being a member? A. That is over two years ago.

Q. Were you secretary when Mr. Pospissil was president? A. Yes, sir.

Q. You were secretary during all the time that he was president, were you not? A. I was secretary; yes; I was the first secretary there.

Q. You were the first secretary? A. Yes, sir.

Q. You heard Mr. Pospissil's testimony to-day on the witness stand? A. Yes; but I do not understand everything.

Q. You don't understand every word? A. No, sir.

Q. Do you remember when the saloon-keepers formed this association? A. Yes.

Q. When they made the association? A. Yes, sir.

Q. Were you one of the men that got the Bohemian saloon-

keepers to organize into an association? A. There was a liquor dealers' association on Third avenue, and I was talking with about two men from the Liquor Dealers' Association; and they told me that because there was so many Bohemians that did not speak a word of English, they told us to start an association like that, and we should be joined to them after.

Q. When you organized, do you remember a committee being appointed to see the wardman, the police? A. No; I don't know.

Q. Don't you remember writing a resolution in the meeting to see the police? A. It is too long ago; I can not tell nothing about it.

Q. We will see; refresh your memory; did you ever go to see the police yourself? A. No, sir.

Q. Did you ever hear a report in the meeting about the president or anyone else of the association having seen the policeman or the wardman? A. Yes; there was a committee there; they always told us, you know, on Saturday we should be strict on Sunday; that is all.

Q. What was the money paid into the treasury for? A. Well, we had some money to pay out once; we had \$100 to pay out on some lots; the Bohemian society bought some lots out there and we joined them and we had to pay \$100 on the lots.

Q. Where did you buy those lots? A. In Seventy-third street.

Q. In New York? A. New York.

Q. Bought lots in Seventy-third street? A. That is between First and Second avenue.

Q. Who bought the lots? A. All the association together.

Q. In whose name were the lots purchased? A. The company.

Q. What was the name of the company? A. I know how to say it in Bohemian; I don't know the English name.

Q. What was the Bohemian name? A. The Bohemian Association to build up a National Hall.

Q. How many lots? A. Three lots.

Q. You mean to say that there were \$100 subscribed for that? A. No; we paid \$100 on.

Q. You paid \$100 on three lots? A. Yes, sir.

Q. Were the lots vacant; no houses on them? A. No houses.

Q. Who sold them to you? A. Some woman; I don't know the name.

Q. You were recording secretary; did you ever see the deed? A. No; because we ain't got any deed.

Q. Did you ever get a contract or paper for the purchase of those lots? A. Yes, sir.

Q. Where is that? A. We had a paper from the company when we paid \$100 on them.

Q. Who drew up the paper? A. I had it in my hand, and after I left the club I left it there.

Q. Who did you give it to? A. To Mr. Pospisal.

Q. Was this paper signed by you? A. This paper was signed from the association, from the secretary.

Q. Who signed it? A. From the secretary.

Q. Who signed it as secretary? A. I didn't sign it; we got the paper; there was like a paper; then you got a part of it.

Q. Did you ever pay any more than \$100? A. Not on them lots.

Q. To whom did you give the \$100? A. To the cashier of another club.

Q. To the cashier of another club? A. Yes, sir.

Q. What was his name? A. Kopetski.

Q. Joseph? A. I can not tell you the first name; I know him well, but I don't know his first name.

Q. Is he in the liquor business? A. No; he used to keep a baker shop.

Q. What association is it that he was president of? A. The association is there yet.

Q. What is the name of it? A. The Bohemian National Association, to build up a national hall.

Q. Was there ever any money collected there in that society to pay the police? A. I know there was money collected; I don't know whether they paid it to the police or not.

Q. You know that there was money collected? A. I know.

By the Chairman:

Q. Do you know whether it was collected for that purpose? A. I know it was collected.

Q. To do that with it? A. It was collected for the purpose, certainly.

By Mr. Goff:

Q. What officer of the association was told to hand the money to the wardman? A. I don't —

Q. Do you understand me? A. No; I don't understand.

Q. Who gave the money to the wardman, to the police? A. I don't know.

Q. Don't know whose duty it was; was it the president's duty? A. It was the president's duty.

Q. How often was the money to be paid to the police? A. I don't know how often.

Q. Do you remember if it was once a month? A. Once or twice; I can not tell you; because I had nothing to do with it.

Q. Used you not write down the resolutions about paying? A. I was writing there; but we were meeting once in two months, one meeting; I can not tell you if the money was paid in one month or two months or in two weeks, because sometimes we had one meeting in three months.

Q. What was this money to be paid for, police protection? A. I can't tell you, because I didn't have anything to do with it.

Q. You were a saloon-keeper, and secretary of the association? A. I was secretary; yes.

Q. Didn't you know that the money was paid to the police so that you would not be arrested on Sundays? A. No, sir; I didn't know that.

Q. What was the money paid to the police for? A. We have some lawyers; if I was arrested —

Q. What was the money paid to the police for? A. I can not swear to it, if it was paid or not; I didn't see it.

Q. Wasn't the money ordered to be paid to the policeman? A. No; the money was paid for the benefit, if a man was arrested on Sunday; you hadn't any money to pay for a lawyer; I was paying out money, \$5 and \$10 bills for lawyers.

Q. You have sworn that there was money ordered by the association to be paid to the police; is that true? A. I don't know if the police were paid or not.

By the Chairman:

Q. But whether it was ordered to be paid by the police, you testified a few minutes ago that it was; now, that was true, wasn't it? A. I don't know what you mean by testifying.

Q. You said a little while ago that your association ordered the president to pay money over to the police; now, is that true, or isn't it true? A. The president had a right to settle the thing up, but I don't know if he did or not.

Q. Didn't the association, at its meeting, authorize the president, empower the president, to pay money to the police?

Senator Bradley.—By a vote of yes or no?

A. It was not; we didn't vote anything about it.

By the Chairman:

Q. Didn't you pass a resolution giving him that power? A. I know nothing about the resolution.

Q. Do you mean to say that as the secretary of that association you didn't know that month after month payments were being made by the association to the police, wardmen, in that district

of from \$100 to \$125 a month by your association? A. I don't know anything about it, whether it was yes or not; I don't know.

Q. Don't you know what became of money that was contributed by you with others, to the funds of that association? A. Well, I don't know if it was paid or not; I didn't see it; I couldn't say so; if I didn't see it I can not tell it.

Q. Don't you know for the purposes for which you contributed your money? A. The money that I paid in there, I was about two years, and always when I was arrested—I was arrested many times—I always took out \$10 for a lawyer.

Q. While this association was going on? A. Yes, sir.

Q. And while you were a member of it? A. Yes, sir.

Q. Do you know Wardman Campbell? A. Yes, sir.

Q. Don't you know that your association paid every month from \$100 to \$125 every month to Wardman Campbell? A. No, sir; I don't know it.

Q. Did you ever speak to Campbell? A. Yes, sir.

Q. Did you speak to him as an individual or as secretary of your association? A. I say to him as a friend, because I was known with him and he knows me.

Q. Did you never represent your association in conversing with him? A. No, sir; I didn't have anything to do with the association or him.

Q. Did you never talk about money matters with him? A. No, sir.

Q. Do you mean to say now that you didn't know then, or at any time since, that your association was paying \$100 to \$125 a month to that man? A. Well, maybe they did pay it, but I can not swear; I didn't see it.

Q. Is the only reason why you are denying it because you didn't see it before your own eyes? A. Certainly; if I didn't see it I don't believe it.

The Chairman.—Go on, Mr. Goff.

By Mr. Goff:

Q. Have you been talking with anyone during recess? A. Do you mean—

Q. Have you been talking with any person during recess about your testimony, your examination here? A. I was talking yesterday with Pospisal.

Q. Were you talking to-day? A. No; last night I was talking with him.

Q. After you got the subpoena? A. Yes, sir: he sent for me.

Q. What did he say to you? A. He told me he has got a sum-

mons; I said, "I have got one like that, too; I don't know what that is."

Q. What did he send for you for? A. He showed me that; he showed me that paper.

Q. Did he tell you about coming down here to-day? A. Yes, sir; he told me I should come here; I told him I would be here the same time.

Q. Did you talk about the association? A. No; because I don't belong to it for the last two years.

Q. Did he ask you when you were secretary? A. He didn't ask me nothing about it.

Q. Have you spoken with any person to-day? A. No, sir

Q. Not during dinner hour? A. There is my friend, Mr. Koravor, over there.

Q. Did you talk with him about going on the stand here? A. No, sir; he didn't say nothing; we were talking about Pospisal.

Q. About his testimony? A. Yes; he asked me what Pospisal is; I said he had to go down town for a paper.

Q. Did you talk about Pospisal, saying that he paid so much a month to the wardman, Campbell? A. No; he didn't speak anything about that.

Q. He didn't say anything about that? A. No, sir.

Q. Don't you know that that money was paid into the treasury for the purpose of paying the police once a month; now, don't you know that? A. Well, I don't know for sure.

Q. How much did you pay a week? A. Fifty cents.

Q. But all the rest of the men paid 50 cents? A. I guess so.

Q. Did you ever hear any committee report that they had seen the wardman and made arrangements with him? A. I can not remember; it is too many years ago; I can not tell you that.

Q. Did you ever pay the police any money yourself while you were in the business? A. No, sir.

Q. Never? A. Never.

Q. Nor a dollar? A. No, sir.

Q. Did you ever have little parties or balls in the rear of your saloon at night? A. No; I have got a small place; a corner place; there can not be no dance there or anything like that.

Q. Mr. Pospisal testified here that \$100 and \$125 were paid to the police every month; don't you know that that is true? A. No, sir; I don't know if that is true or not; maybe they have some extra charge, you know, because they have some dancing halls, and some dancing schools, and some places like that, and give them sometimes some extra collection for that; but I didn't pay any more than one half-dollar a week.

