

NEW YORK ELECTION FRAUDS.

MARCH 1, 1869.—Laid on the table and ordered to be printed.

Mr. WILLIAM LAWRENCE, from the Select Committee on Alleged New York Election Frauds, submitted the following

SUPPLEMENTAL REPORT.¹

[The numbers in this report refer to the numbers of questions and answers in the volume of evidence.]

The Select Committee on Alleged New York Election Frauds report :

That it is deemed proper to present the conclusions of the committee on some topics not considered in the former report, and to state some additional facts pertinent to the investigations ordered by the House. So far as remedial legislation by Congress is concerned, it can make but little difference what political party may have been guilty of frauds, for the fact of their existence and their character more especially points out the necessity of appropriate remedies.

It is nevertheless due to the truth of history that great public wrongs should be traced to the proper source, and that has already been done as to the New York election frauds.

NO REPUBLICAN FRAUDS.

There is certainly no evidence to implicate any republican organization in fraud, nor to show any general or systematic plan by the republican party, or by members of it, to violate the election laws.

Frauds upon a great and extended scale could not be accomplished by any political party through its party machinery without the knowledge, sanction, or connivance of some of its prominent leaders.

As against the republican party there is not only no evidence of such frauds, but the meagre efforts to show complicity in isolated cases has not risen to the dignity of proof.

It may be proper to notice some of the evidence on this subject.

NATURALIZATION.

But a single witness attempted to make any charge deserving notice as to naturalization frauds by any republican in New York city. It is quite evident he was engaged in naturalization frauds for the democratic politicians, for he says he signed his "name as a witness in all these cases at No. 1 Centre street, and in the basement of the old City Hall, where the sheriff's office was." Both of these places were notoriously managed in the interest of the democratic party. He only attempts to impli-

¹ The evidence recently printed shows facts on several subjects, as follows :

R-gistering illegally and "repeating."—Evidence, 9133, 9166, 9167, 9169, 9185, 9186.
Illegal naturalizations.—Evidence, 9136, 9137, 9153, 9156, 9160, 9162, 9163, 9167, 9169, 9172, proves 4,000 illegal certificates—9174, 9193, 9313.
Immunity for election frauds—Discharge of parties arrested.—Evidence, 9136, 9150, 9165.
Obstructions thrown in the way of investigation.—Evidence, pages 842, 847.
Delay in canvassing —Evidence, 9158, 9246.
Ballot-box stuffing.—Evidence, 9184.
Number of naturalizations in supreme court.—Confirmation of the original count, as sworn to by Webster, Gillespie, and Meeks, 9186.
Terrorism.—Evidence, 9189.

cate a single republican, and as to him the witness says he never got "acquainted with him well enough to speak to him until three or four days before the election for governor, (November 3,) and is certain of the fact that he never had any conversation with him until two or three days before the election.¹ The evidence shows that in consequence of the requirement in the constitution of New York that men must be citizens for ten days before they can vote, the courts ceased naturalizing October 23.

There was but a single republican naturalization office in New York, and it is creditable to the integrity of its managers that they kept a record of the names of all persons naturalized, with the names of witnesses, all produced before the committee, yet no fraud on the naturalization laws as to these has been shown in any single instance.

THE CHARACTER OF THE DEMOCRATIC EVIDENCE.

The enormous democratic election frauds stood so strangely in contrast with the integrity of purpose which marked the conduct of the republicans of New York city that it is perhaps not strange that unscrupulous men would attempt to impose on the committee witnesses willing to commit perjury in an effort to injure those who aided in exposing frauds. A feeble effort of this sort is found in the introduction of George B. Gifford and Henry Darling,² the purport of whose statements is that John H. White sent a messenger to them to meet him at the Union League Club, in pursuance of which they met him on the sidewalk, when he offered to pay them liberally for swearing to an affidavit to be drawn by him charging frauds of which they had no knowledge on the democratic party.

The character of these witnesses may be inferred from the evidence of Gifford, as follows:

5703. Q. Did you intimate to your friend, Darling, that there was any money in it?—A. No, sir. I did not know whether there was or not.

5704. Q. Was there nothing said about money?—A. Not on the first evening. I told him, after I came away from there, that if they wanted anybody to commit a fraud we might as well make something out of it as not.

5704. Q. How were you to make anything out of it?—A. I thought we might come down here and make some statement that would not amount to anything, and then get them to pay us for it.

Gifford had been in a republican organization in the 21st ward, and his name had been *struck from the rolls*;³ and ready for revenge, he had a conversation with Banker,⁴ deputy of the notorious sheriff, O'Brien, and then he was ready to testify.

The pretended "messenger" is a myth, who is not produced. Gifford is contradicted as to a statement *of fact* by Christopher Pulman.⁵ Judge White, himself a citizen of long standing,⁶ one of the most honorable of the legal profession in the city, pronounces the whole story a fabrication without any show of truth, and he was not at the place at the time when the alleged interview is said to have occurred.

A still more feeble movement is made by the evidence of a man passing under different assumed names, Lawrence Farrell *alias* William Pearce, to show *not* that testimony *was* improperly procured, but that an effort was made to do so. The evidence itself⁷ fails to prove any such effort, and it is otherwise abundantly shown that none such was made.⁸

¹ Evidence, 7364. ² Evidence, 5139—5162. ³ Evidence, 5149. ⁴ Evidence, 5161.

⁵ Evidence, 6719. ⁶ Evidence, 4770. ⁷ Evidence, 6539 ⁸ Evidence, 6629—6648.

Yet, in "*the views of the minority*," in the absence of any more reliable means of attack, this is dignified into an important topic of consideration as "*attempted bribery by Union League officers*," when it only proves the perjury of democratic witnesses, and gives the means of estimating the value of other evidence, of which this is a fair specimen.

NO REPUBLICAN "REPEATING."

Some evidence was taken, it would seem, for the purpose of proving repeating in the interest of the republican party.¹ There were but a few witnesses, all of a class,² who appeared at one time, and who seem to have been a gang somehow imposed on the committee, whose demeanor on the witness' stand and whose character could inspire neither credence nor respect. It is a fact that *there is no evidence of any kind that any republican was engaged in false registering in the interest of the republican party, and without false registering there could be no repeating.* This itself would be an almost conclusive answer to any charges made on evidence so destitute of credit, and so unreliable as that adduced.

The evidence of "repeating" in the interest of the democratic party is established by proof of the seizure of the books of some of the repeaters and by numerous witnesses who are entirely reliable, including election officers and others.

STANLEY AND WILKES.

Evidence has been taken with a view to draw from it an inference that Florence Scannel, who was a democrat, had a conversation with Marcus Cicero Stanley, in company with George Wilkes, at the Fifth Avenue Hotel, a week before the November election, in which it was agreed that Scannel should register a number of names and leave them unvoted for republicans to vote on in consideration that Scannel should have two republican canvassers for the purpose of making a fraudulent canvass or count of votes against the republicans³ at the December election.

It is sufficiently proved that Scannel procured false registration⁴ in the interest of the democratic party, but *there is no evidence of a single republican vote being cast on any one of his falsely-registered names.*⁵

¹ O'Brien, 5486; contradicted by Murray, 5510.

² Fox, 6969; contradicted, 9171. McCarthy, 6971; see evidence, 7246, to impeach. Volmer, 6973. Loftus, 6978; see evidence, 7246 and 9171, to impeach. Allen, 6980; contradicted evidence, page 657 and 9171. Doherty, 6981; contradicted evidence, page 657, 9171. Costello, 6937. Clark, 6939. Glennon, 6941; see 6942, 6944, 9171, 9184 and 9198. Roone, 6943; see 6942, 6944 and 6982. Glennon and Roone contradict each other, 6942 and 6944.

³ Scannel, 5754; contradicted, 7055, 5595.

Scannel, 8472; but see 9196, 5595.

Gorrey, 6168; see 5595, 7055, 5595.

Ferguson, 6097; contradicted, 6163; see 3196, 3258. Ferguson is a clerk to one of Sheriff O'Brien's deputies.

McGowan, 5576; see 5595. McGowan is another clerk in the sheriff's office, and re-registered under a false name—6092, 6091.

O'Brien, 5486; contradicted, 5510, 5595.

Jones, 5867; contradicted, 5915; see 6093, 5595.

Hogan, 5648; contradicted, 5689.

Stanley contradicts these witnesses, 7055; see 6089.

Wilkes was in Europe and his evidence could not be procured, 6846, 7062.

It is not probable that Stanley would engage in republican frauds when he voted in November for the democratic candidate for governor and mayor, 7066.

⁴ Evidence, 5767, 62.

⁵ And it is abundantly shown that there was *no purpose* to have republican votes cast on any of these false registries. Stanley testifies—

7078. Q. State if Scannel made any request about getting canvassers appointed in his interest?

A. He banded me two names upon a paper, one of which, I believe, was Gorrey. I took the names and went to Mr. Mannierre, one of the police commissioners. These men were not appointed. Scannel gave me

The story is incredible that republicans would agree to procure the appointment of canvassers to make a fraudulent canvass for democrats. And the alleged interview and arrangement is effectually disproved by its inherent improbability, the contradictory character of the evidence in support of it, and by direct proof of its falsity.¹

There is no pretence that this evidence in any way implicates any republican organization, officer, candidate or citizen having its interests specially in charge.

These charges are of a character similar to others which signally failed, were utterly incredible, or were completely disproved.²

COLONEL WILLIAM P. WOOD.

The minority of the committee, referring to certain gentlemen of high character for integrity, and their services in ferreting out the democratic frauds, say :

Besides these gentlemen, it also appears in evidence that Howard T. Marston and George Bliss, jr., attorneys, William P. Wood, a United States detective, and other members of the League, were employed in the same business.

Howard T. Marston is not a member of the League, is a democrat, who made speeches for his party during the last presidential election, but he is a gentleman upon whose integrity there rests no taint or suspicion. William P. Wood is not a member of the League, and had no employment from it, nor did the officers of the League, or the committee, know that he had discovered material witnesses until they were produced. He is a detective, who has so far shared the confidence of the administration of Andrew Johnson as to be retained in its service.

The minority of the committee criticise his mode of obtaining testimony. The minority, as well as the majority, were furnished, in many instances, with memoranda of what witnesses knew, and this could only be procured from the witnesses themselves.

The memoranda furnished to the majority were always open to the inspection of the *whole committee* when desired, while the minority did not always deem it advisable to extend the same privilege to the majority.¹

these two names upon a paper, and requested that I would have them appointed as canvassers, with the promise that if I did so a number of men whom he had registered should not vote. I asked him his object. He said he wanted the canvassers for his election in December as assistant aldermen. He wanted the Tammany Hall nomination, which had been refused him, and then he wanted to run on an independent ticket. I presented those names to Mr. Manierre. He declined to appoint them, upon the ground that they were indicted in Philadelphia, having been carried there by Scannel to vote at the October election. I returned to Scannel with that message from Mr. Manierre, and he said, in his familiar way : "Boss, you must get me out of this thing, because I have got to go to Philadelphia every spring to buy horses."

By Mr. Ross :

7079. Q. What benefit was to accrue to the republican party from this arrangement ?

A. He was to vote for the republican assemblyman in that district, to beat Jim Irwin, whom he had previously shot in a bar-room fight.

The object seems to have been to *prevent Scannel from voting on all* the false registries he had made. 5561, 5792-97.

¹ McGowan, 5575 : "It is utterly incredible that republicans would go to clerk's in Sheriff O'Brien's office." See 5510.

Donohue, 5628 ; contradicted, 5645.

Sullivan's, 5603 ; contradicted, 5626.

²The evidence, page 625, shows the testimony of John Glennon, who was called by Mr. Ross, as follows :

I was not summoned to come here. I was asked to come here by a man named Greene, who owns the bar-room in the opera-house on Fourteenth street ; I do not know his politics. The paper now produced to me, containing my statement, was written in a little office across the street, close by the sheriff's office. It was written about two hours ago. Jacob Roome was there. I do not know anything about Cook. I got nothing for going there, and no promise of anything.

The chairman offered to prove the handwriting of the memorandum.

Mr. Ross objected, and withdrew the memorandum, saying that it was his private property and that he had only shown it through courtesy.

See 6942-6944.

If Colonel Wood deserves criticism for producing witnesses, the censure should extend to those whose industry procured some of the numerous witnesses called by the minority.

That some of the witnesses produced by Colonel Wood were men of bad character is indisputable,¹ but they are, in many respects, corroborated, and the proof of fraud does not rest alone nor mainly on their evidence, but is established fully, independently of it.²

WHO RESPONSIBLE FOR FRAUDS.

The minority of the committee in their "views" say:

We invite especial attention to the important fact, which we desire to emphasize, that it is not in our entire record, satisfactorily shown by credible or unimpeached testimony, that any one or more clerks, judges, or other officers of any of the courts, was, with knowledge, directly or indirectly a party to or participant in a single one of these frauds.

How far this may be a correct deduction from the evidence will appear from its examination and from the report already made.

On this subject the following evidence may be appropriate

H. M. CLAPP sworn:

I am a police officer attached to the 5th precinct of the 5th ward. I knew James Murphy. I had occasion to arrest him on the 14th of October, at 6½ o'clock p. m., for attempting to register illegally at the 8th election district, 5th ward; I took him to the station-house before the captain, who detained him until the morning, and then took him before Judge Dowling, who ordered me to take the prisoner to the superior court before Judge McCunn, where the prisoner had received his papers. I stated the circumstances to the judge. He ordered me to take the prisoner into an adjoining room. He shortly followed, and swore the prisoner. The judge said to him, "What is your name?" Said he, "James Murphy." "Where do you live?" "63 Watt street." "Where did you get this paper?" It was a full naturalization paper. He had never declared his intention. He said, "I got it at the Vanderbilt House." "Who gave it to you?" "One Marshal Murphy." "What did you do with the paper then?" said the judge. "I took it down to the court the next day." "Who went with you?" "Nobody." "How did you get the paper, then?" "I got it in this room, I believe." The judge then turned to me, and said, "Officer, this man is under the influence of liquor." I told the judge it was not so; that the man had been locked up all night, and had had nothing to drink since I arrested him. "Well, then," says he, "he must be insane. You will take the prisoner back to Judge Dowling, and the paper with my compliments, and tell the judge to discharge him, and keep the paper." I returned to the Tombs police court before Justice Dowling, and delivered the message of Judge McCunn. I will state that after I got out of the superior court room, I was called back by a messenger, who stated that Judge McCunn wanted to see me. He said, "I understand you are in the habit of questioning parties who come to register." I said, "Yes, sir." He then remarked, "Don't you do it any more." I said "I will under orders." He replied, "If you do I will punish you." Said I, "Very well, I will suffer the consequences." He then said, "I will give you consequences." I then left the superior court room and went to the Tombs.³

PROPRIETY OF THIS INVESTIGATION AND ITS SCOPE.

Any attempt to divert public attention from the *real facts and frauds proved*, by a discussion of collateral and immaterial issues, must always betray the weakness and failure of a bad defence. And this will be especially so if the discussion of collateral issues is full of errors of fact and erroneous deductions. The minority in their views say:

This committee was called into being by this house, in compliance with a memorial from the Union League of New York. There was no contest pending to render it proper or necessary.

The "memorial" was not from the "Union League of New York," but "the Union League Club," a totally distinct organization. Then again there was, and is, a contest pending over the election of one or more rep-

¹ See evidence, 6271, 6313, 6170, 6223, 5954, 4235, 7274.

² See report of committee, xlv; see Evidence, 7274.

³ See evidence, 9292.

representatives in Congress, if that is deemed of any importance. Again the "views" say:

It is not confined in its scope or purposes to investigations into the conduct of congressional elections, or elections for electors for President and Vice-President, but extends to all elections for all kinds of officers of the State of New York at the November election in 1868. This involves an assertion of jurisdiction that does not rightfully exist in this house.

The minority, nevertheless, discuss the wisdom of the State laws of New York, election frauds in other States, and the policy of congressional legislation on other subjects.

But the resolution under which the committee was appointed, and the investigation by it, is *confined in its scope and purpose* to "irregularities and frauds alleged to have occurred in the city and State of New York affecting the recent election for representatives to Congress and electors of President and Vice-President," and it does NOT "extend to all elections for all kinds of officers of the State."

These *grave errors* in the outset are not calculated to inspire confidence in the accuracy of other portions of the "views."

THE FACILITIES FOR INVESTIGATION.

The minority proceed to say:

In addition to all these, the League placed at the service of the majority of the committee an indefinite number of messengers to serve their process and do the bidding of the officers of the committee and of the other attorneys and agents of the League.

Even this cannot change the facts proved, or remedy the failure of a defence. Messengers residing in the city served process without expense to the government, and the minority had the benefit of their services and of messengers furnished in like manner by their political friends.

The minority had every advantage of the official power and influence of the city to aid them.

The minority proceed:

The country, the House, and all impartial and just-minded men may readily infer from these facts the spirit, intent, interested and partisan motives which have served the majority of the committee, and have presided over the preparation of this case for the League.

The *motives* which served the majority are no more important than those which served the minority, and cannot change inexorable facts or convert vice into virtue or fraud into duty. The motive to expose fraud is much more credible than that which commits it or screens it from exposure. It is due to the Union League Club to say there is no evidence to impugn the motives of any member of it, unless an honest purpose to detect and prevent fraud deserves censure.

THE REMEDIES.

The minority of the committee say, in reference to election frauds—

It appears to be the judgment of the majority that the remedy for these great evils can *only come from Congress*, and need not be expected to originate in or be provided by the States of the Union.

The minority have evidently prepared their "views" without mature consideration, for this assertion that "it appears to be the judgment of the majority" "*that the remedy for these great evils can ONLY come from Congress*" is made with a printed copy of the majority report in their hands, declaring that it is the duty of Congress to ascertain—

When irregularities or fraud exist in the election of its members, so that the people, apprised of evils, may avert them in the future by personal vigilance, *by making and enforcing proper legislative provisions in the STATES*, and, above all, so that Congress shall apply remedies by adequate laws efficiently enforced.

PERSONS OF FOREIGN BIRTH.

The minority say :

It is undoubtedly fair to assume that a spirit of hostility to persons of foreign birth, and of opposition to their free admission to the enjoyment of citizenship and suffrage, had much to do in the origin and conduct of this investigation.

It is unjust to the committee to "*assume*" that which is unsustained by fact, reason, or evidence, but is contradicted by the opinions expressed in the report.

THE CENSUS OF 1865.

The minority attack the correctness of the census of 1865 by a comparison with the census of 1860. The census of 1860 was notoriously too great, as it is liable to be where officers are paid by the number of persons reported, while the loss of population by the war justifies the integrity of the officers who made and of the evidence which shows the census of 1865 to be correct. But the deductions of the committee do not rest alone nor mainly on that census.

FRAUDS IN PHILADELPHIA.

The minority say :

As Philadelphia gave a majority for Grant we have no outcry about its large vote. Perhaps it would be well to have a committee of investigation, as this committee would not allow the minority to introduce evidence that republican "*repeaters*" were sent from New York to Philadelphia.

The committee might well be satisfied to limit their duties to the State required by the resolution under which they were acting. Since it has been stated in Congress by a responsible member¹ that one of the leading democrats of New York, now under arrest by authority of this house, is indicted for illegal voting in Philadelphia, the suggestion of the minority in favor of a committee is entitled to the most respectful consideration.

THE LEAGUE AGAIN.

The minority are pleased to refer to "the numerous and vigilant scavengers of the League," though no mention is made of Sheriff O'Brien's deputies who hovered around the door of the committee-room and in the building where its sessions were held, arresting some of the witnesses soon after released for want of evidence to justify the arrest, and thus intimidating witnesses, until, with the approval of the whole committee, they were directed to retire from the building.

WHY ILLEGAL VOTING NOT PUNISHED.

The minority, referring to election frauds, say :

The officers in the practical government of the city of New York who could be most effective to restrain or punish these wicked men are the officers of elections and of the police. If these were honest, vigilant, and faithful, and would co-operate to that end, these crimes could, in a very great degree, be prevented. Let it be remembered here that *all these officers are appointed under republican auspices.*

And this is preceded in another portion of these "*views*" by a caption, "*The republican party control New York.*"

As a question of law neither officers of election nor of the police have power "*to punish these wicked men.*"

¹Judge Kelly, in House of Representatives. And see evidence of Stanley, 7078.

The Metropolitan Police board is equally divided politically;¹ at least half the election officers are democrats and a majority of the police force.² The officer whose duty it is to prepare indictments, and the courts whose judges try, or whose duty it is to try offenders, are all of the democratic faith. How perfectly secure from all punishment are the men guilty of election frauds has already been shown.

THE FACILITIES FOR INVESTIGATION AGAIN.

The minority, in concluding their views, say:

That the minority, during the entire investigation, possessed extremely unequal facilities for either the procurement of witnesses or the taking of testimony before the committee.

This cannot affect the force of the material facts proved, and the committee will not assume that it is offered as an apology for any failure to prove frauds as against republicans, or to vindicate democrats whose guilt is so palpable. The committee sat in New York from December 21 to January 14, inclusive, and evidence was subsequently taken in Washington. During all that time the minority had process for every witness they asked, the means of its service either by their own chosen messengers or those of the committee, and the right to examine their witnesses fully has never been denied. A sub-committee met on the 6th of February in New York city, and at other times elsewhere in the State, it is believed with equal facilities for the production of witnesses alike for the majority and minority; and evidence taken February 2, by Mr. Ross alone, with no one to cross-examine, was permitted to go on record.

In New York city, in the nature of things, every advantage would be on the side of the democratic minority.³

For the great purpose of devising some means to prevent frauds, it is comparatively of little importance what men or what parties are responsible for them. Every just government is bound to ascertain their existence and apply the proper remedy. While the minority do not unite in any of the measures recommended in the hope of effecting a reform, they do not present any which would seem to remedy acknowledged evils. The evidence is submitted to the House with the deductions which have been drawn from it all, and the remedial measures suggested to prevent frauds and irregularities in the election of representation to Congress and electors of President and Vice-President. If these shall contribute to secure a free, full, fair, and honest exercise of the elective franchise, the anxious and arduous labors of the committee will aid in accomplishing the purposes of the founders of the republic, and lasting benefits will accrue to mankind.

¹ Evidence, 317, 562, 568, 1236, 2739, 6675.

² See chapter V, former report, p. 53.

³ The original report of the committee was made to the House February 23. Part II of the report was printed and furnished to all the members of the committee, including Messrs. Kerr and Ross, February 13, and Part I was printed and furnished in like manner February 20. The "views of the minority" were not furnished to the chairman, or any member of the majority of the committee, and were only seen some days after they had been presented in the House and printed.

This and the original report were written in the press of business, *currente calamo*, without any opportunity for revision.

JOURNAL

Of the Select Committee of the House of Representatives to investigate alleged frauds in the election in the State of New York.

This committee was appointed by the House of Representatives on the 14th of December, 1868, as appears from the following official report of the proceedings published in the *Globe* of December 15th :

FRAUDULENT VOTING IN NEW YORK,

Mr. LAWRENCE, of Ohio. I present under the rule a memorial of the Union League club of New York, in reference to fraudulent voting in the city and State of New York; and I ask consent to offer the following resolution :

Resolved, That the memorial from the Union League club of New York be printed, and that a select committee of seven be appointed to investigate the irregularities and frauds therein alleged to have occurred in the city and State of New York affecting the recent election for representatives to Congress and electors for President and Vice-President, and report thereon to this house; and that the said committee may hold sessions in the State of New York and elsewhere by a quorum or by sub-committees of such number as the committee shall delegate; and that they have power to send for persons and papers, to administer oaths to witnesses, and to employ a clerk and messenger, with such stenographic assistance as they shall find necessary.

Mr. WOOD. I object to the introduction of the resolution.

Mr. LAWRENCE, of Ohio. I move to suspend the rules, that the resolution may be introduced and agreed to at this time.

Mr. WOOD. If the gentleman from Ohio will give us an opportunity to have a few words of discussion upon this resolution I will withdraw all objection so far as I am concerned.

Mr. LAWRENCE, of Ohio. I insist on my motion.

Mr. FARNSWORTH. I would inquire of the gentleman from Ohio whether the election referred to is not now being investigated under the authority of the people of New York?

Mr. LAWRENCE, of Ohio. A respectable portion of the people of New York have sent here a memorial asking the adoption of this resolution. If the gentleman will examine the memorial he will find in it abundant evidence that it is presented in good faith.

The SPEAKER. The motion to suspend the rules is not debatable except by unanimous consent.

Mr. CHANLER. I object to debate.

Mr. BROOKS. Does the memorial of the Union League Club accompany this resolution?

The SPEAKER. It does.

Mr. BROOKS. Let us hear it read.

Mr. WASHBURNE, of Illinois. I should like to have it read. Let it be read by unanimous consent.

The SPEAKER. In order that the memorial may be read the gentleman from Ohio must first waive his motion to suspend the rules. The gentleman from New York has the right under the rule to have this memorial read, but the motion to suspend the rules covers that and all other rules.

Mr. LAWRENCE, of Ohio. I do not object to the reading of the memorial, and I will waive the motion to suspend the rules for the present so that the memorial may be read, provided that at the conclusion of the reading the motion can be resumed.

Mr. BROOKS. What I wish to suggest to the gentleman from Ohio is this: that when a partisan body makes an *ex parte* representation it is but fair that the representatives of the city and State of New York upon this floor should have an opportunity to reply to this memorial. I do not think there should be any objection to that.

Mr. LAWRENCE, of Ohio. The reading of the memorial was called for by gentlemen on the other side of the house. If this investigation be had there will be abundant opportunity afforded to gentlemen for reply to this memorial. Both sides of the question can be examined into.

Mr. BROOKS. What I wish to suggest further is, that the Union League of New York city contributed hundreds of thousands of dollars to carry the States of Ohio and Indiana. I would like to know whether the whole country is to be investigated, and whether we are to know the amount of money given by the Union League of New York to carry Ohio and Indiana.

Mr. BENJAMIN. I object to the reading of the memorial.

Mr. WASHBURNE, of Illinois. I should like to have the gentleman from New York tell us what has become of Helmbold's subscription.

Mr. ROBINSON. I rise to a parliamentary question. I ask, if it be in order, for a division of the resolution. The last resolution provides for one man to have the run of the hotels subjecting the government to heavy expenses.

The **SPEAKER** The motion to suspend the rules suspends that rule with all others. Under the rule the gentleman can ask for a division of the resolution, but if two-thirds vote to suspend the rules that rule is suspended with all others.

Mr. RANDALL. The gentleman from Illinois [Mr. Washburne] at the last session proposed that none of these special committees should be allowed to run the government into debt. This resolution does the very thing he then protested against.

The **SPEAKER.** If that resolution had been adopted a two-thirds vote would suspend that with all other rules.

Mr. RANDALL. Then, this committee can run the government into any amount of indebtedness.

Mr. ROBINSON. They are all doing it now.

The House divided on the motion to suspend the rules; and there were—ayes 104, noes 42.

Mr. SCHENCK. There seems to be a good many gentlemen opposed to this resolution, and I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and it was decided in the affirmative—yeas 134, nays 35, not voting 52; as follows:

YEAS—Messrs. Allison, Ames, Arnell, James M. Ashley, Bailey, Baker, Baldwin, Banks, Beaman, Beatty, Benjamin, Benton, Bingham, Blair, Boutwell, Bowen, Boyden, Bromwell, Brooks, Broomall, Buckley, Roderick R. Butler, Callis, Chanler, Churchill, Sidney Clarke, Clift, Cobb, Coburn, Cook, Corley, Covode, Dawes, Deweese, Dickey, Dixon, Donnelly, Driggs, Eckley, Edwards, Eggleston, Ela, Elliot, Ferriss, Ferry, Fields, Garfield, Goss, Gove, Graveley, Griswold, Haughey, Hawkins, Higby, Hooper, Hopkins, Chester D. Hubbard, Hunter, Jenckes, Alexander H. Jones, Judd, Julian, Kelley, Kellogg, Kelsey, Ketcham, Kitchen, Koontz, Laab, George V. Lawrence, William Lawrence, Lincoln, Loan, Lynch, Mallory, Marvin, Maynard, McCarthy, McKee, Mercier, Miller, Moore, Moorhead, Morrell, Morrissey, Mullins, Myers, Newaham, Norris, O'Neill, Orth, Paine, Perham, Peters, Pettis, Pike, Pile, Plants, Poland, Polaley, Price, Prince, Raum, Robertson, Schenck, Scofield, Shanks, Spalding, Starkweather, Stevens, Stewart, Stokes, Stover, Taylor, Thomas, Trowbridge, Twichell, Upson, Van Aernam, Burt Van Horn, Van Wyck, Vidal, Ward, Cadwalader C. Washburn, Elihu B. Washburne, Henry D. Washburn, William B. Washburn, Welker, Whittemore, William Williams, James F. Wilson, John T. Wilson, Stephen F. Wilson, and Woodbridge—134.

NAYS—Messrs. Adams, Archer, Axtell, Beck, Boyer, Burr, Cary, Eldridge, Getz, Glossbrenner, Golladay, Grover, Holman, Hotchkiss, Humphrey, Thomas L. Jones, Kerr, Marshall, McCormick, McCullough, Mungen, Niblack, Phelps, Pruyn, Randall, Robinson, Sitgreaves, Stone, Taber, Tift, Lawrence S. Trimble, Van Trump, Wood, Woodward, and Young—35

NOT VOTING.—Messrs. Anderson, Delos R. Ashley, Barnes, Barnum, Blackburn, Blaine, Boles, Buckland, Benjamin F. Butler, Cake, Reader W. Clarke, Corneil, Cullom, Delano, Dockery, Dodge, Farnsworth, Fox, French, Haight, Halsey, Hamilton, Harding, Heaton, Hill, Asahel W. Hubbard, Richard D. Hubbard, Hulburt, Ingersoll, Johnson, Knott, Laffin, Logan, Loughridge, Newcomb, Nicholson, Nunn, Pierce, Pomeroy, Root, Ross, Sawyer, Selye, Shellabarger, Smith, Sypher, Taffe, John Trimble, Van Auken, Robert T. Van Horn, Thomas Williams, and Windom—52.

So (two-thirds voting in favor thereof) the rules were suspended, and the resolution was agreed to.

Mr. Lawrence, of Ohio, moved to reconsider the vote by which the resolution was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

The following is the official copy of the resolution and appointment of the committee:

IN THE HOUSE OF REPRESENTATIVES OF THE UNITED STATES,

December 14, 1868,

On motion of **Mr. Lawrence** of Ohio,

Resolved, That the memorial from the Union League club of New York be printed, and that a select committee of seven be appointed to investigate the irregularities and frauds therein alleged to have occurred in the city and State of New York affecting the recent election for representatives to Congress and electors for President and Vice-President, and report thereon to this house, and that the said committee may hold sessions in the State of New York and elsewhere by a quorum or by sub-committee of such members as the committee shall delegate, and that they have power to send for persons and papers, to administer oaths to witnesses, and to employ a clerk and messenger, with such stenographic assistance as they shall find necessary.

The Speaker appointed the following members as such committee:

William Lawrence, of Ohio; **Henry L. Dawes,** of Massachusetts; **Austin Blair,** of Michigan; **Oliver J. Dickey,** of Pennsylvania; **Benjamin F. Hopkins,** of Wisconsin; **Samuel S. Marshall,**¹ of Illinois; **Richard D. Hubbard,** of Connecticut.

Attest:

EDWARD McPHERSON, Clerk.

WASHINGTON, D. C., December 18, 1868.

The committee met pursuant to call of the chairman, **Mr. William Lawrence,** of Ohio, at 10 o'clock a. m., in the room of the Committee on Foreign Affairs of the House of Representatives.

¹ Messrs. Marshall and Hubbard declining to serve, the Speaker appointed in their place **M. C. Kerr,** of Indiana, and **Lewis W. Ross,** of Illinois.

There were present: The Chairman; Mr. Dawes, of Massachusetts; Mr. Blair, of Michigan; Mr. Dickey, of Pennsylvania; Mr. Hopkins, of Wisconsin; Mr. M. C. Kerr, of Indiana; and Mr. L. W. Ross, of Illinois.

On motion, it was

Ordered, That this committee proceed to New York city this evening at 8.40 p. m., there to enter upon the discharge of its duties.

NEW YORK, *December 19, 1868.*

The committee met at 10 o'clock a. m., this day at the Astor House. All the members present.

On motion, it was

Ordered, That this committee proceed to the United States circuit court building, No. 41 Chambers street, in this city, and there examine the rooms tendered it by United States Marshal Murray for the use of its sessions.

10.30 O'CLOCK A. M., SAME DAY.

The committee met in the grand-jury room in the United States circuit court building, No. 41 Chambers street. All present.

On motion, it was

Ordered, That this committee accept the rooms in the United States circuit court building, tendered by Marshal Murray, for the purpose of holding therein its sessions.

Adjourned to meet at the Astor House, in this city, at 6 o'clock this evening.

6 O'CLOCK, P. M., SAME DAY.

The committee met, pursuant to adjournment, at the Astor House. All the members present.

Mr. Ross moved that the question of the employment of a clerk to the committee be postponed for future decision. Mr. Dickey moved as an amendment that the chairman of this committee be authorized to employ a clerk for the committee, which amendment being accepted by Mr. Ross was adopted.

On motion of Mr. Dawes, it was

Ordered, That counsel shall not be admitted to appear before this committee.

On motion, it was

Ordered, That the sessions of this committee shall begin at 10 o'clock a. m. each day until otherwise ordered.

On motion of Mr. Ross, it was

Ordered, That in taking testimony this committee will be governed by the general principles of law applicable in judicial proceedings.

On motion of Mr. Dawes, it was

Ordered, That the proceedings of this committee shall not be made public until otherwise directed.

Adjourned to 10 o'clock a. m. on Monday next.

NEW YORK, *December 21, 1868.*

The committee met pursuant to adjournment in the United States circuit court room, No. 41 Chambers street, in this city. All the members present.

William Hayes one of the assistants to the stenographer of the House of Representatives, selected as the stenographer of the committee appeared and was duly sworn.

The following witnesses were examined: Robert Murray, Samuel

G. Courtney, William T. Simms, Henry Butts, Samuel Reynolds, Logan McDonald, Charles W. Burton.

Adjourned at 4.30 o'clock p. m. to meet to-morrow at 10 o'clock a. m. at the same place.

NEW YORK, *December 22, 1868.*

The committee met pursuant to adjournment. All the members present.

John I. Davenport of New York, selected as the clerk, appeared.

The following witnesses were examined: Edward Mitchell, Albert Bogart, George G. Hewitt, George P. Barrett, Henry Beeny, John H. Springer, Gabriel A. Arnoux, William W. Young, Walter Shirley, John McArthur, jr., Charles C. Reed, Thomas Surridge, R. H. Daly, Theodore Block, Robert Murray, (re-called,) Henry Kruger, John Ey.

At 4.30 o'clock p. m. the committee adjourned to meet at the same place to-morrow at 10 o'clock a. m.

NEW YORK, *December 23, 1868.*

The committee met pursuant to adjournment. All the members present.

The following witnesses were examined: Charles Barnegat, Andrew B. Liegner, Michael Kerwin, William J. McMurray, Daniel Sullivan, Patrick Burke, Dougal Stewart, Joseph A. Miller, Charles Fox, Charles H. Siep, Thomas Gould, Melchoir Heimburch, Matthias Wolf, Timothy Hurrelle, Patrick McLaughlin, Emanuel S. Goldstein, Porter G. Sherman, John Osborne, Charles H. Siep, (re-called,) Patrick T. Feeny, Peter Pohl.

At 4.30 o'clock p. m. adjourned to meet to-morrow at same place at 10 o'clock a. m.

NEW YORK, *December 24, 1868.*

The committee met pursuant to adjournment.

Present: The Chairman, Messrs. Blair, Dickey, Hopkins, Kerr, and Ross.

The following witnesses were examined: Maximilian Boeck, Charles E. Loew, M. R. Levenson, John T. Hoffman, Samuel J. Glassey, John A. Foster.