Q. Made extra collections on the dance halls? A. Yes, sir.

Q. And the man that had a dance hall had to pay more than the man that had not a dance hall? A. I don't know about that.

Q. What do you mean about making collections from the man that had a dance hall? A. I didn't pay none.

Q. How do you know, then, that the money was collected? A. Certainly; I know the money was collected, because we had some collectors.

Q. What was the money collected from the dance halls for? A. I don't know.

Q. Then what made you say there were collections? A. I said maybe they paid more; you asked me if I paid something to the police; I say I didn't pay nothing to the police.

Q. Did they pay more, pay more money? A. I didn't know whether they paid more or not.

Q. Then why did you say they paid more? A. You say they paid \$100 a month; you can not collect \$100 from saloon-keepers by 50 cents a week.

By the Chairman:

Q. Don't you know that there were 30 or 40 saloon-keepers in your association?

Mr. Nicoll.—That would not make \$100 a month?

Q. How many members were there? A. I don't know how many members; about 25 members, I guess.

By Mr. Goff:

Q. Some members paid 40 cents, did they not, into the association? A. I don't know if they did pay; my price was 50 cents a week.

Q. Do you know that you have a head on your shoulders?

Mr. Nicoll.—I object to the question.

A. I don't know what you mean by a head on the shoulders.

Q. Do you know anything at all about the association you were recording secretary of for two years? A. I don't know what you mean by a head on your shoulders.

Senator O'Connor.—Is this the man who the president testified he went with and saw pay the money?

The Chairman.—No, sir.

Q. Do you know anything about the association of which you were secretary? A. Certainly, I know something.

Q. You know that the members paid 50 cents a month? A. I paid 50 cents a month.

Q. You only know what you did yourself? A. Yes, sir.

Q. Did you ever write out your notes, your minutes? A. What do you mean?

Q. Did you ever write out what took place at the meeting?

A. Yes; I took what was took in at the meeting; what the cashier took.

Q. The money taken in? A. Yes, sir.

Q. What was the money taken in for at the meeting? A. I can not tell that; for the lawyers; I took out twice \$10 for the lawyer when I was arrested.

Q. Who gave you the \$10? A. The treasurer.

Q. Don't you know that the money was used for something else besides paying the lawyers? A. I can not tell; I don't know.

Q. Do you mean to tell me that you were a member of that association and you don't know what became of the money?

A. Yes; I belonged to another association, and I was not there for the last two years.

Q. I am talking of the time while you were there? A. Yes; I was there.

Q. Do you know what took place at all there? A. What do you mean?

Q. Were you there every meeting? A. No, sir.

Q. Wasn't your duty to be there every meeting; what were you recording secretary for, anyway? A. If I was not there sometimes I couldn't help it; there was another man.

Q. What other man? A. There was Marowski and Dessach; I was not there for a couple of meetings.

Q. Did you ever hear anything said about the police in the meeting? A. No, sir.

Q. Do you understand me? A. Yes, sir.

Q. Do you understand me? A. Yes; you mean if I heard anything.

Q. If you heard anything in the meetings about the police; anyone say anything in the meetings about the police? A. I can not remember that; it is too long ago.

Q. You remember you were the secretary? A. I was the secretary; yes.

Q. You were very much interested about the police and the excise law, were you not? A. I was not.

Q. You kept open on Sundays? A. Yes; sometimes; sometimes I was closed.

Q. You knew that was against the law, did you not? A. Yes, sir.

Q. Didn't you know that you couldn't keep open on Sundays if the police wanted to close you? A. Yes; they caught me a couple of times.

Q. The times they didn't catch you; don't you know that they

could have closed you every Sunday if they wanted you? A. No; they couldn't; I wouldn't leave them in; they could not catch me.

Q. Do you mean to say that you never heard anything said about the police at those meetings? A. I can't remember; it is too long ago.

Q. Who was treasurer at that time? A. I guess Mr. Levinger was treasurer at that time.

Q. That is your writing, is it not? (Book shown witness.) A. Yes, sir.

Q. What do you call that in the meeting; what do you call it? A. That is what you call the protocol.

Q. Isn't this what took place at the meeting, and you wrote it down as secretary? A. Yes, sir.

Q. That is your name as secretary? A. Yes, sir.

Q. That is what took place at the meeting? A. Yes, sir.

Q. That is what is done at the meeting? A. Yes, sir; that is what said always; I had to put it down.

Q. You put it down according as it was said at the meeting; is that it? A. Yes, sir.

Q. Can you translate your language into English? A. No, sir.

Q. That is your writing, is it not? (Referring to page 12 of the recording secretary's book.) A. That is my writing.

Q. Do you remember anything about a law in Albany allowing the saloon-keepers to keep their places open on Sunday afternoons; do you remember that? A. Yes, sir; I read it in the paper once; it was in the Bohemian paper.

Mr. Nicoll.—Is there any such law?

The Chairman.—You mean a proposed bill.

Mr. Goff.—I am trying to reach this witness in the most common-place language that I can use. If I saw bill I will have to repeat it over again. Of course, I mean a bill.

Q. You remember that, do you not? A. I read it in the paper once.

Q. Don't you know that it was talked about in the association? A. No; I don't know anything about that.

Q. Did you ever hear it talked about in the association? A. I can not tell; maybe I did.

Q. Is that your writing there on page 12? A. Yes; that is about a bill that should be open on Sundays.

Q. What about the Twenty-second Assembly district there? A. It says: "Twenty-second Assembly district puts down \$1,000 and we should give \$200, and we should pay out when the bill was passed; and there was a committee elected on it, Mr. Pospisil and Mr. Nepnitz.

Q. To whom was the \$200 to go? A. I can not tell you that;

the committee got the money; I don't know; maybe they got the money; I didn't see no receipt for it.

Q. That resolution was passed at a meeting, was it not?
A. Yes, sir.

Q. What about the Twenty-second Assembly district having paid \$1,000? A. I don't know that.

Q. Did that mean the Bohemian Saloon-keepers' Association of the Twenty-second Assembly district, to pay \$1,000? A. No; there was \$1,000; we only paid \$200, and this association paid \$1,000.

Q. What association paid \$1,000? A. That was the other association.

Q. The other liquor dealers' association; you were to pay \$200 out of \$1,000, is that it? A. Yes, sir.

Q. Let us understand that; all the liquor dealers of the Twenty-second Assembly district were to pay \$1,000 to get this bill passed, is that right? A. Yes, sir.

Q. And of that \$1,000 the Bohemian Saloon-keepers' Association of your Assembly district was to pay \$200; was that it?
A. Yes, sir.

Q. And the \$200 were given to the committee? A. I don't know if they were given or not.

Q. It was resolved that they should get the money, was it not? A. There was a committee elected for that purpose.

Q. Were the committee to go to Albany? A. I don't know.

The Chairman.—Mr. Goff, your witness has come back.

Mr. Goff.—All right, sir; I will be through with this witness in a little while.

Q. Now, on page 12, where you say about this committee—that is March 26th? A. Yes, sir.

Q. Eighteen hundred and ninety-one, isn't it? A. I can not tell you the year; I guess that was 1891.

Q. We will see here on the next page, 13—see it? A. Yes, sir.

Q. That is May, 1891, is it not? A. That is right.

Q. So this on page 12 was the March before this entry on page 13? A. Certainly.

Q. The same year? A. Yes, sir.

Q. And this entry on page 13 is in May, 1891? A. Yes, sir.

Q. That is your handwriting on page 13, is it not? A. Yes, sir.

Q. That is your signature as secretary? A. Yes, sir.

Q. I want you to read there about the committee reporting that the money was got all right; about the bill in Albany; just read about that? A. It only says that that committee paid that money in the right place.

Mr. Goff.—That the committee put the money up in the right place.

Cross-examination by Mr. Nicoll:

Q. You never saw any money paid to any police officer? A. No, sir.

Q. Never paid any yourself? A. No, sir.

Q. Do you know anybody who did pay it? A. I don't know anybody; I never saw nobody.

Q. Never saw anybody pay it? A. No, sir.

By the Chairman:

Q. Why did you make that distinction a moment ago between knowing somebody pay money or seeing somebody pay money; do you know of anybody paying money for police? A. No.

Q. Why, then, did you make that change in your answer? A. Well, I don't speak right English, and sometimes I say a word I don't mean anything by it.

By Senator Cantor:

Q. Do you know the Ivy Club, in that district? A. No.

By Mr. Nicoll:

Q. The Republican Club in that district? A. No, sir; I heard something about it.

Q. Who is the Republican leader of the district? A. I don't know.

Q. Isn't it John Gunner? A. I don't know Gunner.

Q. You are not much of a politician; you are not in politics?

By the Chairman:

Q. Are you a politician? A. No.

Q. Who is the Tammany Hall leader in that district? A. I don't know.

Q. Who is the National Democracy leader? A. Oh, the Democratic Club?

By the Chairman:

Q. Yes. A. Maurice Featherstone is the leader there.

Q. You know him, do you not? A. No; I don't know him; I saw him once at an excursion.

By Senator O'Connor:

Q. Is your name on the general committee? A. I don't know whether it is there or not.

By the Chairman:

Q. Are you a member of Tammany Hall? A. I was a member.

Q. A member yet? A. I was a member; if I am yet I don't know; I didn't pay nothing last year.

Q. Were you the year before? A. I was a member about two years ago.

Q. You were a member of the general committee? A. I don't know if they have me in the book yet.

By Senator Cantor:

Q. Were you ever Republican? A. Yes; I was everything already.

Joseph Pospisil resumed the stand, and direct examination continued by Mr. Goff:

Q. Have you got the circular? A. I have, sir (producing paper).

By the Chairman:

Q. Is that letter written in Bohemian? A. Yes, sir.

By Mr. Goff:

Q. You got two papers, did you not? A. Yes, sir.

Q. Where is the other paper? A. Right here (producing paper).

Q. Now, I hand you a paper, No. 1, I will call it, and ask you if that is the circular you sent around last Saturday night to the liquor dealers? A. Yes, sir.

Q. Look on the back of that paper, and see if those are the names of the men to whom you sent the circulars? A. I can not swear to it; of course, those are the names; I don't know if they were all notified.

Q. You wrote those names? A. No, sir; not these names.

Q. Who wrote these names? A. The secretary.

Q. What secretary? A. The secretary of the club.

Q. What is his name? A. Mr. Danda; he has gone.

By the Chairman:

Q. He has gone? A. He is out of the society long ago.

By Mr. Goff:

Q. When did he write the names—Frank Danda, when did he write the names? A. It is quite a while.

Q. Quite a while ago; and you have had that ever since? A. Yes, sir.

Q. Is that the same circular you have used every Saturday that you sent it around? A. No, sir.

Q. How did you come to write the notice upon the same paper that Frank Danda wrote the names? A. We never sent that notice before out.

Q. Is that the first time you ever sent that notice out? A. No, sir; I sent it before a couple of years ago, but not now lately.

Q. What I want to know is, how is it that that paper with the handwriting of Frank Danda on it that you kept that for about two years and wrote the notice on the back of it? A. I haven't got it two years; I got it a couple of months.

Q. How long is it since Frank Danda was secretary? A. I can not tell; three months ago, I believe; I can not exactly tell.

Q. When did you write the circular? A. I wrote that last Saturday.

Q. Before you wrote the circular there was nothing on that paper? A. No, sir.

Q. But on the back of it there were the names written by Frank Danda, the secretary? A. I can not tell if Frank Danda wrote it.

Q. Did he give it to you? A. No; a man brought it to me into my place.

Q. What man? A. Mr. Fleischman.

Q. Is Mr. Fleischman a member of the association? A. No, sir.

Q. Then, what had Mr. Fleischman to do with handing you a list of names? A. Mr. Fleischman is a collector for the Liquor Dealers' Association.

Q. He is a collector for the Liquor Dealers' Association? A. He used to be.

Q. For your association? A. Yes, sir.

Q. Bohemian Saloon-keepers' Association? A. Yes, sir.

Q. Was the collector for collecting the money from the men? A. Yes, sir.

Q. And paying it into the treasury? A. Yes, sir.

Q. I thought Anton Linhard was the collector? A. Some time ago.

Q. Do you think you will be driven out of the saloon business for giving this testimony here? A. What is that?

Q. Do you think you will be driven out of the saloon business because you have testified here to-day? A. I don't understand what you mean.

By Senator Bradley:

Q. Do you think you will have to give up the business for having come here to-day? A. I don't know.

By Mr. Goff:

Q. Didn't you say that you would have to get out of the business; that the police would drive you out of the business because you testified to-day? A. Well, then I would have to give it up.

Q. Didn't you say so at recess when you went up to your house, didn't you say that the police would drive you out of business? A. I said I am going out anyhow, because I am sick.

Q. Didn't you say — A. Yes; that is right.

Q. That the police could drive you out of the business because you had testified here to-day? A. Yes, sir.

The Chairman.—If anybody attempts to drive you out of the business, doing a legitimate, proper and lawful business, why you communicate to the counsel for this committee at once.

Mr. Goff.—Tell me.

The Chairman.—If anybody attempts to intimidate you or do anything against you at all for doing an open, square and honest business —

Mr. Goff.—Just let us know. We will make it interesting for anybody who attempts to drive you out of the business.

By Mr. Goff:

Q. Now, will you translate that circular, please? A. I will.

Q. Into English? A. It says, here: "Friend, you have to close up on Sunday, because it is very strict. I just got the order of my man;" that is all.

Q. Isn't there more in that; can not you translate it all? A. It says here, "Look out for to-morrow. Everything is going to be pretty strict, and don't leave nobody in if you don't know them: I just found it out by —" it means by my friend.

Q. By your friend? A. Yes, sir.

Q. You signed that Joseph Pospisil? A. That is right.

Mr. Goff.—I offer this in evidence, together with the back of it, containing the names.

Marked Exhibit No. 1 of this date.

By the Chairman:

Q. You mean you found it out through your friends? A. Yes, sir.

By Mr. Goff:

Q. Who is your friend? A. One of the officers on the beat.

Q. Do you know his name? A. I can recollect it, probably.

Q. Think of his name, please? A. If you give me time, I will.

Q. All right, take your time? A. I can not think of it.

By the Chairman:

Q. Did you mean by this letter substantially this, "That the protection that these friends of yours would get ordinarily on Sunday would be withheld from them on that particular Sunday;" did you mean that? A. What is it?

Q. That the protection that these friends of yours would otherwise get would be withheld from them on that particular Sunday; last Sunday? A. Yes, sir.

Mr. Nicoll.—Didn't I understand the witness to say at the morning session that no payments had been made to any police officer since 1891?

The Chairman.—I don't understand.—

Senator Cantor.—I have just suggested to the chairman that the witness had just testified that in the last five or six years they had paid nothing to the police force.

The Chairman.—I do not assume, Mr. Nicoll, and neither did I think, that the Senator here assumed that it always required money to get protection. Protection can be had in other respects than simply through the payment of money.

Mr. Nicoll.—Then you were not referring to the payment of money?

The Chairman.—Not necessarily; no.

Mr. Nicoll.—That is all I want to know.

By Mr. Goff:

Q. I hand you the paper of Friday, June 8th, the New York Listy; will you show me where you saw in it that the excise law was going to be enforced or things were going to be strict? A. No, sir.

Q. Now, I hand you the same paper for Saturday, June 9th, and ask you if you can see anything in Saturday's paper about the Sunday law? A. No, sir.

Q. So you can't find a notice about the saloon-keepers closing on Sunday in either Friday's or Saturday's edition of the New York Listy? A. No.

Q. And the only information you had from that came through your friend, the policeman on the beat? A. Yes, sir.

Q. Did that policeman ever tell you before; did he ever give you that notice before? A. To me; yes.

Q. On other times? A. Yes; to my own self.

Q. Did he ever give you the notice to send around to the members of the association? A. No, sir; I did that at my own risk.

Q. You did that on your own responsibility? A. Yes, sir.

By the Chairman:

Q. But he knew that you were president of that association, did he not? A. Yes, sir.

Senator Bradley.—Then, the testimony you gave about getting your information through the paper is not true?

The Chairman.—He has admitted that.

Q. Now, you say that since your return from Europe, in 1891, the association has not paid any money? A. No, sir.

Q. Are you sure about that? A. Yes, sir.

Q. Has it paid any money to any other person or persons than the police? A. No, sir; not as I know of.

Q. I call your attention to page 12; you were president at that time when Mr. Vopelak was secretary; you were president at that time? A. That is before 1891.

Q. No; that is in March, 1891; I ask you to look at that portion of the minutes relating to the bill at Albany to allow the saloon-keepers to open on Sunday afternoons? A. Yes, sir.

Q. Read that there? A. Nothing seems to be said about Albany.

Q. It speaks about the Twenty-second Assembly district? A. That is there.

Q. Doesn't it say that the Twenty-second Assembly district was to contribute \$1,000? A. No.

Q. What is that there? (Indicating.) A. That means \$100.

Q. Do you mean to say that is \$100? A. They never had a thousand dollars in their treasury as long as they are existing.

By the Chairman:

Q. Somebody has testified here that a purse was to be raised of \$1,000 in the whole Assembly district; not from you; in the whole Assembly district; and that your association was to pay \$200 of that to get legislation favorable to your interests on Sunday from Albany; isn't that there? A. No, sir.

By Senator Bradley:

Q. You can not read that there? A. I can not read it; it is not here.

Mr. Goff.—Tell us what it says.

Q. Tell us what it says, if it don't say that? A. Well, it tells him that it should be allowed \$100.

By Mr. Goff:

Q. But it don't say what for? A. I don't understand this.

Q. What is the \$200 for? A. Excuse me, I will have to bring somebody else to read it; I can not read that.

Q. Can you read that on page 13? A. It says that the money was put up in the proper place.

Q. What money was put up? A. I don't know just what it says.

Q. But you were on the committee here? A. What is that?

Q. You and Pospissil and Nemicek were on the committee for distributing this money, that it what it says? A. That is correct.

Q. Now, what did the committee do with the money? A. Well, I don't deny that there might be \$100, but not \$1,000; that is impossible.

Q. Never mind about the amount now, whether it was \$100 or not; what is this here; that is \$200, isn't it? A. No; that is \$2.

Q. Look at that again? A. It means \$200 to be paid after the bill is passed.

Q. You were on that committee, you and Mr. Nemicek, were you not; your name is here? A. Yes.

Q. On page 13, at the next meeting, the committee reports; Pospissil, yourself and Nemicek; that the money was placed all right; put in the right place; where was the money put? A. Outside, as I told you before — outside, Mr. Campbell; I never paid a cent nowhere else.

Q. Where was this \$200 put that you and Nemicek reported was put in the right place; where was it put?

Mr. Nicoll.— In the safe, I suppose.

Q. Where was it put?

By Senator Cantor:

Q. What was meant by it? A. It must be meant to Mr. Campbell? A. I don't know anybody else.

By the Chairman:

Q. You don't mean to say that you paid Mr. Campbell, the wardman, \$200 for the purpose of securing favorable legislation for you at Albany, do you? A. No, sir.

By Mr. Goff:

Q. You went to Albany? A. Yes, sir.

Q. Don't you know the man that you gave \$200, at Albany? A. I don't know; I never gave anybody a cent at Albany.

Q. What did you go to Albany for? A. Well, there was a resolution at our meeting, that we should send two delegates on there to push the bill forward.