At 4 o'clock, p. m., adjourned to meet on Saturday next, December 26, at 10 o'clock, a. m., at the office of Charles E. Loew, esq., county clerk of the county of New York.

NEW YORK, *December 26, 1868.*

The committee met pursuant to adjournment at 10 o'clock, a. m., at the office of Charles E. Loew, esq., clerk of the county of New York.

Present: The Chairman, Messrs. Blair, Hopkins, Kerr, and Ross.

The examination of Mr. Charles E. Loew, county clerk, was resumed, and a cursory examination of some of the records of the supreme court of the State of New York pertaining to naturalization matters, in said court in the month of October, 1868, had.

On motion of Mr. Blair, seconded by Mr. Hopkins, it was,

Ordered, That the chairman of this committee be, and he hereby is, authorized to cause the records and papers in the possession of the county clerk of New York, referring to naturalization in the supreme court, to be examined, and a list to be made of the name of each person so naturalized, his age and residence, and the name and place of residence of the witnesses, and the day of the month on which such persons were naturalized during the month of October.

By direction of the chairman, and with the approval of the committee, the clerk served upon Mr. Loew an attested copy of the above order.

At 11.30, a. m., the committee adjourned to resume its session at once in the grand jury room of the United States circuit court building, No. 41 Chambers street, New York city.

11.35, A. M., SAME DAY.

The committee met, pursuant to adjournment, in the grand jury room of the United States circuit court building, No. 41 Chambers street, New York city.

Present: The Chairman, Messrs. Blair, Hopkins, Kerr and Ross.

The following witnesses were examined: Robert G. Adams, James M. Sweeney, Anson Willis, Samuel S. Urmy, Timothy Lynch, David Crowley.

The committee adjourned, to meet in the United States court-room on Monday morning at 10 o'clock a. m.

NEW YORK, *December 28, 1868.*

The committee met, pursuant to adjournment, in the United States circuit court-room.

Present: The Chairman, Messrs. Blair, Hopkins, Kerr, and Ross.

The further examination of Chas. E. Loew, clerk of the county of New York, was resumed. At its close the following witnesses were examined: John Jay, George Bliss, jr., Samuel A. Roberts, Wm. D. Sloan, Owen E. Westlake, Henry J. Chapman, Richard G. Hunt, Benj. Van Buren, Stephen M. Crandall, Michael Quinlan, Nathaniel Jarvis, jr.

The chairman laid before the committee the following communication addressed by him to James M. Sweeney, clerk of the superior court for the county of New York:

NEW YORK, *December 28, 1868.*

Sir: You will please permit such persons as shall be selected by S. J. Glassey and John I. Davenport, esqs., both of whom are attorneys and counsellors at law in this city, and the latter the clerk of this committee, to examine and make a list of the names and residences of persons naturalized, their age, and the names and residences of their witnesses as contained in your office, during the months of August, September, and October. These clerks, selected as above mentioned, are to be under the instructions of the gentlemen named; but all investigation shall be prosecuted in your presence, or that of any deputy whom you may appoint, if you so desire.

Respectfully yours,

WM. LAWRENCE,

Chairman Congressional Committee on Election Frauds.

JAMES M. SWEENEY, Esq.,

Clerk of the Superior Court of New York.

At 4.30 p. m. adjourned, to meet at the same place to-morrow, at 10 o'clock a. m.

NEW YORK, *December 29, 1868.*

The committee met pursuant to adjournment.

Present: The Chairman, Messrs. Dickey, Hopkins, Kerr, and Ross.

The following witnesses were examined: Patrick Duffy, James E. Clifford, John Robertson, T. J. Gilmore, Andrew J. Bross, David Crowley, E. W. McAlpine, Wm. Joralemon, Chas. E. Wilbour, Wm. H. Hendrick, Hugh Ward, John Donnelly, Solomon Seixas, James J. Brophy, Richard Day, Hugh F. Dolan, Owen E. Westlake, (recalled,) David Crowley, (recalled,) John A. Foster, (recalled,) James F. Hall, Samuel J. Glassey, (recalled,) W. H. Springstein, Henry Woltman, Joseph Reinhart, Alex. Ostrander.

At 4.20 o'clock p. m. adjourned, to meet at same place to-morrow, at 10 o'clock a. m.

NEW YORK, *December 30, 1868.*

The committee met pursuant to adjournment.

Present: The Chairman, Messrs. Dickey, Hopkins, Kerr, and Ross.

The following witnesses were examined: Clarence N. Teller, William

H. Bridgeman, Joseph E. Paine, Butler H. Bixby, William C. Barrett, John D. Perrine, James J. Neelis, John McMahon, William M. Tweed, Abraham DeVoursney, John J. Mulligan, Morris Livingston, Thomas Flynn, Charles E. Loew, (recalled,) T. J. Gilmore, (recalled,) Samuel J. Tilden, Lorenzo Carey, A. Oakey Hall, James Moran.

At 5.20 p. m., adjourned to meet at the same place at 10 o'clock a. m., to-morrow.

NEW YORK, *December 31, 1868.*

The committee met pursuant to adjournment.

Present: The Chairman, Messrs. Dickey, Hopkins, Kerr, and Ross.

The chairman laid before the committee the following communication addressed by him to Charles E. Loew, clerk of the county of New York:

NEW YORK, *December 31, 1868.*

SIR: I have the honor to inform you that I have selected S. J. Glassey, esq., General John A. Foster, and John I. Davenport, esq., all of whom are attorneys and counsellors at law in this city, and the latter the clerk of this committee, as the persons under whose charge and superintendence the work of making the lists required by this committee will be carried on. Of course the work done by the clerks under the superintendence of the gentlemen above named will be performed under the eye of yourself or such deputies as you may appoint.

Respectfully yours,

WILLIAM LAWRENCE. *Chairman Committee.*

CHARLES E. LOEW, Esq., *County Clerk, New York.*

The following witnesses were examined: Joseph E. Paine, (recalled,) S. C. Hawley, Martin B. Austin, Patrick H. Keenan, Hugh F. Dolan, (recalled,) Mathew O. Hallenbeck, Lewis C. Phillips, Hugh F. Dolan, (recalled,) John Dunn.

At 5.10 o'clock p. m., the committee adjourned to meet on Saturday morning January 2, 1869, in the grand jury room in the United States circuit court building, at 10 o'clock a. m.

NEW YORK, *January 2, 1869.*

The committee met pursuant to adjournment.

Present: The Chairman, and Messrs. Kerr and Ross.

By mutual consent the examination of witnesses was proceeded with.

The first witness called was Moses D. Gale. During the progress of his examination Messrs. Dickey and Hopkins appeared, when the following additional witnesses were examined: David Crowley, Wm. H. Green, Joseph Meeks, A. Oakey Hall, (recalled.)

The chairman moved that the following order be made:

Ordered: That Mr. Dickey and Mr. Ross be, and hereby are, constituted a sub-committee of this committee, having the same power with this committee to sit elsewhere than in the city of New York.

That Mr. Lawrence, Mr. Hopkins, and Mr. Kerr be, and hereby are, constituted a sub-committee of this committee, having the same power with this committee to sit in the city of New York.

Mr. Ross moved as an amendment that the consideration of this subject be postponed until Monday next, at 11 a. m. A vote being taken, the chairman declared the amendment lost. The question being then on the original motion, a vote was taken, and it was declared lost.

Mr. Kerr then moved that for the present this committee defer the making of a sub-committee.

The ayes and nays being called for, the following was the vote: Ayes—Mr. Dickey, Mr. Hopkins, Mr. Kerr, and Mr. Ross. Nay—Mr. Lawrence.

Mr. Dickey then moved that the chairman of this committee be, and hereby is, directed to transmit the testimony taken by it to Washington in such order as he may deem best, for the purpose of having it printed.

By unanimous vote it was so ordered.

At 4:30 p. m. the committee adjourned to meet on Monday, January 4, at the same place, at 10 o'clock a. m.

NEW YORK, *January 4, 1869.*

The committee met pursuant to adjournment.

Present: The Chairman and Mr. Kerr.

By mutual consent the examination of Henry Donovan was proceeded with, and during said examination Messrs. Dickey, Hopkins, and Ross entered.

The following witnesses were subsequently examined: John B. McKean, James Irving, James Coit, Nathaniel R. Mills, Isaac Heman, James O'Brien, E. H. Kent, Henry Vandervoort, Dennis Shea, Edwin B. Heath, John M. Lawrence, Arthur McKenna.

At 5 o'clock p. m. the committee adjourned to meet to-morrow, at the same place, at 10 o'clock a. m.

NEW YORK, *January 5, 1869.*

The committee met pursuant to adjournment.

Present: The Chairman, and Messrs. Dawes, Dickey, Hopkins, and Ross.

The examination of the following witnesses was proceeded with: Colonel Henry Beeny, (recalled,) Patrick Mack, Louis Jonassohn, John Lee, John Rogers, David Welsh, Patrick Fitzgerald, and Charles E. Wilbour.

During the examination of Mr. Wilbour, Mr. Dawes questioned him in reference to the names of the stockholders of the New York Printing Company. Mr. Wilbour declined to answer the question. Mr. Dawes appealed to the chairman to compel the witness to answer. The chairman thereupon repeated the question and directed the witness to answer. Mr. Wilbour, still declining, desired to know if the committee meant to compel him to answer that question. The chairman submitted the matter to the committee: "Shall the witness be compelled to answer the question put him by Mr. Dawes," and desired a vote thereon. Mr. Ross called for the ayes and nays. The vote being then taken, resulted as follows: Yeas—The Chairman, Messrs. Dawes, Dickey, and Hopkins. Nay—Mr. Ross. The question being then repeated by Mr. Dawes, the witness desired until 1 o'clock to-morrow to reflect upon the matter and consult his rights in the premises. The committee unanimously consented thereto. The examination of the following witnesses was then proceeded with: William Lawlor, Thomas, Smith, John Carberry, Edward J. Shandley, D. E. Bennett, and Michael Costello.

On motion of the chairman it was unanimously ordered that Mr. Lawrence, Mr. Hopkins, and Mr. Ross, or a majority of them, be, and hereby are, constituted a sub-committee of this committee, having the same power with this committee to sit in the city of New York. By mutual agreement of the members it was understood and consented to that at any time when the committee or any sub-committee thereof should for a time consist of but two members present, the vote of the republican member thereof should, in consequence of the large majority of that party in the house and upon the committee, count as two votes against the single vote of the democratic member.

On further motion of the chairman it was unanimously ordered that Mr. Dickey and Mr. Ross be, and hereby are, constituted a sub-committee of this committee, having the same power with this committee to hold sessions in the State of New York outside of the city of New York, on and after Monday, January 11th.

The chairman laid before the committee a telegram from the Speaker of the House in reference to the printing of the evidence taken by the committee. The chairman was unanimously instructed to reply thereto and say that the testimony forwarded by him to Washington was to be printed, but, until otherwise ordered, for the use solely of the members of the committee.

At 5.15 the committee adjourned to meet to-morrow at the same place at 10 o'clock a. m.

NEW YORK, *January 6, 1869.*

The committee met pursuant to adjournment.

Present: The Chairman and Mr. Kerr.

By mutual consent the examination of the following witnesses was proceeded with: August Thakphous, William Haviland, James O'Brien, (recalled,) [during examination of Mr. O'Brien Mr. Hopkins, a member of the committee, appeared,] James A. Colvin, Sylvester E. Nolan, [during examination of Mr. Nolan Mr. Dickey and Mr. Ross, of the committee, entered,] W. W. Woodward, John Cummings, and Morgan Jones.

An objection being made to certain statements of Mr. Jones respecting one Costello, a former witness, and a motion being made by Mr. Hopkins to strike from the record such statements, and a vote demanded, Mr. Kerr called for the yeas and nays, which were ordered, and found as follows: Yeas—The Chairman, Mr. Dickey, and Mr. Hopkins. Nays, Mr. Kerr, and Mr. Ross.

The examination of witnesses was resumed, and the following persons called and examined: Thomas Ryan, George Hoperoff, William J. Lou-trell, M. T. Brennan, George H. Hoffman, Samuel B. Garvin, Charles E. Wilbour, Thomas Potter, George Harris, Henry E. Sweetser, James Melville, Joseph Benson, Charles Grant, John P. Thurston, William Dorans. At the close of the re-direct examination of this witness (William Dorans) he was informed that he was required to remain in the witness-room, or the hall entering thereto, until otherwise directed, as his presence for further examination would be required. The next witness called was George Mabee. After the close of Mr. Mabee's examination William Dorans was recalled and further examined, and directed to report to-morrow, and remain in attendance in the witness-room, or hall, until such time as his presence should again be required before the committee.

The following witnesses were then examined: William H. Bogert, George Mabee, (recalled,) T. W. Greig, Bartholomew Cronin, Jules Mabay, and John Gilmore.

The following communication was ordered to be sent to the clerk of Westchester county:

UNITED STATES COURT BUILDING, No. 41 CHAMBERS STREET,
New York, January 6, 1869.

SIR: The congressional committee appointed to examine into alleged frauds committed at the late election in the State of New York, desire from you a statement, made from the records of your office, of the number of persons naturalized in the county of Westchester in the year 1856, and every year since. This statement they require to be made in tabular form, and for the year 1868, to show the number on each day in the month of October. They wish a clerk sent here on Saturday with this list, who will be able to swear to its accuracy.

Respectfully yours,

WILLIAM LAWRENCE,
Chairman Committee.

J. MALCOM SMITH, Esq.,
County Clerk Westchester County, N. Y.

A letter similar throughout was also sent to the clerk of the county of Kings, State of New York.

At 5.20 o'clock p. m. the committee adjourned to meet at the same place at 10 o'clock a. m. to-morrow.

NEW YORK, *January 7, 1869.*

The committee met pursuant to adjournment.

Present: The Chairman; Messrs. Hopkins, Kerr, and Ross.

The following witnesses were examined: Henry Lyle, John H. White, Charles Reilly, Robert Utley, Peter Cook, George Johnson, George Hill, Clark Bell, James Nichols, James Emmot, and William Wood.

The following communication was addressed to Charles E. Loew, esq., county clerk:

U. S. CIRCUIT COURT BUILDING, No. 41 CHAMBERS STREET,
New York, January 7, 1869.

DEAR SIR: The congressional committee desires you should furnish it this day with a certified copy of the appointment of your deputy clerk.

Respectfully yours,

WM. LAWRENCE,
Chairman Committee.

CHAS. E. LOEW, Esq., *County Clerk.*

At 5 o'clock p. m. the committee adjourned to meet to-morrow at same place at 10 o'clock a. m.

NEW YORK, *January 8, 1869.*

The committee met pursuant to adjournment.

Present: The chairman, Mr. Hopkins, Mr. Kerr, and Mr. Ross.

The following witnesses were examined: Joseph Dumble, Thomas H. York, Edwin M. Plumb, Austin V. Pettit, George B. Gifford, Henry Darling, John H. McCunn, (recalled,) James A. Lucas, George Melville, James M. Clark, James Green, James O'Brien, (recalled,) Edward Sandford.

During the examination of Sandford the proceedings of the committee were interrupted by the arrest of several witnesses, as reported to the committee by Mr. Le Barnes, the sergeant-at-arms, as follows:

Mr. CHAIRMAN: I have a report to make upon which I desire the instructions of the committee. Several of the witnesses summoned before this committee, including some who have been examined and were directed to remain for further examination, and others who have not yet been called, have just been arrested in the hall of this building by the sheriff of this county and his deputies. I have reason to believe that these arrests were made without warrant or other lawful authority, and for some ulterior purpose connected with this investigation. I desire to be informed if I have any power, or this committee has any power, to protect from arrest the witnesses summoned before it.

Mr. Kerr stated that the arrests were made at his instance, and that he would take the responsibility of the act. The following witnesses were then examined pending the reappearance of Sheriff O'Brien, who was sent for: William Wilson, Louis A. Jonassohn, Adam Gillespie, Edward H. Burger.

James O'Brien being in attendance was recalled and examined as to the circumstances attending the arrest of witnesses, as reported by the sergeant-at-arms.

At the close of his examination, the sergeant-at-arms again called the attention of the committee to an interference by the deputies of this officer, as follows:

Mr. LE BARNES. Mr. CHAIRMAN: I have to report that I find three of the deputies of the sheriff of this county stationed at the door of this room. I respectfully ask to be informed if these officers are so stationed by the direction of this committee. And I desire further to state that I have already experienced great difficulty in retaining the witnesses summoned before this committee, on account of the intimidation exercised by the presence in this building of sheriff's officers and other persons who watch, follow, attempt to manipulate, and, in some instances, maltreat them.

The committee ordered the sergeant-at-arms to bring before it the three deputy sheriffs complained of, which being done, the committee, through the chairman, directed them to leave the vicinity of the committee room and the building. The following additional witnesses were

then examined: Robert Murray, Samuel S. Acker, Thomas Ryan, Charles A. Grant, James Gorman, George Merritt, Geo. W. Mabee.

At 5.25 o'clock p. m. the committee adjourned to meet to-morrow at same place at 10 o'clock a. m.

NEW YORK, *January 9, 1869.*

The committee met pursuant to adjournment.

Present: The Chairman, Mr. Hopkins, Mr. Kerr and Mr. Ross.

The clerk of the committee, who to this date, to facilitate matters before the committee, had permitted some three or four messengers and clerks—very kindly placed at his disposal by the sub-committee of the Union League Club, on whose memorial the investigation had been ordered—to serve nearly all of the subpoenas for witnesses required by the minority, as well as render them other service, having informed the sergeant-at arms that, in consequence of what had taken place yesterday, in the illegal and unwarrantable arrest, at the instance of Mr. Kerr, of witnesses subpoenaed by the majority, he should for the future refuse to permit any one connected with or subject to his orders to serve any process, or perform any errand or service of any kind for the minority of the committee, Mr. LeBarnes, the sergeant-at-arms, informed the committee of his inability to serve, with anything like the desired haste, the subpoenas called for by the minority, as he was alone, and, of course, during the day required to be in immediate attendance upon the committee.

Mr. Kerr thereupon asked leave, which was unanimously given, to have the assistance of such persons as should be tendered the minority by its political friends.

The following witnesses were examined: John E. McGowan, Robert Murray, (recalled,) Thomas Sullivan, John Donahoe, David Hogan, Geo. B. Gifford, (recalled,) John H. White, (recalled,) C. Pullman, J. Malcolm Smith, Florence Scannell, Michael Brady, and Robert Murray, (recalled.)

At the close of Marshal Murray's examination Mr. Kerr moved that the chairman of this committee, on behalf of the committee, request Marshal Murray to cause the police force now in this building, numbering 24, to be at once withdrawn from it.

Mr. Hopkins moved as a substitute: That if the police force now present remain here to-day the future sessions of this committee shall be held at such place as the committee shall designate.

Mr. Ross objected to the substitute on the ground that it was not germane. Objection overruled.

The ayes and nays were then called for by Mr. Ross on the adoption of the substitute, and a vote being taken resulted as follows: Yeas—The Chairman and Mr. Hopkins. Nays—Mr. Kerr and Mr. Ross.

By mutual consent the votes of the republican members were counted as a majority, and the substitute declared carried.

The following witnesses were then examined: J. W. LeBarnes, Thos. A. McGlade, John Jones, Robert Murray, (recalled,) J. W. LeBarnes, (recalled,) Geo. Mabee, Geo. Johnson, John A. Kennedy, Florence Scannell, Edward Sanford, Philip Koob, General John A. Foster.

At 5.30 p. m. the committee adjourned to meet at the same place on Monday, January 11, at 10 o'clock a. m.

NEW YORK, *January 11, 1869.*

The committee met pursuant to adjournment.

Present: The Chairman and Mr. Ross.

Mr. Ross moved that the sessions of this committee be held for the future at the Fifth Avenue Hotel.

The chairman moved as a substitute: That Mr. LeBarnes, the messenger of this committee, and sergeant-at-arms, be directed to call to his aid such assistance as may be necessary to preserve order and protect witnesses, and that the sessions of this committee be continued at this room (United States grand jury room) until otherwise ordered.

The question being upon the adoption of the substitute, the chairman voted, aye; Mr. Ross, no. Under the agreement of January 5, the substitute was declared to be carried, and to be an order of the committee.

The following communications from the messenger and sergeant-at-arms of the committee were then presented and ordered to go upon the journal:

UNITED STATES COURT-HOUSE,
New York, January 11, 1869.

SIR: I have the honor to report that a man named Ward, an officer of Judge McCunn's court, presented himself to-day as a substitute for Sandford, a messenger, hitherto authorized by me to act as an assistant.

Not desiring to have any officer attached to any of the courts of this city, nor any sheriff's deputy, nor other official of this city as an assistant to me in the discharge of my duties, I have notified Ward that I had no use for him, and that he could retire. I also informed Mr. McGowan, the associate of Sandford, that if he wanted any assistance in the discharge of the duties required of him, in the absence of Sandford, he might present to me any friend of his, who was not an officer, nor attached to any court of this city, nor to the sheriff's office, and I would authorize him to act.

Very respectfully, yours,

J. W. LEBARNES,
Messenger to Committee.

Hon. WM. LAWRENCE,
Chairman Committee on Election Frauds.

The action of Mr. Le Barnes, as stated in his report, was approved.

UNITED STATES COURT-HOUSE,
New York, January 11, 1869.

SIR: I have to report that a witness by the name of Wm. Dorans, who was duly summoned and has been examined before this committee, and directed by it to remain in attendance for further examination, was arrested in the hall of this building on Saturday last, by an officer named Moore, a deputy sheriff under Sheriff O'Brien.

Very respectfully, yours,

J. W. LEBARNES,
Messenger to Committee.

Hon. WM. LAWRENCE,
Chairman Committee on Election Frauds.

The above report of Mr. LeBarnes being read, the committee directed that a summons issue, returnable forthwith, requiring Deputy Sheriff Moore to appear before the committee as a witness.

The following witnesses were then examined: Louis Campbell, Wm. H. Bogart, (recalled,) Hiram B. Ferguson, Robert Murray, (recalled,) David Hogan, James Gorrey, John Norton, Michael Edwards, James Straume, James Ward, Nathaniel Jarvis, jr., (recalled,) John Keating, Howard T. Marston, (recalled,) Abraham Voorhees, John Wood, John Gregory, Lawrence Farrell, Samuel J. Glassey, Gen. John A. Foster, John I. Davenport, Wm. H. Cook, Francis Murray, and John McCabe.

The sergeant-at-arms, at 5.15, reported that in accordance with the instructions of the committee he had subpoenaed Deputy Sheriff Moore, in person, shortly before 12 o'clock; but that at this hour he had failed and refused to appear before the committee.

On motion of Mr. Ross the committee adjourned until to-morrow, to meet at the same place at 10 o'clock a. m.

NEW YORK, January 12, 1869.

The committee met pursuant to adjournment.

Present: The Chairman and Mr. Ross.

On motion of Mr. Ross, it was ordered that Mr. Dickey, of the

sub-committee appointed to take testimony out of the city of New York be directed to admit to appear before him such counsel as shall be designated by the minority of this committee, for the purpose of representing before him said minority, Mr. Ross, of said sub-committee, desiring to remain in New York.

The following witnesses were then examined: John Gunn, Joseph Gaillard, James Dennis, John H. McCunn, (recalled,) Abraham Voorhees, (recalled,) Wright Banks, John M. Rowell, Samuel Watson, James Smith, Charles Ferguson, John Hughes, and John Kagle.

Mr. LeBarnes, the messenger and sergeant-at-arms of the committee, here made the following written report, which was received and ordered to be placed on the journal:

UNITED STATES COURT-HOUSE, GRAND JURY ROOM,
New York, January 12, 1869.

SIR: I respectfully report that being recently informed that a party of thieves and pick-pockets under charge of deputy sheriffs were in the witness room, I asked the persons indicated to me as being deputy sheriffs if they were witnesses, and upon being informed by them that they were not I directed them to retire. Finding, also, that the remaining persons had not been summoned before the committee, I gave them the same direction. I would also state that, as a matter of convenience in the discharge of my duties as messenger and sergeant-at-arms of the committee, and also for the purpose of preventing improper influences being brought to bear upon the witnesses. I have given directions that no persons be permitted to enter the witness room except witnesses summoned before the committee by myself or my duly authorized assistants.

Very respectfully yours,

J. W. LeBARNES,
Messenger and sergeant-at-arms to Committee.

Hon. WM. LAWRENCE,
Chairman Committee on Election Frauds.

The following witnesses were then examined: Robert Costello, H. K. Murray, John Clark, John Glennon, Jacob Roome, Edward Clark, John Horner, M. S. Roberts, Edward Cobb.

At 5 o'clock the committee adjourned to meet to-morrow at the same place at 10 o'clock a. m.

NEW YORK, January 13, 1869.

The committee met pursuant to adjournment.

Present: The Chairman and Mr. Ross.

The following witnesses were examined: Miss Cornelia A. Lyle, John Mullaly, Jacob W. Cooper, John Fox, Charles McCarty, Paul Volmer, Peter Loftus, James Allen, Cornelius Doherty, Henry A. Gumbleton, John Kennell, Charles H. Rogers, Adam Gillespie, (recalled,) John Heath, William R. W. Chambers and William Ward.

The chairman received a communication from John Jay, esq., president of the Union League club of New York, relative to certain matters of common notoriety connected with the investigations of the committee, which communication, together with his reply, is hereinbelow set forth:

UNION LEAGUE CLUB, New York, January 8, 1869.

SIR: I have this evening been advised that several persons summoned by your authority as witnesses to testify before your body were arrested by the sheriff of this city and county this afternoon, while attending in the United States court-house, where your committee hold their sittings.

It is also reported me that of the men so arrested some had testified and were expecting to be recalled, and that the rest were waiting to testify; that they were arrested without warrant and were afterwards released, no charge having been preferred against them.

Having reason to believe that the facts thus reported are true, I beg leave very respectfully to address you upon the subject.

It was upon the memorial of the Union League club that your committee was appointed to inquire into the matters therein alleged, and we were advised after your arrival in the city that you regarded the club in the light of a complainant and looked to them for the proofs of their allegations.

This position we accepted, with its responsibilities, and, so far as the investigation has proceeded, we have more than proven the charges of the memorial.

Other witnesses than those summoned at our instance have been produced and examined, in regard to the repeating frauds, in which they had themselves been engaged, as the employes of those by whom the frauds were planned, and it is more than probable that the past lives of persons selected for such a purpose have not been blameless.

But the arrest of any witnesses upon any pretence, by the sheriff and his deputies, is a move which we did not anticipate, and in which we cannot acquiesce. No argument can be necessary to satisfy your committee that it will be impossible for us to proceed with the proofs, and to furnish witnesses whose evidence may convict of complicity with the fraudulent conspiracy to change the vote of the State persons occupying official positions, if the men thus charged are to be allowed, with the connivance of the sheriff and his deputies, to avenge themselves upon the spot by arresting the witnesses and dragging them to prison.

I do not, of course, suppose for a moment that your committee have the slightest idea of acquiescing in such an insult to your own body, or to the branch of Congress which you represent. I take it for granted that the House of Representatives, on your report of the facts, will properly vindicate your dignity and their own, and will punish as such a crime should be punished, this daring outrage by a local officer upon the national authority—this bold attempt to arrest and render futile a congressional investigation, by overawing, insulting, and maltreating the witnesses.

But you will readily see, sir, that until such action is had by Congress, and the country is advised that in this grave investigation, involving the exposure of a gigantic crime, and perhaps the validity of the returns of our State election, the national government will protect the committee and their witnesses from officious interference, the effect of to-day's arrests may naturally indispose our citizens from volunteering their testimony, however important, with the prospect of being dragged from the court to a prison, should their evidence be displeasing to the political friends of Mr. Sheriff O'Brien.

I beg leave, therefore, very respectfully, and with the view of enabling the club committee to proceed efficiently with the evidence, to ask from you an assurance, with permission to make it public, that the facts of this matter will be reported by your committee, with a view to prompt action on the part of the House of Representatives in proceeding against the sheriff for contempt in violating the privileges of witnesses summoned by its mandate, and attending under its protection; and with the view also to the enactment of a proper law, if additional legislation be indeed necessary, to protect all whom you may summon from the vengeance of the felons whose frauds may be developed by their evidence.

Such an assurance will, I believe, enable us to proceed with the proofs as rapidly and effectually as we have thus far done, and relieve the witnesses from all anxiety in regard to the threats, personal or official, of those whose crimes may be exposed.

I have the honor to be, sir, very respectfully, your obedient servant,

JOHN JAY,

President Union League Club, and member of Special Committee on Election Frauds.

Hon. WILLIAM LAWRENCE,

Chairman of the Congressional Committee

to investigate the alleged frauds in the New York election.

ROOMS OF THE CONGRESSIONAL COMMITTEE ON ALLEGED ELECTION FRAUDS

IN NEW YORK, NO. 41 CHAMBERS STREET,

New York, January 13, 1869.

DEAR SIR: Your communication of the 8th inst. was duly received, and I at once addressed a note to Mr. Dawes, a member of this committee then in Washington, calling his attention to the facts in your letter contained. I did not indicate what action should be taken by the House on the subject, as I had no doubt Mr. Dawes would deem it advisable to present the matter to the House, which would take such notice thereof as to it should seem right and proper. I did, however, take occasion to contradict some of the statements published in the World, of Sunday last, especially those purporting to be made by Sheriff O'Brien; and have since taken testimony before the committee respecting the arrests made by that officer of persons summoned to testify before our committee, which evidence will show the facts more fully than they could otherwise be ascertained.

I have since directed a summons to issue from this committee requiring Deputy Sheriff Moore to appear and testify, it having been alleged that he had arrested a witness summoned to testify before this committee. This summons our messenger reports as served upon Moore in person, but as yet that individual has failed to respond to the process. Having waited thus long for him to obey the summons of the committee, I have directed Mr. Davenport, our clerk, to forward to the Hon. Henry L. Dawes a copy of the letter I had the honor to receive from you, and to bring to Mr. Dawes attention the testimony taken relative to the matter.

Very respectfully yours,

WILLIAM LAWRENCE,

Chairman Committee.

Hon. JOHN JAY, *President Union League Club, N. Y.*

On motion the committee adjourned to meet to-morrow at the same place at 10 o'clock, a. m.

NEW YORK, *January 14, 1869.*

The committee met pursuant to adjournment.

Present: The Chairman and Mr. Ross.

The following witnesses were examined: Marcus C. Stanley, Henry E. Sweetzer, (recalled,) John J. Mullen, John H. White, (recalled,) John R. Brady, Wm. Ward, (recalled,) John Morton, jr., Meyer J. Newmark, M. R. Levenson, (recalled,) Wm. Davidson, John H. McCunn, (recalled,) Geo. F. Hallum, Victor Bishop, Terrence Foley, Wm. H. Bogert, (recalled,) T. P. Tupper, James Collins, and Edward Hogan.

By agreement the committee at 5.30 p. m., adjourned to meet on the call of the chairman.

WASHINGTON, D. C., *January 25, 1869.*

The committee met, pursuant to a call of the chairman, in the room of the Judiciary Committee of the House of Representatives, at 10 o'clock this day.

Present: The Chairman, Messrs. Blair, Hopkins, Kerr, and Ross.

The following witnesses were examined: Christopher Callan, (recalled;) Howard T. Marston, (recalled;) John I. Davenport, (recalled;) and Saml. J. Glassey, (recalled.)

The question as to what action should be taken by the committee in the cases of Deputy Sheriff Moore, Henry Johnson, and John McClusky, guilty of a contempt in refusing to appear before the committee in New York, as required by the respective subpoenas, duly served upon each, being brought up by the chairman for decision; together with the case of Florence Scannell, who refused to answer questions put to him when under examination, it was moved and seconded that the chairman be, and hereby is, directed to report each of said cases to the House of Representatives and ask the order of the House for their arrest. The motion being before the committee, Mr. Ross demanded the yeas and nays, and the roll being called, the vote was reported by the clerk, as follows: Yeas—The Chairman, Messrs. Blair, and Hopkins. Nays—Messrs. Kerr and Ross.

The motion was declared to be carried, and the committee adjourned to meet at the call of the chairman.

WASHINGTON, D. C., *January 27, 1869.*

The committee met, pursuant to the call of the chairman, in the library of the House of Representatives, at 3.30 p. m. this day.

Present: The Chairman and Mr. Ross.

By agreement, the examination of Abraham Voorhees (recalled) was proceeded with, at the close of which the committee adjourned, subject to the call of the chairman.

WASHINGTON, D. C., *January 29, 1869.*

The committee met, pursuant to a call of the chairman, in the room of the Judiciary Committee of the House of Representatives, at 4.40 p. m. this day.

Present: The Chairman, Messrs. Dawes, Blair, Kerr, and Ross.

On motion of the chairman, it was ordered that Messrs. Blair and Ross be, and hereby are, constituted a sub-committee of this committee, having the same power with this committee, to hold sessions in the counties of New York and Orange, in the State of New York. By agreement, the same understanding was had in reference to the vote of Mr. Blair counting as two against the vote of Mr. Ross as was arrived at in New York January 5.

John McClusky, of New York, was examined as a witness, after which the committee adjourned, subject to the call of the chairman.

WASHINGTON, D. C., *February 1, 1869.*

The committee, pursuant to a call of the chairman, met in the room of the Judiciary Committee of the House of Representatives, at 4.30 p. m. this day.

Present: The Chairman, Messrs. Dawes, Dickey, and Kerr.

The following named witnesses were recalled and examined: Joseph Meeks and Adam Gillespie. The committee then adjourned at the call of the chairman.

WASHINGTON, D. C., *February 3, 1869.*

The committee met, pursuant to a call of the chairman, at 4.30 p. m. this day in the room of the Committee on Foreign Relations of the House of Representatives.

Present: The Chairman and Messrs. Dawes, Dickey, Hopkins, and Kerr.

The Sergeant-at-arms of the House of Representatives presented himself with the witness, Henry Johnson, arrested by him upon the order of the House for a contempt in refusing to appear before the committee when in New York.

The examination of Mr. Johnson was proceeded with, and at its close the following resolution, offered by Mr. Dawes, was unanimously adopted:

Resolved, That the chairman of this committee be, and hereby is, instructed to report to the House of Representatives in the case of the witness Henry Johnson, that said Johnson has appeared before this committee and testified; that there seems to have existed in the mind of the witness a misunderstanding, arising from a conversation between himself and the officer as to the time and place of meeting; that it does not appear that the witness intended to be guilty of any contempt to this committee or the House of Representatives, and therefore that he be discharged from custody and paid his fees as a witness.

John B. McKean was then recalled and examined, after which the committee adjourned until to-morrow morning (February 4th) at 10 o'clock a. m.

WASHINGTON, D. C., *February, 4, 1869.*

The committee met, pursuant to adjournment, in the room of the Committee on Public Lands of the House of Representatives.

Present: The Chairman, Messrs. Dawes, Dickey, Hopkins, and Kerr.

The following witnesses were recalled and examined: John A. Thompson, E. B. Heath, Florence Scannell, [this witness appeared in the custody of the Sergeant-at-arms of the House of Representatives, having been arrested by him upon the order of the House for refusing, when before the committee in New York, to answer certain questions propounded to him,] and John I. Davenport.

A resolution, given below, was offered by Mr. Dawes relative to the witness Florence Scannell, and was adopted by the following vote: Yeas—The Chairman, Messrs. Dawes, Dickey, and Hopkins. Nay—Mr. Kerr.

Resolved, That the chairman of this committee be, and hereby is, instructed to report to the House of Representatives in the matter of the witness Florence Scannell, that said Scannell has again appeared before this committee this morning, but has in no sense given any good or satisfactory reasons for his refusal to answer the questions propounded to him by this committee, and therefore, in the opinion of this committee, said Florence Scannell should be obliged to pay the costs of his arrest, and upon such payment be discharged from arrest.

The committee then adjourned, subject to the call of the chairman.

WASHINGTON, D. C., *February 5, 1869.*

The committee met, pursuant to a call of the chairman, in the cloak-room of the House of Representatives.

Present: The Chairman, Messrs. Dawes, Dickey, Hopkins, and Kerr.