Q. Didn't you take the \$200 along? A. No, sir.

Q. What did you do with the \$200? A. I don't know anything about the \$200.

Q. Did you put the \$200 in your own pocket? A. No, sir.

Q. The society and the secretary swears to the writing, that you got \$200; what became of it? A. He has got to prove it.

Q. He has proven it here; sworn to it? A. No, sir.

Q. What did you do with the \$200? A. I never received no \$200.

Q. What is this \$200 here for? A. I don't know.

Q. What did you report at the next meeting, that the money was put in the right place? A. I told —

Q. Did you report at the next meeting that the money was put in the right place? A. Well, it was to be put in Mr. Campbell's place.

Q. Now, you remember it was to be put in Mr. Campbell's place? A. That is what I said right away.

Q. Did you give it to Mr. Campbell, the wardman? A. No, sir.

Q. Had you to go to Albany to give it to him? A. No; we gave it right in the house.

Q. You went up to Albany? A. Yes sir.

Q. Who went with you? A. Mr. Sykora.

Q. Is Mr. Sykora in court? A. He was here a little while ago.

Q. He was here to-day, was he not? A. Yes, sir.

Q. Whom did you see in Albany? A. Just Mr. Flegenheimer.

Q. Who is Flegenheimer? A. That is the liquor dealer.

Q. Was he an Assemblyman at that time? A. No, sir.

Q. Did you see anyone else but Flegenheimer? A. I see some party over there.

Q. What party? A. I mean I saw some man over there, but I don't know who he was.

Q. The only one that you knew is Mr. Flegenheimer; is that it? A. Yes, sir.

Q. Don't you remember coming back at the next meeting reporting that the money was put up all right; don't you remember that? A. No, sir.

Q. The secretary records it here? A. I can not say, because I don't know anything about it.

Q. You don't know anything about it? A. No, sir.

Q. Now, isn't it the truth that you are afraid to testify about that \$200 transaction? A. No, sir; I am not afraid a bit; I will just tell what is true; I can not lie.

By the Chairman:

Q. You were paying at that time from \$100 to \$125 a month to this man Campbell? A. Yes, sir.

Q. Because he permitted you to violate the law on Sunday? A. Yes, sir.

Q. Now, is it not reasonable for you to pay him \$200 to pass an act whereby it would be legal for you to open on Sunday and whereby his income would be diminished just \$100 a month? A. I don't know anything about it.

Q. In view of that fact, is it reasonable; is your recollection certain that you paid it to him? A. Yes, sir; my recollection is certain.

Q. Why, if that law passed he would lose \$100 or \$125 a month, wouldn't he? A. I had nothing to do with the law at all.

By Senator Bradley:

Q. What took you to Albany? A. Well, our association thought, perhaps—I will tell you; the Tenth ward parties invited us to go along, to help them along; we didn't want to go there; but the Tenth ward wanted to take us along; so we brought that at the meeting, and thought that by picking two delegates out with the Tenth ward that we might succeed there.

Q. Was this \$200 to pay expenses? A. We received \$50 for our own selves.

By the Chairman:

Q. For each man? A. No, sir; \$25 apiece; I don't know nothing about the \$200; I don't know what the meaning was.

By Senator Bradley:

Q. You didn't report back that \$50 was put in the right place, did you? A. No, sir.

By the Chairman:

Q. You say you paid these \$200 to Campbell; you say now that you don't know what that \$200 means; you testified a few minutes ago that you paid it to Campbell? A. If it was given to a certain party, it must be to this party.

Q. That \$25 was not part of this \$200? A. I can not tell to-day, any more; it is too long a time.

By Mr. Goff:

Q. I want you to look at that circular again? A. Yes, sir.

Q. Don't you say there in that circular these words: "Friend, be careful to-morrow, as there will be a very strict day?" Isn't that right? A. Yes, sir.

Q. Then, don't you go on and say: "Don't let in your best known policeman, even if he would be every day in your place?" Isn't that right? A. Yes, sir.

Q. "Because you can not know if nobody stands behind him?" A. That is right.

Q. "It is very dangerous, and so be very careful;" is that right? A. That is right.

Q. "I just now received this from a captain," A. It don't say from a captain.

Q. Let me see if it doesn't; what does "pantata" mean? A. It means a friend of mine.

Q. It means something more than a friend? A. No; that is all.

Q. Now, be very careful; doesn't "pantata" mean your father-in-law, or your friend in the law? A. My friend in the law.

Q. Isn't that what "pantata" means? A. Yes, sir; that is right.

Q. Doesn't it mean the police captain in the precinct; isn't he what is called the "pantata?" A. Well, everybody can use his expression the way he wants to.

Q. Didn't you use "pantata" in the sense that you referred to the captain or head policeman? A. That is the way they used to use —

Q. That is the sense that you used it in there?

By the Chairman:

Q. That is what you meant there? A. No; I can not tell just in a proper way; that it was very strict; that is all.

By Mr. Goff:

Q. What does "pantata" mean? A. I tell you it means father-in-law.

Q. And the father-in-law means the captain, doesn't it? A. Well, you can take it just as you will.

Q. Isn't that the fact in Bohemian? A. No, sir.

Q. In the Czeck language? A. No, sir.

Q. I show you page 26 of the recording secretary's minutes; do you know whose writing that is? A. It is Mr. Danda's.

Q. Do you see his name here — Frank Danda? A. Yes, sir.

Q. Will you read here for me; I point to you a line; read that line? A. Yes, sir.

Q. Particularly the word "pantata" there; "\$300;" can you read that? A. Yes sir.

Q. Now, what does that mean? A. It is the same party I told you before.

Q. Tell us again? A. It is Mr. Campbell.

Q. How can that be Campbell; just look at the date here? A. Yes.

Q. What date is that?

Mr. Nicoll.—What month?

Mr. Goff.—September 3d.

Q. Isn't that right? A. Yes, sir; September 3d.

Q. Commence this sentence here, translating from the word, "Polyduke?" A. It means, "The treasurer paid out"—that is, "The treasurer gives the report he paid \$300 out—

Q. Don't escape that word here; what about that word; treasurer reports that he paid the pantata \$300; isn't that it? A. That is right.

Q. Who is the pantata that he paid \$300 to? A. It is paid to—I don't know anything about it.

Q. Don't you know, as president of the association, who was meant by the pantata? A. I told you Mr. Campbell.

Q. Do you mean to swear that that means Mr. Campbell? A. Yes, sir.

Q. Doesn't it mean the captain of the precinct? A. Well, it means the head man.

Q. Well, that is the head man? A. Well, that is what it is.

Q. It means the head man in the law; isn't that it? A. Yes, sir; that is right.

Q. Now, I call your attention to page 36, under date of January 8, 1892; read that; that is lined there; that is Mr. Danda's writing, is it not, the secretary? A. Yes, sir.

Q. Read that page 36, under date of January 8, 1892; can you translate it? A. Sure.

Q. What does that say; does it say something about sending two members as a committee to the "pantata?" A. Yes.

Q. What are the two members of the committee appointed to do? A. I can not tell.

Q. Oh, yes; you can; was it four—read it a little further, now? A. That is right; I read it.

Q. Weren't they to go to find out from the pantata what they should do about Sunday opening, opening on Sunday; isn't that so? A. I don't know anything about it.

Q. Isn't that what is in the book here? A. Well, it says it gives information regarding Sunday.

Q. And to know that the members of the association would be safe; look at that again; doesn't it say that the secretary should tell the result of the visit of the committee to the pantata to

every member of the association; doesn't it say that; you think that I don't understand the Czeck language? A. Oh, you can —

Q. But you are mistaken.

Mr. Nicoll.— Will you not get somebody that understands it to interpret it.

Mr. Goff.— No; I have a right to examine.

Mr. Nicoll.— Why not either call the interpreter, who is here, or a man who is in court?

The Chairman.— As I understand, the questions of Mr. Goff are directed not only to the fact of proving that these writings represent the association's minutes, but that the witness has a recollection of the transactions as they occurred at the time. Now, the mere translation of that will not work those two results.

Mr. Nicoll.— If he can translate it, let him translate it. If he can not, let somebody else translate it.

The Witness.— I can; but it takes me some time.

The Chairman.— Why don't you get somebody to stand up there and interpret it for him?

Mr. Goff.— I want to get this witness' language.

Mr. Nicoll.— But that is the longest way.

Mr. Goff.— But sometimes the longest way round is the shortest way home.

Mr. Nicoll.— But you haven't got anywhere near home yet?

Mr. Goff.— Oh, yes; we have got the pantata.

By Mr. Goff:

Q. Were you an officer of the association when Captain Schmittberger went into that precinct? A. Yes, sir.

Q. Who was present then? A. Mr. Sykora.

Q. Had you anything at all to do with the association? A. I was a member; that is all.

Q. Were you not elected president again? A. Yes, sir.

Q. While Captain Schmittberger was in that precinct? A. He just went out when I was re-elected.

Q. Then Captain Strauss came in? A. Yes, sir.

Q. Who is Captain Strauss' wardman? A. I guess at the present time it is Mr. Phil. Weller.

Mr. Goff.— Captain Strauss, will you volunteer to help us, by stating who your wardman is, if you please.

Captain Strauss.— Weller and Gray.

Mr. Goff.— Weller and Gray; these were the wardmen, were they not? A. Yes, sir.

Q. Didn't you do business with Weller, the same as you did with Campbell? A. No, sir.

Q. How did it come that your association was not compelled to pay money? A. I never had no idea to ask them to accept any money of us.

Q. When did they stop paying money? A. As I told you; as soon as I got on the chair again; since that time they never paid a cent.

By Mr. Nicoll:

Q. What? A. Since I got on the chair again I never paid a cent.

The Chairman.—Since he was re-elected president they never paid a cent. He went away to Europe for a while and came back and was re-elected president.

Mr. Nicoll.—Since he went to Europe, then, he says he never paid a cent?

The Witness.—No; since I came back.

By the Chairman:

Q. When did you come back? A. In 1891.

By Mr. Nicoll:

Q. Then, since 1891 you never paid a cent? A. Not to my knowledge.

By Mr. Goff:

Q. You mean to the police? A. Yes, sir.

Q. Are you afraid to testify because Captain Strauss is in the room? A. No, sir; I will stand right up in front of him and say what I know.

Q. Do you mean to say that the Bohemian Liquor Dealers Association has never paid a cent to any police official since 1891?

A. Not as I know.

Q. Could they have paid it without you knowing it? A. Not out of the treasury.

Q. Have they paid any politician any money since 1891? A. I can not tell that.

Q. Couldn't you tell it if they had paid any politician? A. If I knew it; yes.

Q. Do you know if they have? A. I say I don't know it.

Q. Will you swear that the association has not paid any person, whether policeman or politician, or any one else, for protection since 1891? A. Yes, sir.

Q. Will you swear to that positively? A. Yes, sir; not out of the treasury.

Q. Well, out of any fund? A. No; we had no other fund.

Q. Are the moneys paid directly by the members? A. Sir.

Q. Do the saloon-keepers pay the money directly? A. Not as I know.

Q. How is it that they don't pay into the treasury for protection? A. We don't pay any protection whatever around.

Q. What arrangement was made that related to protection? A. I made no arrangement at all since Captain Strauss came in the district; why, we never had nothing to do with him.

Q. Didn't you subscribe the same amount of money every month that you had been subscribing? A. No, sir; we only paid 50 cents a month, and now we are paying a dollar a month.

Q. Where does the dollar a month go? A. It goes for a lawyer in case anybody is locked up.

Q. Who is the lawyer you pay now? A. We have Mr. Bash.

By the Chairman:

Q. How many members have you got now? A. About 28 or 30.

Q. And you pay a dollar a week or a month? A. A dollar a month.

By the Chairman:

Q. How much did you pay in 1891; 50 cents and 75 cents a week? A. Yes, sir.

By Mr. Goff:

Q. How long has Captain Strauss been in that precinct? A. It is pretty near two years.

Q. Then, when you returned from Europe, Captain Schmittberger was there? A. Well, I didn't get on the chair right away.

Q. When did you get in the chair? A. I can not exactly say; I believe it was after March, or something like that; I can not tell now.

Q. What year? A. Eighteen hundred and ninety-one, I believe.

Q. Why, you returned from Europe in the fall of 1891? A. Well, I didn't go into the chair—

Q. You got into the chair the next year, 1892? A. Well, it must have been 1892.

Q. When you came back from Europe the association was paying money in the usual way that they had been paying when you left to go to Europe? A. I can not tell that.

Q. Didn't you pay your dues in the usual way? A. No, sir; because I was retired from business.

Q. When you came back? A. When I came back I first bought the place again.

Q. Do you know a wardman by the name of Lang? A. Yes, sir.

Mr. Goff.—Is Officer Lang in court?

Officer Lang.—Here.

Q. Do you know Officer Lang? A. No, sir.

Q. Did you ever see him before? A. No, sir.

Q. Don't you know he was a wardman in that precinct? A. Not in our precinct.

Q. Well, in any precinct? A. I don't recollect.

Q. Don't you recollect when Captain Schmittberger was there? A. Well, I just told you.

Q. Don't you recollect when Captain Schmittberger was there? A. I do; yes.

Q. Don't you remember Officer Lang to be his wardman? A. Maybe; but maybe he was not long enough there.

Q. Did you ever see him before? A. I don't recollect; I don't know him at all.

Q. Don't you know that you saw every wardman in that precinct since you have been in the liquor business? A. No, sir.

Q. Did you know Campbell's partner? A. Yes, sir.

Q. Did you pay him any money? A. No, sir.

By the Chairman:

Q. What do you do with the money that you collect in your association now? A. Generally, in case somebody is arrested and needs a lawyer down town, we pay the lawyer out of the money.

Q. How often have you done that this year? A. About nine times.

Q. And paid all the fines and all the expenses? A. Well, we generally only pay just what the lawyer costs.

Q. How much is that? A. Five dollars for one case

Q. That is \$45? A. Forty-five dollars.

Q. What have you done with all the money that you have collected from contributions of members? A. Some of it is in the treasury.

Q. How much have you got in the treasury? A. I can not tell.

Q. Who is the treasurer? A. Mr. Nemick.

Q. Is he here? A. Yes, sir.

Q. All the money that has been paid out is \$45? A. I can't exactly tell if it is \$45 or \$55.

Q. It is not more than \$55? A. I don't think it is.

By Mr. Nicoll:

Q. The treasurer is here? A. Yes, sir.

Q. Whatever has been paid in or out he knows? A. Yes, sir.

The Chairman.—This witness testifies that nothing has been paid out excepting \$5 a case to a lawyer, and that there have been nine or 10 cases.

By Mr. Goff:

Q. As a matter of justice, Officer Lang, who has responded to my call, is not the Officer Lang intended to be subpoenaed; I know this officer; he was connected at the time with the Central Office, and it was only when he stood up that I saw that he was not the officer meant; so you can go, sergeant.

The Witness.—I never seen the man before.

The Chairman.—What you want to do is to tell the facts, and all the facts.

Cross-examination by Mr. Nicoll:

Q. When was the last time that you went to the house with Mr. Campbell? A. That was before I left the country here.

Q. When did you leave the country? A. It was in August, about the 15th, 1891.

Q. When did you come back? A. I came back, it was about November 20th or 22d.

Q. The same year? A. The same year.

Q. When were you re-elected president? A. I can not exactly say which month it was, but after New Year's; I believe about February, 1892.

Q. Now, between the time that you got back and the time that you were elected president, was there any money, to your knowledge, paid by your association? A. Not to my knowledge.

Q. After you were re-elected president in February, 1892, was any money paid by your association? A. No, sir.

Q. To anyone connected with the police force in the city of New York? A. No, sir.

Q. Do you know the Ivy Club, in that precinct? A. I do.

Q. Mr. Campbell was a member of the Ivy Club, was he not? A. Yes, sir.

Q. Who was the leader of the Republican organization in that district? A. John Gunner.

Q. Was John Gunner the president of the Ivy Club? A. Yes: I think so; I don't know for sure.

Q. Was that the Republican Club in the district? A. Yes, sir.

Q. Isn't it a fact that the money you paid to Mr. Campbell was

a subscription made by your association to the Republican Club in your district? A. I can't tell that, because I don't know.

Q. What? A. I don't know about that.

Q. The Bohemians were Republicans, were they, most of them? A. Some of them.

Q. And Mr. Campbell was a prominent Republican, and a member of the Ivy Club? A. Yes, sir.

Q. And he collected subscriptions for the benefit of his political club, did he not? A. I don't know anything about it.

Mr. Goff.—What does this witness know about that?

Q. Isn't it a fact that you talked with Mr. Campbell about the money being used for political purposes? A. I talked with him very often with regard to the Ivy Club, but I never talked to him where the money goes.

Q. Are you a member of the Ivy Club? A. No, sir.

Q. Are any of the members of your association members of the Ivy Club? A. Not as I know.

By Senator Cantor:

Q. Did the Ivy Club give a clam bake or clam chowder every year? A. I don't know.

By Mr. Nicoll:

Q. Did the Republican Club in that district sell tickets for a clam chowder among the Bohemian liquor dealers? A. Not to my knowledge.

Q. Did you ever go to a clam chowder? A. Not of the Ivy Club.

By Senator Cantor:

Q. Did Campbell ever sell you any tickets for the Ivy Club clam chowder? A. I never bought any.

Q. Did you hear of any of the members of your association that bought any? A. I heard so, several times.

Q. You heard that Mr. Campbell sold tickets for the Ivy Club chowder to your members? A. Yes, sir.

By Mr. Nicoll:

Q. Who was captain in the precinct when Mr. Campbell was there at the time you speak of? A. I guess Mr. Gunner.

Q. And it was his son who was the Republican leader in the district, wasn't it? A. Yes, sir.

Q. And Mr. Campbell, the wardman, was a member of the

Ivy Club, of which Captain Gunner's son was the president?

A. Yes, sir.

Q. And they are all Republicans, were they not? A. Yes, sir.

Q. Mr. Gunner was in the custom-house, was he? A. Yes, sir.

Q. The president of the club was a Republican officeholder?

A. That is right.

Q. Did I understand you to say that every time you went to Mr. Campbell's house someone went with you? A. Yes.

Q. When did you first go to Mr. Campbell's house? A. What is that?

Q. When did you first go to Mr. Campbell's house? A. I can not exactly remember the day.

Q. Tell me the year? A. It must be about 1888 or 1889, somewheres like that; I can not exactly tell you now.

Q. Is it possible that you can not come neaver than a year?

A. What is that?

Q. Can't you come nearer than a year? A. I don't recollect it now any more; it must be 1888 or 1889.

Q. That is the best you can do? A. That is the best I can do; yes, sir.

Q. Did you go to his house once a month after that? A. Sometimes I wouldn't see his house for a half a year; somebody else went over there.