On motion, it was ordered that the chairman have authority to appoint, under the resolution of the House of February 1, such additional clerical force as he may deem necessary to make, prepare, and complete a perfect and accurate list of the names and residences of the applicants for naturalization in the supreme and superior courts of New York city, together with the names and residences of the witnesses and the date of the applications. The chairman thereupon addressed a note to John I. Davenport, clerk of the committee, then in New York city, directing him to proceed at once to have the lists required by the above resolution made, and, as he was on the spot, to select such persons as he deemed most competent to perform the requisite duties, giving preference to attorneys and counsellors at law—officers of the courts.

The committee adjourned, subject to the call of the chairman.

WASHINGTON, D. C., *February 9, 1869.*

The committee met, pursuant to a call of the chairman, in the room of the Committee on Indian Affairs of the House of Representatives.

Present: The Chairman, Messrs. Dawes, Blair, Hopkins, Kerr, and Ross.

Mr. Blair stated to the committee certain facts which had transpired before the sub-committee, of which he and Mr. Ross were members, at a session held by them at the Astor House in New York, on the 6th of February, in connection with a contempt of Charles E. Loew, county clerk, of New York, in refusing to bring before the said sub-committee, in accordance with the terms of a subpoena *duces tecum*, duly served upon him, the applications for naturalization made to the supreme court in the first judicial district in New York, for the 21st and 23d days of October, 1868, which applications were desired to enable John McClusky and Theodore Taylor to select therefrom some fifty which they had prepared in the names of fictitious applicants and witnesses, and upon which McClusky obtained from John B. McKean, clerk of Part 1 supreme court, an equal number of *certificates of naturalization in the names of said fictitious applicants and without the presence in court of a single person representing either applicant or witness.*

On motion of Mr. Dawes, seconded by Mr. Kerr, it was unanimously

Resolved, That the chairman of this committee write a letter at once to Charles E. Loew, directing him to appear in Washington before this committee, and bring with him said applications for the said 21st and 23d days of October, 1868.

The chairman then laid before the committee the bills of the official reporter of the House of Representatives for expenses of phonographers while in attendance upon the committee and its several sub-committees. On motion of Mr. Kerr, seconded by Mr. Dawes, it was unanimously agreed and ordered that the reporters should be paid a per diem of six dollars for their expenses, and 10 cents per mile mileage.

The committee then adjourned subject to the call of the chairman.

WASHINGTON, D. C., *February 13, 1869.*

The committee met pursuant to a call of the chairman in the room of the Committee on Indian Affairs of the House of Representatives, at 11 o'clock a. m. All the members present.

John I. Davenport was recalled, and put in evidence the correspondence by mail and telegraph between the chairman and Charles E. Loew of New York. Howard T. Marston was recalled and examined as to the condition of the applications for naturalization in the supreme court at the time of his inspection and examination thereof. Mr. Davenport was again recalled, after which Mr. Kerr moved that the minority of the committee have a clerk allowed them to assist in the preparation of their views. Carried unanimously.

Mr. Kerr moved that the sub-committee of this committee return to New York and make the examination there of the applications for naturalization desired, and take such testimony as may be offered and submitted to it.

Mr. Dawes offered the following as an amendment: That the chairman of this committee write to Mr. Loew that the committee has again had under consideration the matter of his refusal to bring before it the papers desired, and while it desires no conflict of authority, it deems it to be its duty after all that has transpired to require him to appear here with the papers on or before Tuesday next, February 16.

At the request of Messrs. Kerr and Ross, Mr. Dawes subsequently withdrew his amendment to the motion of Mr. Kerr until the question as to whether any further testimony should be taken in New York should be decided, and Mr. Ross offered the following as a substitute for the motion of Mr. Kerr: that this committee or a sub-committee thereof hold a session in New York city on Tuesday next. A vote being taken upon the substitute of Mr. Ross, it was lost. Yeas, 2; nays, 5.

Mr. Dawes then renewed the motion previously offered by him, and given above, and a vote being taken the same was declared to be carried. Yeas, 5; nays, 2.

On motion of Mr. Hopkins the chairman was also instructed, for the purpose of avoiding any semblance of irregularity or question of authority, to have Mr. Loew served with another subpoena *duces tecum*, requiring his presence with the papers before the committee in this city. The chairman, thereupon, prepared and sent to Mr. Loew by mail the following:

FORTIETH CONGRESS, U. S.,
Washington, D. C., February 13, 1869.

SIR: I am directed by the select committee of this house appointed, to examine into alleged frauds committed at the late presidential election in the State of New York, to address you this note, and say, that said committee have this day had again under consideration the matter of your non-appearance before it with the naturalization applications of the 21st and 23d days of October last, as required by the subpoena served upon you in New York last Saturday, and its subsequent request as made to you by me both by letter and telegram during this week, and that while it desires no conflict of authority should arise, it *must and does require and insist* that you shall appear before it in this city by or before 12 m. (noon) of Tuesday next, February 16, and that you *bring with you the papers aforementioned.*

Respectfully yours,

WM. LAWRENCE,
Chairman of Committee.

CHAS. E. LOEW, Esq.,
County Clerk, New York.

The clerk also sent to New York a properly prepared subpoena with instructions that the same be served upon Mr. Loew in person. He was not found in New York, however, and therefore no service was obtained there.

The chairman presented each member of the committee a copy of his report, so far as the same was in type, whereupon the committee, on motion, adjourned to meet at the call of the chairman.

WASHINGTON D. C., *February 17, 1869.*

The committee met pursuant to a call of the chair in the room of the Committee on Indian Affairs of the House of Representatives, at 10 o'clock a. m., this day. All the members present.

Charles E. Loew and Edwin M. Plumb were recalled and examined. Mr. Loew was directed to remain in the city and await the action of the committee in his case, he having refused to bring before the committee the papers required.

On motion the committee adjourned to to-morrow, February 18, 1869, to meet in the cloak-room of the House of Representatives, on call of the chairman.

WASHINGTON, D. C., *February 18, 1869.*

The committee met pursuant to the order of adjournment at 3.30 p. m. All the members present but Mr. Ross. John I. Davenport testified as to certain despatches sent by the chairman and himself as the clerk of the committee to Mr. Loew or his deputy, which despatches will be found in his testimony. Mr. Charles E. Loew then certified to the handwriting of a communication put in evidence by Mr. Davenport and signed Henry A. Gumbleton, assistant deputy clerk, whereupon the chairman, by instruction of the committee, handed to Mr. Loew the following communication :

HOUSE OF REPRESENTATIVES, WASHINGTON, D. C., *February 18, 1869.*

SIR: The committee on alleged New York election frauds directs me to say that it insists upon the production by you of the papers required by its subpoena; but that for any purpose other than this, your presence is not now required. The future action of the committee, if you persist in refusing to obey its summons, will depend upon the business before the house.

Very respectfully, yours,

WM. LAWRENCE, *Chairman Committee.*

CHARLES E. LOEW, Esq.

The committee then adjourned, subject to the call of the chairman.

WASHINGTON, D. C., *February 20, 1869.*

A meeting of the committee was held in the cloak-room of the House of Representatives pursuant to a call of the chairman at 4.30 o'clock p. m. All the members present. Additional copies of the report of the committee were furnished the members by the chairman, and the recommendations and remedies proposed were discussed. The chairman requested leave to report on Monday, the 22d. Mr. Kerr moved that the report of the committee be not made to the House until Wednesday, the 24th. After much discussion, it was unanimously agreed to defer a decision upon this subject until Monday, February 22, at 10.30 a. m., until which hour, at the same place, the meeting adjourned.

WASHINGTON, D. C., *February 22, 1869.*

The committee met pursuant to adjournment. All the members present but Mr. Ross. Mr. Dawes moved that the chairman have leave to submit his report at such time after to-day as he should desire. Mr. Kerr moved to amend by striking out all after the word "report" and inserting the words "on Wednesday next." The amendment of Mr. Kerr being submitted, was lost. The motion of Mr. Dawes was then put and carried. Mr. Hopkins moved that the chairman be at liberty, from and after this hour, to deliver to the press copies of the report with the pledge, and upon the understanding that it should not be pub-

lished until submitted to the House, and that the minority have the same privilege in the matter of their views. Carried.

John I. Davenport was recalled and examined.

On motion the committee adjourned subject to the call of the chairman.

WASHINGTON, D. C., *February 24, 1869.*

The committee met pursuant to a call of the chairman, in the room of the Committee on Indian Affairs of the House of Representatives, at 10 o'clock a. m.

Present: The Chairman, Messrs. Blair, Hopkins, and Ross.

Mr. John H. Bell appeared in the custody of the Sergeant-at-arms, having been arrested by order of the House for contempt in refusing to answer questions put him by the sub-committee when in Orange county.

During his cross-examination by Mr. Ross, the following question was propounded:

Q. State whether you are satisfied that you could then or can now furnish evidence to the committee showing the republican party guilty of frauds in the election of last November in New York.

Mr. Blair objected to the form of the question, in that it did not ask the witness to state any fact or facts within his personal knowledge.

The chairman submitted the question to the committee for its decision, and Mr. Ross demanded the yeas and nays. The roll being called by the clerk, Messrs. Ross and Hopkins voted that the question be put, and the Chairman and Mr. Blair opposed. Before the result of the vote was announced Mr. Dawes entered, and the question being read to him by the reporter he voted no, suggesting the propounding of the question in the following manner:

Q. If you know of any fact within your knowledge that will go to show that the republican party in the State of New York was engaged in or guilty of any fraud in the election of last November, state it.

Mr. Ross objected to the question proposed by Mr. Dawes being put to the witness. The question being submitted, it was decided unanimously to allow Mr. Dawes to ask it.

Mr. Kerr and Mr. Dickey appeared; and the examination of Mr. Bell being concluded, Mr. David W. Reeve was brought before the committee by the Sergeant-at-arms and examined as a witness. At the close of his examination the question of the admission of certain testimony, taken by Mr. Ross in Orange county without the authority of the committee or the presence of a member of the majority, was brought up by Mr. Ross for decision, the same having been put in type. Mr. Dawes thereupon read certain portions of the testimony so taken, which he considered utterly worthless, being entirely hearsay.

Mr. Kerr moved that all this testimony be incorporated in the testimony taken by this committee.

Mr. Dawes moved to amend as follows: That the testimony taken in this manner by Mr. Ross and desired by him to be incorporated in the evidence taken by the committee shall be presented to the chairman of this committee, and such thereof as shall in the opinion of the chairman be legal testimony shall be incorporated with the testimony taken by this committee.

A vote being taken by yeas and nays on the demand of Mr. Ross, the amendment of Mr. Dawes and the resolution as so amended were adopted: Yeas—The Chairman, Messrs. Dawes, Dickey, Blair, and Hopkins. Nays—Messrs. Kerr and Ross.

Mr. Ross then presented all the testimony taken by him.

Mr. Blair moved that the witness Bell be discharged from custody on the payment of the costs of his arrest.

Mr. Kerr moved to amend by striking out the words "on the payment of the costs of his arrest."

The question being submitted the amendment of Mr. Kerr was lost—yeas, 2; nays, 5. The motion of Mr. Blair was then adopted.

Mr. Dawes moved that the witness David W. Reeve be discharged from custody. Carried unanimously.

The chairman decided to permit the incorporation in the testimony of all the evidence taken by Mr. Ross.

On motion, the committee adjourned subject to the call of the chairman.

JOURNAL OF THE SEVERAL SUB-COMMITTEES OF THE SELECT COMMITTEE
ON NEW YORK ELECTION FRAUDS.

Mr. Dickey, of the sub-committee appointed and acting under the resolutions and orders of the committee of January 5 and 12, took testimony at the following named places and dates, and examined the witnesses below mentioned:

Peekskill, Westchester county, January 12, 1869.—Hugh McKee, Timothy Duyer, William Coul, Mitchell Laird, Charles Snyder, Adam Horsfelt, Bernard S. Kelly.

Kingston, Ulster county, January 13, 1869.—Andrew E. J. Ansen, Reuben Bernard, James L. Bostwick.

Rondout, Ulster county, January 14, 1869.—Patrick M. Haggerty.

Troy, New York, January 14, 1869.—George R. Olney, Oliver Burke, Irving Hayner, James P. Butler, John D. B. Smith, Thomas Neany.

Rochester, New York, January 15, 1869.—Joseph L. Lucky, Jerome Fuller, Joseph L. Lucky, (recalled,) Calvin Knowles, Anthony Biser, James B. Adams, William S. Foster.

Messrs. Blair and Ross, of the sub-committee appointed and acting under the resolutions and orders of the committee of January 29, 1869, took testimony at the following named places and dates, and examined the witnesses below mentioned:

Middletown, Orange county, N. Y., February 1, 1869.—John Flynn, William P. Clark, John J. Bradley, Michael Riordan, Christian Borcold, John Hanley, Patrick Hanley, Patrick Powers, Edmund Powers, Charles Hoyt, Pat. Cameron, George Smith, D. P. Quackenbush, Daniel Driscoll, John O'Donovan, John H. Bell, Patrick Roland, Cornelius Gillespie, Luke Burns, Henry Behme, Peter Ennis, D. B. Irwin, Lewis Clark, Patrick Bradley, Edward Hackett, Michael Mahoney, Nathan J. Miller.

Port Jervis, Orange county, N. Y., February 2, 1869.—Lewis E. Carr, Patrick Kelley, Owen Bouhen, John McGuyen, James Gilmarton, Richard Tracy, Burton Breu, T. R. Broadhead, John Green, George Broadhead, Solomon Van Elon, Mr. St. John, George W. Stuttle, Wilmot M. Vail, George F. Vinall.

Montgomery, Orange county, N. Y., February 3, 1869.—John McKee, William Carroll, William McNeal, Anthony Donnegan, William Titus.

Hamptonburg, Orange county, N. Y., February 2, 1869.—Thomas Ellis, Richard Levi, Thomas Moore, Robert Unsworth, James H. Jackson, Virgil Christ, James H. Lynn.

Neuburgh, Orange county, N. Y., February 4, 1869.—Joseph S. Ashurst, Charles Janicky, Patrick O'Brien, Charles Repp, Samuel Kirk, Edmund Cartter, Nicholas Wilson, Michael Farrar, Wenddelin Kneer, Richard Peele, Joseph Martin, Martin Smith, Patrick O'Brien, John Ashurst, Frank B. Dixon, Thomas Casey, Thomas Crook, John Meagher, Patrick O'Brien, John Coyle, John Cumberlarge, Edward S. Braidy.

Goshen, Orange county, February 4, 1869.—Theodore W. Ludlow, Thomas Kane.

Same place, February 5, 1869.—Patrick Dunn, E. H. House, James Connell, Michael Burke, Patrick Ford, Dennis O'Brien, Nelson Owen, C. G. Elliott, H. Y. D. Hoyt, M. C. Stivers, Charles S. Deming, and Seth K. Robinson.

Mr. Ross, of the above sub-committee, without the presence of his colleague, and without any authority, employed a stenographer, and on February 2, 1869, the day following the adjournment of the sub-committee at Middletown, visited that place and examined the following named witnesses: John Hirst, Edward Southwell, Patrick Tyrsee, William J. Southwell, George Egleston, Reuben C. Miller, Chauncey Garrison, Joseph Johnson, (colored,) George Briggs, James Fitz Gibbon, Thomas Butcher, Walter L. McCord, Jarvis R. Wood, Joseph Eith.

NEW YORK CITY, *February 6, 1869.*

The sub-committee held a session at the Astor House, in this city, this day, meeting at 10 o'clock a. m. Present: Messrs. Blair and Ross.

The following witnesses were examined: Samuel B. Garvin, James Kealey, Charles Buddington, George Bliss, jr., James Golden, Peter Hussey, Charles Nettleton, Frederick Tichen, Terrence Mowney, H. M. Clapp, Jerry Murphy, John Black, Theodore Allen, Joseph E. Russell, Joseph Casey, John McClusky, Lawrence Bommer, A. Vorhees, Dennis McLaughlin, John Dillon, August Browning, Theodore Taylor, John McClusky, (recalled,) George H. Dunbar, David F. Crouley, Charles S. Strong, James Dunphy, John H. McCunn, (recalled.)

The following is the action of the House of Representatives on the several resolutions reported by the committee, and is inserted for information :

[From the Globe, January 30, 1869.]

IN THE HOUSE OF REPRESENTATIVES OF THE UNITED STATES,
January 28, 1869.

NEW YORK ELECTION FRAUDS.

Mr. Lawrence, of Ohio, from the Select Committee on New York Election Frauds, reported the following resolution, on which he demanded the previous question :

Resolved, That the Sergeant-at-arms of this House be, and the same is hereby, directed to arrest and bring before this house Henry Johnson, to answer as for a contempt in refusing to appear before the committee of this house appointed to investigate alleged frauds in the late election in the State of New York in pursuance of a subpoena duly issued and served on said Johnson on the 13th of January, requiring him to appear and testify before said committee on that day; and that a warrant be issued by the Speaker of this house to the Sergeant-at-arms, commanding him or his special messenger to arrest said Johnson and bring him before this house accordingly, and to abide the order and judgment of this house.

Mr. ROBINSON. I rise to make a motion which takes precedence. I move that the House do now adjourn.

The SPEAKER. The question will be upon taking a recess, as the House has ordered an evening session.

The motion was agreed to.

[From the Globe, January 30, 1869.]

IN THE HOUSE OF REPRESENTATIVES,
January 29, 1869.

RECUSANT WITNESS—HENRY JOHNSON.

The House resumed the consideration of the following resolution, pending at the close of the afternoon session of yesterday :

Resolved, That the Sergeant-at-arms of this house be, and the same is hereby directed to arrest and bring before this house Henry Johnson, to answer as for a contempt in refusing to appear before the committee of this house appointed to investigate alleged frauds in the late election in the State of New York in pursuance of a subpoena duly issued and served on said Johnson on the 13th of January, requiring him to appear and testify before said committee on that day; and that a warrant be issued by the Speaker of this house to the Sergeant-at-arms, commanding him or his special messenger to arrest said Johnson and bring him before this house accordingly, and to abide the order and judgment of this house.

The SPEAKER. The pending question is upon seconding the call for the previous question.

Mr. BROOKS. I do not know who this Johnson is. I wish the gentleman from Ohio (Mr. Lawrence) would state to the House some reasons for this resolution.

Mr. LAWRENCE, of Ohio. I hold in my hand the original subpoena which was served upon Henry Johnson on the 13th of January, 1869, requiring him to appear before the committee charged with the investigation of alleged election frauds in the State and city of New York, at the rooms where they were sitting at the time in the city of New York. He failed and refused to attend. I am advised that he is a material witness; so material that the committee have deemed it proper to direct me to report this resolution, and in order that he may be brought before the House to answer for contempt in refusing to appear and testify before that committee:

Mr. BROOKS. Is the gentleman from Ohio sure that there is such a person as Henry Johnson?

Mr. LAWRENCE, of Ohio. Yes, sir. The Sergeant-at-arms has made a return that he served the subpoena upon that person.

Mr. BROOKS. There are so many "tricks upon travellers" perpetrated in New York that sometimes persons assume names to which they are not entitled.

Mr. LAWRENCE, of Ohio. The witness is well known in New York. He is not a myth or one of the political friends of the gentleman who vote under assumed names.

Mr. WOOD. I think the House ought to adopt this resolution unanimously, and grant the request of the committee.

Mr. ROSS. I would inquire of the gentleman why we should select this particular individual out of the great number who neglected to respond to the process of the committee? There were, I think, fifteen or twenty witnesses subpoenaed upon my motion who did not attend, and among them was a telegraph operator by whom I proposed to show that Colonel Wood had sent word to a man named Noble, living at Elmira, to come down and work up the case for the committee. But I was not able to procure the attendance of those witnesses, and I should be glad if the chairman would furnish us with some process by which we may be able to prove these frauds which were perpetrated and attempted to be perpetrated by the republican party upon the elective franchise in the State of New York.

Mr. LAWRENCE, of Ohio. The inquiry of my colleague on the committee [Mr. Ross] is perfectly proper. There were quite a number of witnesses who refused to obey the process issued requiring their attendance before the committee; and the House of course understands very well that the committee, as such, had no power to compel their attendance. We have selected this case and one or two others because the witnesses are deemed very material; and we propose that they shall be brought to the bar of the House not only that they may answer for their contempt, but that we may procure their testimony.

As to the particular case alluded to by my colleague on the committee, he ought, I think, in fairness to state that when this subject was before the committee I said to him, as did other members of the committee, that if he desired that the telegraph operator to whom he has referred should be brought before the House to answer for contempt the committee would make an order directing a resolution to be presented for that purpose. This operator who was served with process did not come before the committee, but made an answer that it was impossible for him to furnish the testimony desired by the gentleman from Illinois. We issued process for his attendance, and that was all the committee could do. If the gentleman from Illinois will say now that he regards that witness as material I will call the committee together, and I think I can assure him and the House that the committee will agree to report a resolution requiring that this witness shall be brought before the House. But the gentleman did not ask that any such resolution should be reported in that particular case, and the committee have selected for the action now proposed the cases of those witnesses only whom they deem the most material, because it would not be practicable during the brief period left for this Congress to deal with all the refractory witnesses—all the witnesses who refused to appear before the committee in answer to subpoenas sent out for them.

Mr. ROSS. I should be very glad if the chairman of the committee would insert in this resolution the name of that telegraph operator, and require him to produce the telegram from Colonel Wood to Mr. Noble, of Elmira, asking him to come down and engage in working up the case.

Mr. LAWRENCE, of Ohio. I have no authority to agree to any amendment, because this resolution comes from the committee; but I say to the gentleman now that I will call the committee together at any time he desires to take into consideration the case of any refractory witnesses whom he may wish to bring before us.

I ought, perhaps, to make a single additional remark. The gentleman has said, as I understood him, that he desired to take some proof as to republican frauds in the city of New York. I am not surprised that he desires such proof. No such proof has yet been made before the committee. If there have been frauds of that character I should be glad to have them proved, because this committee was charged with the duty of investigating frauds irrespective of party; and the amplest opportunity has been given to the minority of the committee and to all interested to present proof of frauds of every description.

Mr. ROSS. I did not suppose my colleague on the committee would give a statement of all the testimony that we have had before us.

Mr. LAWRENCE, of Ohio. No, sir; I state nothing as to the testimony before the committee.

Mr. ROSS. So far from it being the fact that no republican frauds have been proved, my recollection is that such frauds have been proved very largely, and that there were 20 or 30

witnesses waiting to prove that they had "repeated" for the republican party in New York, when the committee decided to receive no more of that class of testimony.

Mr. LAWRENCE, of Ohio. I yield to the gentleman from Indiana, [Mr. KERR.]

Mr. KERR. Mr. Speaker, I think it my duty, after the remarks of the gentleman from Ohio, [Mr. Lawrence,] my colleague on the committee, to say to the House that, according to my recollection, in which I am as clear as it is possible for a man to be, the statement which he has just made in reference to there being no proof of fraud practised in the late election in New York by the republican party, or any of their agents or friends, is not true. The very contrary is true—most emphatically true! I am surprised, Mr. Speaker, to have heard such a statement from my colleague, and I submit further that it was uncalled for by anything which has transpired in connection with his resolution.

I make no objection to that resolution, provided only that it has for its object the eliciting of some evidence which is material to the investigation entrusted to the committee. But if it is intended, as I believe it is, to develop some cumulative testimony on points upon which this committee have already spent weeks of investigation, but which will add no new material fact to anything already developed, then I do submit, Mr. Speaker, that it is uncalled for now; that it is unnecessary; that it is only creating additional expense by prolonging the examination; and that the House ought not to make this order. I understand—I believe I violate no rule of propriety when I say it—that it is the desire of the majority of the committee to send for this particular witness to testify on the subject of repeating at the late election. If I am wrong in that, I hope my colleague will correct me.

Mr. LAWRENCE, of Ohio. The gentleman is wrong.

Mr. KERR. Then I have to withdraw what I have said on that point. I must say, then. I think it becomes the duty of the chairman of the committee to state to the House on what material part of this investigation it is that this witness is expected to testify, in order that we may know whether it is our duty to consent to the adoption of this resolution or not. I ask my colleague whether the testimony expected to be elicited from this witness relates to the irregularities in the business of naturalization, or what is called repeating, in connection with this investigation.

Mr. LAWRENCE, of Ohio. I will say to my colleague on the committee that this witness was not summoned to prove anything in relation to repeating at all. He was summoned, as I understand it, to prove that two democratic poll clerks put upon a poll-list a large number of names as voters who never appeared and voted at all. This testimony, therefore, is not cumulative, but it is independent. It is to furnish evidence of a new species of fraud entirely.

I wish to say further that the remark which I made in relation to frauds by the republican party was made in reply to my colleague on the committee, [Mr. Ross.] Whether I am correct or my colleague from Indiana [Mr. Kerr] is correct is a matter that will be ascertained from the proof when it is printed. I do not desire now to go into a discussion of that subject.

Mr. KERR. I desire to say just one word in reply to what my colleague has said. I heartily concur in his last remark, that that matter should be properly submitted to the House after all the evidence is reported. It is not a proper subject of wrangling between us now.

Mr. LAWRENCE, of Ohio. Not at all.

Mr. KERR. But I want to say this, that the gentleman should do me the justice now to say that he has never hitherto stated to the minority of the committee why he desired to call this witness here at all, although on several occasions I asked him this very question in the committee-room. But now, since he has stated the reason why he wants to call the witness I make no objection at all to his being called. On the contrary, I shall vote that he be called here to testify upon that point.

Mr. LAWRENCE, of Ohio. My colleague, I think, has forgotten what occurred in the committee-room. I do not remember precisely whether he was present or not at the particular time the case of this witness was considered, but I do know that the fact was stated in the committee that it was expected that he would prove precisely what I have stated. I apprehend my colleague from Illinois [Mr. Ross] will remember that. I know that both the gentlemen composing the minority of the committee will do me the justice to say that I have never withheld from them any fact connected with any witness or with the investigation as to which fact they have made any inquiry, or which they could in any sense deem it proper for me to communicate to them.

Mr. KERR. I desire to say—

The SPEAKER. The Chair suggests that it is not regular to debate what occurred in the committee-room except when it is presented in the shape of a written report. Both sides have been heard, and the Chair doubts whether it is proper to continue the discussion.

Mr. KERR. I have no desire to do so, but we should be allowed to be heard on this side.

The SPEAKER. The Chair was under the impression that both sides had been heard. If the gentleman thinks otherwise the Chair will not insist upon enforcing the rule.

Mr. KERR. I have been heard on all the points except the last one suggested by my colleague.

The SPEAKER. The gentleman will proceed till some member arrests him by a point of order.

Mr. KERR. I wish to say that I have not intended to impeach the personal conduct of the chairman of the committee toward the minority. He has certainly been kind. But I must also say, in justice to myself and to the truth, which this record will disclose when it comes to be published, that we have not had fair and equal opportunities to elicit evidence in this case in behalf of that party that has been most attacked by the conduct of the majority. Further than that I do not desire now to say.

Mr. LAWRENCE, of Ohio. Well, I am willing to stand upon the record. I now yield to my colleague on the committee from Massachusetts.

Mr. DAWES. My colleagues upon the committee will pardon me if I say that I think the question before the House is not what this witness would testify to, or whether this or that has transpired in the committee or not, but it is simply whether a witness shall be made to obey the subpoena of this house; and there is nothing further in the question than that.

I regret exceedingly that this discussion has arisen about what has transpired in the committee, or what has been the testimony produced before the committee, and what is proposed to be proved by a witness. It is not for the witness to judge himself whether the testimony is material or not. It is for the House to say whether its subpoena shall be obeyed when properly served on him as a witness, and it seems to me there is nothing further in the case.

Mr. LAWRENCE, of Ohio. I now ask the previous question.

The previous question was seconded and the main question ordered; and under the operation thereof the resolution was agreed to.

Mr. LAWRENCE, of Ohio. I have another privileged resolution which I desire to report.

The SPEAKER. The Chair cannot entertain it at this time, as the motion to reconsider, which is the unfinished business and doubly privileged, now comes up.

Mr. LAWRENCE, of Ohio. I will take another opportunity to present it.

[From the Globe, February 2, 1869.]

IN THE HOUSE OF REPRESENTATIVES,

February 1, 1869.

COMMITTEE ON NEW YORK ELECTION.

Mr. DAWES. I am instructed by the select committee on election frauds in New York to submit the following resolution, on which I demand the previous question:

Resolved. That the select committee on election frauds in the State of New York be authorized to employ such additional clerical force as in their judgment shall be deemed necessary, at such compensation as is now paid for like service.

Mr. KERR. I would like to make an inquiry of my colleague on the committee, (Mr. Dawes.)

Mr. DAWES. I yield for an inquiry.

Mr. KERR. I wish to ask the gentleman whether he cannot limit in the resolution the number of clerks to be employed by the committee?

Mr. DAWES. I should be exceeding willing to limit the number if I could fix precisely at this time the amount of work to be done. I think the House will be willing to assume that the committee will not be extravagant in this matter, when the gentleman from Ohio, (Mr. Lawrence,) who has such a reputation for economy, is at the head of the committee. I can assure the House there will be no unnecessary employment of clerks.

Mr. KERR. I deem it my duty, under the circumstances, to move to lay this resolution on the table. I think no additional clerks are necessary.

Mr. SPALDING. I hope the resolution will be amended or modified so as to authorize the employment of not more than two or three additional clerks.

Mr. DAWES. I should be willing to insert a limitation of that kind if I knew precisely the amount of work to be done. It is necessary that this work, which consists of making certain copies, &c., shall be done with despatch; and it will be less expensive to the government to employ several clerks for a short time than one or two for a long time. The committee deemed it best that no limitation should be included in the resolution.

Mr. BROOKS. I would like to know how much money the committee have already expended.

Mr. DAWES. I am unable to answer that question; but I assure the gentleman that no investigating committee of which I have any knowledge—and I am sorry that my knowledge of investigating committees is somewhat extensive—has ever been run so economically as this committee, of which the distinguished gentleman from Ohio [Mr. Lawrence] is chairman. I think this matter is understood by the House, and I may as well insist on the demand for the previous question.

Mr. KERR. I wish to put an inquiry to my colleague on the committee. He says that this matter is understood by the House. I do not think it is or can have been, from what he has said.

Mr. DAWES. I wonder, then, that the gentleman should have moved to lay the resolution on the table.

Mr. KERR. Will the gentleman state what it is these clerks are desired to do? After an explanation on that point I may be willing to withdraw the motion to lay on the table.

Mr. DAWES. I can tell the gentleman, in brief, that these clerks are required in order to make copies of papers and to do other writing in connection with matters which the committee deem it necessary to investigate and report upon. I insist upon the previous question.

M. KERR. The House is not yet advised what these clerks are to do, and I submit that it ought to be in order to vote intelligently.

Mr. DAWES. I am unable to give the gentleman the titles of all the papers that the committee deem it necessary to copy. If the House think the committee at this stage of the proceedings ought to make a development of that kind they will insist upon it; but I hardly think it worth while.

Mr. KERR. The truth is, the papers the gentleman wants will do this house and the country no good at all if they have them here. I demand the yeas and nays on laying the resolution on the table.

The yeas and nays were ordered.

The question was taken; and it was decided in the negative—yeas 35, nays 121, not voting 66: as follows:

YEAS—Messrs. Axtell, Baker, Beck, Boyer, Brooks, Burr, Cary, Chanler, Fox, Getz, Glossbrenner, Golladay, Haight, Holman, Humphrey, Hunter, Johnson, Thomas L. Jones, Kerr, Knott, Marshall, McCormick, Mungen, Niblack, Nicholson, Prunyn, Randall, Robinson, Spalding, Taber, Tift, Van Auken, Van Trump, Woodward, and Young—35.

NAYS—Messrs. Allison, Ames, A. nell, Bailey, Baldwin, Beaman, Benjamin, Benton, Bingham, Blaine, Bolea, Boutwell, Bowen, Boyden, Broomall, Buckland, Buckley, Cake, Cobb, Cook, Corley, Covode, Culson, Dawes, Delano, Dickey, Dockery, Dodge, Driggs, Eggleston, Ela, Thomas D. Elliot, James T. Elliot, Farnsworth, Ferriss, Ferry, Fields, French, Garfield, Gove, Hamilton, Haughey, Hawkins, Higby, Hill, Hopkins, Chester D. Hubbard, Hulburd, Ingersoll, Jencks, Alexander H. Jones, Julian, Kelley, Kellogg, Kelsey, Ketcham, Koontz, Laffin, Lash, George V. Lawrence, William Lawrence, Lincoln, Loan, Maria, Maynard, McKee, Mercur, Miller, Moore, Moorhead, Mullins, Myers, Newcomb, Norris, Nunn, O'Neill, Orth, Paine, Perham, Peters, Pierce, Pile, Plants, Poland, Polesky, Price, Rautm, Robertson, Sawyer, Schenck, Scofield, Selye, Shanks, Shellabarger, Starkweather, Stevens, Stewart, Stokes, Stover, Taffe, Thomas, Trowbridge, Twichell, Upson, Van Aernan, Burt Van Horn, Robert T. Van Horn, Ward, Cadwallader C. Washburn, Henry D. Washburn, William B. Washburn, Welker, Whittemore, Thomas Williams, William Williams, James F. Wilson, John T. Wilson, Stephen F. Wilson, and Woodbridge—121.

NOT VOTING—Messrs. Adams, Anderson, Archer, Delos R. Ashley, James M. Ashley, Barnes, Barnum, Beary, Blackburn, Blair, Bromwell, Benjamin F. Butler, Roderick R. Butler, Callis, Churchill, Reader W. Clark, Sidney Clarke, Cliff, Coburn, Cornell, Dewees, Dixon, Donnelly, Eckley, Edwards, Eldridge, Gravelly, Griswold, Grover, Halsey, Harding, Heaton, Hooper, Hotchkiss, Asahel W. Hubbard, Richard D. Hubbard, Judd, Kitchen, Logan, Loughbridge, Lynch, Mallory, McCarthy, McCullough, Morrell, Morrissey, Newsham, Pettis, Phelps, Pike, Pomeroy, Prince, Roota, Ross, Sitgreaves, Smith, Stone, Sypher, Taylor, John Trimble, Lawrence S. Trimble, Van Wyck, Vidal, Ellihu B. Washburne, Windom, and Wood—66.

So the House refused to lay the resolution on the table.

The previous question was then seconded and the main question ordered.

Mr. KERR. I demand the yeas and nays on agreeing to the resolution.

The yeas and nays were ordered.

The question was taken; and it was decided in the affirmative—yeas 109, nays 30, not voting 83: as follows:

YEAS—Messrs. Allison, Arnell, James M. Ashley, Bailey, Baldwin, Beaman, Beatty, Benjamin, Benton, Bingham, Blaine, Bolea, Boyden, Bromwell, Broomall, Buckland, Buckley, Cake, Cliff, Cobb, Covode, Culson, Dawes, Delano, Dickey, Dockery, Dodge, Donnelly, Driggs, Eggleston, Ela, Ferriss, Fields, Garfield, Gove, Gravelly, Harding, Haughey, Hawkus, Higby, Hooper, Hopkins, Chester D. Hubbard, Hulburd, Hunter, Jencks, Alexander H. Jones, Judd, Kelley, Kellogg, Ketcham, Koontz, Laffin, Lash, William Lawrence, Loan, Logan, Loughbridge, Marvin, Maynard, McKee, Mercur, Miller, Moore, Morrell, Mullins, Myers, Newcomb, Newsham, Norris, O'Neill, Orth, Paine, Perham, Peters, Pierce, Polesky, Price, Prince, Rautm, Robertson, Roota, Sawyer, Schenck, Scofield, Selye, Shellabarger, Smith, Starkweather, Stevens, Stokes, Stover, Taffe, Trowbridge, Twichell, Van Aernan, Burt Van Horn, Robert T. Van Horn, Ward, Cadwallader C. Washburn, Henry D. Washburn, William B. Washburn, Welker, Whittemore, Thomas Williams, William Williams, James F. Wilson, John T. Wilson, and Stephen F. Wilson—109.