Q. What? A. Sombody else went over there.

Q. That is what I want to know? A. Sometimes I didn't see his house for half a year.

Q. Suppose you started in 1889 to go to his house first; when was the next time you saw him? A. I can't recollect that.

Q. Who was with you the first time? A. A party by the name of Pulitzer.

Q. Who was with you the second time? A. I don't know who was with me the second time.

Q. Who was with you the third time? A. I guess Mr. Vopelak was with me the second time.

Q. Did you yourself pay Mr. Campbell any money? A. No, sir.

Q. Never? A. No.

Q. You never paid him any money? A. Just put an envelope —

Q. I mean to say, did you hand Mr. Campbell any money from your hand to his hand? A. No, sir.

Q. In your life? A. No, sir; I laid it on the table.

Q. In his presence? A. No; without his presence.

Q. In whose presence? A. Nobody there in the room; the lady opened the door and we walked in.

Q. Nobody in the room but you? A. Only me and another man; a friend of mine.

Q. Did you ever have any conversation with Mr. Campbell afterward about the money? A. I had a conversation if he received it, and that is about all.

Q. Did you ask him? A. Not to my knowledge; I don't know.

Q. Did you ask him whether he received it? A. Not as I know.

By Mr. Goff:

Q. Do you know a club called the Lenox Club? A. I do.

Q. Did you belong to the Lenox Club? A. I used to; I don't belong to it now, any more.

Q. That is the Tammany Hall of that district, is it not? A. Yes, sir.

Q. Who is president of that club? A. Mr. Andrews, I believe.

Q. The street cleaning commissioner? A. No.

Q. Another Mr. Andrews? A. Another.

Q. Did you ever buy chowder tickets for that club? A. I did.

Q. How much had you to pay for the tickets for the chowder? A. Five dollars.

Q. That is the usual charge, isn't it? A. Yes.

Q. All the saloon-keepers had to buy the tickets? A. I don't know anything about that.

Q. How many tickets had you to take? A. I didn't mean to take none at all.

Q. Didn't you take any? A. Yes, sir; for my friends.

Q. How many? A. I took five or six.

Q. You are a poor man, are you not? A. Yes, sir.

Q. You couldn't afford to pay \$30 for a chowder? A. I sold the tickets to friends of mine.

Q. To whom did you sell the tickets? A. To the business men in the ward there.

Q. Saloon-keepers? A. No, sir; butchers, grocers.

Q. Didn't every member of the Saloon-keepers Bohemian Association get five tickets? A. No, sir.

Q. Don't you know that they all got tickets? A. They might have got tickets.

Q. Don't you know that every member of the association had tickets for the Lenox Hill Club chowder? A. Not as I know.

Q. Did you ever see any association member but yourself with a ticket? A. No, sir.

Q. Did you go to the chowder? A. I did.

Q. Did you see any members of the association there? A. Yes.

Q. Don't you know they bought their way there, too? A. Yes.

Q. What members of the association did you see there? A. I saw my brother-in-law.

Q. He is a saloon-keeper? A. Yes, sir.

Q. Who else? A. Mr. Fealla.

Q. He is a saloon-keeper? A. That is about all, I guess.

Q. Don't you remember their names; don't you know that your brother-in-law received tickets at \$5 apiece? A. No, sir.

Q. How many tickets did he receive? A. I don't know.

Q. Are you a member of the Tammany Hall general committee? A. I used to.

Q. What year? A. Two years ago; after I came from Europe I gave it up.

Q. There are other members of your family who run saloons too, are there not, besides your brother-in-law? A. Yes, sir.

Q. Who else? A. My mother.

Q. Had she to take tickets for the Lenox Hill chowder? A. No, sir.

Q. Are you sure? A. Yes, sir.

Q. Swear to that positively? A. I gave one ticket to her son.

Q. Didn't you charge him for it? A. Yes, sir.

Q. You got \$5 for that ticket? A. Yes, sir.

Q. Don't you know that it is a well-understood thing among the saloon-keepers of that district that they must buy these \$5 tickets every year for the annual chowder? A. Not as I know.

Q. Did you ever hear of it; you are a good Tammany man are you not? A. I am, sir.

By the Chairman:

Q. You were a Tammany man in 1891? A. Yes, sir.

Q. Were you on the general committee at that time? A. Yes, sir.

Q. In 1891? A. Yes, sir.

By Mr. Goff:

Q. Did you not intend that the committee should understand that you bought tickets from Mr. Campbell for the Ivy Club? A. Not as I remember.

Q. Did you ever buy tickets for the Ivy Club? A. I bought a couple of times tickets, yes.

Q. One time for three dollars? A. Yes.

Q. How many? A. One.

Q. How much money? A. Three dollars it was at that time.

Q. It has raised \$2? A. Yes, sir; that is the clambake.

Q. You bought six tickets for the Lenox Club; the Tammany Hall Club? A. Yes, sir.

Q. That is all you bought from the Ivy Club? A. Yes, sir.

Q. You have translated for me; will you translate that word for me there I point out on that paper; what does that mean? A. That means that Mr. Goff—

Q. What does it say there? A. It says that Mr. Goff's friends are very strong.

Q. What is that word here? (Indicating.) A. Which word.

Q. This word here? A. It means Mr. Goff.

Q. What does that mean there, Goffovy? A. That is right.

Q. What does that mean? A. It means your name, I suppose.

Q. It means my name in English? A. Yes, sir.

Q. We were talking about "pantata?" A. Yes, sir.

Q. What does Pan Goff mean? A. That means Mr. Goff.

Q. It doesn't mean "pantata" there? A. No, sir.

By Mr. Nicoll:

Q. Did you go to the Ivy Club chowder party? A. No, sir.

Q. I understand you to say that "pan" means mister? A. That is right.

Q. What does "tata" mean? A. It means father.

Q. "Pantata" means Mr. Father? A. No, sir; that means my father-in-law.

Q. What does "pan" mean in "pantata?" A. "Pan" and "pon" are different things altogether.

Q. When you say "Pan Goff," do you mean Father-in-law Goff? A. No; we mean Mr. Goff:

Q. If you don't mean Father-in-law Goff in "Pan Goff," what do you mean father-in-law captain in "pantata?" A. I don't mean captain in pantata; we can call you pantata, so far as that is concerned; I am a pantata? Sure.

Q. Would you call Mr. Goff a pantata? A. Exactly.

By the Chairman:

Q. Was Mr. Campbell a wardman last week? A. No.

Q. Then, why did you say, on your examination here, that Campbell had notified you that the excise law would be strictly enforced last week? A. I didn't say that.

Q. You didn't mean it? A. No.

Q. Didn't you say, on your examination, that "pantata" in that circular of yours meant Campbell? A. Oh, no; he is retired.

Q. Didn't you say that meant Campbell? A. No.

Q. In answer to Mr. Goff's question as to whether or not it meant captain, did you say no, it meant Campbell? A. What is that?

Q. Didn't you say that the interpretation you meant by that word was Campbell? A. That is what I said; some time ago we used to call Mr. Campbell "pantata."

Q. Didn't you say that, in that circular, in answer to Mr. Goff's

question that the word "pantata" meant your friend, Mr. Campbell? A. No; I can not say that; he is out of the business a long time already; he is not in the district any more.

Q. Who was it that gave you that notice? A. A friend of mine; an officer told me, close up for to-morrow; be careful; of course, I took it on my own risk; on my own responsibility; I sent down to friends of mine.

Q. Who was the officer? A. I believe it was Patty Grow.

Q. Is he an officer on the beat there? A. Yes, sir.

Q. Why did he give you that notice? A. I guess that he knew me.

Q. Did he tell you where he had got it from? A. He told me where he got it.

Q. Didn't he tell you where the source of his information came from? A. He says, "We have got strict orders."

Q. That they had received strict orders? A. That they had received strict orders.

Q. From whom; from the captain? A. Yes, sir.

Q. Had he received orders to tell you? A. No, sir.

Q. Did he not say anything about that? A. No, sir; he did it at his own good will.

Q. Had these officers on the beat always notified you before when the excise law was going to be strictly enforced? A. Not always; sometimes.

Q. Where did their interest come in; why did they violate their official duty as policemen to notify you of that fact? A. I guess, because they knew me.

Q. Only as a matter of friendship? A. That is all.

Q. They didn't have your friendship; they didn't have that friendship for you before 1891, did they? A. No; not at that time; after 1891.

Q. After 1891 they notified you always on account of friendship? A. That is right.

Q. Before that they didn't notify you, but they would arrest you? A. Yes, sir.

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

The Chairman.—Why is it necessary to keep those other witnesses.

Mr. Goff.—That is why I rather sit a little late and get through with those men.

Mr. Nicoll.—How long does the committee propose to sit.

The Chairman.—As long as duty demands.

Mr. Nicoll.—How long will your duty demand you to sit.

The Chairman.—How long do you want to sit?

Mr. Goff.—I would like to get through with those witnesses that I have in court.

The Chairman.—How long will it take?

Mr. Goff.—I think we will get through inside of an hour.

The Chairman.—That will be half-past 5 or 6 o'clock.

Direct examination by Mr. Goff:

Q. Are you a saloon-keeper? A. No.

Q. Were you a saloon-keeper? A. I am six years out of the business.

Q. Did you ever belong to the saloon-keepers' association? A. Once.

Q. Were you treasurer? A. A very short time.

Q. That is, when it was first organized? A. Yes, sir.

Q. You were treasurer? A. Yes, sir.

Q. Do you remember collecting the money? A. Yes, sir.

Q. Do you remember collecting the money to be given to the police officer? A. No, sir; I don't know that.

Q. Don't you remember the resolution passed? A. Yes; from the beginning they collected very short, because we were very few together.

Q. And you were poor, were you not? A. Very few; we were organized by an Englishman by the name of Gaffney; he organized us, the Bohemian people who were together; and he says the protection of excise law, of Sunday law; he says it is a shame that a poor man who pays assessments and everything, he is all the time most in prison; we agreed to go together, and we had only a few dollars when I was by them, and I am the first lager-beer saloon man uptown; there were only a few shanties and I bought one of the shanties; my house was only something to pass through so I started a lager-beer saloon in my shanty; I had a license from Fifty-fourth street, No. 320, and I transferred that license and I started in there; of course, at that time I had a great deal of trouble through them loafers.

Q. What loafers? A. There was nothing but loafers there; there were no houses.

Q. They used to trouble you and annoy you? A. Yes; 1879; of course at that time I needed protection from the police, and then, of course, when the neighborhood was a little improved, of course more lager-beer saloon men came in there and more Bohemians; then I didn't want to stay back, and I was with the organization, too, but a short time.

Q. Don't you remember that the saloon-keepers paid in so much a week, and that out of the moneys there should go to the policemen so much every month for protection with regard to the opening on Sunday? A. It was not for that at that time.

Q. What was it for? A. That was to keep the money to give a few dollars when somebody is arrested on Sunday; we can be very easy; sometimes men work in a lager-beer saloon, and sometimes there is nobody there, and a policeman comes, and he is open and makes free air, and somebody arrests him right away.

Q. I only want to know, didn't you give money as treasurer; didn't you give money to Mr. Pospisal and the financial secretary every month to go and give to Campbell, the wardman? A. We hadn't money at that time, much; we had a few dollars only.

Q. Did you ever, as treasurer, give the money to the financial secretary and to Mr. Pospisal to give to the pantata? A. I don't know if it was to Campbell, but I know there was agreed that the association takes some money that was in the treasury, about \$50 or something; I don't know exactly; and that was put on a committee, and what the committee done I don't know.

Q. The money was given to the committee? A. Yes, sir.

Q. Don't you know that there was a resolution — you understand what that is? A. Yes, sir.

Q. That there was a resolution in the association that this committee should use that money for police protection for the members of the association? A. Well, it was for a protection against the police; that time I was in there it was for the lawyers, but my practice was to make everybody who is not a citizen to become a citizen and work for a law to smash the law away, because I am against the Sunday law; if we haven't that law we have not all that trouble.

Q. Who is the pantata? A. I don't know; it is something new that I heard.

Q. Is this the first time that you ever heard it? A. Yes, sir.

Q. What business are you in now? A. In English pantata is called a father-in-law.

Q. It means the head man in Bohemian, doesn't it? A. No; not exactly; father-in-law; they might give the name to somebody; we call our emperor sometimes pantata in the newspapers; the newspapers have all privilege.

By the Chairman:

Q. You call your emperor pantata? A. Yes, sir; Francis Josef; we sometimes call him pantata.

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

Matthew J. Machacek, was sworn as interpreter, to translate the witness' testimony.

Mr. Goff.—I ask that a certain man be sent out of the court-room.

Mr. Nicoll.—Wait awhile, please.

Mr. Goff.—Mr. Nicoll, come, I am addressing the Senators.

The Chairman.—Go on, Mr. Goff.

Mr. Goff.—There is a man here in court, the editor of this paper, who is not here under subpoena. I have observed his actions —

Spectator.—I am here to report for the newspaper.

Mr. Goff.—Then if you are a reporter get around to the reporter's table.

Mr. Nicoll.—The only thing I wish to say is that if there is any doubt about this interpreter being able to interpret, this man says that he will interpret. I was just about telling Mr. Goff that, when, in his present excited state, he made these remarks.

Mr. Goff.—Mr. W. A. Dishar has a reputation in this city, and I do not want him near my table nor near my witnesses.

Mr. Nicoll.—You do not object to his sitting near me.

Mr. Goff.—No; if you wish such company.

Mr. Nicoll.—Then you have no objections to his sitting near me.

Mr. Goff.—I offer this gentleman as an interpreter.

Mr. Nicoll examined the interpreter as follows:

Q. What is your business? A. Cigarmaker.

Q. Are you connected in any way with Mr. Goff in business?

A. No, sir; I am not.

Q. Are you a member of the Bohemian Association? A. No, sir; I am not.

Q. Are you a Bohemian? A. I am a Bohemian, born in Bohemia.

Q. And a citizen of the United States? A. I am.

Q. Do you understand the Bohemian language? A. Very well.

Q. Can you give us a precise definition of the term pantata?

A. Well, I will try my best.

Mr. Nicoll.—Very well, I think he is qualified.

Mr. Goff examined the witness as follows:

Direct examination by Mr. Goff:

Q. Mr. Danda, are you a saloon-keeper? A. (Not interpreted.) Yes, sir.

The following answers were interpreted, except where otherwise specified:

Q. Do you belong to the Bohemian Saloon-keepers' Association? A. (Not interpreted.) Not now.

Q. What is your business? A. Saloon-keeper.

Q. Were you secretary of the Bohemian Saloon-keepers' Association? A. (Not interpreted.) Yes, sir.

Q. I hand you page 18 of the recording secretary's minutes; is that your signature? A. (Not interpreted.) Yes, sir.

Q. Will you read the two lines pointed out by pencil there; is that your handwriting? A. Yes, sir.

Mr. Goff.—Mr. Interpreter, will you read those lines and translate them?

Interpreter.—“The committee reported that the money was delivered and everything is all right.”

Q. What committee was that? A. There were two members in the whole club, and they always delivered the money.

Q. Delivered the money to whom? A. (Not interpreted.) I don't know; I didn't ask.

Q. What was the money for? A. They paid the money because they were afraid they would be arrested every Sunday, and in case they were arrested, one or another member of the club, that they should hire a lawyer and pay him out of the money paid to the lodge.

Q. Didn't you know that the money that was given to this committee was given to them to give to the pantata? A. I was one of the late members, and I never asked to whom they paid the money.

Q. Don't you know that out of the moneys of the association the police were paid for protection? A. My opinion is that it is true, but I don't know myself.

Q. Wasn't that well known among the members of the association? A. When I first came to the society, I didn't know anything about it, but later I thought that the police protection was paid.

Q. I call your attention to page 26, over your signature, “Frank Danda.” A. (Not interpreted.) Yes, sir.

Q. (Pointing to three lines under lead-pencil mark.) That is your handwriting, is it not? A. Yes, sir.

Q. Those are the minutes of the meeting that you wrote out? A. Yes, sir.

Q. Will you please read those three lines and translate them? A. “The chairman reported that he paid to the pantata—that means the father-in-law—\$300 and \$198.60 is the remaining money on hand.”

Q. What date is that? A. September 3, 1891.

Q. You made that writing there, did you not; what that \$300 was for? A. I don't remember.

Q. What do you understand by "pantata?" A. When I joined the society they always said pantata, and I had to say it also, and I marked that in the book, but he meant by that I don't know.

By the Chairman:

Q. Didn't you know that that word referred to the police?
A. (Not interpreted.) I thought so, but I was not sure.

By Mr. Goff:

Q. I call your attention to page 31, under date of October 15, 1891, and ask you if that is not in your handwriting? A. (Not interpreted.) Yes, sir.

Q. Were you financial secretary or recording secretary? A. (Not interpreted.) I was recording secretary.

Q. I call your attention to the two lines marked in pencil on page 31 of that date; you recorded that at the meeting? A. The very same meeting I was not present there; there was another man who wrote it; there is the signature, Joseph Blitsman, who wrote it; "the treasurer reported that he paid \$175 to its purpose;" for what purpose I don't know.

By the Chairman:

Q. Do you know the purpose? A. I don't know.

Q. Do you know whether it was the same purpose that preceded the payment of the \$300 mentioned on the other page?
A. I don't know; you must ask Blitsman, and he may give you a little information about it.

Q. That is the secretary pro tem.? A. Yes, sir.

By Mr. Goff:

Q. Is this your handwriting? A. (Not interpreted.) Yes, sir.

Q. On page 34? A. Yes, sir.

Q. Under date of what? A. November 19, 1891.

Q. Read the lines underscored there; translate that, please?
A. "The committee reported that they have paid \$125 on proper place."

The Chairman.—He was secretary at that time?

Mr. Goff.—Yes, sir.

Q. Don't you know the place that was? A. I don't know;

maybe for that Bohemian national hall subscription; I can not tell if it was for the police or not.

Q. At the time that you recorded these various figures was nothing said as to the purpose for which that money was to be paid out? A. They always said in the meeting that they paid to pantata, so-called, so much and so much, and furthermore they never spoke about it.

Q. Then these sums that have been mentioned here as intended for a certain purpose were to be paid to the pantata? A. I think so; I don't know; I had nothing to do with the money; there was a special committee, and when there was some money to pay out the committee took the money and paid it.

Q. When these amounts were being talked about there must have been some general conversation; and in speaking about these amounts do you know whether the intention for paying them out for police protection was not mentioned? A. They never had any conversation about it; they only said so and so much gets pantata and so and so much we get, and the committee took the money and paid it.

By Mr. Goff:

Q. I call your attention to page 36, this is your handwriting, is it not? A. Yes, sir.

Q. I call your attention to these words on that line; what does it mean? A. "The treasurer reported that he paid, December 24th, \$124.60; furthermore, decided that two members shall go and be appointed as a committee, and ask from the pantata how shall we act on Sundays; if we are saved or not, and the financial secretary must tell the result to every member."

By the Chairman:

Q. Are you sure financial secretary is there? A. Financial secretary, that is.

By Mr. Goff:

Q. I call your attention to page 41, what is the date of that? A. February 25, 1892.

Q. That is your signature? A. Yes, sir.

Q. Now read the latter portion of that? A. "There was a complaint made by the member, Masha, that pantata (that means father-in-law) bothers him, and Sykora shall go over there to him and fix the whole matter."

Q. What is that; pantata? A. I don't know what it means.

Q. What is the word after pantata? A. I don't know what it is; that pantata goes after him; that he climbs on him.

By the Chairman:

Q. Annoys him? A. Annoys him; bothers him.

By Mr. Goff:

Q. And Sykora was to go—? A. Shall go over to him and fix the whole thing.

Mr. Goff.—I will not detain this witness any longer.