NAYS—Messrs. Axtell, Baker, Beck, Boyer, Brooks, Burr, Chanler, Fox, Getz, Golladay, Grover, Haight, Holman, Humphrey, Johnson, Kerr, Knott, Marshall, McCormick, Mungen, Niblack, Nicholson, Prunyn, Randall, Robinson, Stone, Van Auken, Van Trump, Woodward, and Young—30.

NOT VOTING—Messrs. Adams, Ames, Anderson, Archer, Delos R. Ashley, Banks, Barnes, Barnum, Blackburn, Blair, Boutwell, Bowen, Benjamin F. Butler, Roderick R. Butler, Callis, Cary, Churchill, Reader W. Clark, Sidney Clarke, Coburn, Cook, Corley, Cornell, Dewees, Dixon, Eckley, Edwards, Eldridge, Thomas D. Elliot, James T. Elliott, Farnsworth, Ferry, French, Glossbrenner, Gove, Griswold, Halsey, Hamilton, Heaton, Hill, Hotchkiss, Asahel W. Hubbard, Richard D. Hubbard, Ingersoll, Thomas L. Jones, Julian, Kelsey, Kitchen, George V. Lawrence, Lincoln, Lynch, Mallory, McCarthy, McCullough, Moorhead, Morrissey, Nunn, Pettis, Phelps, Pike, P. Pile, Plants, Poland, Pomeroy, Ross, Shanks, Sitgreaves, Spalding, Stewart, Sypher, Taber, Taylor, Thomas, Tift, John Trimble, Lawrence S. Trimble, Upson, Van Wyck, Vidal, Ellihu B. Washburne, Windham, Wood, and Woodbridge—83.

So the resolution was agreed to.

Mr. DAWES moved to reconsider the vote by which the resolution was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

RECUSANT WITNESS.

Mr. DAWES. I am also instructed by the same committee to report the following resolution:

Resolved, That the Sergeant-at-arms of this house be, and is hereby, directed to arrest and bring before this house Florence Scannell, to answer questions put to him by the committee of this house appointed to investigate alleged frauds in the late election in the State of New York; and that a warrant be issued by the Speaker of this house to the Sergeant-at-arms commanding him or his special messenger to arrest said Florence Scannell and bring him before this house accordingly to answer for this his contempt and abide the order and judgment of this house in the premises.

Mr. KERR. I desire to say in reference to this fellow that I have no objection to his being brought here to testify; but when he refused to answer questions in New York no objection was made by the chairman of the committee, and he was not notified that he was in contempt or would be sent for by the House, and he was discharged.

Mr. LAWRENCE, of Ohio. I did not quite understand the remark of my colleague from Indiana in regard to this man being discharged.

Mr. KERR. My remark was this: that when this witness was on the stand in New York, and was being examined by the committee, he did refuse to answer some questions, and the committee did not then insist on his answering those questions, but discharged him without any further objection being made or any notice to him that if he did not answer he would be brought here to answer.

Mr. LAWRENCE, of Ohio. I think my colleague is not quite accurate in saying that the committee did not insist on his answering. They undoubtedly did insist on his answering. We did not give him any notice that he would be brought here, because the committee could not undertake to speak for the House of Representatives; we could not say in advance whether the House would or would not pass a resolution to bring him here; but the committee did insist on his answering the questions, and he refused positively. We had no power to detain him; he was necessarily discharged.

Mr. DAWES. I suppose the gentleman from Indiana means that he was not held in custody. He was in no other sense discharged. The committee did not hold him in custody for the very good reason that they had no power to hold him in custody. Nor did the committee intimate to him that they would not insist on answers to the questions. The record shows a very gross contempt of the authority of the House, and I think no gentleman would undertake to justify it.

Mr. KERR. I do not object to his being brought here, but the gentlemen have discovered, or think they have, since we left New York, that it is worth while to examine him further, by way of further prospecting in partisan interests.

Mr. ROBINSON. Is there not an understanding that this gentleman wants to attend the inauguration ball, and is not this an after consideration that he may come here free of expense? (Laughter.)

Mr. DAWES. I should judge from what I saw of the character of the witness that he would be the last man that would enjoy himself at the inauguration. I move the previous question.

The previous question was seconded and the main question ordered; and under the operation thereof the resolution was agreed to.

Mr. DAWES moved to reconsider the vote by which the resolution was adopted; and also moved that the motion to reconsider be laid on the table.

The latter motion was agreed to.

REPORT OF COMMITTEE ON ELECTION FRAUDS IN NEW YORK,

When the report of the committee was presented in the House of Representatives by the chairman, the Hon. William Lawrence, the following debate ensued:

[From the Globe, February 24, 1869.]

Mr. ASHLEY, of Ohio. I now yield for two minutes to my colleague, [Mr. Lawrence.]

Mr. LAWRENCE, of Ohio. I am instructed by the Joint Committee on Alleged Election Frauds in New York to make a report in part on the subject committed to them, which I now do, accompanied by certain bills and joint resolutions, which I ask to have read a first and second time and recommitted to the committee, and, with the report, ordered to be printed.

NATURALIZATION IN NEW YORK CITY.

The first bill was a bill (H. R. No. 2002) withdrawing jurisdiction of naturalization from certain courts in New York city.

Mr. ELDRIDGE. I call for the reading of the bill.

The bill was read. It provides that the supreme court, the circuit courts, and the courts of oyer and terminer in the city and county of New York, and the superior court of the city of New York, shall not hereafter have power to admit any alien to be a citizen.

Mr. ELDRIDGE. Does it require unanimous consent to have this bill reported from the committee at this time?

The SPEAKER. The committee are authorized to report at any time.

Mr. ELDRIDGE. I insist upon the regular order of business, which I understand is some matter which the gentleman from Ohio [Mr. Ashley] has in charge.

The SPEAKER. The gentleman from Ohio [Mr. Ashley] yielded to his colleague, [Mr. Lawrence,] who reports this bill from a committee authorized to report at any time. The gentleman from Wisconsin [Mr. Eldridge] or any other gentleman has a right to object to the first reading of the bill, in which case the question will be, "Shall this bill be rejected?" as will be seen by reference to the Digest.

Mr. ELDRIDGE. This is not exactly what I desire. My object in calling for the reading of this bill was to see what it was, and to object to it if upon its reading I found I was opposed to it.

Mr. ASHLEY, of Ohio. I hope the gentleman from Wisconsin [Mr. Eldridge] will let this bill be printed and recommitted.

Mr. ELDRIDGE. I propose to oppose this bill upon every occasion and in every form, shape, and manner.

Mr. ASHLEY, of Ohio. If we are brought to a direct vote upon the bill we may be compelled to pass it without having it printed. I would prefer myself to see it in print.

Mr. ELDRIDGE. I must object to the reception of this bill.

Mr. BOUTWELL. Will it be in order upon this reading to suspend the rules and pass the bill at this time.

The SPEAKER. It will.

Mr. BOUTWELL. I do not know but what that would be the best course for us to pursue if objection is made by the gentlemen on the other side to printing and recommitting this bill.

Mr. ASHLEY, of Ohio. I hope the gentleman from Wisconsin will permit this bill to be printed and recommitted. I had no expectation when I yielded that more than three or four minutes of time would be consumed in this matter.

Mr. ELDRIDGE. I would be very glad to oblige the gentleman, but I am opposed to this bill in every form and shape. I am not opposed to the gentleman, but to the passage of this bill.

The question was, "Shall the bill be rejected?"

Mr. LAWRENCE, of Ohio. On that question I call for the previous question.

The previous question was seconded and the main question ordered.

Mr. ROSS. I call for the yeas and nays.

The question was taken upon ordering the yeas and nays, and there were, upon a division, yeas 23, noes 94; not one-fifth in the affirmative.

Before the result of the vote was announced, Mr. Fox called for tellers.

The question was taken upon ordering tellers; and there were yeas 26.

So (the affirmative being one-fifth of a quorum) tellers were ordered; and Mr. Lawrence, of Ohio, and Mr. Fox were appointed.

The House again divided; and the tellers reported that there were—yeas 30.

So (the affirmative being one-fifth of the last vote) the yeas and nays were ordered.

Mr. LAWRENCE, of Ohio. Will it be in order now to move to suspend the rules for the purpose of putting this bill on its passage?

The SPEAKER. It will not, because the House has ordered the main question to be put, which is, "Shall this bill be rejected," upon which the yeas and nays have been ordered.

The question was taken; and it was decided in the negative; yeas 34, yeas 120, not voting 63; as follows:

YEAS—Messrs. Archer, Axtell, Barnes, Barnum, Beck, Brooks, Burr, Cary, Chanler, Eldridge, Fox, Getz, Goddard, Grover, Haight, Hawkins, Holman, Humphrey, Johnson, Thomas L. Jones, Kerr, Knott, Marshall, McCormick, McCullough, Mungen, Niblack, Nicholson, Phelps, Pruyn, Robinson, Ross, Tilt, and Young—34.

NAYS—Messrs. Allison, Ames, Arnell, James M. Ashley, Beaman, Beatty, Benjamin, Benton, Blackburn, Blair, Boutwell, Boyden, Broomall, Buckley, Churchill, Reader W. Clarke, Cliff, Cobb, Coburn, Cook, Corley, Cornell, Cullom, Dawes, Dewees, Dickey, Dockery, Driggs, Eckley, Edwards, Eggleston, Thomas D. Eliot, James T. Elliott, Farnsworth, Ferriss, Ferry, Fields, French, Garfield, Goss, Gove, Gravelly, Griswold, Hamilton, Harding, Haughey, Heaton, Higby, Hill, Hopkins, Chester D. Hubbard, Hunter, Ingersoll, Jencks, Alexander H. Jones, Judd, Julian, Kelley, Kellogg, Ketchum, Kitchen, Koontz, Laflin, George V. Lawrence, William Lawrence, Loan, Logan, Lougbridge, Lynch, Marvin, Maynard, McKee, Mercur, Miller, Moore, Morrell, Mullins, Myers, Newcomb, Newsham, Norris, O'Neill, Paine, Perham, Peters, Pettit, Pierce, Plants, Pomeroy, Price, Pruett, Ransom, Robertson, Root, Sawyer, Schenck, Scofield, Shanks, Shellabarger, Spalding, Stevens, Storer, Taffe, Taylor, Thomas, John Trimble, Trowbridge, Twitchell, Van Aernan, Burt Van Horn, Robert T. Van Horn, Ward, Cadwalader, C. Washburn, Henry D. Washburn, William B. Washburn, Welker, Whittemore, William Williams, John T. Wilson, and Windom—120.

NOT VOTING.—Messrs. Adams, Anderson, Delos R. Ashley, Bailey, Baker, Baldwin, Banks, Bingham, Blaine, Bolen, Bowen, Boyer, Bromwell, Backland, Benjamin F. Butler, Roderick R. Butler, Calkins, Cullis, Sidney Clarke, Covode, Delano, Dixon, Dodge, Donnelly, Ela, Glöbrenner, Halsey, Hooper, Hotchkiss, Asahel W. Hubbard, Richard D. Hubbard, Halburd, Kelsey, Lash, Lincoln, Mallory, McCarthy, Moorhead, Morrissy, Nunn, Orth, Pike, Pile, Poland, Polesley, Randall, Selye, Sitgraves, Smith, Starkweather, Stewart, Stokes, Stone, Sypher, Taber, Lawrence S. Trimble, Upon, Van Auker, Van Trump, Van Wyck, Vidal, Elihu B. Washburne, Thomas Williams, James F. Wilson, Stephen F. Wilson, Wood, Woodbridge, and Woodward—63.

So the bill was not rejected.

Mr. LAWRENCE, of Ohio. I move to reconsider the vote just taken, and also move that the motion to reconsider be laid on the table.

Mr. BROOKS. I call for the yeas and nays.

Mr. LAWRENCE, of Ohio. I withdraw the motion. I ask that the remaining bills which I have reported be read a first and second time.

The SPEAKER. If the House passes from the consideration of this bill it will go to the Speaker's table, where it probably will not be reached.

Mr. LAWRENCE, of Ohio. I propose then to make a motion to suspend the rules.

Mr. ASHLEY, of Ohio. I did not yield to my colleague with any expectation that his business was to take up the whole morning.

The SPEAKER. That may be; but this bill is now in the possession of the House. It can be considered and acted on or the House may pass from its consideration, in which case it will go to the Speaker's table.

Mr. ASHLEY, of Ohio. I move that the bill be printed and recommitted.

Mr. LAWRENCE, of Ohio. I believe I have the floor.

The SPEAKER. If there be no objection the bill will be read the second time, recommitted, and ordered to be printed.

Mr. FOX. I object.

Mr. LAWRENCE, of Ohio. I move that the rules be suspended and that the House proceed to vote on the passage of the pending bill without dilatory motions.

On agreeing to the motion, there were—ayes 78, noes 36.

Mr. ELDRIDGE. I call for tellers.

Tellers were ordered.

Mr. BOUTWELL. We might as well have the yeas and nays at once. I call for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 108, nays 44, not voting 70; as follows:

YEAS—Messrs. Ames, Arnell, James M. Ashley, Beaman, Beatty, Benjamin, Benton, Blackburn, Blair, Boutwell, Boyden, Broomall, Buckland, Buckley, Roderick R. Butler, Callis, Churchill, Reader W. Clarke, Sidney Clarke, Cliff, Cobb, Coburn, Cook, Corley, Cornell, Cullom, Dawes, Delano, Dewees, Dickey, Dodge, Donnelly, Driggs, Eckley, Eggleston, Thomas D. Eliot, James T. Elliott, Farnsworth, Ferriss, Ferry, Fields, Goss, Gove, Gravelly, Hamilton, Haughey, Heaton, Higby, Chester D. Hubbard, Hulburd, Hunter, Alexander H. Jones, Judd, Julian, Kelley, Kellogg, Ketcham, Kitchen, Kooniz, Laffin, William Lawrence, Logan, Loughbridge, Mallory, Marvin, Maynard, Miller, Moore, Moorhead, Morrell, Mullins, Myers, Newcomb, Newsham, Norris, Nunn, O'Neill, Paine, Perham, Pettie, Pierce, Price, Raum, Robertson, Roots, Sawyer Scofield, Shanks, Shellabarger, Stevens, Stokes, Stover, Taylor, Thomas, John Trimble, Trowbridge, Twitchell, Upon, Van Arman, Robert T. Van Horn, Ward, Cadwallader C. Washburn, Henry D. Washburn, William B. Washburn, Welker, Whittemore, William Williams, and Windom—108.

NAYS—Messrs. Archer, Axtell, Baker, Barnes, Barnum, Beck, Burr, Cary, Chanler, Edwards, Eldridge, Fox, Getz, Hught, Hawkins, Holman, Richard D. Hubbard, Humphrey, Jencks, Johnson, Thomas L. Jones, Kerr, Knott, Marshall, McCormick, McCullough, McKee, Mercur, Mungen, Niblack, Nicholson, Phelps, Plants, Poland, Bruyn, Robinson, Ross, Smith, Spaulding, Stone, Taber, Tift, Van Trump, and Young—44.

NOT VOTING—Messrs. Adams, Allison, Anderson, Delos R. Ashley, Bailey, Baldwin, Banke, Bingham, Blaine, Boles, Bowen, Boyer, Bromwell, Brooks, Benjamin F. Butler, Cake, Covode, Dixon, Dockery, Ela, French, Garfield, Glosterbner, Golladay, Griswold, Grover, Halcy, Harding, Hill, Hooper, Hopkins, Hotchkiss, Asahel W. Hubbard, Ingersoll, Kelsey, Lash, George V. Lawrence, Lincoln, Loan, Lynch, McCarthy, Morrissey, Orth, Peters, Pike, Pile, Polley, Pomeroy, Prince, Randall, Schenck, Selye, Sitgrave, Starkweather, Stewart, Sypher, Taffe, Lawrence S. Trimble, Van Auken, Burt Van Horn, Van Wyck Vidal, Ellihu B. Washburne, Thomas Williams, James F. Wilson, John T. Wilson, Stephen F. Wilson, Wood, Woodbridge, and Woodward—70.

So (two-thirds voting in favor thereof) the rules were suspended; and the motion of Mr. Lawrence, of Ohio, was agreed to.

Mr. CHANLER. I desire to ask the Chair whether there is not some way in which the gentleman from Ohio [Mr. Lawrence] can bring before the House, prior to the passage of this bill, the report of the committee, which has not been printed or in any way brought to the knowledge of members?

Mr. LAWRENCE, of Ohio. When this bill was introduced I asked that it should be read a first and second time, recommitted, and ordered to be printed. Gentlemen on the other side objected, and we are driven to this course.

The SPEAKER. Debate is not in order. It has been ordered, under a suspension of the rules, that the House shall immediately proceed to vote on this bill.

Mr. FOX. Would a motion to adjourn be now in order?

The SPEAKER. It would not be. While the motion to suspend the rules was pending one motion to adjourn could have been entertained; but the House has now ordered that the vote shall immediately be taken on this bill.

Mr. ROBINSON. I rise to a privileged question. I move to reconsider the vote just taken; and on that motion I have a few words to say.

The SPEAKER. The gentleman did not vote in the affirmative; and if he did the motion to reconsider would not be in order.

The question recurred on the passage of the bill.

The House divided; and there were—ayes 71, noes 49.

Mr. FOX demanded the yeas and nays.

The yeas and nays were ordered.

Mr. ROBINSON. I ask unanimous consent that my friend from Vermont [Mr. Poland] shall be heard in opposition to this bill.

Mr. RAUM. I object.

The question was taken; and it was decided in the affirmative—yeas 89, nays 54, not voting 79; as follows:

YEAS—Messrs. Ames, Arnell, Beaman, Benton, Blackburn, Blair, Boutwell, Bowen, Bromwell, Brooks, Buckley, Roderick R. Butler, Churchill, Reader W. Clarke, Sidney Clarke, Cliff, Cobb, Coburn, Cook, Corley, Cornell, Dawes, Dickey, Dodge, Eckley, Edwards, Eggleston, Ela, Thomas D. Eliot, James T. Elliott, Ferriss, Ferry, Fields, French, Gross, Grove, Hamilton, Harding, Haughey, Heaton, Higbee, Hopkins, Chester D. Hubbard, Hulburd, Hunter, Alexander H. Jones, Julian, Kelley, Kellogg, Kitchen, Kooniz, Laffin, William Lawrence, Logan, Loughbridge, Mallory, Marvin, Maynard, Miller, Moorhead, Morrell, Mullins, Myers, Newsham, Norris, Nunn, O'Neill, Paine, Perham, Pettie, Pile, Prince, Raum, Sawyer, Scofield, Shanks, Shellabarger, Stevens, Stokes, John Trimble, Trowbridge, Van Arman, Burt Van Horn, Robert T. Van Horn, Ward, Cadwallader C. Washburn, Henry D. Washburn, William B. Washburn, Thomas Williams, John T. Wilson, and Windom—89.

NAYS—Messrs. Archer, James M. Ashley, Axtell, Baker, Barnes, Beatty, Beck, Benjamin, Broomall, Burr, Callis, Cary, Chanler, Cullom, Eldridge, Farnsworth, Fox, Getz, Golladay, Gravely, Grover, Haight, Hawkins, Humphrey, Jenckes, Johnson, Thomas L. Jones, Judd, Kerr, Knott, Lynch, Marshall, McCormick, McCullough, McKee, Mercur, Mungen, Niblack, Nicholson, Phelps, Plants, Poland, Pomeroy, Pruyn, Robertson, Robinson, Ross, Smith, Spalding, Stover, Taber, Tift, Van Trump, and Young—54.

NOT VOTING—Messrs. Adams, Allison, Anderson, Delos R. Ashley, Bailey, Baldwin, Banks, Barnum, Bingham, Blaine, Boles, Boyden, Boyer, Buckland, Benjamin F. Butler, Cake, Covode, Delano, Deweese, Dixon, Dockery, Donnelly, Driggs, Garfield, Glossbrenner, Griswold, Halsey, Hill, Holman, Hooper, Hotchkiss, Asabel W. Hubbard, Richard D. Hubbard, Ingersoll, Kelsey, Ketchum, Lash, George V. Lawrence, Lincoln, Loan, Logan, Loughridge, McCarthy, Moore, Morrissey, Newcomb, Orth, Peters, Pierce, Pike, Polsley, Price, Randall, Roots, Schenck, Selye, Sitgreaves, Starkweather, Stewart, Stone, Sypher, Taffe, Taylor, Thomas, Lawrence S. Trimble, Twichell, Upson, Van Auken, Van Wyck, Vidal, Ellihu B. Washburne, Welker, Whittemore, William Williams, James F. Wilson, Stephen F. Wilson, Wood, Woodbridge, and Woodward—79.

So the bill passed.

Mr. LAWRENCE, of Ohio. I move to reconsider the vote just taken; and also move that the motion to reconsider be laid on the table.

Mr. BROOKS. I demand the yeas and nays.

Mr. ASHLEY, of Ohio. I hope my colleague will withdraw the motion.

Mr. LAWRENCE, of Ohio. I withdraw it.

Mr. BROOKS. I renew it.

The SPEAKER. Did the gentleman vote in the affirmative?

Mr. BROOKS. I did.

Mr. ASHLEY, of Ohio. I do not yield for that motion.

The SPEAKER. It will be entered on the Journal.

Mr. KERR, by unanimous consent, presented a minority report on alleged election frauds in the State of New York; which was laid on the table and ordered to be printed.

Mr. DAWES submitted the following resolution; which was read, and under the law referred to the Committee on Printing:

Resolved, That ten thousand extra copies of the report of the committee on alleged frauds committed at the late presidential election in the State of New York, and ten thousand extra copies of the testimony taken by said committee, be printed for the use of the House.

H. Rep. Com. 31—12

TESTIMONY.

NEW YORK, *Monday, December 21, 1868.*

ROBERT MURRAY sworn and examined.

By the CHAIRMAN :

1. Question. State your residence and official position.

Answer. I reside in the city of New York. I am marshal for the United States, for the southern district of New York, and have occupied that position since the 20th of April, 1861.

2. Q. State if you have any knowledge of the issuing and sale of fraudulent naturalization certificates in the month of October, 1868.

A. In the early part of October, there was a rumor in town that naturalization papers could be purchased at certain localities in this city, for two dollars apiece. I directed two of my deputies, named Jarvis and Dwyer, to ascertain if that rumor had any foundation in fact. They reported to me, in a few days afterwards, that those papers could be purchased from a man named Rosenberg, at No. 6 Centre street, and also that they could be purchased at No. 13 Centre street. While these two deputies were making this report to me, Mr. Allen, the assistant United States district attorney, called in my office, and I inquired of him if the selling of false naturalization papers was a violation of any act of Congress. He replied to me that he would examine the question and let me know with as little delay as possible. The next morning, I think, he called my attention to the 13th section of the act of 1813. I then stated to him that I thought I could purchase naturalization papers by making out a list of fictitious names. He said that if I could he would apply to the commissioner for a warrant for the apprehension of the parties. I then directed my two deputies to purchase papers there. They replied to me that they could not, from the fact that they were too well known. The next evening I was up at the Fifth Avenue hotel and met Mr. E. D. Webster, assessor of internal revenue in the 32d district. I asked him if he could send me two or three reliable men the next morning, as I wanted to use them for a special purpose. I did not state at that time what business I wanted the men for. Mr. Webster, instead of sending me two or three men, as I desired, sent me but one, named Major Simms. I told Simms what I wanted. He and I set down and made out a list of four or five or half a dozen fictitious names. He went over to Rosenberg, at No. 6 Centre street, and stated to Rosenberg—[Objected to by Mr. Ross. Objection overruled.] Major Simms reported to me that he called on Rosenberg and represented to him that he resided in Yonkers, Westchester county; that he had some four or five friends there who wanted to become citizens of the United States; that they were poor men and could not spare the time to come to the city to go through the courts of law, and he inquired of Rosenberg if there was not any way by which he could fix it for him. Rosenberg replied "yes, give me the names, and I will have the papers for you to-morrow morning." Simms replied that he might want quite a large number, but that the list was imperfect at that time, and that he would

call and see him again. He called there the second time and handed him this list of six or eight names, and he was told to call in the morning and that the papers would be ready for him. He did call in the morning and the naturalization certificates were handed to him. Simms paid Rosenberg two dollars apiece for them. They were brought to me and I made Simms mark them with his initials, and I think I marked them myself. The next day I sent a young man by the name of Butts with a list of three or four names—fictitious names—and I directed him to go there, to No. 6 Centre street, and purchase naturalization papers there. He reported to me that he had had an interview with Rosenberg, and that Rosenberg agreed to furnish him the papers the next morning. The next morning Butts handed me the certificates; I compared them with the list of names which I had furnished to him the day previously, and I found that they corresponded. I made Butts put his initials on the certificates together with the date of them, and I put my initials on them also. The day after I made out another list of names of four or five, or perhaps more, and sent a man by the name of Livingston with instructions to go over and see Rosenberg and inquire if he could purchase naturalization papers. He reported back to me that the papers would be ready the following morning. The following morning Livingston handed to me these naturalization certificates. I compared them with the list of names which I had handed to him the previous morning, and found that they corresponded. I made Livingston put his initials on them together with the date, and I think I also put my initials on them. The next day I sent a man by the name of Reynolds over there to inquire whether he could purchase naturalization papers, and we made out a list of them together of fifteen or twenty names. I simply sent Reynolds there to have corroborating proof, for I meant to arrest Rosenberg that day; and I directed Reynolds to have no conversation with Rosenberg; to state to him that perhaps he might want four or five hundred of these certificates; that perhaps he could not furnish the list of names as time was very short, and to inquire whether he could have the certificates in blank. Reynolds reported back to me that he had had an extended conversation with Rosenberg, and that Rosenberg agreed to furnish him with five hundred of these certificates the next morning, at a dollar and a half apiece; that by taking a large quantity of them, he would make a reduction of fifty cents; then he made a counter proposition, that anything else than one hundred would be charged two dollars apiece, and over one hundred a dollar and a half apiece. He had quite a long conversation with him and went into the details of the business. After Reynolds came back and reported to me, I sent another man over there, by the name of McDonald, and directed him to do the same thing as Reynolds. He reported back to me substantially the same conversation that Reynolds had reported—that these men would furnish any quantity of these papers, over one hundred, for a dollar and a half apiece; but any quantity less than one hundred at two dollars apiece. I considered then that I had the whole case complete. I went to the district attorney and made the necessary affidavit and information, and then got out the warrant and arrested Rosenberg that afternoon at 3 o'clock.

By Mr. Ross :

3. Q. What office did Rosenberg hold ?

A. None at all, that I am aware of. His office was in a lager-beer saloon, across the street, down in a cellar.

By the CHAIRMAN:

4. Q. You say Rosenberg's office was in a lager-beer saloon ?

A. Yes, sir; you go down steps eight or ten feet. On the left hand as you go down is the lager-beer counter. On the right, just inside of the bar, Rosenberg had a table, and I think had two or three persons writing there.

5. Q. Were all the names which you furnished to be sent to Rosenberg fictitious names ?

A. Every one of them.

6. Q. Did the certificates of naturalization which were returned to you correspond with these names ?

A. Precisely.

7. Q. Where are these certificates of naturalization ?

A. They are in the court as evidences against Rosenberg.

8. Q. To whom did you furnish them ?

A. I gave them to the United States district attorney, Mr. Courtney.

By Mr. KERR :

9. Q. Was Rosenberg the proprietor of the saloon ?

A. I think not.

10. Q. Do you know what relations he sustained to it, if any ?

A. I do not know beyond the fact that he had a table there.

By the CHAIRMAN :

11. Q. Rosenberg was arrested ?

A. Yes, sir.

12. Q. After the arrest of Rosenberg did you see fraudulent naturalization papers other than those which you have named ?

A. Yes, sir; quite a number. After the examination of Rosenberg before the United States commissioner, and the publication of the testimony in the different newspapers of New York, quite a number of men who had similar fraudulent naturalization papers called on me to surrender them, stating that they were satisfied that they had been improperly procured, and that they did not want to get into any trouble. They inquired of me if they did surrender them to me whether I would hold them as evidence against them. My reply was "No; if you bring the papers here, make a statement of how you obtained them, I will destroy them in your presence." I suppose that, to the best of my recollection, from 150 to 175 of these certificates were brought to my office in that way.

13. Q. They were surrendered and destroyed ?

A. They were surrendered and destroyed right in the presence of the parties.

By Mr. HOPKINS :

14. Q. Did these persons tell you that they got the certificates from this same man, Rosenberg ?

A. No, sir; those men who brought their certificates to me in my office, told me generally, that is, remarked, that parties came to them and inquired whether they were citizens; and if the answer was in the negative then they inquired if they desired to become citizens, and if they said they did the parties would say, "Give me your name and I will furnish you with a paper to-morrow, and charge you \$2 for it." I inquired who were those parties; the answer was, they did not know; that they were strangers to them; I never could get it from them who they were. They either concealed it from me designedly, or perhaps they did not know who the men were who they bought these papers from, but it was not Rosenberg.

By Mr. KERR :

15. Q. That they would answer affirmatively ?

A. Yes, sir ; some of these men had been here three months, some four months, and so on. Some had been here the requisite time and had never filed the declaration of intentions.

By Mr. DICKEY :

16. Q. Did you take the names of these men ?

A. I did.

17. Q. From what court did these papers purport to issue ?

A. From the supreme court of this State, sitting in this city.

By Mr. HOPKINS :

18. Q. Who was the judge of the court ?

A. There are three judges, Barnard, Ingraham, and Cardozo.

By Mr. DICKEY :

19. Q. Did the certificates bear the name of any particular judge ?

A. No, sir ; they bore the signature of the county clerk, and have got the seal of the court attached to them.

20. Q. The certificates do not show before what judge they were made ?

A. No, sir.

By the CHAIRMAN :

21. Q. How are the judges of the supreme court elected ?

A. They are elected at our general elections.

22. Q. By the people of the State at large ?

A. No, sir ; by the people of this judicial district.

23. Q. What is this judicial district ?

A. The city and county of New York.

24. Q. Were any of these papers that were surrendered to you preserved, or were they all destroyed ?

A. I think I destroyed them all, because I was anxious to get as many back as possible ; and I knew if I preserved any evidence against these parties they would not surrender the certificates.

25. Q. Are you acquainted with the signature of the clerk of the supreme court ?

A. No, sir ; not sufficient to testify to it.

26. Q. Is this (handing witness paper) one of the certificates ?

A. It is one of them.

27. Q. Can you tell, from an inspection of these papers, whether they are genuine or fraudulent ?

A. I cannot.

By Mr. HOPKINS :

28. Q. Did they attach to them the seal of the court ?

A. Yes, sir, and the signature of the clerk.

By Mr. KERR :

29. Q. They have attached to them what purports to be the seal of the court ?

A. Yes, sir.

30. Q. You do not know that that impression was made with the original proper legal seal ?

A. I do not ; but it appears to be the same impression.

By the CHAIRMAN :

31. Q. State whether the fraudulent naturalization papers had the same impression as if it was made with the genuine seal.

A. Precisely. After the arrest of Rosenberg, I desired to know whether they were still carrying on the business at No. 6 Centre street, and I directed a man by the name of Kruger to go over there and see if he could purchase naturalization papers. He reported to me that he could not, but that there was a man who frequented that place, and he could get them for me. I made out a list of three names, and told Kruger to open negotiations with him, which he did. The papers were to be delivered that evening at 8 o'clock. Kruger met the man at the corner of Centre street, and when the man came to hand him the papers, Kruger dropped something connected with this office. The man then tore the papers, threw them into the street, and ran away as fast as he could. Kruger picked the papers up as well as he could and brought them to my office, and they were pasted together.

By Mr. HOPKINS:

32. Q. The negotiations were made in the same lager-beer saloon?

A. Negotiations were made with a man who frequented there. The man whom I sent could not procure them himself, from the fact that the arrest of Rosenberg had frightened them, and they wanted to know who they were dealing with.

33. Q. From what place did these papers come?

A. From No. 6 Centre street.

(Witness produces the three fraudulent certificates, which are annexed to his testimony and marked Exhibit A.)

By Mr. HOPKINS:

34. Q. The names in these certificates corresponded with the names which you and Schaffer made out?

A. Yes, sir.

By the CHAIRMAN:

35. Q. The names are fictitious, are they?

A. Yes, sir.

36. Q. State whether the seal impressed on these certificates is the genuine seal of the supreme court, and whether the signature of the clerk is the genuine signature of the county clerk.

A. I cannot state that, because I am not familiar with the signature of the county clerk. I am not sufficiently familiar with the seal of the court to testify about it.

By Mr. DICKEY:

37. Q. It purports to be the seal of the court?

A. It purports to be the seal of the court and the signature of the county clerk.

By Mr. HOPKINS:

38. Q. When you arrested Rosenberg the fact of his arrest was published in the papers, and you say immediately on the publication of that fact parties came to you and began to surrender fraudulent certificates?

A. Yes, sir, two or three days, I think, at a time. They got frightened, and were afraid to hold possession of these papers.

39. Q. And they said to you they had been offered these papers by parties coming to them to sell them?

A. Yes, sir.

By the CHAIRMAN:

40. Q. Is there any other fact within your knowledge that will throw light upon the subject of this investigation?

A. None that I am acquainted with.

By Mr. KERR:

41. Q. Did you ever become personally acquainted with Mr. Rosenberg?

A. I knew him years ago.

42. Q. Give us a general idea of his character hitherto, and what was his business.

A. I knew him some 10 or 12 or 15 years ago. He resided in the same ward that I did, in the eastern part of the city. He was a policeman at that time. I did not know when I arrested him that he was the same man; neither should I have known had he not called my attention to it. When I knew him in the seventh ward, New York, I considered him a pretty respectable man—a man whom people generally thought well of. I knew but little about him up to this time.

43. Q. You do not know what his business has been for several years past?

A. No, sir; not of my own knowledge.

44. Q. Do you know of your personal knowledge whether any of these fraudulent certificates have been voted upon?

A. I know it in this way, that parties were arrested and brought to me for voting on these fraudulent certificates. They were arrested on election day.

45. Q. That is all you know about it?

A. Yes, sir.

By the CHAIRMAN:

46. Q. State whether the certificates which you destroyed corresponded in form with these three which you present to-day.

A. They were the fac simile of them and I would be willing to swear that the handwriting and the names were all done by the same person.

47. Q. How were the impressions of the seal and the signature of the check?

A. I think they were the same.

By Mr. KERR:

49. Q. Did you give special attention to the correspondence of the seal and of the signature of the clerk at the time this thing came to your observation?

A. I cannot say that I did.

51. Q. Then your answer is based upon your general observation as the things came along?

A. Yes, sir.

By Mr. ROSS:

52. Q. Do you know of any other frauds in election in the city of New York?

A. I do.

53. Q. You may state any within your own knowledge.

A. Some four or five days before the election a man called at my office and stated to me that with a little help he could get the books of these repeaters.

54. Q. What books?

A. This thing is regularly systematized here. Repeaters is what we call them here.

By Mr. KERR:

55. Q. That means persons who vote more than once?

A. Who vote early and vote often. They have got a book made in the form of a check book, a line is drawn through each page leaving

what is supposed to be a margin. There is a place for the date, for the name and residence that the repeater takes and the election district in which he is going to register. The same thing is put down on the margin. The captain of the division (for they have got the city divided into sections) cuts off the memorandum and gives it to one of these repeaters registered, and when the election day comes he cuts off the corresponding memorandum in the margin and the fellow goes and votes upon it. It was a matter which I could not take cognizance of inasmuch as it did not involve any violation of any law of Congress. But I sent this man to a place where he could get people to take cognizance of it. I had considerable to do with it until it became fully developed and we arrested the parties and got the books. I think these books disclose 1,600 repeaters.

By Mr. HOPKINS :

56. Q. How many times do these repeaters vote, each ?

A. Twenty, or 30 or 40 times each, according to their nerve and their courage.

By Mr. ROSS :

57. Q. Where is this book now ?

A. I think it is in the hands of Colonel Bliss, counsel of the police board.

58. Q. Do you know of any money being raised in this city with a view of operating on the election or controlling it ?

A. I have always been in the habit of contributing money myself for election purposes.

By Mr. KERR :

59. Q. It is quite a practice among men who take an interest in elections ?

A. Yes, sir ; and I suppose I shall always contribute.

By Mr. ROSS :

60. Q. Do you know how much was contributed here in the city of New York by yourself and furnished with a view of controlling the elections ?