Cross-examination by Mr. Nicoll:

Q. Did you ever pay any money to any member of the police force in New York city? A. Never.

Matthew J. Machacek, the interpreter, was then examined as follows:

By Mr. Goff:

Q. I hand you page 12 and ask you to translate the entry marked there and sworn to by Joseph Popelak? A. It is very hard to translate this; this is very bad writing, and I don't know if I will be able to translate it the way I want; "The chairman opened the meeting, and told the members why he called the members together; it was on account of a new bill which was introduced in Albany; the bill says that all the places shall be opened from 1 o'clock in the afternoon to 1 o'clock in the morning, but not in the forenoon, and no officer can bother the keepers, because the Twenty-second Assembly district paid for said purpose \$1,000; we decided to pay \$200 for the same purpose, which shall be paid out after the bill is passed."

Q. Is that all? A. "As a committee for the same purpose was elected Mr. Joseph Pospisil and Frank Nemesicek;" the meeting was ended.

Q. Does that say the money shall only be paid after the bill was passed? A. Yes, sir.

Q. And the bill was never passed? A. Yes, sir.

Q. I call your attention to page 13a; read what is there marked off? A. "The committee reported that the money has been paid to the proper place."

Q. That is the meeting after where the \$200 is spent in? A. Yes, sir.

By Senator O'Connor:

Q. What month is that? A. The first report is March 26, 1891, and the other is May 27, 1891.

By Mr. Goff:

Q. Will you please tell the committee what the Bohemian word is —

The Chairman.— Had we not better have him sworn?

Mr. Goff.— I am asking him as an interpreter to translate the word pantata.

A. Gentlemen, I can not translate that; there is no name for pantata in the English language; but we call pantata father-in-law; I have one myself and I call him pantata; but there is another word for it; for father-in-law, and that is "tshan."

By Senator O'Connor:

Q. Don't you speak of pantata as some man in authority?

The Chairman.— Captain?

A. No, sir.

By Mr. Goff:

Q. Don't it mean the "old man;" isn't it a sort of a slang phrase? A. Yes, sir; it can not be a young man.

Q. These witnesses have been saying something about father-in-law; does it mean the old man in the law? A. It means the old man only; I don't know what they mean by it.

By the Chairman:

Q. Do you know what they mean by it in the Bohemian; what would pantata refer to in the connection which you have heard it referred to to-day? A. Well, my opinion is that they meant the captain by it; that is my opinion.

Cross examination by Mr. Nicoll:

Q. You call your father-in-law pantata? A. Yes, sir; I do.

Q. Do you call your father pantata? A. No, sir; I call my father otec.

Q. Your father is the old man, isn't he? A. Yes, sir.

Q. Why do you call one old man otec, and another old man pantata? A. One is my father and the other is my father-in-law.

Q. What do you call your mother-in-law — pantata? A. Panimana.

Q. Isn't it a fact that pantata means an old friend? A. No, sir.

Q. An old man — an old man in the law? A. It may mean old man; but if it means man in the law, I don't know.

Q. Does it mean a man learned in the law, like the Senator? A. No, sir.

Q. It doesn't mean that? A. No, sir.

Q. So, if I should call Senator O'Connor pantata, it would be a misapplication of the term, would it? A. I call pantata only for father-in-law.

Q. There is no exact equivalent in the English language, is there? A. No, sir; not for this word.

Anton Sykora, 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. Saloon-keeper.

Q. Where do you keep your saloon? A. Four hundred and six East Seventy-third street.

Q. How long have you been in America? A. About 17 years.

Q. Are you a member of the Bohemian Saloon-keepers Association? A. Yes; I am.

Q. Have you been a member of that association from the time it started? A. No; not exactly; but I joined it very soon afterwards.

Q. Were you ever president of that association? A. Yes; but that is too long ago.

Q. Will you state to the committee whether or not you are a member of Tammany Hall, now? A. Yes; I am.

Q. On the general committee? A. Yes; I am a captain of a district.

Q. Is that in the Twentieth Assembly district or the Twenty-second? A. I am captain of an election district, in the Twentieth Assembly district.

Q. Have you any fear in testifying here on account of your business; do you fear to testify on account of your business? A. No; not at all.

Q. Do you think the police can harm you if you testify here? A. No; I don't think they would.

Q. Are you prepared to tell the truth about the saloon-keepers association? A. Yes, sir.

Q. While Mr. Pospissil was president of the association, were you a member of the association? A. Yes, sir.

Q. Do you know why that association was formed, why it was organized? A. Well, I never had any constitution in my hand, but it was organized to protect the saloon-keepers.

Q. Wasn't that to get protection; wasn't that the object?
A. Well—

Q. We want you to answer? A. Not directly.

Q. But indirectly wasn't that one of the objects? A. Well, it was an organization that was started to protect the saloon-keepers in any way.

Q. Wasn't it started for the purpose of securing police protection? A. No; not that I know; I was not the starter of the organization.

Q. Did you know, after you joined it, that that was one of the objects of the association? A. I didn't ask the object of the association when I joined it.

Q. Didn't you understand the object of the association? A. No; no one explained it to me.

Q. Didn't you know that the association was paying in money for the purpose of securing police protection? A. No, sir; not by starting; I heard something, but I don't know what was true.

Q. After you became a member, didn't you know that the association was collecting money into its treasury for the purpose of paying so much a month to the police; isn't that a fact? A. Well, I had nothing to do with the money; I was only the president.

Q. I don't say you had; isn't it a fact that every member of that association knew that they were paying money every week into the treasury for the purpose of that money being taken and given to the wardman of that precinct.

Mr. Nicoll.—He asks him whether it is not a fact that every member of the association knew that. This witness is only able to tell what he knew.

The Chairman.—He may have a very close, intimate acquaintance with the 30 members of the small organization like this.

By the Chairman:

Q. Do you know whether they knew it or not? A. Well, we paid so and so much a week to cover all expenses of all members of the association.

By Mr. Goff:

Q. Wasn't it part of the expenses of the association to pay the police, so that they would not interfere with them for opening on Sunday? A. I couldn't tell.

Q. Don't you know it is a fact? A. Well, maybe it was so, but I can not tell.

Q. Don't you know it as a fact? A. Well, maybe it was so, but I can not tell.

Q. Don't you know that the money was given to a committee of two, the president, Mr. Pospissil, the secretary, to go and deliver it every month to the wardman? A. No; not to my knowledge; I was not present when anybody gave them the money.

Q. Didn't you hear it reported; I don't ask you if you were present when the money was given, but didn't you hear it reported at the meetings that they were instructed to give the money to the wardman? A. Well, I heard something; but I can not tell whether it is so or not.

Q. Tell us what you heard? A. Some people said so, but I can not tell whether it is so or not.

Q. Tell us what you heard? A. Some people said so, but I can not swear to it.

Q. Said so in the meeting? A. No; I heard it outside.

Q. Among the members? A. Among the people.

Q. Among the members of the association? A. No; I can not recollect any more.

Q. Don't you know that the president —

The Chairman.— So far as any testimony you want to adduce is concerned, isn't it better that it should be so well known that people outside of the organization spoke to a member of the organization about it.

Mr. Goff.— I think your suggestion is good.

Q. Then, you heard it talked of outside of the members of the association that the Bohemian Saloon-keepers' Association was paying the police? A. Well, I never paid any attention what outsiders spoke.

Q. Didn't you hear it? A. Well, I heard many things.

Q. Didn't you hear that? A. Sometimes they are untrue.

Q. Whether it is untrue or not, didn't you hear it?

Senator Pound.— Yes, or no.

By the Chairman:

Q. Didn't you hear that the money was being used for that purpose? A. I heard it; yes.

By Mr. Goff:

Q. Do you know how much money was used every month for that purpose? A. No; I don't think they collected the same amount every month, because sometimes they arrested members.

Q. Do you know how much was paid; about how much; was a \$100 paid? A. No; I don't know.

Q. Was \$125 paid? A. I couldn't tell.

Q. Did you ever hear the president report how much money he had paid? A. Maybe I did, but I forget it.

Q. You have forgotten it? A. Because I didn't go to no meetings the last nine months.

Q. I am not talking about nine months, but I am talking of the first time when Pospissil was president, the first time, before he went to Europe, 1891? A. I don't know.

By the Chairman:

Q. How much did you hear had been paid for that purpose nine months ago? A. Well, I am positive that as soon as this captain was in the precinct that the association didn't pay anything.

By Mr. Goff:

Q. Under the former captain? A. Maybe they did pay before; I couldn't tell.

Q. Do you remember the last amount they paid? A. No; I couldn't swear to that.

Q. How big it was; was it \$100 or \$125? A. I couldn't tell.

Q. How long ago was it when the change of captains was made? A. That is over two years ago.

Q. Two years ago? A. Over two years ago.

Q. And the last time you heard of money being paid was just before the change of captains? A. I couldn't say nothing about the captain; maybe it was to the wardman, but not to the captain.

Q. You fix the time, the last time you heard money was paid, as the time when the captain was changed; you fix the fact of the last payment of money by the time when the captains were changed, do you? A. As much as I know this captain, Mr. Strauss, never accepted a cent.

Q. And the last you heard of money being paid was when? A. Sam. Campbell; I heard that he got some money; that is all.

Q. That was the detective under Captain Gunner? A. Campbell and Martin.

Q. You became president of that association, did you not? A. Yes, sir.

Q. How many Bohemians are in this city, can you tell us? A. I think, about 60,000.

Q. How many Bohemian voters, do you know, are in your Assembly district; you are captain of an election district; how many Bohemian voters are in your Assembly district? A. I think about 1,400.