A. I did not contribute a dollar with the view of controlling the election.

61. Q. With the view of aiding in the carrying of the election ?

A. There are certain legitimate expenses of an election, such as printing documents, advertising, room hire, circulating documents, and all that kind of thing. On one occasion I contributed \$1,000, and on other occasions I contributed more or less.

62. Q. How much did you contribute last fall ?

A. Perhaps \$3,000 or \$4,000.

63. Q. Did you see any list of contributions made by your friends, so you can state with any degree of accuracy the amount of them ?

A. I can only state for myself.

By the CHAIRMAN :

64. Q. State if there was any understanding with Rosenberg as to the political party for whose benefit these fraudulent naturalization certificates were to be used.

A. I cannot answer that question, only so far as I had an interview with Rosenberg. After his arrest Rosenberg sent a German to me, whom I did know, to inquire if I had any objection to having an interview with Rosenberg ; and I told him if he would come in the afternoon I would give him an answer. In the mean time I saw Mr. Courtney, the district attorney, and inquired of him if there was any objection to

my having this interview with Rosenberg. He said, no, but I must be very careful to make him no promises. I told Rosenberg's friend that I would see him the next day in our grand jury room, at 11 o'clock; and that if he desired it he could come the back way, and I would have the door left open. He did not come the next day, but he came the day after. He objected to having the interview in the grand jury room. I then took him into a baggage room, a dark room, where we put sailors' luggage, and all the rubbish about the building. Rosenberg then told me who he was. Said he, "Where I used to live some 10 or 15 years ago, I used to know you pretty well; you and I were whigs together." I then recognized the man. "Well," said I, "Rosenberg, what do you want?" "Why," said he, "I understood you wanted to see me." Said I, "No, sir; I have not sent for you at all. These men who brought you in here stated that you wanted an interview with me." Said he, "No." Said I, "Very well; then this interview ends." Said he, "No, I want to talk to you." "Well," said I, "What have you got to say?" Said he. "You knew me in the seventh ward years ago; we were old whigs together." Said I, "What has that got to do with this transaction?" Said he, "You ought to let up on me." Said I, "Rosenberg, what possessed you to go into this business?" Said he, "Mr. Murray, every certificate that you have purchased from me is genuine, and came out of the court-room. I am at work for the democratic party, and paid for this thing. I get but very little of the \$2 that is paid for these certificates." Well, he evidently wanted to catch me some way or other, and so the interview terminated.

By Mr. HOPKINS :

65. Q. When these men came to you to surrender their certificates, did they state why they supposed they had been furnished with them ?

A. They stated the conversation they had had with the party who offered to get them their papers.

66. Q. With a view to make them voters ?

A. Yes, sir.

[Exhibit A.]

UNITED STATES OF AMERICA.

STATE OF NEW YORK, *City and County of New York, ss :*

Be it remembered, that on the twenty-third day of October, in the year of our Lord one thousand eight hundred and sixty-eight, James R. Smith appeared in the supreme court of the State of New York, held in the city and county of New York, (a court of record, having common law jurisdiction, a clerk and seal,) and applied to the said court to be admitted to become a citizen of the United States of America, pursuant to the provisions of the several acts of the Congress of the United States of America, for the purpose made and provided. And the said applicant, having produced to the said court such evidence, having made such declaration and renunciation, and having taken such oaths as are by the said acts required—

Thereupon, it was ordered by the court that the said applicant be admitted, and he was accordingly admitted, to be a citizen of the United States of America.

In testimony whereof, the seal of the said court is hereunto affixed, this twenty-third day of October, one thousand eight hundred and sixty-eight, and in the ninety-third year of the independence of the United States.

Per curiam :

[SEAL.]

CHAS. E. LOEW, *Clerk.*

UNITED STATES OF AMERICA.

STATE OF NEW YORK, *City and County of New York, ss :*

Be it remembered, that on the twenty-third day of October, in the year of our Lord one thousand eight hundred and sixty-eight, Samuel Reynolds appeared in the supreme court of the United States, held in the city and county of New York, (a court of record, having common law jurisdiction, a clerk and seal,) and applied to the said court to be admitted to become a citizen of the United States of America, pursuant to the provisions of the several acts of the Congress of the United States of America, for that purpose made and provided. And the said applicant, having produced to the said court such evidence, having made such declaration and renunciation, and having taken such oaths as are by the said acts required—

Thereupon, it was ordered by the court that the said applicant be admitted, and he was accordingly admitted, to be a citizen of the United States of America.

In testimony whereof, the seal of the said court is hereunto affixed, this twenty-third day of October, one thousand eight hundred and sixty-eight, and in the ninety-third year of the independence of the United States.

Per curiam :

[SEAL.]

CHAS. E. LOEW, *Clerk.*

UNITED STATES OF AMERICA.

STATE OF NEW YORK, *City and County of New York, ss :*

Be it remembered, that on the twenty-third day of October, in the year of our Lord one thousand eight hundred and sixty-eight, Patrick Rafferty appeared in the supreme court of the State of New York, held in the city and county of New York, (a court of record, having common law jurisdiction, a clerk and seal,) and applied to the said court to be admitted to become a citizen of the United States of America, pursuant to the provisions of the several acts of the Congress of the United States of America, for that purpose made and provided. And the said applicant, having produced to the said court such evidence, having made such declaration and renunciation, and having taken such oaths as are by the said acts required—

Thereupon, it was ordered by the court that the said applicant be admitted, and he was accordingly admitted, to be a citizen of the United States of America.

In testimony whereof, the seal of the said court is hereunto affixed, this twenty-third day of October, one thousand eight hundred and sixty-eight, and in the ninety-third year of the independence of the United States.

Per curiam :

[SEAL.]

CHAS. E. LOEW, *Clerk.*

SAMUEL G. COURTNEY sworn and examined.

By the CHAIRMAN :

67. Question. State your residence and official position.

Answer. I reside in the city of New York, and am United States attorney for the southern district of New York; I was appointed and confirmed about the 17th of April, 1866.

68. Q. State if you have any fraudulent naturalization certificates in your possession ; if so, where they were procured, and any proof within your knowledge connected with them.

A. I have several so-called certificates of naturalization ; I cannot say whether they are fraudulent or not, but from the evidence given before the United States commissioner on a charge against a man named Rosenberg, I have not the slightest doubt about it. As to the material facts about them I know nothing except what came before me officially. I have here, in my hand, five certificates bearing date October 20, 1868. They were brought to my office in the latter part of October, 1868, for the purpose of causing me to have a warrant issued for the arrest of a man by the name of Benjamin B. Rosenberg, from whom the party bringing them alleged he had purchased them.

By Mr. KERR :

69. Q. Who produced them to you ?

A. A man named William T. Simms ; I did not know him up to that time. I think he was accompanied by Marshal Murray. I gave instructions to one of my deputies to prepare an affidavit and submit it to the commissioner, which he did. On that a warrant was issued for the arrest of Rosenberg, and an examination was held for several days. The commissioner held Rosenberg for trial and sent the case to the grand jury. An indictment was found ; counsel for the defendant moved to quash the indictment, and the motion was argued elaborately in the United States circuit court before Judges Nelson and Blatchford. They granted a certificate of division, of opinion, and the case is now in the Supreme Court of the United States. (Witness produces a copy of the record which is annexed to the testimony, marked Exhibit B.)

By the CHAIRMAN :

70. Q. State the names in the five certificates that you have.

A. The names are John J. Mercer, Antonio Gomez, Alexr. N. McCann, Adolph Slechelseine, and Patrick O'Brien.

By Mr. KERR :

71. Q. Have you any means of answering, with absolute satisfaction to yourself, as to the identity of the seal attached to those papers, with the proper seal of the court ?

A. I have not ; I have no doubt in my own mind that it is the seal of the supreme court.

72. Q. Are you any more familiar with the signature ?

A. It is not Mr. Lowe's own handwriting, but I think it is the handwriting of a clerks in that office, Mr. John B. McKean. There is a clerk for each division of the supreme court. Whether he was a deputy of not I do not know.

By Mr. HOPKINS :

73. Q. Are all the clerks employed in the office allowed to sign the name of the county clerk and to use the seal of the court ?

A. That I cannot say. There is a statute in reference to the power or deputy clerks in the offices of county clerks. Each clerk is to have a deputy, with power to issue papers and attach the signature of the clerk, but generally we have special acts for the city of New York.

By the CHAIRMAN :

74. Q. Are you an expert in distinguishing writing ?

A. I think I can distinguish handwriting very well.

75. Q. I now present to you the three certificates which are annexed to

the testimony of Marshal Murray; look at them and state what portion of them is in writing.

A. "23d October, 1868, James R. Smith, 23d October, eight, third, Chas. E. Loew," is in writing; all the rest is in print.

76. Q. State how the seal on the five certificates that you have presented compares with the seal on the three certificates annexed to Marshal Murray's testimony.

A. The seal on all appears to be the same; I have no doubt that it is the same seal.

77. Q. State whether the signature "Chas. E. Loew" is the same on the five certificates that you have presented as on the three certificates annexed to Marshal Murray's testimony.

A. In my opinion they are in the same handwriting.

78. Q. State whether all those certificates have been printed on the same form.

A. Yes, sir; they all appear to be on the same form, and I think it is the form used for certificates by the court.

79. Q. State whether the filling in of the dates and of the names is the same handwriting.

A. The filling in of the dates is, in my opinion, different from the filling in of the names.

80. Q. State whether the filling in of the dates, in the whole eight certificates now before you, is in the same handwriting.

A. I should say not. In the five that I presented the filling in of the dates appears to be in the same handwriting, and is different from the filling in of the other three. The filling in of the dates in the certificates of Jas. R. Smith and Patrick Rafferty appears to be in the same handwriting. The filling in of the dates in the certificate of Samuel Reynolds is in a very different handwriting.

81. Q. State whether the filling in of the names of the persons purporting to be naturalized, in the three certificates annexed to Marshal Murray's testimony, is in the same handwriting.

A. I should say it is.

82. Q. How as to the names in the five certificates that you have presented?

A. I should say it is in the same handwriting. In my opinion the names of the whole eight were in the same handwriting.

83. Q. Have you any other papers purporting to be certificates of naturalization?

A. I hold in my hand four more certificates which were given to me during the investigation of the Rosenberg case before the United States commissioner. They came from a man named Livingstone, who testified that he had purchased them from Rosenberg; I think they came from Marshal Murray's office, and were handed to me as part of the testimony in the case.

84. Q. Do they bear the same signature as the other certificates?

A. Yes, sir; they are filled up in the names of James Brown, August Betzel, Henry Beaun, and William Honig. The names are, in my opinion, in the same handwriting as the names in the other eight certificates. In the certificate of James Brown the filling in of the dates is, in my opinion, in the same handwriting as the filling in of the dates in the certificates of James R. Smith and Patrick Rafferty. The others appear to be different. The filling in of the dates in the certificates of August Betzel and Henry Beaun appears to be in the same handwriting; but I think it is different from the others shown me.

85. Q. State whether the printing in the last four certificates is the same as in the others.

A. Yes, sir; they are all in the same form, and are evidently struck from the same plates.

86. Q. What other certificates have you?

A. I hold in my hand three certificates issued on the 19th of October, 1868, to Thomas Shmitt, Sebastian Shneider, and John Winkens.

87. Q. From whom did you obtain them?

A. They came to me in the investigation of the case, through Marshal Murray's office. They were purchased by a man named Henry Butts; the filling in of the dates of these three appears to be in the same handwriting, and the names are also in the same handwriting, though different from the filling in of the dates; the signature of the clerk is the same as in the others; the signature of all the certificates that I have seen is in the same handwriting. These are all the certificates that I have had anything to do with. There have been several other cases from the country round about, that have been before the grand jury.

88. Q. What indictments have been found by the grand jury against persons for issuing or dealing in fraudulent naturalization certificates?

A. I think there are seven or eight indictments against Benjamin B. Rosenberg. There is an indictment against Abraham Hyatt, of Sing Sing. There are two indictments, I think, against the county clerk of Orange county, Lewis Cuddyback, and I think there are five against his clerks and deputies—one joint indictment against all of them, and, I think, five separate indictments, one against each. The grand jury has ordered bills in several other cases, which have not yet been presented. After the question took the course that it did before the circuit court, I did not think it very material to present those cases until the question should be disposed of.

89. Q. After the Rosenberg case had been reserved for decision, you ceased to make investigations?

A. No; those cases that were presented had all been investigated, but since the Rosenberg case has gone up to the Supreme Court there has been a suspension, a sort of hiatus.

90. Q. Is there any other fact occurring to you now that will throw light on the investigation before the committee?

A. I know of none.

WILLIAM THOMAS SIMMS sworn and examined.

By the CHAIRMAN:

91. Question. State your residence.

Answer. I reside in the city of New York, and have lived here all my life, with the exception of five years that I was in the army.

92. Q. Examine the five papers purporting to be certificates of naturalization to Patrick O'Brien, John J. Mercer, Antonio Gomez, Alex. N. McCann, and Adolph Slechelseine, which are referred to in the testimony of District Attorney Courtney, and state what you know of them.

A. On a Monday morning, at our office, 83 Cedar street—the office of Mr. E. D. Webster, assessor of the 32d district—Mr. Webster sent for me. I went into his office. He said, "Major, there are a great many frauds committed by which naturalization papers are issued"—

By Mr. DICKEY:

93. Q. In consequence of what Mr. Webster told you, did you go to Mr. Marshal Murray's office?

A. He gave me a letter to Marshal Murray, and I went to his office. Marshal Murray said he wanted me to see a gentleman at 25 Chambers street who was at the head of a naturalization committee for the republic.

lican party. I saw that gentleman, and he told me that at No. 6 Centre street they were issuing naturalization papers for pay. I went to No. 6 Centre street about half past 12 o'clock the same Monday, and asked for Mr. Rosenbaum. A person, whom I afterwards discovered to be Rosenberg, said there was no such person there. I left the place, and, on referring to the memorandum which I had in my pocket, I found that the name was Rosenberg. I went back to 6 Centre street and asked to see Mr. Rosenberg. A person responded to that name. I walked to the back part of the saloon, in which the naturalization office was. On one side was a lager-beer counter, and on the other side the naturalization committee had a desk or counter. Rosenberg asked me what I wanted of him. I told him that I was from Yonkers; that I had 20 or 30 friends at Yonkers who wanted naturalization papers, and that I had no witnesses or principals. Said I, "Can you or can you not get me papers for those men? If you cannot, say it, because I do not wish to begin it and then fail. If you cannot, I will seek elsewhere." He asked me what party I was from, and I told him the democratic party. He said, "I can get them, without fail. I have sold 7,000 of them." I told him I would return later in the afternoon with the names, as they were then incomplete. I did return in the afternoon, but without the memorandum of names, telling him that I was still unable to complete the names, but that I would return in the morning. On Tuesday morning I went back with a list of these five names: Patrick O'Brien, John J. Mercer, Antonio Gomez, Alex. N. McCann, and Adolph Slechelseine. I handed him the memorandum, and asked him to let me have the papers that afternoon, if he could. He said that was impossible, but that I could have them by 6 o'clock. I left the office and went about my business, and at 6 o'clock I returned. As I went into the saloon he immediately arose. I walked directly back to the rear part of the saloon, where there was a dark room, which I entered. Rosenberg followed me in. He handed me the five papers which I now hold in my hand, and I handed him a ten-dollar bill. Either then or at a prior interview he said to me, "I do not make this money, but you present me with \$10, and I give you five papers." That is, in substance, all I know about these five papers.

94. Q. Were the names which you furnished to him, and which are filed into these papers, real or fictitious names?

A. They are fictitious names.

95. Q. What did you do with the papers after you got them?

A. I brought them to Marshal Murray and gave them to him. I identified them at the time with my initials. These are the same papers. Rosenberg showed me a list of over 5,000 names for which he said he had got certificates.

96. Q. In what form was the list of names kept?

A. I am inclined to think it was on sheets either of foolscap or of legal-cap. They folded over similarly to legal-cap paper. To each name was a number, and the number exceeded 5,000. I looked over the list. He turned the sheets over rather rapidly. I saw the last number, which, I think, was 5,900 odd; certainly it was in excess of 5,000.

97. Q. Was Rosenberg connected with any of the courts?

A. Not that I know of.

By Mr. DAWES:

98. Q. Did you present to him any applications for naturalization in the names of these men?

A. None at all. When I went back about 1 o'clock on Tuesday he showed me some papers which he had coiled up in his hand, and I saw

the name of Adolph Slechelseine on one of them. I supposed them to be applications for certificates of naturalization.

99. Q. Did you make any statement to him of what countries these men were from?

A. None at all.

100. Q. Of their ages?

A. None whatever.

101. Q. Of how long they were in the country?

A. None whatever.

102. Q. Of whether they had filed their first papers?

A. None whatever.

103. Q. Did you make any other statement, either in writing or verbally, than you have testified to?

A. I stated to him that the men were too poor to go to White Plains, the county seat of the county where Yonkers is situated, or to come to New York to obtain their naturalization papers.

104. Q. Did you make any other statement to him, either verbally or in writing, of the facts on which they were entitled to naturalization?

A. None whatever.

By Mr. DICKEY:

105. Q. Did you name any vouchers for them?

A. None whatever.

By the CHAIRMAN:

106. Q. What papers were those you saw with the name of Slechelseine on one of them?

A. When I went back to Rosenberg's office on Tuesday I asked him if he had the naturalization papers ready. He said he had not time to get them. He had in his hand papers coiled up, and he opened the coil and spread it out. I saw the name of Slechelseine, one of the five names that I had furnished him. I took the papers to be applications for naturalization certificates.

By Mr. DAWES:

107. Q. Was that your own inference, or some statement of his?

A. It was my own inference. I am morally certain of it, but I could not swear to it. The paper was partly printed and partly written. I saw something in it about an application and citizenship. It was a paper similar to one which, I believe, foreigners fill up before they are granted certificates of naturalization.

By Mr. HOPKINS:

108. Q. Was anything said by Rosenberg in that interview as to where he was to get these papers?

A. No, sir.

109. Q. Or as to whether they were genuine papers issued by the court or not?

A. No, sir.

110. Q. He disclosed nothing of the kind?

A. He disclosed nothing of the kind.

By Mr. KERR:

111. Q. Do you know what naturalization papers cost in the proper courts in this city?

A. I believe only the notary fees.

112. Q. When you went to the place where Rosenberg was, did you see any persons there who seemed to have anything to do with the business?

A. None who were concerned in the issue of such papers. There were 20 persons in the saloon.

113. Q. Did you count them?

A. No; but I know there were over 20. There were five sitting on the right-hand side of the saloon at a table at which applications were made out and at which Rosenberg was sitting.

114. Q. Five others?

A. Four besides Rosenberg.

115. Q. Were they drinking?

A. No, sir.

116. Q. Were they there each time you went in?

A. That I cannot state; they were clerks to the committee.

117. Q. How do you know they were?

A. Because I saw them writing.

118. Q. What were they writing?

A. That I cannot state.

119. Q. Did you see any blanks before them which they seemed to be filling up?

A. I saw blanks; I did not see them filling them up.

120. Q. Were they all writing at one time?

A. I do not recollect that.

121. Q. Were they young men or old men?

A. They were middle-aged men.

122. Q. Were they Americans or foreigners?

A. They looked to be foreigners.

123. Q. Did you talk with them?

A. Not at all.

124. Q. You do not know whether they had any connection with Rosenberg?

A. No; except that Rosenberg was chairman of the naturalization committee that met there. It was the naturalization office.

125. Q. How do you know that?

A. That was the sign over the door; it was in German, but I knew enough of German to know it was the office of the naturalization committee.

126. Q. Can you repeat the words?

A. I cannot.

127. Q. And that is all that leads you to believe that what you call the naturalization committee met there?

A. No; Mr. Fred. Kromber, who was connected with the naturalization committee that met at 25 Chambers street, told me that Rosenberg was the chairman of the German naturalization committee that met at 6 Centre street. The office had all the appearance of being an office, because there were papers on the table which you could see from the sidewalk.

128. Q. As many papers as you see here now?

A. More.

129. Q. You had not a word of conversation with these other men?

A. None whatever.

130. Q. Were they in the common room in which beer was sold?

A. They were.

131. Q. Persons were coming in and going out all the time?

A. All the time.

132. Q. Of how many did the committee consist?

A. I do not know; I saw four persons besides Rosenberg sitting at that table.

133. Q. How large was the table?

- A. I suppose about 12 feet long.
134. Q. How many could conveniently sit at it?
- A. Eight or nine at one side and seven or eight at the other.
135. Q. Did you know any of the names of the men you supposed to be the committee?
- A. No, sir.
136. Q. Did you inquire as to their names?
- A. I did not.
137. Q. Did you inquire whether anybody but Rosenberg had anything to do with the naturalization business?
- A. No, sir.
138. Q. Did you ask Rosenberg how he got the certificates?
- A. No, sir.
139. Q. Of what nationality is Rosenberg?
- A. I do not know; I am inclined to think he is a German.
140. Q. Did he talk the English language pretty well?
- A. Very well indeed.
141. Q. He seemed to be an intelligent man?
- A. Very intelligent indeed.
142. Q. The persons that you saw sitting at the table, were they clerks or committee men?
- A. I do not know for certain.
143. Q. Did they seem to be under the direction of Rosenberg?
- A. I cannot say that.
144. Q. Did you hear any orders given or see any executed?
- A. None at all.
145. Q. How long were you there at any one time?
- A. I think about five minutes was the longest I was there at any one time.
146. Q. What did you do with the certificates when you got them?
- A. I brought them to Marshal Murray's office.
147. Q. Do you know whether any person voted on them or not?
- A. I know that nobody did, for they were put in evidence in the court.
148. Q. Do you know, of your own knowledge, that any of the certificates issued from that office was used by any person to vote upon?
- A. No, sir; I do not.

HENRY BUTTS sworn and examined.

By the CHAIRMAN:

149. Question. What is your residence?
- Answer. I reside in Third avenue, in this city, and have lived here all my life, with the exception of three years that I was in the army.
150. Q. I present to you three papers, purporting to be certificates of naturalization, to James Schmitt, Sebastian Shneider, and John Winkens, which are dated the 19th of October, 1868, and which were referred to in the testimony of District Attorney Courtney. Examine them, and see if you have ever seen them before.
- A. Yes, sir; I believe I have.
151. Q. Do you know where they were procured?
- A. I do; bought from a man at 6 Centre street. His name was Rosenberg. I bought these three papers from him and paid him \$5 for them.
152. Q. When was that?
- A. That was on the 19th of October, I think.
153. Q. Are the names of the persons purporting to be naturalized genuine or fictitious?
- A. They are fictitious.

By Mr. DICKEY:

154. Q. How did you get the names?

A. I put them down myself on a piece of paper just as they happened to come into my head.

155. Q. Then they were fictitious?

A. Yes, sir.

By the CHAIRMAN:

156. Q. At whose instance did you procure them?

A. At the instance of Marshal Murray. The marshal spoke to me and asked me if I knew of any frauds that were going on. I told him that I knew of none. He asked me if I thought I could find out any. I told him I would try. I had heard that there were parties somewhere in Centre street selling naturalization papers. I had seen Marshal Murray, and I went over there and went down in the office. I saw a man sitting behind the desk, and I called one of them over and asked him if he would take a drink. He said, "yes," and I got into conversation with him, and told him there were three men for whom I would like to procure certificates of citizenship. He asked me if they were all right, and if they could be relied upon not to say anything. I told him, yes. He asked me whether I would say anything. I told him that it was all right, and that he need not be afraid of me. I had noticed him once before that, going in there with politicians; one of those ward politicians of the name of McNaughten, I think, and I suppose that he considered me all right, and thought I could be trusted. He told me it would cost something, and that he was making nothing. He said it would cost \$3 a piece, and that he would give me \$4 50. I said I did not care to make anything out of it, "but get me the papers as cheap as you can." He said he would, and I told him I would give him \$5 for the three. He said that would do, when he told me to come again at half-past five o'clock in the afternoon. I went again at half-past five and handed him the \$5. He went out and was gone about fifteen minutes, when he came back and handed me these three papers. I brought them over to Marshal Murray, and Marshal Murray put them away. That is as much as I know about it.

By Mr. DICKEY:

Q. Where is this place in Centre street, with reference to the supreme court?

A. It is right opposite to it, across the street.

157. Q. Was Rosenberg gone long enough to go over to the court, and come back, while you were waiting for him?

A. Oh, yes, that gives you time to go over to the court.

158. Q. In furnishing him with these three names did you tell him where the men lived?

A. I did. I marked their residence on a slip of paper.

159. Q. Did you furnish him with the names of any one to vouch for them?

A. No, sir.

160. Q. Did you state how long each of them had been in the country?

A. No, sir.

161. Q. Did you state their ages?

A. No, sir.

162. Q. Or their nationality?

A. No, sir; I left him to infer from their names what their nationality was.

163. Q. Did you furnish him with a memorandum of the length of time they had been in the country?

A. No, sir.

By Mr. BLAIR:

164. Q. Did you aim to furnish German names?

A. I did, because Rosenberg is a German, and I can speak German myself. When I went over there we had our conversation in German.

165. Q. Is there any sign over the door?

A. There was a sign over the door in German. It was: *Deutsche Amerikanische Naturalizations Committee*. It was printed in American letters with German spelling.

By Mr. KERR:

166. Q. Does Rosenberg talk good English?

A. Yes, sir; I believe he does.

167. Q. How old is he?

A. I should judge about 45 years of age.

168. Q. Did you know anything of him before this?

A. No, sir.

269. Q. What sort of a room was that?

A. It was a lager-beer saloon.

170. Q. What is its size?

A. I should judge it to be about 12 feet wide and from 25 to 30 feet long. The counter was about six to seven feet long—a small lager-beer counter. It was at the forward end of the saloon, just as you enter from the street.

171. Q. What furniture was in the room?

A. There were tables and chairs. I should think there were three or four tables in the room.

172. Q. Such tables as are ordinarily in beer saloons for guests to sit down at to drink their beer?

A. Yes, sir; I should judge three or four of these tables. There were two of them standing together. I cannot say for certain whether these two were round or square tables, but I think they were square tables.

173. Q. How many times did you go there?

A. I was in there three times.

174. Q. Whom did you see when you went in there on this business?

A. I saw Rosenberg. The first time I went in there I should think there were six or eight persons in the room. There were two employed at the table at which these men were writing, and there were several standing up in different parts of the room, drinking, talking, and conversing.

175. Q. How many were in the next time you went there?

A. I don't believe there were more than about four.

Q. Were they engaged in drinking?

A. No; there was one man sitting upon the table, and Rosenberg was there, and the barkeeper, and myself. The first time I was in, there were a number of people there, and it seemed as if they were doing a good deal of business. The place was much crowded.

176. Q. At those tables that were standing together did you see any persons doing any writing?

A. Yes, sir; I saw men sitting there writing.

177. Q. Who were they?

A. I supposed they were men who comprised the board of naturalization.

178. Q. What do you mean by the board of naturalization?

A. It has been usual, just before an election in this city, for both the republican party and the democratic party to have what they called a board of naturalization.

179. Q. Is constituted how?

A. Appointed by the general committee of the party. They make their headquarters somewhere near the court, and all applicants who wish to obtain certificates of citizenship go there to have their blank applications filled, and to get information, &c. It is done in a legal way. Their applications are made out and handed to them and they go over to the court with their tickets and make the necessary oath. This board of naturalization is what I speak of as the committee of naturalization.

180. Q. Were there such committees constituted this year by both parties in this city?

A. Yes, sir.

181. Q. Where was the one representing the republican party?

A. At 25 Chambers street.

182. Q. At some distance from the other?

A. Only a few steps; both were convenient to the court.

183. Q. Do you know of any of this same kind of business being carried on at 25 Chambers street?

A. No, sir; I spent a good deal of time in this place and I could not understand anything of that kind, nor did I hear of anything.

184. Q. Were you not a member of that committee yourself?

A. No, sir.

185. Q. Did Rosenberg seem to have a separate office from those other men who belonged to the committee?

A. No, sir; he was one of the committee and used to sit at the same table with the others. But it seemed as if he was doing this other business on his own hook, outside of these parties.

186. Q. He would step aside and have private conversation?

A. Yes, sir; I saw him several times conversing with different parties. What the nature of the conversation was I do not know.

187. Q. Can you give the committee the names of those other men, who you say seemed to constitute the balance of this naturalization committee?

A. No, sir; because I had no dealings with them; I had not even a word of conversation with one of them.

188. Q. Did you see other persons go in there who seemed to be in search of the same sort of aid that you professed to be in want of; and did you see them have conversation with the men sitting at the table?

A. No, sir; that I can say. I never saw any one conversing with these men, except it was applicants on the other side of the table. I saw persons having their applications filled out.

189. Q. Do you know whether these other men were parties in any way to the frauds that had been carried on by Rosenberg?

A. I do not.

By the CHAIRMAN:

190. Q. What were Rosenberg's politics?

A. I do not know what his politics were.

By Mr. DICKEY:

191. Q. What committee?

A. It was the democratic committee.

By Mr. HOPKINS:

192. Q. What do you understand by his asking you if you were all right?

A. I suppose he wanted to know if I was a man to be relied on. He asked me if these men were all right, too. "Yes, sir," said I, "they are all right, and they are good fellows, and I want to get their votes." I spoke to him as if I was interested politically in the election, and wanted to get these votes.

By the CHAIRMAN:

193. Q. What party did you represent to him?

A. I did not make any mention of any party. I let him take that for granted, whichever way he liked.

194. Q. Was the fact notorious that the committee with which Rosenberg was acting was a democratic committee?

A. O, yes! Another way that a good many of these papers were procured was by parties who used to hang round there just before election times. There are men in New York whom you can buy to make a false oath for a glass of beer. These men hang round such places, and are always ready to go into court to represent parties; one assuming such a name, the other assuming such a name. That is the *modus operandi* of the whole affair, I think. I investigated as well as I could, as the marshal instructed me particularly to find out all that I could about it.

By Mr. HOPKINS:

195. Q. Did Rosenberg represent to you that he wanted time to go to the court and get these papers?

A. No. When I went in he said to me, "Is it all right?" and I said "Yes." He then put his hand over the table, in this way, indicating as if he did not want the other men to see. I handed him the \$5 and he put it in his pocket.

By Mr. KERR:

196. Q. Are you in the service of Marshal Murray?

A. Yes, sir; I am one of Marshal Murray's deputies.

SAMUEL REYNOLDS sworn and examined.

By the CHAIRMAN:

197. Question. Where do you reside?

Answer. I reside at 321 West Twentieth street, in this city. I have always lived in this city, pretty much.

198. Q. State if are acquainted with Rosenberg.

A. What acquaintance I had with him was the day I went to get some naturalization papers. I think it was about the 20th or 21st of October.

199. Q. State what occurred.

A. Some parties asked me if I could get some naturalization papers. As there were a good many frauds going on, and false naturalization papers issued, and they wanted me to go and get some, I came down town, made out a list of seven names, and went then to the El Dorado in Centre street. I inquired for Mr. Rosenberg, and I gave him a list of these seven names, and he was to get me the papers for them.

200. Q. Were these the names of real or fictitious persons?

A. They were fictitious. He agreed to let me have them if I would wait a little while. I told him that I had business down town, and that I had no money to pay for them then, but I only wanted to know whether he could get them, and would come and get them the next morning. He said that I could get them at any time; if I would come between 4 and 5 o'clock I could have the papers.

201. Q. What was the price you were to pay him?

A. I was to pay him \$2 apiece for anything under a hundred, and if I got over a hundred I was to get them at \$1 50 each. I was to pay \$14 for these seven.

202. Q. Was anything said about which political party these men would vote for if they got naturalization papers?

A. It was a Tammany committee. I told them that these men were working at gas works, and could not come down; that I did not know whether he could get them, but thought if he could I would like to have them.

203. Q. You say Rosenberg occupied a room?

A. He had a room down in a lager-beer saloon in 6 Centre street. There was a sign over the door; the sign was, "Union Tammany General Committee, Naturalization Papers."

204. Q. Is there a Tammany Society in this city?

A. Yes, sir.

205. Q. What is it?

A. Democratic.

206. Q. Was the place of business of Rosenberg, and its object, generally known through the city?

A. Yes, sir; his place of business was not, I suppose, always there; it was only during the political canvass that he went there.

207. Q. State if he had any clerks or assistants.

A. He had some clerks there, men who appeared to be writing; I inquired for him, and he told me that was his name.

208. Q. Did you procure the naturalization papers?

A. No, sir; I did not procure them; about an hour or two after I went there the marshal arrested Rosenberg.

By Mr. KERR:

209. Q. Are you a deputy of Marshal Murray?

A. No, sir.

210. Q. At the time you speak of in what service were you acting?

A. I was a storekeeper.

211. Q. With what political party were you identified?

A. With the republicans.

212. Q. Who procured you to go there?

A. I was at the Fifth Avenue Hotel the night before, and there some gentlemen spoke to me on the subject. Marshal Murray asked me to come to his office at 10 o'clock the next morning; and when I came he asked me to make out a list of names and get these papers.

213. Q. Were you ever at that place except that one time?

A. That is all.

214. Q. How many persons did you see there?

A. There were a good many in the bar-room, but I took no notice of them; I passed right through the bar-room to see Rosenberg.

215. Q. With whom did you have your interview?

A. With Rosenberg alone.

216. Q. Did you show him the names of the persons for whom you wanted certificates?

A. Yes, sir; I gave him the list, and he was to get the certificates for me that afternoon or the next morning.

217. Q. Where was the naturalization committee-room of the republican party during the last canvass?

A. I believe it was somewhere in Chamber street.

By Mr. HOPKINS:

218. Q. Was this place in Centre street recognized as a kind of democratic headquarters for procuring naturalization papers?

A. So far as I know, it was.

By Mr. KERR :

219. Q. How do you know it was so recognized ?

A. Only by the representations of others that these were the headquarters of the Tammany general committee, where people might get naturalized without any trouble.

220. Q. Do you not think Mr. Rosenberg would have sold a republican these papers as cheap as a democrat ?

A. No; he wanted to know if these men were democrats before he would get the papers out, and I told him they were.

LOGAN McDONALD sworn and examined.

By the CHAIRMAN :

221. Question. State your residence.

Answer. My present residence is 256 West Seventh street, in this city, my home has been in this city for about 17 years.

222. Q. State if you had an interview with Benjamin B. Rosenberg, during this year, about certificates on naturalization; and state what was said and done.

A. I had an interview with him, I think, on or about the 21st of October. I went over there and asked him if he could not furnish me with three or five naturalization certificates. I gave him a list of names and asked him if he could not furnish me naturalization papers for these parties. He wanted to know who sent me, and I gave him the name of a president of a campaign club up town—the Twentieth-ward Empire Club. I named a man whom I knew to be president of a club of that kind. He said that he could get them for me, and wanted to know if I was going to sell them. I told him of course not. He then said that the papers would be ready for me about half-past 5 o'clock in the afternoon, and that I could get them by paying him two dollars for each certificate; and that if I needed 500 I could have them at the same rate by simply telling the names of the men for whom I wanted them.

223. Q. Did he require any witness to make proof as to the right of the applicants to be naturalized ?

A. No, sir; he stated that the two dollars was to pay the persons who personated the principals and the witnesses; that he did not want to make anything, and he did not want me to make anything by the operation.

224. Q. Then he had persons to personate the applicants and the witnesses ?

A. So he stated to me.

225. Q. Were the names you gave him real or fictitious ?

A. I believe they were fictitious. I got them from Marshal Murray.

By Mr. HOPKINS :

226. Q. Was the residence of each person stated ?

A. Yes, sir.

227. Q. Was his nationality ?

A. No, sir.

228. Q. Was any fact stated as to how long he had been in the country or his age ?

A. No, sir; simply the name and residence.

By the CHAIRMAN :

229. Q. Did Rosenberg make any inquiry as to which party these persons were to vote for ?

A. He did; he wanted to know if they were democrats and if I was a democrat. I stated that I was.

230. Q. What was said about the use that was to be made of the money paid for the certificates of naturalization ?

A. Rosenberg said that one dollar would go to the person personating the principal, and the other dollar to the person personating the witness; that he derived no benefit from it at all, and that he simply did this for the benefit of the party.

231. Q. Do you know whether he had any connection with any democratic clubs of this city ?

A. I do not. The committee was, as I understand, a committee appointed in the interest of the democratic party for the purpose of issuing naturalization papers. It was at 6 Centre street, in a lager-beer saloon.

232. Q. How far was it from the rooms of the supreme court ?

A. It was right across the street from the court-house.

233. Q. Did you learn from Rosenberg whether the papers were actually procured from the court, or whether he issued them himself.

A. Nothing further than his statement to me, that it was necessary for him to pay one dollar to the person personating the principal and another dollar to the person personating the witness.

234. Q. Did you understand that application had to be made in court ?

A. I so understood by that.

235. Q. What persons were in that lager-beer saloon connected with the naturalization business ?

A. Two or three clerks, I suppose in his employ.

236. Q. Did you see any papers lying about on the table where these clerks were at work ?

A. There were papers lying around the tables; I think they were blank applications for naturalization papers.

237. Q. Do you know any other fact that will throw light upon the inquiry before the committee ?

A. On one occasion a young man asked me to help him get out his naturalization papers. I went with him to the court-room, at No. 4 City Hall, and I saw his friends come there at that time. They ran them through there in a hurry, so that I supposed it was the easiest matter in the world to run parties through without any effort or ceremony.

By Mr. HOPKINS :

238. Q. Did you have any conversation with Rosenberg as to the number of that kind of papers which he furnished ?

A. No, sir; nothing as to the number which he had furnished; but he said he would furnish me with 500 if I needed them, and with as many as I needed.

By Mr. ROSS :

239. Q. Did you get any ?

A. I did not get any, for the simple reason that Rosenberg was arrested previous to the time that I was to call for the papers.

By Mr. KERR :

240. Q. You say you saw one man ground through ?

A. Yes, sir.

241. Q. And it was pretty rapidly done ?

A. Very rapidly.

242. Q. It was done with about as much expedition for one party as for the other ?

A. Well, I think not; this man that I went with went to the repub-

lican naturalization office, and they gave him a red ticket, while in the democratic naturalization office they gave white tickets; and in order to expedite the matter, their instructions were not to show their tickets till they were called for by the clerk of the court. The tickets were an equivalent for the fees, and the two parties had different colored tickets.

243. Q. This presentation of the tickets must have come after the action of the court?

A. I cannot say as to that.

244. Q. Did they not first present these to the court for examination?

A. No question was asked at all.

245. Q. How did you go in with your friend?

A. I went in and stood as a spectator, outside of the railing. I did not go as a witness; I merely went to see him go through, and to see the performance; he brought a witness himself.

246. Q. Where did he bring him from?

A. From where he resides.

247. Q. Did he not bring him from that radical committee room?

A. No, sir, I think not; he was a member of a club of which I was president, the Boys in Blue Club of the 16th ward. He came to me, as president of the club, to go with him and show him how to get his papers. I told him it was necessary for him to have a witness, and he provided a witness himself; his name was Billingham.

248. Q. Were you familiar with the mode of doing business in the republican naturalization office?

A. No, sir; I had never been there before.

249. Q. How many of this kind of committees were organized in this city by each party?

A. I cannot say; I think one or two by each party. The object is to fill up blanks and expedite matters.

By Mr. Ross:

250. Q. Were not the same fees charged in the republican naturalization committee for preparing papers, and putting these men through, as were charged in the democratic committee room?

A. No, sir; and I will state further, that they were not charged by the democratic committee either, when a person went in the regular way, producing his witness, and asking to get his papers regularly.

251. Q. Then this seemed to be a little thing fixed up by this fellow Rosenberg?

A. I suppose it was fixed up by him and the clerk of the court.

252. Q. You say that no such arrangement was made at the other committee room?

A. Not to my knowledge. I never was there but once, with this man Billingham, and they did not charge him anything.

253. Q. And he went on the ticket, which you understood to be for the fees of the court?

A. Simply for the fees of the court.

By the CHAIRMAN:

254. Q. Do you know the names of any of the other parties who were writing at 6 Centre street?

A. No, sir.

255. Q. What sign was there over the door at that place?

A. I think it was a German sign, and most of the clerks were German. I believe the democratic party always has a German office for the purpose of issuing papers to German voters.

256. Q. And another office for other foreigners?

A. Yes, sir.

257. Q. Was there a democratic committee whose business it was to procure naturalization papers for Irish voters?

A. I think there were two offices. This one at Centre street made papers for Germans a specialty.

By Mr. HOPKINS:

258. Q. Do you know of any prosecution or indictment being found against any of the other parties that you saw in that room, except Rosenberg?

A. I have not heard of any.

CHARLES W. BURTON sworn and examined.

By the CHAIRMAN:

259. Question. Where do you reside?

Answer. In the city of New York.

(Witness produces a paper purporting to be a certificate of naturalization issued by the supreme court of New York to Walter Shirley, dated 9th October, 1868, and which is annexed to his testimony, marked Exhibit C.)

260. Q. Where did you obtain this paper?

A. It was shown to me by the person whose name is inserted on it. I knew he was not a citizen, and I asked him how he had obtained it. He handed it to me, and I put it in my pocket and have retained possession of it ever since; he did not vote on it.

261. Q. Do you know any other fact that would throw light on the matter of the inquiry before this committee?

A. Only that I attended the election in one of the wards of this city, (the 3d district of the 19th ward,) where some three votes were received which were not on the registry. They had been registered in an adjoining district. I objected to their being received, and they were not received; but I was informed by an officer that they were received afterwards. I was at the polls when they were closed, and one of the canvassers refused to go on with the count while I was there. One of the canvassers was anxious to go on, but the other refused.

262. Q. Do you know the politics of Walter Shirley?

A. He told me he should vote for Mr. Seymour if he had a vote. He is about 30 years of age and an Englishman. He has been in this country about 20 months. He has been in my employment ever since he came. He told me that he had never been in the court-house and had never declared his intentions.

[Exhibit C.]

UNITED STATES OF AMERICA.

STATE OF NEW YORK, *City and County of New York, ss:*

Be it remembered, that on the 9th day of October, in the year of our Lord 1868, Walter Shirley appeared in the supreme court of the State of New York, held in the city and county of New York, (a court of record, having common-law jurisdiction, a clerk, and seal,) and applied to the said court to be admitted to become a citizen of the United States of America, pursuant to the provisions of the several acts of the Congress of the United States of America, for that purpose made and provided. And the said applicant having produced to the said court such evidence, having made such declaration and renunciation, and having taken such oaths as are by the said courts required—

Thereupon it was ordered by the court that the said applicant be

admitted, and he was accordingly admitted to be a citizen of the United States of America.

In testimony whereof, the seal of the said court is hereunto affixed this 9th day of October 1868, and in the 93d year of the independence of the United States.

Per curiam:

[SEAL.]

CHAS. E. LOEW, *Clerk.*

NEW YORK, *Tuesday, December 22, 1868.*

WALTER SHIRLEY sworn and examined.

By the CHAIRMAN:

263. Question. Of what country are you a native?

Answer. England.

264. Q. How long have you resided in the United States?

A. Two years and a half.

265. Q. I present to you a paper purporting to be a certificate of naturalization issued to you, and which is referred to in the testimony of Mr. Burton; state if you ever had it in your possession.

A. I had.

266. Q. From whom did you obtain it?

A. It was left at the house where I resided in Astoria.

267. Q. Who gave it to you?

A. It was sent to me into the dining-room by one of the servants. I did not see the person who left it, except his back as he was going down the garden.

268. Q. Did you have any previous conversation with any person about procuring a certificate of naturalization for you?

A. None whatever.

269. Q. Had you any previous knowledge that such a paper would be procured for you?

A. I had not.

270. Q. Have you any means of knowing who left the paper for you?

A. None whatever.

271. Q. Did you state to any one that you saw a gentleman have a large bundle or package of similar papers?

A. Not to my knowledge.

By Mr. DICKEY:

272. Q. Did you see any one have a large bundle of such papers?

A. Only the man who left this paper. He had a bundle of papers in his hand as he went down the garden from the house. They were, to all appearances, similar.

273. Q. Was more than one left at your house?

A. No, sir.

By the CHAIRMAN:

274. Q. Did you have any previous conversation with any person which led you to suppose that a paper like this would be furnished to you, or that such papers were being furnished to others?

A. Yes.

275. Q. Who were the persons?

A. Various persons, in casual conversation. The thing was notorious at the time.

276. Q. What was notorious?

A. The fact of naturalization papers being given to parties not qualified and to others, to influence them or to increase the vote.

277. Q. With what political party have you been acting?

A. With neither.

278. Q. With what party would you have voted if you had been entitled to vote?

A. I do not think I should have voted at all. I had no sympathy with either party, and would not have voted at all.

279. Q. Did you tell Mr. Burton that you would vote for Seymour if you had a vote?

A. Not since I got that paper; I do not know but I may have said so before. I may have said four or five months ago that my sympathies were with Mr. Seymour.

280. Q. Did the persons with whom you talked about these fraudulent naturalization papers act with the democratic party or with the republican?

A. I presume that they acted principally with the democratic party. I have spoken with men on both sides.

281. Q. From what person did you learn that fraudulent naturalization papers were being issued?

A. I cannot say that I learned it from any person; I learned it from the papers. The only persons I conversed with on the subject have been casual acquaintances.

282. Q. I understood you to say that you had conversations with persons who induced you to suppose that you would be furnished with papers of that sort and that others had been?

A. No, sir; I think not. I never was induced to believe that in any way, and it occasioned great surprise to me when the paper was handed in to me.

283. Q. Did you have any conversation with any politicians, or persons acting with political clubs or societies, on the subject?

A. None whatever, that I know of.

By Mr. DICKEY :

284. Q. Where were you registered as a voter?

A. I never was registered as a voter.

285. Q. You do not know whether your name was registered as a voter?

A. I should say not. I never attempted in any way to register, or make myself a citizen.

By the CHAIRMAN :

286. Q. Have you any suspicion who the person was who left this paper for you?

A. I have not the least suspicion. I tried at the time to find out who it was and I could not, and I gave up the effort.

By Mr. DAWES :

287. Q. Did you ever make any application to any person or court for citizenship?

A. No, sir; never.

288. Q. Did you ever sign any written paper for the purpose?

A. No, sir.

289. Q. Did you ever make any statement to any person before obtaining the paper as to where you were born, and where you lived when you came to this country?

A. Never.

290. Q. What did you do with the paper?

A. I put it in my pocket and showed it to Mr. Burton. He asked me to let him have it, and I did so.

292. Q. What is the date of the paper?

A. I suppose it was dated in October, for it was, I think, towards the end of that month that I got it.

293. Q. Did any person previous to your getting possession of that paper ask you whom you would vote for if you were entitled to vote?

A. No; I don't think so.

294. Q. What is your business?

A. I am secretary for oil companies.

By the CHAIRMAN :

295. Q. Can you state what person you have talked with about the issuing of fraudulent papers, or about the fact that such papers were being issued?

A. I have spoken in ordinary conversation with at least a dozen on the subject.

296. Q. You say the fact was notorious that fraudulent naturalization papers were being issued; how did you learn that?

A. I learned it from the newspapers and from general conversation. It was a matter on every one's lips. It was spoken of in the office at least twenty times a day to any one who came.

By Mr. ROSS :

297. Q. You say it was notorious that papers were being issued fraudulently?

A. Yes, sir.

298. Q. Was it notorious that both parties were furnishing their friends with fraudulent naturalization papers?

A. No, sir; it was particularly the democratic party.

299. Q. There was talk of the other party also?

A. To a slight degree; but as the majority was so strong against it, the frauds were on the other side.

300. Q. For the reason that they had more persons to naturalize?

A. That they had more opportunity to use these naturalization papers, having democratic people in charge who would do it. I guess both parties did it as much as they could under the circumstances.

By the CHAIRMAN :

301. Q. Do you know of any fraudulent naturalization papers having been procured or used by the republican party?

A. Not one. I do not know of any other on either side.

By Mr. ROSS :

302. Q. You do not know whether this paper was left for you by a democrat or a republican?

A. I have not the slightest idea; I cannot say on what grounds it was given me then.

JOHN MCARTHUR, Jr., sworn and examined.

By the CHAIRMAN :

303. Question. With what political party have you acted?

Answer. The democratic party.

304. Q. Have you occupied any official position in this city?

A. Yes, sir; I am connected with the police board.

305. Q. Look at the two papers which I now present—one purporting to be a certificate of naturalization, issued to Denis Fitzpatrick, dated the 9th of October, 1868, and the other a certificate of naturalization, issued to Denis Lynch, dated the 12th of October, 1868, both signed by Charles E. Loew, as clerk—and state if you ever saw them before, and under what circumstances.

A. Yes, sir; Denis Fitzpatrick came to the 27th election district of the 19th ward, situated on Third avenue, between Eighty-third and Eighty-fourth streets, and wanted his name registered; one of the inspectors, Mr. Reed, asked him how long he had had that paper; he said about two weeks; I then asked him if he had appeared in any court to get that paper; he said he had not; I asked him if he had made any oath or affidavit or form to get it; he said he had not; I asked him where he got it, and he said that he got it at McGinnis's porter house, in Eighty-seventh street, in Sixth avenue; I asked him if he had paid anything for it, and he said he had not; I asked him who gave it to him, and he said he did not know; that it was a little fellow, about my size; I then took him to the station-house; Denis Lynch was arrested by officer Barker and brought to the station-house; I was in the station-house at the time, and Captain Hutchings asked me to take that matter; I then said to Denis Lynch that he was at liberty to answer all or any of the questions that I put to him touching the paper, and said it might be used in evidence against him; I asked him if he had had the paper, showing it to him; he said he had; I asked him if he had attempted to register upon it; he said he had; I asked him if he had appeared in any court to get a paper, and he said he had not; I asked him if he had made any oath or affidavit to get it; he said he had not; I asked him if he had paid anything for it; he said no; I asked him who had got it for him; he said Joe Moore; I asked if he could identify Joe Moore; he hemmed and hawed and grumbled a good deal, and said he didn't think he could.

306. Q. Do you know Joe Moore?

A. Yes, sir; I arrested Joe Moore, and he is now under \$10,000 bail in these two cases.

307. Q. Has he been indicted?

A. I do not know.

Q. What were the charges against him?

A. Procuring these fraudulent naturalization papers. I arrested him and took him before the United States commissioner, Osborne. Mr. Osborne sent the case up stairs to Commissioner Betts, and he was admitted to \$5,000 bail in each case.

308. Q. How many wards are there in the city of New York?

A. Twenty-two, I believe.

309. Q. How many places of registry?

A. I do not know.

310. Q. How many voting places?

A. I believe there are the same number of voting places that there are of registers' offices. There are quite a large number of them; there are 31 districts in the 19th ward, I believe.

By Mr. DICKEY:

311. Q. Of what party was Joe Moore a member?

A. He is a democrat, I believe.

By Mr. DAWES:

312. Q. Do you know Denis Fitzpatrick yourself?

A. Yes, sir.

313. Q. Do you know how long he was in the country?

A. He said to me, I think, that he had been some fifteen or sixteen years in the country. He said to me that he had got his first papers and had lost them, but that he had never appeared in any court or made any affidavit or application to get this last paper.

By Mr. KERR:

314. Q. How was the police force in this city organized at the last election? Did the board of police commissioners organize it, or any part of it?

A. The board issues orders to the superintendent of police, and he issues orders to the different captains of precincts, and they regulate the men according to these orders. There are generally two men—one of each party—sent to each election district to act as policemen; I know this was so in our district. The captains select, as nearly as they can, one republican and one democrat; that is what they call two men inside; the men outside are not selected in that way, but according to whether there is any trouble or not.

315. Q. How is the board of election officers organized, registers, and the persons who receive the votes?

A. I believe they are two and two.

316. Q. Who selects the clerks of election?

A. The police commissioners, I believe.

317. Q. They were, therefore, ordinarily all republicans, were they not?

A. I presume there was one democrat and one republican, on account of the board being situated in that way.

318. Q. Do you know what was the conduct of the other election officers with reference to these alleged false certificates; was it the same as these so far as you know?

A. Yes, sir; I suppose so.

319. Q. You conducted the investigation in reference to these two and had the men arrested?

A. I arrested Denis Fitzpatrick, and then, according to instructions, I took hold of Denis Lynch also; and then there were warrants issued for Joseph Moore and Michael Kennedy.

320. Q. Did you ever know of any vote being cast on one of these fraudulent certificates?

A. No, sir.

321. Q. Did you do all in your power to prevent casting any such votes?

A. I acted fairly and just as an officer, irrespective of any party whatever.

By the CHAIRMAN:

322. Q. I present to you three papers, purporting to be certificates of naturalization of James R. Smith, Samuel Reynolds, and Patrick Rafferty, annexed to the testimony of Marshal Murray; state whether the seal affixed to these papers corresponds with the seal affixed to the naturalization papers to which you have referred in your testimony.

A. I believe they are alike.

323. Q. How does the signature of Charles E. Loew correspond?

A. I would rather not pass an opinion upon that.

By Mr. HOPKINS:

324. Q. In the discharge of your duties as an officer did you learn of any of these papers being procured by republican influence or by republicans?

A. I have heard so.

325. Q. Did you learn the fact?

A. No, sir, further than that I was down at the City Hall one day, when a man said, "There is a republican come in; they are both into it."

326. Q. You learned nothing of the kind as an officer?

A. No, sir.

327. Q. Those papers you have no doubt were procured under democratic influence?

A. The men said they got them from Joe Moore, and the politics of the two men were democratic.

328. Q. You have no doubt that they would have voted the democratic ticket if they had voted at all?

A. I think it very likely.

CHARLES C. REED sworn and examined.

By the CHAIRMAN:

329. Question. What official position did you hold at the last election in New York?

Answer. I was inspector of the 27th district, 19th ward.

330. Q. I present to you a paper, purporting to be a certificate of naturalization to Denis Fitzpatrick, and which is referred to in the testimony of John McArthur, jr.; state what you know about it.

A. There was such a paper presented to him by Mr. Stephenson, the other inspector, and passed over to me. I asked the person who presented it when he had been last in court, and he told me he had never been there. I said, "I suppose you got this at the court on the corner of Eighty-ninth street and Fourth avenue"—a police station which they call a court. He said he had not; that he had got it at the corner of Eighty-seventh street and Third avenue, at McGinnis's liquor store. He said there were three or four others given out at the same time. I asked him did he know the names of the persons who got them. He said he did not, nor could he tell the name of the person who handed it to him.

331. Q. Did Fitzpatrick attempt to have his name registered on that paper?

A. Yes, sir; I advised him not to attempt it, as the paper was fraudulent; and not having appeared in court, and not having complied with the law, I advised him to go home, and McArthur, the policeman, followed him and arrested him. The inspectors, seeing that the man was ignorant, were willing to let him go.

332. Q. Are you a republican or democrat?

A. I am a republican.

333. Q. Do you know of any fraudulent naturalization papers having been issued or used, or attempted to be used, for the purpose of registering or voting?

A. Not to my own knowledge; I have been informed by other registers, in districts of the 19th ward, that some attempt was made to register upon similar papers.

THOMAS SURRIDGE sworn and examined.

By the CHAIRMAN:

334. Question. What country are you a native of?

Answer. Ireland.

335. Q. How long have you lived in the United States?

A. I first came here about 18 years ago, and went back three months before the war broke out, and returned to this country about October, 1867.

336. Q. Did you ever make any declaration of intention to become a citizen?

A. No, sir.

337. Q. Did you ever make an application in court to be naturalized?

A. No, sir.

338. Q. Did you ever take an oath to support the Constitution of the United States?

A. No, sir.

339. Q. Have you ever voted in this country ?

A. No, sir.

340. Q. I present to you a paper purporting a certificate of naturalization, dated the 19th of October, 1868, issued to Thomas Surridge, and signed "Charles E. Loew, clerk of the city;" have you ever seen that paper before ?

A. Yes, sir; I did.

341. Q. From whom did you get it ?

A. I do not know the name of the person who gave it to me, but I identified him to the United States deputy marshal.

242. Q. What did he say when he gave you the paper ?

A. He told me that it was all right.

343. Q. Where did he get the paper ?

A. At the corner of Twenty-first street and Tenth avenue, Gibson's liquor store. I was there about some paper-hanging that I was doing; there were a number of persons there, and some of them asked me if I had ever voted. I said I had not; that I had no papers. One of them said that he could get me papers, and he referred to a young man who gave me that paper.

344. Q. Did you pay anything for it ?

A. I paid \$1.

345. Q. Did he ask you what party you would vote with ?

A. No, sir; he did not.

346. Q. Did you express any opinion ?

A. No, sir.

347. Q. Did you say how you would vote ?

A. No, sir.

348. Q. What party have you been in favor of ?

A. I have not been in favor of any party particularly. I did not interfere with politics at all.

349. Q. Do you know whether this young man has ever been arrested ?

A. I asked the deputy marshal, and he said he had not arrested him yet.

350. Q. Did you attempt to have your name registered as a voter upon this paper ?

A. I presented the paper; my object was just to test the thing to see if it was a legal paper or not.

By Mr. DICKEY :

351. Q. Where did you present it ?

A. At the board of registers, in Ninth avenue.

352. Q. Were you then arrested ?

A. Yes, sir; and brought to the police office.

353. Q. After attempting to register without being entitled to do so ?

A. I suppose that was the ground of my arrest.

By the CHAIRMAN :

354. Q. I present to you three papers purporting to be certificates of naturalization, annexed to the testimony of Marshal Murray; state whether the printing and the seal of the court annexed to these three papers are similar to the printing and the seal of the court of this paper which was given to you.

A. Yes, sir; they appear to be the same.

355. Q. State if the signature of Charles E. Loew, clerk, on all the papers, is similar.

A. Yes, sir; it is similar on all of them.

R. H. DALY sworn and examined.

By the CHAIRMAN:

356. Question. State your residence, and what official position you have held in New York.

Answer. I live in Lamartine place. At the last two elections I was inspector in the 21st district of the 17th ward, in this city.

357. Q. What are the duties of inspectors?

A. To register the names of qualified voters belonging to the district, and to receive their votes on election day.

358. Q. I present to you five papers purporting to be certificates of naturalization issued by the supreme court of the State of New York held in and for the city and county of New York, one to Charles Fieling, dated October 17, one to William Schmidt, dated October 19, one to John Lehmar, dated the 22d of October, one to Jacob Schaffer, dated the 9th of October, and one to John Moelsch, dated the 22d of October, and all signed by Charles E. Loew, clerk; examine these papers and state what you know of them.

A. At the first meeting of the board of inspectors on the second day, I went from our place where we were holding the board to the next board in the same ward, and while there, one of the inspectors asked me if we had any fraudulent naturalization papers; I told him that we had not any that I could say. He picked up one similar to these, and said these are all fraudulent papers. Said I, "If they are we have taken a good many of them in our district." I immediately returned to our board, and the only one of these papers that I could recollect having been taken was this one of Charles Fieling. I knew we had such a paper the day before. I told the balance of the board that I thought we had been taking some fraudulent papers, and they wanted to know if I could identify any of them. I told them that I thought this one of Fieling's was one of them; so with the consent of the other members of the board I despatched a policeman for Fieling, and told him to bring his papers with him. He is a German, who keeps a grocery store. I asked him where he got them. He said it was sent to him in an envelope. I asked about how long he had been in this country; he said he had been here 13 years. I asked him if he had declared his intentions to become a citizen; he said he never had. I asked him if he knew anything about where the paper came from; he said he did not; that it was sent to him; that he thought it all right to come to register in it. He appeared to be an innocent sort of a man, who would not be likely to do anything contrary to law. We erased his name from the register, and told him the proper course to pursue in order to take out the legal paper of naturalization. The four other papers were papers which were presented to us subsequently, and which we retained. I have no doubt that there were fifty of these papers registered at our district and voted on.

By Mr. DICKEY:

359. Q. Did the other parties who presented these papers make any statement as to where they got them?

A. Yes, sir. They did not tell correctly how they got them. One of them brought a witness with him to swear that he was with him in the court and saw him get the paper and pay the fee; but on closer questioning he said he saw a good many people get their papers, but he could not say exactly that he saw this paper got. One person on the board, on the democratic side, was in favor, inasmuch as we had taken

a number of these papers, of going on and taking the rest of them; but I and my republican friend could not see it in that light.

360. Q. How many inspectors are there?

A. Four, two republicans and two democrats.

361. Q. Were both the democrats in favor of continuing to take these papers?

A. One of them was drunk pretty much all of the time; he did not have much to say either way. We had him removed. I went to one of the commissioners and refused to serve with him any longer, and had him removed.

By Mr. HOPKINS:

362. Q. How do these fraudulent papers differ from the genuine ones?

A. They appear to be of a different form. The others are printed upon blue paper, and the seal is different. The others are much larger than these, and the seal is a wafer one, with a piece of tissue paper or ribbon upon it. Some are printed in quite an elaborate manner, and some are framed. One of these papers we were afterwards obliged to take. Councilman Hartman came and swore that he went with the man to the supreme court and swore that he saw the paper issued by the court and signed by the clerk. Under these circumstances we could not refuse him registration. I do not recollect the name of that case.

By the CHAIRMAN:

363. Q. I now present to you three papers, purporting to be certificates of naturalization, which are annexed to the testimony of Marshal Murray; state whether the printing or signature of the clerk and the seal of the court of these three certificates are similar in all respects to the printing, seal, and signature of the five papers to which you have testified.

A. I think the printed form is the same, and the seal is the same. I cannot see any difference in the signature, and I should judge that is the same.

By Mr. KERR:

364. Q. You say that you think that at least 50 of a certain kind of fraudulent certificates were received at your register's poll?

A. I should think that was a low estimate. The first day we did not do much business during the daytime. We kept open that evening, and then there was a great rush; so much so that two policemen had to make the men take their turns in the line, and there was a long queue. I know that a great many of these papers were registered on. That night there were 175 names registered, and I know that a majority, or a large proportion of them, were on these papers.

365. Q. Do you mean to say that a majority of them were registered on this kind of papers?

A. I do not know that a majority of them were. A great many of them were.

366. Q. Do you mean to say that all of this particular seal are fraudulent.

A. That I did not say.

367. Q. How do you know how many were fraudulent that were taken that night—or how can you approximate satisfactorily to any conclusion?

A. I would not say there were 49 of these papers taken, or that there were 51 taken; but I say that there were at least 50.

368. Q. How do you know?

A. From having handled them that night. The next day we registered probably 50 persons. Out of that number we threw out some 10 or 12 of these papers. Take that same proportion on the 175 of the night previous, and it will not make much short of 50.

369. Q. You say you registered 10 or 12 out of the 50 the next day; that was one-fifth the number there. On the previous night you took 175. What would one-fifth of that number be?

A. About 35.

370. Q. Then do you think you took only about 35 of those fraudulent papers?

A. No, sir; I will not come down one.

371. Q. How many officers did that board consist of?

A. Three, besides myself. Two republicans and two democrats.

372. Q. Who were the republicans?

A. One was Theodore Black, and one was R. H. Daly. The democrats were John Fitzpatrick and S. Grill, jr. Fitzpatrick voted the republican ticket, however.

373. Q. Please explain how he came to do that. Is that the way men usually give evidence of their democracy?

A. My associate on the board told me that he gave Fitzpatrick a republican ticket, and that he went and voted on it. He said he gave him a drink and a republican ticket, and he went and voted it.

374. Q. I suppose Fitzpatrick, being a democrat, was induced to vote your ticket by that drink of liquor?

A. I cannot tell you his motive.

375. Q. Do you suppose he would have voted it if he had been sober?

A. I think that any man in his sober senses would have done so at the last election. I know a great many democrats who voted our ticket.

376. Q. Did your associate on the board bribe this man to vote your ticket by giving him a drink of liquor?

A. I did not say that he bribed him. They went out and took a drink, and he gave him a republican ticket, and Fitzpatrick went and voted on it.

377. Q. Was he drunk when he voted?

A. He was pretty drunk.

378. Q. Did your partner, or some other political friend of yours, give him the liquor?

A. O, no, sir; he came there drunk in the morning, at 8 o'clock. My partner was complaining because Fitzpatrick was not there to attend to his official duties.

THEODORE BLOCK sworn and examined.

By the CHAIRMAN:

379. Question. What position did you hold in the last election?

Answer. I was an inspector of elections in the 21st district of the 17th ward.

380. Q. I present to you five papers, purporting to be certificates of naturalization, referred to in the testimony of Richard H. Bell; state if they were presented to you by the persons whose names are inserted in them, and if so, all that was done.

A. I refused to register their names.

By Mr. DICKEY:

381. Q. Why?

A. On account of their own testimony. I asked them how they came into possession of these certificates. They said they were sent to them at home, or that they got them at some place; and that they had never seen any judge or court in order to get naturalized. On their own evidence I took the papers and kept them. Fieling showed me his first papers, which he still had in his pocket. He showed me his declaration of intention, filed about ten years before.

382. Q. Do I understand you that they all admitted that they had not been in the court to take the oath of allegiance, and that they got the papers at their own house and elsewhere?

A. Yes, sir; on paying \$1 50, or different prices. If I had known it the day before, I could have got over 100 of them.

By the CHAIRMAN:

383. Q. What do mean by saying that?

A. I mean that 100 persons presented fraudulent naturalization papers to which they were not entitled.

384. Q. Were they registered on them?

A. They were.

385. Q. Did they vote at the last presidential election?

A. They did.

386. Q. In the ward where you were inspector?

A. Yes, sir; I have every doubtful one marked in the register's book.

387. Q. Do you know to what political party the men holding these naturalization papers belong?

A. I am pretty certain of it. I know it in regard to Fieling and Schmidt, because they were recommended to me by an assemblyman who wanted to make an affidavit that he was present as a witness when they got their papers. I said I would not take his affidavit, or President Johnson's; they are all democrats.

By Mr. KERR:

388. Q. How do you know that they are all democrats?

A. I have been living 15 years in the 7th ward, and know every voter in the ward, or nearly every one. I do not think there are 20 voters in the ward whom I do not know. I used to be a clerk in the fourth district court; in that way I came to know every one in the ward. I ceased to be clerk in 1860, and am now holding a situation in the navy yard, as clerk in the engineer's department.

389. Q. Where did you meet all these voters to get so well acquainted with them?

A. I may say I met them in the lager-beer places. A great deal of them are Germans; we have not got five American voters in the election district. It is a German district, and I do not think you will find five Irish or American voters in the district.

390. Q. Were these chaps who came to vote on these certificates all Germans?

A. Yes, sir.

391. Q. Did they live in the district?

A. They said they did. I did not know them; I took their statements.

392. Q. Who were the other officers with you on that board?

A. Mr. Daly, an Irishman named Fitzpatrick, and S. Gill, jr.

393. Q. What sort of a man is Fitzpatrick?

A. He was an Irishman, but he did not belong to the district. He could not have voted in that district, neither could I vote in the district in which I was an inspector.

394. Q. How much of the time was Fitzpatrick drunk?

A. He was drunk all the time, and I had him removed myself. I had to make out his books myself, because he could not write.

395. Q. Do you know how he voted?

A. I know he voted for Griswold; I made him vote for Griswold. We went to the polls at the corner of Eleventh street and Avenue A, and he promised to vote for Griswold, and did so.

396. Q. How did you make him do it?

A. As a matter of friendship.

397. Q. Friendship to you, or to Griswold?

A. I made out his book because he could not write.

398. Q. Did you treat him that day?

A. No, sir.

399. Q. Did you tell your associate on the board, Mr. Daly, that you gave Fitzpatrick a drink and made him vote your ticket?

A. No, sir; I never gave him a drink; he knew how to get drunk without me.

400. Q. Did you tell Daly that you gave him a drink?

A. No, I did not; Mr. Daly complained himself about Fitzpatrick, and wanted me to make a complaint and have him removed; but I said he might be a poor man and might want his pay.

401. Q. You bought his vote by making out his books?

A. He said that out of friendship for me for that he would do anything for me. "Well," said I, "Go and vote for Grant and Griswold."

402. Q. Did you see him put in that ticket?

A. I would swear to it.

403. Q. You said awhile ago, that if you had time you could have got a good many of that sort of papers; how do you know that?

A. I could make a list of over 20 men who registered in that district, and who voted at the November election, who were not one year in this country. They were Frenchmen and Germans; I know them personally.

404. Q. Do you know how they got their papers?

A. Certainly; they bought them; they were brought to their houses.

405. Q. How you know that?

A. They told me so themselves.

406. Q. Did you ever buy one of these papers yourself?

A. No, sir.

407. Q. Did you ever send any republican voters to buy any?

A. No, sir.

408. Q. Did you ever see any republican voters come with that kind of a paper?

A. Not to my knowledge.

409. Q. How do you know that there were so many other papers of that kind brought to your precinct; how do you know that the papers were fraudulent?

A. The papers may not have been fraudulent, but the parties were not entitled to vote. I could name you two or three dozen, at least, who had naturalization papers, and who voted, and were not entitled to vote.

410. Q. Give us their names?

A. I can mention Philip Villaret, No. 65 Fourth avenue; Victor Roger, a wine merchant, living in Third avenue, between Twelfth and Thirteenth streets; Prosper Aubrey, living at No. 24 East Fourth street, near Lafayette place; Victor Godard, living at 238 East Ninth street, near Second avenue; that is all I can recollect now; but I have a memorandum of them in my book. These men do not belong to my ward, the 17th; they belong to the 15th. How many must I know in the 17th, when I know so many outside of the ward.

411. Q. These are all the names that you can give me?

A. For to-day; but I will bring some more in my book. I will bring the list of names to-morrow at 10 o'clock.

EDWARD MITCHELL sworn and examined.

By the CHAIRMAN:

412. Question. What office did you hold at the last election?

Answer. Inspector of election, and chairman of the board, in the 4th

election district of the 15th ward. My commission is dated October 6, 1868, and the law provides for the holding of the office one year from the time of appointment.

. 413. Q. What do you know of fraudulent naturalization papers having been issued, or of attempts having been made to register or to vote on them?

A. I know of the case of Francis Cragie, who presented a paper, and was registered by three other inspectors of that district in my absence. On my return to the place of registry, 129 Waverley place, they stated to me that they were suspicious of the man, and that his papers were not legally issued to him. A police officer was sent for him. He came back, and I asked him some questions, which he hesitated to answer. On account of his hesitancy I swore him, and asked him where he got this paper. He told me a man gave it to him. I asked him in what place. He said in the bar-room corner of Eighth street and Sixth avenue, a bar-room kept by a man named Mulligan. I asked him the name of the man who gave him the paper. He said he would not tell that. I said he must tell, or that I would arrest him. He said he did not know the name of the man, but that he would find out, and come back at 7 o'clock in the evening and let me know; he never came back. He never offered to vote, although he was on the registry. On his sworn statement to that effect, I put it to the board whether his name should be struck off from the list, and they decided to strike it off. There were several other cases about which the board were suspicious, on account the naturalization papers being dated some years before 1868, while they looked as fresh as if they had been just issued. The name of the clerk, James M. Sweeney, appeared as if written very recently, and was in the same blue ink and in the same handwriting precisely as those recently issued by him. All those facts were noted on my book of registry, which is filed in the county clerk's office.

By Mr. DICKEY:

414. Q. This case of Cragie's, where he acknowledged that he got the paper in a bar-room, out of what court did the paper appear to have been issued?

A. I think from the court of common pleas, on the 16th October, 1868.

415. Q. Do you know the political party to which this man belonged?

A. I do not.

By the CHAIRMAN:

416. Q. What is Cragie's address?

A. 125 Clinton place is the address that he gave.

417. Q. Do you know of any other fraudulent naturalization papers having been issued?

A. I do not know of any other. There were other papers offered of which we were very suspicious.

By Mr. HOPKINS:

418. Q. Were they received and registered on?

A. They were received and the persons registered on them, because there was no proof that they were not legal. Where there was any suspicion, the persons who offered them were diligently questioned, and, in case they answered all the questions satisfactorily, they were allowed to register. There was one other case of a man who stated that he had never taken out his first papers, and that he had not come to the country under age; but we were afterwards satisfied that he had misunderstood the questions that we asked him about having taken out his first papers.

By Mr. DICKEY:

419. Q. In the case where the man admitted that he had got the paper at Mulligan's, did he admit that he had never been in court?

A. I asked him if he had been in court, and he said he had never been in court at all for any purpose. I asked him also whether he had taken out his first papers, and he said he had not.

By Mr. HOPKINS:

420. Q. Did you ask him how long he was a resident of this country?

A. I do not recollect having asked him that; I think it very likely that I did. I believe he was imposed upon by others, and was ignorant of the requirements of the law, being induced to believe that it was proper for him to take the paper and vote upon it. At the last election a great number of persons offered to register who, we were satisfied, were "repeaters." They were registered, and we intended to arrest them on election day, but they never came to vote; they were frightened off. We had one of them arrested.

By Mr. DICKEY:

421. Q. How many of these "repeaters" were registered?

A. There may have been six who offered themselves and were registered. We did not know that they were not entitled until after they had registered and we questioned them. We were suspicious of them when they presented themselves, but inasmuch as they stated their residences we took them down, as we were bound to do; and after that we questioned them, and, on questioning them, we were satisfied that, although they answered the questions correctly, they were lying. They did not vote. That was at the mayoralty election.

ALBERT BOGERT sworn and examined:

By the CHAIRMAN:

422. Question. What official position did you hold at the last election in this city?

Answer. I was one of the inspectors of registry at the 4th district of the 19th ward.

423. Q. How many wards are there in the city?

A. Twenty-two.

424. Q. How many election districts?

A. I forget. There are 32 in our ward.

425. Q. I present to you four papers, purporting to be certificates of naturalization issued; one to Joseph Rush, dated October 8, 1868, one to John Wallace, dated October 27, 1867, one to William Malia, dated October 25, 1867, and one to James Montgomery, dated October 25, 1867, all purporting to be issued by the superior court of the city of New York, all signed "James M. Sweeney, clerk," and all filled on printed blanks; examine them, and state what you know as to each of them.

A. Joseph Rush presented his paper and desired to be registered. I examined the paper and questioned him on oath. He stated he had been in the country only two years; that his parents were in the old country yet; that the paper was handed to him by a friend, who told him it was all right; that he had never been in court. I retained the paper, and let him go. Here is a memorandum of another paper that was offered to me by a man named Daniel Healy. I did not retain the certificate, as my associate was absent at breakfast, and the two democratic inspectors insisted that he should retain his paper. He was not registered. Healy's statement was that he was not a citizen, was not in court, and had his naturalization paper given to him by Michael Fay, at the corner of

Thirty-ninth street and First avenue. John Wallace presented his naturalization paper, and desired to be registered. His paper was issued on October 22, 1867, and he had voted on it in the elections of 1867. He stated that he was 50 years of age; that he had been in the country 10 years; that he had voted at the last election in 1867, and that he had never got out his first papers. He refused to swear to his right to be registered, by the advice of the two democratic registers, who told him he ought not to swear and must not swear. He voluntarily gave up his paper. William Malia presented his paper, and we retained it. He stated that he had never declared his intentions, and had never taken out his first papers.

By Mr. DICKEY:

426. Q. Did he state how he got that paper?

A. I do not recollect. This other paper was presented by James Montgomery, who desired to be registered. When we examined him with reference to his right to be registered, we found that he had never got out his first papers and had never declared his intentions. At the time that we were examining Rush there were eight or nine persons in line with papers in their hands, waiting to be registered, and I made the remark, "We are acting altogether too lenient in this matter; the next man who offers a fraudulent paper I shall order his arrest." And the whole nine men who came to be registered with their papers in their hands walked out, went away, and did not offer their papers. They never returned to be registered in that district.

By Mr. HOPKINS:

427. Q. Were you in the habit, at your board of inspectors, of cross-examining all the applicants who presented naturalization papers?

A. Yes; we did it in our district, and I am satisfied that if all the districts had acted in the same way there would not have been 20,000 fraudulent votes cast in the city.

By Mr. ROSS:

428. Q. You think there were no fraudulent votes given at your voting place?

A. I do not think there were. There may possibly have been.

By Mr. HOPKINS:

429. Q. Did you have any "repeaters" try to register in your precinct?

A. Not to my knowledge. There were eight or nine "repeaters" who registered in our ward, but they did not vote. They were put upon the challenge list, and did not offer to vote.

GEORGE G. HEWETT, sworn and examined.

By the CHAIRMAN:

430. Question. What office did you hold at the last election in this city?

Answer. I was register and inspector of the election for the 19th district of the 20th ward.

431. Q. What do you know of persons voting who had fraudulent naturalization certificates?

A. I cannot swear that I know of any one who voted, but there were a good many who appeared there with papers which I believed to be fraudulent. William J. Huttenbocher had his name registered without my knowledge. His paper was filled up in very indifferent writing. In filling up the date "thirteenth October," the thirteenth was commenced with a small "t," and October was commenced with a small "o."

432. Q. Did Huttenbocher state where he got his certificate of naturalization ?

A. He said he did not get it from any court, but that he got it in Carmine street, one block below Bleecker.

433. Q. Who were the inspectors in your district ?

A. A man named Fredericks was my republican associate; and a runner named Shields, and a carman named Murphy, were the two democratic inspectors.

434. Q. Were all present when Huttenbocher offered to register ?

A. They were all present.

435. Q. And he was registered ?

A. Yes; but it was the general remark that he would not appear to vote.

By Mr. ROSS :

436. Q. Did he vote ?

A. No, sir.

By Mr. DICKEY :

437. Q. Do you know of any other fraudulent naturalization papers being presented ?

A. There was an Italian or a Jew who appeared there with a paper, and he found that he was questioned so close that he left. He said that he had got it in Tammany Hall. There was another one, a Greek, who, I suppose, had not been three weeks in the country. He had on his corduroy pantaloons and jacket. I think he had no vest on, although it was cold. He was put under oath, and he said he got his paper from Tammany Hall. Finally one of the democratic inspectors, afraid that one of his friends would get into trouble, threw his paper back to him and told him he had better go away.

438. Q. Did he state how long he had been in the country ?

A. I cannot say that he did.

439. Q. You refused to register him and he took his papers away ?

A. Yes, sir; the inspectors appeared to be unanimous in that case, although at first the two democratic inspectors were disposed to register him without any question. They took the ground that we had no right to go behind a certificate of naturalization properly signed and bearing the seal of the court.

By Mr. KERR :

440. Q. When you speak of the democratic inspectors fearing that their friends would get into trouble, you do not speak from your personal knowledge, but from the impression made on your mind by surrounding circumstances ?

A. Oh, certainly; that was only my impression. We all feel anxious about our friends.

GEORGE P. BARRETT sworn and examined.

By the CHAIRMAN :

441. Question. What official position do you hold ?

Answer. I am a clerk employed by the United States government in the New York post office, since 1862. At the last election I was chairman of the board of inspectors in the 7th election district of the 12th ward.

442. Q. I present to you a paper purporting to be a certificate of naturalization issued from the supreme court of the State of New York, held in the city and county of New York, dated October 20, 1868, signed

"Chas. E. Loew, clerk," to John Doolan; state whether you saw that paper before, and for what purpose it was presented to you.

A. I have been in possession of this paper before. It was given to me by a man who represented himself as John Doolan, for the purpose of registration. There were several other papers of the same character. This one I believe I gave to Judge White; the others I gave to the superintendent of police. I made a memorandum at the time in relation to those matters.

443. Q. What was done when Doolan presented his paper?

A. He swore to his right to register, his father being a citizen. He said he came here under age; that his father was naturalized, and that he had a right to vote and to register by virtue of his father's naturalization, but that the committee had told him he might as well have a paper.

444. Q. What committee?

A. Some committee of the 12th ward. John Harolan, who keeps a porter-house at One-hundred-and-fourteenth street and Third avenue, was the man who gave the papers to me. He runs what we call the democratic "machine" up there. John Doolan swore to that, and furthermore told me that he agreed to pay.

445. Q. Did he state whether he had ever made application in court.

A. That I do not remember. I took this to the superintendent of police. He told me if he came to vote to cause his arrest.

446. Q. Was the man registered?

A. Yes, sir; he registered and voted. He registered on his father's citizenship; but my colleagues would not allow me to arrest him because he said he was a citizen on account of his father's naturalization.

447. Q. I present to you papers purporting to be naturalization papers, annexed to the testimony of Marshal Murray; state whether the signature of Charles E. Loew, or the naturalization paper of John Doolan, is the same as the signature to the papers marked "Exhibit A."

A. There is a similarity between the signatures.

448. Q. Is the seal the same attached to all the papers?

A. Yes, sir.

449. Q. Is the printed form on which Doolan's paper is filled the same as the printed form in the other papers?

A. It is.

450. Q. How is the filling in of the dates on Doolan's paper, compared with the filling in on the other papers?

A. I noticed in all the papers that I handled that there were, as a general thing, three different kinds of handwriting—the date, the name of the party, and the county clerk's signature; these were different in nearly all the new papers; the old papers were filled out very differently.

451. Q. Are the dates on Doolan's paper filled in in a different handwriting to the dates on "Exhibit A"?

A. They are decidedly different.

452. Q. Is the name of Doolan filled in in a different handwriting from the names of persons on those other papers?

A. There is a similarity in all of them. There is a memorandum I made this morning from a copy of one which I happened to find in my pocket. John Doolan resides in Fourth avenue, between One-hundred and twenty-second and One-hundred-and-twenty-third streets.

453. Q. State if you know of any other fraudulent naturalization papers being presented by parties asking to be registered as voters upon them, at or before the last presidential election in this city.

A. During the registration a man representing himself as Philip Brady, of 933 Third avenue, presented one of those papers. He stated

under oath that Mr. Burke was his witness when he was naturalized, but that he had not known Burke five years; he believed he knew him two or three years. I returned the paper to him, and he did not vote in this district.

By Mr. Ross :

454. Q. Did he testify that he was entitled to vote ?

A. No, sir; I questioned him as to how long he had known his witness, the person who must have sworn he knew him five years; he had known Burke for the prescribed time.

455. Q. Did the man himself say that he had been in the country five years ?

A. I don't recollect whether he did or not. I retained his paper because he swore he had not known the person five years who vouched for him. He went away and left his paper, and I sent it to the superintendent of police. Denis McCabe, One-hundred-and-twenty-first street, between First and Second avenues, declined to take the oath, and on examination he said he could not tell whether he had known his witness over a year or not. I challenged his right to register, and he declined to be sworn. Philip Ling, One-hundred-and-twenty-first street, between Third and Fourth avenues, presented himself to register. I challenged his right, and he stated under oath that he had never declared his intentions to become a citizen. Jeremiah Buckley, One-hundred-and-twenty-fifth street, corner of Third avenue, desired to register, and swore that the naturalization paper was given him, but he would not divulge the name of the party who gave it; he paid two dollars for it.

By Mr. DICKEY :

456. Q. Did he admit that he had never been in court ?

A. Yes, sir; he said that the committee came and told him that it was not necessary for him to go to court. He is a pretty honest kind of a fellow—a plumber. He said he could not afford to lose his time going to become naturalized; they said it was not necessary, as they would get his paper for him. He was very honest about it, and paid them two dollars for it.

457. Q. What committee ?

A. Mr. Harolan is the principal man, and a person whom they call Counsellor Hart—a lawyer I believe; this was the man who got the paper. Brady came back to me in company with Hart, and I declined to give them to him and reported to the superintendent of police. He told me to send the papers to his office, which I did; I never have heard from Counsellor Hart since.

458. Q. What committee do Counsellor Hart and Mr Haroland belong to ?

A. They were both candidates of the democratic party at the last election for members of the board of council.

459. Q. Were they elected ?

A. No, sir, they were both defeated.

By Mr. Ross :

460. Q. None of those persons that you have been speaking of voted ?

A. None of them except the first—Doolan, who voted on the strength of his father being a citizen.

461. Q. He made satisfactory proof of being a legal voter, and you let him vote without reference to his paper ?

A. Yes, sir; although he admitted in his evidence that he did not come by the paper legally.

462. Q. There were no illegal votes given at that voting place that you know of?

A. I think now of some. I think that Joseph Coburn, the prize-fighter, was an illegal voter, inasmuch as he had been a convict. He voted there, and I wanted to challenge his vote, but the people told me I had better keep still and allow him to vote.

463. Q. Were there any other illegal votes that you know of?

A. Not of my own personal knowledge.

464. Q. Who had you a conversation with since the committee has been in session?

A. With nobody.

465. Q. With no lawyer about the court-house?

A. No, sir.

HENRY BEENY sworn and examined.

By the CHAIRMAN:

466. Question. What office did you hold at the last election in New York?

Answer. I have been for a number of years an inspector and register of elections, and was so at the last election in the ninth district of the 6th ward.

467. Q. State if you have any knowledge of persons presenting themselves to be registered as voters, and having naturalization papers, who had not been in the United States five years.

A. I cannot say of my own personal knowledge that I know A, B, or C to have obtained his naturalization papers illegally or that he was not entitled to them. On the day I registered, persons presented themselves with naturalization papers. On questioning them as to how or where they obtained them, they gave no satisfactory answer. Some of them had received them at their houses. I administered the oath to them before questioning them. A number of these were rejected on the ground that they could not give satisfactory answers to the questions. In one case I retained the paper. I think I would have retained a number of them, but there was such objection that I retained only one paper. The person presenting himself with that paper made no objection to our retaining it, because, as he said, the paper had been sent to him. In quite a number of instances they were refused on the ground that they could not make any satisfactory explanation of how or where they obtained the papers.

468. Q. What number of persons were denied the right to register, so far as you know, on that ground?

A. I can clearly recollect about 10 or 12 in our district who could not answer the question as to where they got the papers, and they were rejected on the ground that they did not know where or how they got them.

469. Q. Did you swear all who presented certificates of naturalization?

A. No, sir; I don't think we swore half of them.

470. Q. What number of those papers were there in your district?

A. I should think that about half or perhaps a little more than half were naturalized voters. There were registered in the district 381 voters, I think.

471. Q. How long have you lived in this city?

A. Ever since I was a child.

472. Q. Have you sufficient knowledge of the nationality of the people of this city to know what proportion of the male citizens over 21 years of age are native-born citizens, and what proportion are foreigners?

A. The foreign-born element so predominates and preponderates over the native, that it is hard to risk a calculation. I should think that two-thirds at least are of foreign birth.

By Mr. DICKEY :

473. Q. Those parties whose names were excluded from the registration because they could give no account of how they came by the papers, did they, in any case, establish the fact that they had been in the court to get their papers ?

A. No, sir. In some cases they said they had been in court, but in cross-questioning them they told different stories, and finally we came to the conclusion that they had no right to the papers and we rejected them as voters.

By Mr. Ross:

474. Q. If a man could not recollect when and where he got his papers you rejected him ?

A. Yes, sir ; if he could not answer clearly how he came into possession of his papers we rejected them as illegal.

By Mr. DICKEY :

475. Q. Did any of them admit that they had never been in court ?

A. Some of them admitted that they never were in court, and some admitted that Mr. so and so got them for them.

476. Q. Were any of them fresh arrivals ?

A. I cannot say that.

By Mr. Ross:

477. Q. Have you sent any communication to any person here with reference to your testimony ?

A. I drew up an affidavit, sworn to by myself and by my republican colleague, and handed it to the Loyal League club. I never heard anything of it since.

By Mr. KERR :

478. Q. How long have you lived in this city ?

A. Since 1824. I served my apprenticeship as a shoemaker for 10 years. I followed the business for 10 years. I afterwards went to California. For seven years I had charge of a factory for manufacturing fire-arms, then I went into the Union army. After I came back I was offered a political situation, and hold one now, as deputy tax commissioner for the city and county of New York.

479. Q. By whom appointed ?

A. By Commissioners Brown and Allen. I have held my present position for two years.

480. Q. What is the district covered by your collection ?

A. The 9th and 15th wards.

481. Q. In all your experience, covering 20 years or more, what has there been to familiarize you in any special way with the population of the city as to its component parts ?

A. I am hardly prepared to answer that question; there was a time when I could have answered it. In 1844 myself and a few others associated ourselves together and called ourselves a land reform association. We went for the homestead bill and worked for it till it was passed. At the time I was working for that movement I could have answered this question much more satisfactorily to myself and to the committee. I have almost lost my interest in reformatory measures, having spent most of my life and all the money I could spare in advocating some

measure of reform, and I have ceased almost to think about the people. I can answer the question with no satisfaction to myself.

482. Q. Then you have not answered with any satisfaction to yourself?

A. I have said that two-thirds were foreigners. I think the foreign population of New York is more than two-thirds.

By Mr. Ross:

483. Q. When you speak of two-thirds, do you mean population or voters?

A. I speak of population.

484. Q. What proportion of the foreign population are voters?

A. There are undoubtedly a good many of foreign birth who are not voters.

485. Q. Are there one-third or one-fourth of the males 21 years of age who are not voters?

A. I should think there are not so many as that; there are not more than one-eighth, I should think, who would be entitled to vote by naturalization, who are not so naturalized and entitled to vote. There is only one class of foreign population that does not desire to become voters.

486. Q. What class is that?

A. The English predominate in that.

NEW YORK, *Tuesday, December 22, 1868.*

JOHN HENRY SPRINGER sworn and examined.

By the CHAIRMAN:

487. Question. What office did you hold at the last election in this city?

Answer. I was register and inspector in the 6th district of the 19th ward.

488. Q. State whether you know of any persons seeking to be registered as voters in this district who were refused registration because they presented fraudulent naturalization papers.

A. There was one man by the name of Rupert who had his citizen's papers. We registered his name and he voted at the presidential election. I understood from the statement of two men who came to this country with him, that he was only a year and a half in the country.

489. Q. Do you know of any persons who voted who had not been in the country five years?

A. No, sir.

490. Q. Do you know how Rupert voted?

A. Yes, sir; he voted for Seymour and Blair. I was an inspector, and we knew almost every ticket that came in. I knew them by the size and the printing of the endorsement. The Grant and Colfax tickets had the largest print.

GABRIEL A. ARNOUX sworn and examined.

By the CHAIRMAN:

491. Question. What office did you hold in the city at the last election?

Answer. I was an inspector of elections in the 3d district of the 17th ward.

492. Q. Do you know August Mueller?

A. Yes, sir.

493. Q. I present to you a paper purporting to be a certificate of naturalization issued to August Mueller, dated the 20th of October, 1868, signed by Charles E. Loew, the clerk of the city; state if you have ever seen it before and what you know of it.

A. I have. On the 31st of October, about 7 o'clock in the evening, Mueller came in to be registered as a voter in the 9th district. My colleague, Mr. Rust, talked to him in German, interpreting to me his answers under oath. Rust asked him where he lived; he told him. The next question was "Where did you get this paper?" Mueller said, "I got it in Avenue C." Rust asked, "Did you go to a court to get that paper?" The answer was, "No." Rust then said, "You cannot register here," and he turned around to me: "Mr. Arnoux, what do you think?" Said I, "That paper I want; it will be useful to us." Mr. White had been particular to tell us to stop any fraudulent naturalization.

494. Q. Was the man registered?

A. He was not.

495. Q. Did he say whether he had ever made an application to naturalize himself?

A. He did not say whether he had or not.

496. Q. I present to you three papers annexed to the testimony of Marshal; compare the signature of the clerk, the seal, and the printed form with the paper presented by Mueller, and state whether they appear to be similar?

A. I should say they were alike in all particulars.

497. Q. State how the name of August Mueller in the body of his certificate compares with the names in those other certificates?

A. I should think the writing was the same.

498. Q. State whether the filling in of dates corresponds.

A. They are in different handwriting.

By Mr. Ross:

499. Q. This man did not pay?

A. No.

500. Q. He was not registered?

A. No, sir; I would not allow him to register.

501. Q. What was the reason?

A. On account of his not getting his certificate by going to the court and swearing in court.

502. Q. Did he say that he had not been to court?

A. Yes, sir.

503. Q. Were there any illegal votes given at your voting place?

A. I guess not.

504. Q. It was all kept pure and right?

A. We tried to keep it pure and right.

505. Q. And you think you did?

A. We think we did.

506. Q. What proportion of the foreigners registered on the certificates of naturalization were sworn in your district?

A. Nearly every one. We made every man swear before he was registered, unless he was personally known to the registrar.

507. Q. What was the complexion of the board?

A. Two republicans and two democrats, and were in session together.

WILLIAM W. YOUNG sworn and examined.

By the CHAIRMAN:

508. Question. What office did you hold in the last election in New York?

Answer. I was one of the inspectors in the 4th election district of the 17th ward.

509. Q. I now present to you four papers purporting to be certificates

of naturalization issued by the supreme court of this city, each signed "Charles E. Loew, clerk," and dated October, 1868; one to Henry Stein, dated the 21st of October; one to Charles Warneck, dated the 19th of October; one to William Lucas, dated the 15th of October; one to Gottlieb Kaffenberger, dated the 23d of October; state if these papers were each presented by the person in whose favor it purports to have been issued for the purpose of being registered as a voter.

A. Yes, sir. The paper of Henry Stein was presented at the meeting of the board of registrars in October. We asked him where he had obtained it. His answer was not satisfactory to us, and we did not register him. I asked him whether he had been five years in this country, and he said he had not been. Charles Warneck presented his paper, and said he had obtained it in court. I asked him what court, and he said he could not say, as it was dark. I asked him where the court was sitting—down town or up town. He said that he could not tell exactly, but that he thought it was down town. I asked him if it was in the City Hall. He said he thought it was. I asked him if he went up stairs in the City Hall. He could not recollect whether he did or not. Said I, "Did you get it in Centre street?" He did not know where Centre street was. We rejected his paper. The other two men I cannot exactly remember. One of them stated that he obtained his papers at the Essex market police court, but he said afterwards that he got it from a man by the name of Frederick Reper. Kaffenberger said he got his paper from a friend of his. I asked him who the friend was. I only recollect that his name was Fred. The other name I cannot recollect. He said "Fred" had gone with him as a witness. I asked him how long "Fred" had known him—for a year, and he was pretty positive he had known him for two years. I asked him how long he had known "Fred." He said he had known him pretty nearly the same length of time. There was a little difference in their knowledge of each other. We rejected his paper. Afterwards we came to find out that he got it from a man in Houston street. In all of these cases we could not get the names of witnesses except "Fred" or "John," or some Christian name.

By Mr. Ross:

510. Q. And where a man could not recollect the name of the witness you rejected his paper.

A. Yes, sir; being satisfied that the papers were not issued in a regular way.

511. Q. None of these men registered or voted?

A. No, sir.

512. Q. Were there any illegal votes given at your precinct?

A. I think not.

513. Q. You kept them all out.

A. We were very cautious. I have been an inspector for six or seven years, and I had made up my mind that we might as well have the thing go on straight. Everything we thought illegal was thrown out.

514. Q. If any man could not recollect where he got his papers, or who his witness was, you threw out his vote.

A. Yes, sir.

WILLIAM A. JENNER sworn and examined.

By the CHAIRMAN:

515. Question. What office did you hold at the last election in New York?

Answer. I was chairman of the board of registers and inspection, in the 5th election district of the 18th ward.

516. Q. State whether any persons presented themselves claiming registration or certificates of naturalization which you ascertained to be fraudulent.

A. The first one presented himself the Saturday preceding election. The certificate was of recent date, and I supposed it to have been illegally obtained. I challenged him and administered the oath. He gave his name as James Rourke, residing at 142 East Twenty-fourth street. He exhibited, at the time of presenting himself for registration, a certificate of naturalization. The certificate was dated the 10th of October, 1868, purporting to be issued from the supreme court; was sealed with the seal of the court, and was signed by the signature of the county clerk, Charles E. Loew; and in reply to my questions he said he had been in the country only three years, and no longer; that he had never been in the army, had never taken any oath of allegiance, and had never appeared in any court in any country; that he had been directed there by one Florence Scanel, or by one of his agents, to apply at a place in Second avenue, near Thirty-second street, where he could get his certificate; that he went there, and they told him to come again in a few days and obtain the certificate. He went through no ceremony whatever to obtain it—that is, he took no oath of allegiance, and was asked no questions. He was in the room, and a number of men gathered together at one or two tables and engaged in writing. On the same day, or on a subsequent day, another man offered a certificate of naturalization, resembling the previous one which had been rejected. Having been challenged he said, under oath, that he had been in the country but two years; that he had never taken any oath of allegiance; that he had never been in any court-house; had never been to the City Hall; that his certificate was brought to him; that his application was simply handed to him, and he was directed to vote upon it. His name and residence I took down at the time, but the memorandum of it was put in with the other papers of the board, and what has become of it I do not know.

517. Q. Are you a lawyer?

A. I am.

518. Q. How long have you been practicing law in this city?

A. Nearly two years.

519. Q. What courts in this city and county are authorized to grant certificates of naturalization?

A. The United States court, the supreme court, the superior court, and the court of common pleas.

520. Q. Is there any court in Second avenue, near Thirty-second street, that is entitled to grant them?

A. There is no court of record in Second avenue, and no court authorized to grant certificates of naturalization.

521. Q. Do you know anything of the character of this place in Second avenue and Thirty-second street?

A. No, except by rumor.

By Mr. DICKEY:

522. Q. What party did these men who presented these papers belong to?

A. I think they belonged to the democratic party. The ground of my knowledge is this: in each case they were brought in by some person who was of some political notoriety in the ward. And they were brought

in to register under his auspices ; brought in by a member of the democratic committee. I believe Florence Scanel brought in the first one.

523. Q. Who brought in the second ?

A. I cannot recollect.

524. Q. How do you know he was a democrat ?

A. Simply from the expressions he used at the time, and the persons with him used.

525. Q. What expressions did he use ?

A. That I cannot recollect ; but I remember that at the time he was there, there were comments made by the board, by which we judged that he was a democrat.

526. Q. Is it not true that you did not know a single thing about it ?

A. No, sir.

527. Q. How do you know ?

A. From the expressions used at the time.

528. Q. What were they ?

A. I cannot recollect ; but the impressions they made I do recollect. I can testify to the impressions made on my mind at the time, though I cannot testify to the thing which created them.

By the CHAIRMAN :

529. Q. What political parties existed in New York at the last election ?

A. Republican and democrats.

530. Q. And who were the candidates for governor ?

A. John T. Hoffman was the candidate of the democratic party and John A. Griswold was the candidate of the republican party.

By Mr. Ross :

531. Q. How was the board of inspectors constituted politically ?

A. Two republicans and two democrats.

532. Q. Did you permit any illegal votes to be given there ?

A. Not to our knowledge.

533. Q. You think there were none given ?

A. I think there was one.

534. Q. Whose was that ?

A. His name I do not recollect, but I think he was what is called a repeater.

535. Q. What made you think he was a repeater ?

A. For two reasons. At the elections in November there were from 30 to 50 persons registered from the Compton House. Most of them were young men, ranging from 21 to 25 years of age. They used to come in late in the evening, in groups of four or five. With most groups Florence Scanel came. Each of these young men was challenged by me, and the oath administered. On each occasion Scanel prompted them to answer correctly the questions. Each of them said that he lived at the Compton House, and on my attempting to inquire what they understood as a residence at the Compton House, they would in some cases say that they paid their board by the day ; in some cases by the week. That they slept there two or three nights out of the week, and the rest of the time they slept with their mistresses.

By Mr. Ross :

536. Q. And Scanel used to come all the time ?

A. Not all the time ; I think about half the time.

537. Q. How many of these groups told you that they slept with their mistresses ?

A. I think they told that in about a dozen instances.

538. Q. Did you ever see these repeating books?

A. We did have a repeating book furnished to us, I believe, by the Union League committee, or by the police commissioners. It contained the names of most of those parties. The names were also published in the Tribune the day of election, which was, I believe, the 3d day of November. The same edition of the Tribune furnished an item of news to the effect that Florence Scanel had been indicted before the grand jury in Philadelphia; that a requisition had been forwarded to Governor Fenton for his rendition in Philadelphia. During election day Florence Scanel was not present at the polls. I was informed he was nowhere to be found in the city. None of those whom we had on the list as repeaters appeared to vote, though they were all registered except perhaps four or five; and I think that only one or two of those did vote. I thought at the time they were entitled to vote. One also did vote; but he answered the questions so extremely vague that I did not think he was entitled to.

539. Q. Those 25 or 30 men that you suspected of being repeaters, were they registered?

A. They were registered; they are the men I refer to.

540. Q. Where does this man Scanel live now?

A. He is one of the proprietors of the Compton House, corner of Twenty-third street and Fourth avenue.

541. Q. You do not know of any illegal vote except that one or two; you do not know of any illegal vote, unless it was that one?

A. That was the only one I detected; there were some whom I suspected, but the suspicion I did not venture to act upon.

542. Q. Did you swear all the persons having certificates of naturalization when they presented them for registration?

A. I did swear every one while I was there. It was not the custom of the board to swear them all, but I did so while I was there.

ROBERT MURRAY, United States marshal, recalled and examination continued.

By Mr. KERR:

543. Question. State how many election precincts or districts there are in the city of New York.

Answer. Three hundred and forty.

544. Q. How are the officers by whom the elections in these several districts are to be held appointed?

A. We have a board of registrars in each election district. Two of these registrars are supposed to represent one party, and the other two to represent the other party. Their duties are to take the registration of voters and to receive the ballots on the day of election. At sundown, when the poll closes, two canvassers make their appearance; one is supposed to represent one party, and the other is supposed to represent the other party. They count the votes and report the results. The men who take the votes have nothing to do with the counting. Those registrars and canvassers are appointed by the board of police commissioners in New York.

545. Q. By reason of what law is it that they are made to represent the respective parties in that way?

A. I cannot tell you about that; the fact is, however, that they are supposed to represent each party.

546. Q. How is the peace preserved at the respective polling places?

A. There are two policemen at each polling place.

547. Q. By whom are they appointed?

A. By the police commissioners.

548. Q. In the same way ?

A. Yes, sir.

549. Q. On the same principle as to politics ?

A. No ; I don't think politics have anything to do with that.

550. Q. As a general thing in the last election, were those policemen all of one party, or of both parties ; and if all of one party, what party was it ?

A. The police force of New York amounts to 2,200 or 2,300 men. About 80 per cent. of these men are democrats ; the balance are republicans ; that is a general estimate which I have heard made, and it is my own calculation.

551. Q. Have you that information from the board of police commissioners or from the chief of police, or is it simply your general impression ?

A. I have talked with the superintendent of police, I have talked with the president of the board of police, and I think that is about their idea.

552. Q. As to the persons who act as policemen at the polling places, how are they constituted as to their politics ?

A. I don't think there is any reference made to their politics.

By Mr. HOPKINS :

553. Q. They are not special police, but detailed police ?

A. They are detailed. The police is divided into precincts ; each precinct has so many men—perhaps 60 ; perhaps 80. Half of these men are on duty and the other half are in the house or at home. On election day they are all on duty ; two men are detailed to each polling place, and then there is a reserve kept in the house in case of disturbance.

554. Q. Who makes the details ?

A. The captain of the precinct. This police force is organized, as to the mode or manner of discharging its duties, by the chief of police, Mr. Kennedy ; but in these specific cases the captain orders.

555. Q. In the organization, as a general system throughout the city, it is controlled by the superintendent ?

A. To a certain extent it is. In the matter of details, that matter is in the power of the president of the board, Mr. Acton.

556. Q. What is he politically ?

A. He is a republican. The superintendent simply carries out the orders of the president. Perhaps he has power to some extent, but to what extent I do not know ; but in the general detail of the whole establishment I am very confident that the power is in the power of the president.

557. Q. In view of the general organization of the police force of the city, is it not difficult for any party, or any number of men belonging to either party, successfully to practice many frauds upon election day ?

A. No, sir.

558. Q. Why not ?

A. It depends altogether upon the man whom they have got to deal with. If I were superintendent of this police there would not be any election frauds committed in New York. I think I understand the business, and I think I have got the courage to carry it out. I take for granted that the stuffing of ballot-boxes is as great a crime against the law as the commission of burglary or highway robbery. It is just as much the duty of the police to prevent the one as to prevent the other. To take this sixth ward : there are from 1,500 to 1,600 legal voters in it—no more ; they repeat in this ward to the amount of 3,000 or 4,000 beyond the legal votes. If I were the superintendent of police, I would send for the captain and his sergeants four or five days before the day of registration, and would say to the captain, "Sir, there are about 1,600 legal

voters in your ward; it is just as much your duty to prevent illegal votes going into the ballot-box as it is to prevent a man's going into a man's house forcibly; and I expect you to do it; if you don't, I will dismiss you and every man of you;" and I would do it.

559. Q. From all that, are we to infer that Superintendent Kennedy does not act with sufficient vigor or courage?

A. I have given you my idea.

560. Q. And you also have perplexed us by saying that these frauds are committed; do you mean us to infer that other officers do not do their duty?

A. According to my idea of it, they do not.

By Mr. DICKEY:

561. Q. As I understand you, the police do not regard ballot-box stuffing as one of the offences for which they are to arrest parties, as they would arrest for robbery or other offences?

A. It is quite evident they do not.

By Mr. KERR:

562. Q. In the organization of this board of police commissioners two were democrats and two were republicans?

A. Yes, sir.

563. Q. The superintendent of police is a republican?

A. Yes, sir.

564. Q. How is he appointed?

A. By the board.

565. Q. So one democrat had to vote for him as superintendent?

A. Originally there were three republicans on the board to one democrat.

566. Q. And it was during that constitution of the board that he was elected?

A. Yes, sir.

567. Q. And he has continued in the place ever since?

A. Yes, sir.

568. Q. At present the board is a tie?

A. Yes, sir; and they cannot remove the superintendent nor change him.

569. Q. Is it a practice or not that Superintendent Kennedy is at any time, or under any circumstances, a member of the board, so as to give a casting vote?

A. He controls nothing, except to execute the orders of the board.

570. Q. And the board, therefore, can only make orders by a majority of the four?

A. Yes, sir; there are some facts in respect to the appointment of inspectors and canvassers which I had occasion to interfere with during last fall. I will state them to the committee if they desire. It does not make any difference here in New York how many ballots you have got in the ballot-box.

571. Q. We are advised here that certain officers received ballots and that at a certain hour of the day they turn over the ballot-boxes to two other officers called the canvassers?

A. Yes, sir.

572. Q. And that the canvassers are constituted in the same way?

A. They are supposed to be so constituted; I was going to explain that to you. I discovered in September last that some forty or more of these canvassers, who were the most noisy men in the republican party in this city, invariably turned up as canvassers; and that they were at

the same time holding sinecure positions in the street commissioner's office at \$3 a day; and that the only duties that they performed was to act as canvassers, and to get this appointment with a view to counting the votes; I knew what that meant, and I called the attention of our State central committee to the fact. I know all about this counting a man out and counting a man in; I knew it was done for money; I knew that if you and I were canvassers in a certain election district in New York, and that if there were 1,000 votes polled in that district; that if John Doe got 550 and Richard Roe 450, John Doe had a majority of 100; but I could not understand that John Doe would get 950 and Richard Roe only 50 unless you and I understood each other. I probed the thing pretty fully, and went before our State central committee and made a statement of the facts; they appointed a committee, of which I was chairman, to ventilate these facts, and we did it pretty thoroughly. Instead of forty men being in that position I found three times the number—scaly fellows who were in the market; I struck out myself 225 names from this entire list. They held the office of registrars and canvassers.

573. Q. Professing to be republicans?

A. They were in point of fact.

574. Q. And were bought over and were acting in the interest of the democratic party?

A. Yes, sir.

By Mr. HOPKINS:

575. Q. Does the law require that the votes shall be canvassed in the presence of other parties than the canvassers?

A. The law requires that they shall be canvassed publicly, but during the investigation which I had occasion to make, I found some cases where they had locked themselves up in a room, taken the ballot-box in there, and canvassed it to suit themselves.

576. Q. Violating the law entirely?

A. Violating the law; the poll-list shows that so many votes were polled, and that the candidates have run pretty even, but the canvassers took so many from A to give them to B, and the total tallies.

By Mr. KERR:

577. Q. You say that these fellows who were thus in the market are allowed to hold sinecure places; about what office?

A. In the street commissioner's office.

578. Q. You mean by sinecure offices, places where they have no service to perform for the public?

A. None at all.

579. Q. And their only service is to individuals and to those in whose interest they are acting and who employ them?

A. Yes, sir.

580. Q. And they draw for that \$3 a day for the whole year?

A. Yes, sir.

581. Q. Who is the street commissioner?

A. A democrat, George W. McClane. William M. Tweed is his deputy.

582. Q. Is his deputy a democrat, too?

A. Yes, sir.

583. Q. Is the street commissioner elected by the people, or appointed?

A. He is appointed.

584. Q. By whom?

A. By the mayor and the common council, I think.

585. Q. The police board has no jurisdiction over the streets?

A. No, sir.

586. Q. Who employs Mr. Whiting to clean the streets?

A. He has got a contract from the city. Other parties got the contract originally, and I believe he purchased it from them.

587. Q. I want to know how you ascertained that this condition existed to such an alarming extent; this condition of fraud and infidelity on the part of your political friends, to their duty?

A. By a most searching examination.

588. Q. Give us an illustration.

A. It would be impossible for me to give you one case in detail at present.

589. Q. Did you make this investigation yourself?

A. I got the information through other parties, and then I made the investigation.

590. Q. Were these other parties in your employment?

A. Some of them were and some were not.

591. Q. Did you employ any person to seek this kind of service?

A. After I had been appointed on the committee, I sent for different men in the city and consulted with them as to their opinion in regard to this man, and that man, and the other man—what his fidelity and integrity was.

592. Q. I asked you whether you employed persons to represent such characters, and thus to seek employment and then to sell out?

A. I did not.

593. Q. Your opinion you obtained by your own inquiries and by those of others, in such a general way as you could command?

A. I am entirely satisfied with it that I am correct.

594. Q. The whole impression you have is based upon inquiries made in that general way?

A. Yes, sir.

595. Q. You could get at nothing more specific than what you mentioned?

A. In some cases it was very specific.

596. Q. Give us an example.

A. In relation to the 7th ward, where I formerly resided, it was very specific. It was represented to me by citizens living up there that these men were on the pay-roll at the street commissioner's office, and that they were acting in the interest of the democratic party, although professing to be republicans. There are perhaps 500 or 600, or perhaps 800 republican votes polled in that section of the city on any local ticket that we run there, and sometimes upon the general ticket you find it mixed up, as if it was a democratic ticket, and as if it was entirely in that interest. I took all the means in my power to investigate this thing till I satisfied myself that the statement was correct. In the 7th ward I think there are 11 districts. Perhaps 7 or 8 of the 11 were wrong, while the other 3 or 4 were right.

597. Q. By wrong and right what do you mean?

A. I mean that these men were selling out.

598. Q. The men who pretended to represent you?

A. Yes sir; but if you desire to go into that question you can send for the men and examine them.

Mr. KERR. I request you now, at a convenient time, to furnish the chairman of the committee with the names of the men from whom you got this information.

599. Q. So far as you know, and as your investigation developed the fact, were all of these frauds and deceptions on the part of your political friends, or were not both parties bought and sold for money? In other words, do you say that that mode of fraud was confined to men professing to act with you and who were purchased by the democratic party?

A. Yes, sir.

600. Q. Were they also practiced by your friends towards the democrats?

A. No, sir; I think not. I never heard of a case of that kind.

601. Q. You do not think the republicans have bought up any democrats?

A. No, sir; I think they could not.

602. Q. Almost all the patronage of the street commissioner's office is entirely democratic, I believe?

A. Entirely democratic.

603. Q. Do they employ men of the republican party in that office?

A. Not, except for a purpose. Here are five naturalization papers which Kruger obtained in the supreme court from one of the clerks who handed them to him. They have not been out of my hand since. I have written on them "Clerk Court." I desire to put them in here and Kruger will identify them when you send for him. These certificates only cost a dollar apiece.

604. Q. Describe the papers purporting to be certificates of naturalization, so that they may be hereafter identified if necessary.

A. I wrote out the list of these names myself and handed to this man Kruger. They are all fictitious. I have written on each of the certificates, "Clerk Court." They are each dated the 20th of October, 1868, signed Charles E. Loew, clerk, and are filled in with the names of Patrick Henney, Joseph Herbert, Michael Dunn, James McCarty, and Hugh Smith.

By Mr. DICKEY:

605. Q. I understand you that these fictitious names were furnished to Kruger and that he brought back these papers?

A. Yes, sir.

606. Q. And these were the same papers that were returned to you by Kruger?

A. Yes, sir.

HENRY KRUGER sworn and examined.

By the CHAIRMAN:

607. Question. State your residence.

Answer. I reside in 272 Mulberry street. I have been a resident of this city for 16 years.

608. Q. I now present to you five papers, purporting to be certificates of naturalization referred to in the testimony of Marshal Murray and which he has identified by writing thereon "Clerk Court." Please state where they were procured, and how.

A. A man named Kromberg, in the marshal's office, handed me a five-dollar bill and told me to get naturalization papers for a certain list of names. I gave the five-dollar bill to John Ey, and he handed it to a man in the supreme court who went into the court to get the papers. He handed Ey the five papers and Ey handed him the money. I saw them handed out from the supreme court by a little, small man with a black moustache to John Ey. The five papers were then handed to Kromberg, who had given me the five dollars.

609. Q. Who furnished the names in the five papers?

A. I do not know.

By Mr. DICKEY:

610. Q. If I understand you Kromberg gave you five dollars, you gave it to Ey, Ey gave it to the little man with the black moustache, and the little man went into the court and brought out these papers to Ey?

A. Yes, sir.

611. Q. How long was it then after Ey went into the court-room before the little man with a black moustache came out and gave the papers to Ey?

A. About a quarter of an hour.

612. Q. Were any witnesses sworn in this case?

A. I was not in the court-room; neither was Ey.

By Mr. KERR:

613. Q. Do you know that these papers were the same that were handed to Ey?

A. I cannot swear they were the same papers as the little man handed to Ey.

614. Q. You only know some papers were handed to him?

A. Yes sir; five.

By the CHAIRMAN:

615. Q. Here are three papers (marked "Exhibit A") purporting to be certificates of naturalization annexed to the testimony of Marshal Murray. They have been torn and pasted together. State what you know about them.

A. I thought to catch that little man, and I met him in the park the next day, and gave him six names—fictitious names which I had written on a piece of paper. I met him the same night and he told me to wait for him in Chambers street, and he would be back in half an hour and give me the six certificates. He came back with three papers and asked me for three dollars. I told him I would give him no money until he gave me the six papers. So he took the three papers and tore them into pieces before my eyes, and then threw them on the saloon floor. Another man came down and picked the pieces up and took them to the marshal's office and he pasted them together. These are the same papers. The names are fictitious.

By Mr. KERR:

616. Q. Who was the little man who brought them to you in Chambers street?

A. At that time I used to meet him every day, and he gave me several false names.

JOHN EY sworn and examined.

By the CHAIRMAN:

617. Question. How long have you resided in the city of New York?

Answer. Over 11 years.

618. Q. I present to you five papers purporting to be certificates of naturalization, referred to in the testimony of Kruger and marshal Murray; state if you ever saw these papers before.

A. I had these five papers once.

619. Q. Where did you get them?

A. Mr. Kruger handed me five dollars one night and asked me to go over to the court and see the man who has got a stand there selling

apples and sandwiches. So I went over there and the man was not there. There was one boy there. Another young fellow at the same stand asked me what I wanted. I told him I was looking for that man, and that he was not there, and that I was willing to wait. Said he, "give me that money and I will get you the citizen papers; I can do it just as well as he can." I gave him the names and he came back in five or six minutes with the papers. I looked at the five papers and handed him the five dollar bill. I took the five papers and gave them to Kromberg, and these are they.

620. Q. Who gave you the papers?

A. A young man. I saw him a couple of times in the court. I do not know his name. If I should see him again I would know him.

621. Q. What business is he engaged in?

A. He is running a naturalization office.

622. Q. What court-room was it that you got these papers in?

A. The supreme court. I gave him the names and waited in the hall outside while he went in, and in five minutes he returned with the papers complete.

By Mr. Ross:

623. Q. You went to see one man, and you got the papers from another?

A. Yes, sir; the man I went to see I could not find. This other fellow said he could get them, and he went into the court-room and brought them out right. He said he could do it just as well as any other man.

624. Q. I present to you three papers purporting to be certificates of naturalization annexed to the testimony of Marshal Murray, and marked "Exhibit A;" look at the seal, the printing, and the signature, and state whether they are in all respects similar to those which you procured.

A. Yes, sir; they are all the same.

JOSEPH COTTBELL sworn and examined.

By the CHAIRMAN:

625. Question. What is your official position?

Answer. I am a metropolitan police officer, and have been for the last eleven years.

626. Q. Are you acquainted with Charles Edward Norton?

A. Yes, sir.

627. Q. In what business has he been engaged during this year?

A. I do not know of any, except doing naturalization business.

628. Q. With what political party does he act?

A. He styles himself president of the Young Men's Democratic Club of the 22d ward.

629. Q. State whether you arrested him, and if so, for what?

A. Between the 20th and 26th of October I was informed by a German that Charles E. Norton was getting naturalization papers out for Germans in the upper part of our ward, without their going to court—merely taking their names, getting their naturalization papers, and delivering them to them at two dollars apiece. He has been indicted for it in the United States court.

630. Q. I now present to you five papers purporting to be certificates of naturalization issued by the supreme court of the State of New York, held in the city and county of New York, all dated 19th October, 1868—one to Melchior Henibuch, one to Mathias Wolf, one to Peter Eohl, one to Charles Fox, and one to Timothy Hurrelle; state what you know of them.

A. This German told me that he knew of Mathias Wolf obtaining a naturalization paper. I went to Wolf. He could not speak English.

I then went to his employer, Mr. Michael Grau, who keeps a brewery, corner of Sixtieth street and Ninth avenue, and asked him if he knew anything of one of his men, Mathias Wolf, obtaining a naturalization paper. He said he did; that he had just told him about it, and that he (Grau) had told him not to use it under any circumstances, or he would get himself into trouble. He brought Wolf before me and acted as interpreter. Wolf handed me the paper and said that Charles E. Norton had given it to him for two dollars. He said he knew of several others whom he had got papers for; that he knew him to get 30 in a day. I then looked for Norton for a couple of days and failed to find him.

631. Q. State whether all of those papers were surrendered to you by the persons whose names appear in them?

A. They were.

By Mr. DICKEY:

632. Q. Did they all allege that they got them from Norton?

A. Yes.

633. Q. Did they state whether or not they had been in a court?

A. They said they had not been, and had not left their places of business. They told me of four others who had procured papers. I went to them. They said they had heard of those fellows getting into trouble and had destroyed their papers.

By the CHAIRMAN:

634. Q. Where is Norton now?

A. In Ludlow street jail, in this city, for the offence.

[Witness identifies the five papers as corresponding in seal, signature, and form with those of Exhibit A.]

By Mr. KERR:

635. Q. State with what political party you acted in the last canvass?

A. I am a republican, but I sometimes vote for democrats too.

By the CHAIRMAN:

636. Q. Do you know what political party those men belonged to or acted with whose names appear in these certificates?

A. Only from their own words. They are democrats. Norton told me himself that he was president of a democratic club.

NEW YORK, *December 23, 1868.*

CHARLES FOX sworn and examined.

By the CHAIRMAN:

637. Question. Where have you resided during the present year?

Answer. In this State.

638. Q. I present to you a paper, purporting to be a certificate of naturalization, referred to in the testimony of Joseph Cattrell, dated October 19, 1868, to Charles Fox, signed "Charles E. Loew, Clerk;" state if you ever saw it before?

A. I did. It was given to me by Charles Edward Norton.

639. Q. Did you apply to the court for this certificate of naturalization?

A. No, sir; I had a certificate in 1856, and lost it in the battle of Fredericksburg. Parties in my neighborhood asked me if I was going to vote. I told them I could not vote on account of my not being long enough in the State, and because I had lost my citizen papers, but that I intended to go down town and get out new papers whenever I had time.

By Mr. DICKEY:

640. Q. This paper you got from Norton?

A. Yes.

641. Q. You never were in the court to be sworn to get it?

A. No, sir. After the paper was brought to me I knew it to be what I call a counterfeit, and I did not use it; I threw it away, but my wife picked it up and put it on the mantel-piece.

642. Q. Did you pay Norton anything for it?

A. Yes, sir; 75 cents.

By Mr. KERR:

643. Q. What are your politics?

A. I do not know. I did not go into politics since the war broke out?

644. Q. How did you vote before that time?

A. I voted once for President Lincoln and the republican ticket, and I voted for some democrats who I thought were good men. I did not know Norton before he got me the paper. I have seen him two or three times since. I told him he should look out, as he had made some false papers. He said they were not false, and for me to look out for myself. He asked me whether I was not going to register. I told him I was not, as I had no right to register. I live at 338 Fifty-third street, between Eighth and Ninth avenues. Norton came with two papers—one for me and one for my workman (Peter Pohl)—and said he wanted \$2 for his time. I gave him \$1 50, and said I did not give it to him for the papers, but only for his time and to prevent trouble between me and the neighbors—a lot of loafers that were around Norton. I said the papers were not good for anything. I knew it at the time he handed them to me.

By Mr. DICKEY:

645. Q. Did you see Norton when he was arrested and brought before the grand jury?

A. I did.

646. Q. You identified him as the same man?

A. Yes.

647. Q. Did your workman go to the court to get his naturalization paper?

A. No, sir; Norton furnished it.

648. Q. What regiment were you in during the war?

A. I beg your pardon—in the 1st South Carolina. I lived in Charleston when the war broke out, and I was impressed into the rebel army.

By Mr. KERR:

649. Q. Did you testify before Commissioner Osborn on the trial of Rosenberg?

A. No, sir; I was here six or seven times, but I was never called as a witness.

CHARLES HENRY SIEP sworn and examined.

By the CHAIRMAN:

650. Question. Where do you reside?

Answer. I reside up town. My business is at No. 6 Centre street, in the basement. I keep a lager-beer saloon, and have kept it since last July.

651. Q. How near is your place of business to the rooms of the supreme court in this city?

A. It is just opposite, across the street.

652. Q. Do you own the building where you do business?

A. No, sir; I rent it.

653. Q. Do you know Benjamin B. Rosenberg?

A. Yes.

654. Q. Did he occupy the same premises for business purposes?

A. He did not occupy the place at all. The naturalization committee of the German general committee made arrangements with me for so many clerks for six weeks. The chairman of the naturalization committee was Supervisor Hermann—supervisor of the county. He appointed Rosenberg chief clerk.

655. Q. Did anybody except Hermann speak to you about renting the room?

A. The whole committee.

656. Q. Who is the whole committee?

A. Supervisor Hermann, Colonel Levi, Jacob Kohler, C. Weitschel, and August Taufner.

657. Q. How much were they to pay for the room?

A. Fifty dollars. I got my money from the Tammany Hall board by a check of Supervisor Hermann on the Broadway Bank.

658. Q. Who were the other clerks besides Rosenberg?

A. Augustus Hennet, Emanuel S. Goldstein, Major Bromson, Mr. Kemmerer, Ludwig Stumpf, and Dr. G. Johnson.

659. Q. Do you know of any of them furnishing naturalization papers to persons without their having to go to the court?

A. No, sir.

660. Q. Did you see naturalization papers delivered to persons who came there for them?

A. I did see them after they went to court with their witnesses and got examined. They would come over and have refreshments.

661. Q. Did you see the witnesses examined in court?

A. No.

662. Q. Did you see naturalization papers delivered to persons at that table?

A. No.

By Mr. KEEB:

663. Q. What ticket did you vote at the last election in this State?

A. The full democratic ticket.

664. Q. Had Rosenberg anything to do with the renting of the room?

A. He had nothing to do with it. He had charge over the other clerks. Rosenberg was sitting there the whole day.

665. Q. Who would go to the court and get the naturalization papers?

A. The men who applied for them, with their witnesses, went to the supreme court.

666. Q. Did not somebody generally go with them to the court-room?

A. No, sir. The men came there with their witnesses, got the information they wanted, and went off to the judge. If found correct the judge signed the papers; if not, he tore them up.

667. Q. Did you take any part in fixing up these papers?

A. No.

668. Q. How long did they occupy your room?

A. About six weeks.

669. Q. Have you any means of telling us how many persons came there for information about naturalization papers?

A. It is impossible for me to tell you.

670. Q. Did you know Rosenberg before he came there?

A. Yes; I knew him many years.

671. Q. What has been his business?

A. He has been doing a little law business.

672. Q. Is he a lawyer?

A. He is not exactly a lawyer. He gave a little information and went with persons to lawyers.

673. Q. Did he have any office?

A. No, sir.

674. Q. Did any of these members of the naturalization committee go in there to direct the business?

A. Yes, sir; they came almost every day once or twice to inspect and see if everything was going on right. Hermann has been there several times; Levi has been there almost every day. The men were all engaged in honest and fair business. If anything wrong was done there was no authority for it and there was nothing known about it.

675. Q. These committee men came there to see that the business was honestly done?

A. Yes, sir.

676. Q. State whether the German democrats had another naturalization office where this kind of information could be had during these six weeks.

A. The only regular place was this place at No. 6 Centre street. It was said that they did a little business in No. 13 Centre street, but I could not say. I do not know how much business was done there. I do not know who gave them power or authority there.

677. Q. State generally whether during all these weeks you knew of any fraudulent naturalization papers being made or sent to anybody.

A. Not to the best of my knowledge.

678. Q. Did you see anything that excited your suspicion that this man Rosenberg acted dishonestly—selling these papers, or making money to put it in his pocket?

A. No, sir; no money at all was handled there.

679. Q. Had he any right to take money from any of these persons?

A. No; nobody was allowed to take money, and anybody reported for it would be discharged; that was the bargain. The expenses were all to be paid by the party generally.

680. Q. Did you know Major Simms, a deputy in the internal revenue department?

A. I knew him since this fall. I did not know him before.

681. Q. Do you recollect ever seeing him at No. 6 Centre street?

A. I saw him there once.

682. Q. Did you see him paying any money to Rosenberg?

A. I saw nobody paying money. If Rosenberg did such business he would not let it be known to me.

By the CHAIRMAN:

683. Q. Was this naturalization committee elected by the German general committee, or was it appointed by the Tammany Society?

A. It was elected by the Germans in our own body. We have our own headquarters. We organize ourselves every year, elect a chairman, treasurer, vice-president, secretary, &c., and appoint all the committees for the year.

684. Q. What did people come to Rosenberg for?

A. To get naturalized.

685. Q. Did he furnish to any that came there little red tickets?

A. Yes, sir; for the fee of the clerk. That paid the costs.

By Mr. DAWES:

686. Q. What did you understand Rosenberg's business to be there?

A. He was head clerk over this naturalization business.

687. Q. The naturalization is done in court, is it not?

A. The blanks were to be made, and the applicant and witness had to sign them, and they were to be sent over to court where the judges examined them, and where the person got his citizen papers.

688. Q. Was the witness sworn down there at your place?

A. O, no; the witness went to the judge. The blanks were only filled up there, and signed by the applicant and the witness.

By Mr. KERR:

689. Q. In other words, persons went there for information how to get naturalized?

A. Yes, sir.

By Mr. DAWES:

690. Q. Did Rosenberg fill up the blanks himself?

A. No; he superintended and ordered. There were various blanks; some for minors, some for soldiers, &c.

691. Q. How many men had he employed there as clerks?

A. Sometimes two, sometimes three, sometimes five.

By the CHAIRMAN:

692. Q. I present to you five naturalization papers referred to in the testimony of Joseph Cottrell. Can you tell in whose handwriting the names are filled up?

A. I cannot; but it is not Rosenberg's.

693. Q. Is it in the handwriting of any of his clerks.

A. It is in the handwriting of one of the clerks of the court.

THOMAS GOULD sworn and examined.

By the CHAIRMAN:

694. Question. State your residence.

Answer. 387 Cherry street, New York.

695. Q. State whether you were present in the supreme court of this city on the 10th and 12th of October last, and whether you saw naturalization papers there.

A. I was not in court. I saw no papers whatsoever.

696. Q. Did you see Mr. McKean give anybody a bundle purporting to be naturalization papers?

A. I do not know the gentleman at all.

697. Q. Do you know of any naturalization papers having been sent to Staten island?

A. No, sir.

698. Q. Did you tell any person that you were present in the supreme court and saw naturalization papers delivered in bundles, or in a bundle to anybody?

A. No, sir. If I were aware that any papers were got out fraudulently I would have hunted them up myself. I was the republican candidate for the assembly in the 7th ward.

699. Q. Have you told any person that you were in the supreme court and saw a bundle or bundles of naturalization papers delivered to anybody?

A. No; I did not tell anybody, but I am satisfied I could work up parties who have seen them come out of the court.

700. Q. In what business are you engaged now?

A. None at all.

701. Q. Have you been employed in the office of the Croton Board?

A. No, sir.

702. Q. Do you know Mr. S. J. Glassey and Mr. John A. Foster?

A. I do not know them by name; I may know them by sight.

703. Q. Did you tell these gentlemen, or either of them, that you saw naturalization papers in the supreme court of this city?

A. I do not know the gentleman by name.

704. Q. Did you tell any person that you saw a quantity of naturalization papers, signed by the clerk of the supreme court, and with the seal of the court, but otherwise in blank?

A. I have seen them.

705. Q. Where did you see them?

A. Circulating.

706. Q. Where?

A. In the court.

707. Q. For what purpose were they in circulation?

A. For the purpose of naturalizing and making citizens of persons.

708. Q. Did you see any such papers being used by persons not being naturalized?

A. No, sir.

709. Q. Did you vote the republican ticket at the last election?

A. I ought not to answer that question, but I will. Yes, sir; and I did more for the republican party in the district than any young man in it.

710. Q. Did you vote the entire republican ticket?

A. Yes, sir; and I always did since ever I was entitled to vote. That is not a question, however, for you to ask me.

By Mr. DAWES:

711. Q. What was it you said you could work up?

A. I think that by a little ferreting I could hunt up the right parties who were interested in making fraudulent naturalization papers. Papers were got out in this way: parties would come into court representing persons and witnesses, and swear each other to get out papers. The men were professional witnesses and principals.

By Mr. DICKEY:

712. Q. You said you saw blank certificates circulating in court; did I understand you to say that the blanks were filled up, and the seal attached before naturalization?

A. I am not aware of that. The question was whether I saw some papers with the seal of the court and the signature of the clerk, and I say yes, I have seen them in blank. The court was full of persons waiting to be naturalized, and the papers were all signed and sealed and ready in advance, except writing in the name of the party.

By the CHAIRMAN:

713. Q. From whom did you learn that this mode of naturalization was adopted?

A. From nobody.

714. Q. Did you know the fact that way as you have described?

A. No, I have not seen it myself, but parties have told me.

715. Q. Give us the names.

A. I do not want to have anything to do with giving names; it would be an injury to me in my district if I did such a thing; not only in my district but through the city.

716. Q. In what way?

A. I do not want to be a stool-pigeon for anybody.

717. Q. Would it create an influence against you that would be injurious?

A. Yes, sir; injurious to me and injurious to the party; they would put me down as an informer. I know numbers of men in the 7th ward who always voted the democratic ticket, and who now, through me, vote the republican ticket. I would be regarded as a "sucker," as they call it, vulgarly.

By Mr. Ross:

718. Q. Did the republicans furnish you with any money to do this thing?

A. No, sir; not a dollar.

By the CHAIRMAN:

719. Q. Give us the name of the person from whom you learned this thing.

A. His name is James Clark; his residence I do not know.

720. Q. You say you know nothing of papers being sent to Staten island?

A. I know nothing of it.

721. Q. You were not in the supreme court during this naturalization committee?

A. Yes, sir; I was down there one evening, and that is when I saw the papers.

722. Q. How are parties sworn in the supreme court? Is each man called up separately to swear, or are they sworn in groups?

A. Each man was called up separately, so far as I saw.

723. Q. Were they examined by the judge?

A. They were examined by the judge.

724. Q. By himself personally?

A. By himself personally.

725. Q. What court was this?

A. The supreme court.

726. Q. Who was the judge?

A. Judge Barnard.

By the CHAIRMAN:

727. Q. Did you ever have information that fraudulent naturalization papers were sent to Staten island?

A. No, sir.

728. Q. At what time in the evening were you in Judge Barnard's court?

A. I think about 7 o'clock; I am not positive as to the time.

729. Q. Do you know how late the court sat?

A. I do not know.

730. Q. How long did you stay?

A. About five minutes.

By Mr. KERR:

731. Q. Did you know any republican naturalization committee in existence during the last canvass?

A. No, sir; I did not.

732. Q. Did you know any room employed and set apart by the republican party to be occupied by persons acting in their interest for the purpose of aiding those seeking naturalization?

A. No, sir.

733. Q. What ward were you running for the assembly in?

A. The 7th ward, on the east side of the city.

734. Q. Were you ever in No. 6 Centre street ?

A. Yes, sir.

735. Q. Were you ever in there during business hours ?

A. Yes, sir.

736. Q. Did you know Rosenberg personally ?

A. Not personally, but by sight and reputation.

By the CHAIRMAN :

737. Q. Is there any political society or organization in this city known as the Tammany Society ?

A. There is what we call the Tammany Hall organization.

[Messrs. Glassey and Foster having come before the committee, the witness's attention was called to them.]

738. Q. Have you seen these gentlemen before ?

A. I believe I saw them before.

739. Q. Do you recollect telling either of these persons that you saw a bundle of naturalization papers in the supreme court signed by the clerk, and having the seal of the court, but otherwise in blank ; or have you told them that you heard the clerk say that there were 350 in one bundle, and that you knew or heard of 300, or any other number of certificates being sent over to Staten island ?

A. No, sir.

MELCHIOR HEINBUCH sworn and examined.

By the CHAIRMAN :

740. Question. I present to you a paper purporting to be certificates of naturalization issued out of the supreme court and referred to in the testimony of Joseph Cottrell ; state whether you ever saw it before.

Answer. I did. I had that paper.

741. Q. From whom did you get it ?

A. From Norton—I don't know his first name ; they call him Charley.

742. Q. Did you pay him any money for it ?

A. I did not ; I promised to pay him two dollars.

743. Q. How long have you lived in the United States ?

A. Four years on the 3d of August last.

744. Q. What was said between you and Norton when he gave you the paper ?

A. He gave me the paper and said : "Melchoir, here is a citizen's paper."

745. Q. Had anything been said about it between you and him before that ?

746. Q. Did he say anything about your voting ?

A. No ; he only gave me the paper.

747. Q. Did he tell you to register ?

A. Yes, sir ; he told me to register.

By Mr. DAWES :

748. Q. Where were you when he gave it to you ?

A. In the grocery store at the corner of Sixty-second street. I live in the same block ; he had never said a word about it to me before.

749. Q. Was this paper all ready for you then ?

A. It was just the same as it is now.

750. Q. Was that name written on it then ?

A. It was ; but that is not my right name. It is not spelled right.

751. Q. Did you ever give any pay for your papers ?

A. No.

752. Q. Did anybody ask you to go into court for your papers?

A. No.

753. Q. Did you swear before anybody?

A. No.

754. Q. Did you know this Norton before he gave you this paper?

A. Yes, sir; I guess I knew him over a year.

755. Q. Did he inquire of you who could prove how long you had been here?

A. No.

756. Q. Did you take any witness to him to tell him how long you had been in the country?

A. No.

757. Q. How old are you now?

A. Thirty-four.

758. Q. Did you tell him how old you were?

A. No.

759. Q. Did he inquire?

A. No.

760. Q. You never made any application to be a citizen?

A. No.

By Mr. DICKEY:

761. Q. Do you know whether he was president of a democratic club in that ward?

A. I do not know.

762. Q. You do not belong to the club?

A. No; I do not belong to any club.

By Mr. DAWES:

763. Q. Did you vote?

A. No.

764. Q. What did you do with the paper?

A. I had it at home, and one morning a policeman came and took it away from me. He said that the man who gave it to me was arrested, and he told me to give him the paper; so I gave it to him.

765. Q. What is your business?

A. A butcher.

766. Q. What is Norton's business?

A. That is more than I know. He used to keep house and have a woman. She has gone to California while he was house-keeping; he used to come in to my shop once in a while, and so used the woman and the servant, and that is how I knew him.

MATHIAS WOLFE sworn and examined through Melchoir Heinbuch, who was sworn as interpreter.

By the CHAIRMAN:

767. Question. I present to you a paper purporting to be a certificate of naturalization to you, dated October 19, 1868, referred to in the testimony of Joseph Cottrell; state if you ever had that paper.

Answer. Yes, sir; I had the paper.

768. Q. Who did you get it from?

A. I was in the grocery store, and Norton gave it to me there.

769. Q. What did you pay him for it?

A. I paid him two dollars.

770. Q. Where were you born?

A. In Germany.

771. Q. How long have you been in the United States?

A. Twenty-two months.

772. Q. Were you ever naturalized?

A. No.

773. Q. What did Norton tell you to do when he gave you this paper?

A. He said I was fit to be a citizen, and that I could go and vote if I liked.

774. Q. What did you do with that paper?

A. I gave it to my boss.

TIMOTHY HURRELLE sworn and examined.

By the CHAIRMAN:

775. Question. I present to you a paper purporting to be a certificate of naturalization to you, dated October 19, 1868, referred to in the testimony of Joseph Cottrell; state if you ever saw it before.

Answer. Yes, sir; that is my paper.

776. Q. Where did you get it?

A. I got it from Charles Norton.

777. Q. Did you pay him anything for it?

A. I paid him two dollars.

778. Q. Where were you born?

A. In Germany.

779. Q. How long were you in the United States?

A. Three years and seven months.

780. Q. Did you ever go into any court to be naturalized?

A. No, sir. I had been down once in the City Hall to look for my first paper. Norton told me that I need not go down, and he would bring me both papers. He said, "Do you want a paper?" I said, "Yes, I have been down looking for it." "Oh," said he, "I will fetch the paper; it is not necessary for you to go and fuss any more about it." "Well," said I, "fetch me the paper, and I will pay you for your trouble." He said, "It is all right;" and two days after he brought me the paper.

PATRICK McLAUGHLIN sworn and examined.

By the CHAIRMAN:

781. Question. What country are you a native of?

Answer. Ireland.

782. Q. How long have you been in the United States?

A. Since May, 1865.

783. Q. Have you ever been in the army?

A. No, sir.

784. Q. I present to you a paper, signed "Charles E. Loew, clerk," dated October 10, 1868, purporting to be a certificate of naturalization to you; state whether you ever had that paper.

A. Yes, sir; John Cook gave it to me. He came to my brother's house and asked me if I wanted my papers. I told him I did not care much about it. He told me that I would never get them with less trouble than at this election. I said, "Go ahead, then, and get them."

785. Q. Did you pay him anything for them?

A. No, sir; not a cent. He took my name and got me the papers in five or six days afterwards; that is all I know about it.

786. Q. Where does Cook live?

A. He keeps a store at 18 Downing street, a little grocery store; he is a carpenter himself.

787. Q. Do you know what political party he acts with?

A. I guess he must be a democrat.

By Mr. DICKEY:

788. Q. Were you ever sworn in any court?

A. No, sir.

789. Q. Were you registered as a voter in this paper?

A. Yes, sir.

790. Q. Where?

A. In Bleecker street, near Jones.

791. Q. Did you show this naturalization paper?

A. No; they only asked me where I lived.

792. Q. Did you vote?

A. No, sir.

793. Q. Were you arrested before the election came round?

A. Yes, sir.

794. Q. Did you register more than once?

A. No, sir.

By Mr. KERR:

795. Q. Did you ever vote?

A. No, sir.

EMANUEL S. GOLDSTEIN sworn and examined.

By the CHAIRMAN:

796. Question. State what business you are engaged in.

Answer. I was clerk at 6 Centre street from the 13th to the 23d of October last.

797. Q. Who employed you?

A. The Union general German committee.

798. Q. Who paid you?

A. The chairman of the German naturalization committee.

799. Q. Who was that?

A. Supervisor Herman.

800. Q. What did you do there?

A. I made out applications for citizenship.

801. Q. Did you use printed blanks?

A. Yes, sir. [Witness furnishes the committee with copies of the several blanks used in the office, which are annexed to his testimony.]

802. Q. If persons went to the court to be naturalized, were they furnished with a ticket?

A. Yes, sir; with a red ticket.

803. Q. Who was chief clerk?

A. Mr. Rosenberg, and after Rosenberg was arrested I took charge.

804. Q. I now present to you five papers, purporting to be certificates of naturalization referred to in the testimony of Joseph Cottrell; can you state in whose handwriting the names of the persons purporting to be naturalized is; in whose handwriting is this name, Peter Pohl?

A. I cannot say very well; if I am not mistaken, it is in the handwriting of Isaac Heyman.

805. Q. In whose handwriting is this name, Charles Fox?

A. That is the same.

806. Q. And Timothy Hurrelle?

A. That is the same.

807. Q. Mathias Wolfe?

A. That is the same.

808. Q. Melchior Keimbuch?

A. That is the same.

By Mr. Ross :

809. Q. Is Heyman one of the clerks ?

A. Yes, sir.

810. Q. Employed in Rosenberg's office ?

A. O, no. He is employed in the county clerk's office in the supreme court.

811. Q. Do you know whose handwriting that filling up is ?

A. No, sir.

812. Q. In whose handwriting is the signature "Charles E. Loew" ?

A. I should say it is Mr. McKean's handwriting. There are two clerks allowed to sign Mr. Loew's name; one is Kent and the other McKean.

813. Q. I now present to you five certificates of naturalization referred to in the testimony of Marshal Murray, given yesterday, and in the testimony of Kruger; state in whose handwriting the names of the parties purporting to be naturalized is ?

A. It is Isaac Heyman's.

814. Q. Can you state in whose handwriting the date is filled in ?

A. I cannot. The dates are in the same handwriting, but they are not the same as the names.

815. Q. I now present to you a certificate of naturalization purporting to be issued to Dennis Fitzpatrick; in whose handwriting is the name Dennis Fitzpatrick ?

A. Isaac Heyman's.

816. Q. I now present to you a certificate of naturalization purporting to be issued to Dennis Lynch. In whose handwriting is the name Dennis Lynch ?

A. I do not know; that is in a different handwriting.

817. Q. I now present to you four papers purporting to be certificates of naturalization issued to William Honig, James Brown, August Betsel, and Henry Baun; in whose handwriting are those names ?

A. In Isaac Heyman's. I wrote the applications for these very men, and the applications are to be found in the supreme court chambers. I know William Honig very well. [To Mr. Ross.] The application is a very different paper from this certificate.

818. Q. Is the seal of the supreme court attached to these four papers the genuine seal ?

A. Yes, sir.

819. Q. Is this the printed blank that is generally used ?

A. There are different blanks used, but this form costs nothing if a ticket is presented. If a party wants another form he has to pay for it, but this is one of the forms in general use.

820. Q. Do you know who was the witness for Honig ?

A. No, sir; but if you look at the record of the supreme court you can find it.

821. Q. Do you recollect any of the others ?

A. Yes, sir; I recollect Henry Blaune, I wrote the application for him.

822. Q. I present to you a paper purporting to be a certificate of naturalization issued to John Doolan, and referred to in the testimony of George P. Barrett; in whose handwriting is the name John Doolan ?

A. Isaac Heyman's.

823. Q. I present to you a similar naturalization paper issued to August Muller, referred to in the testimony of Gabriel A. Arnoux; in whose handwriting is the name August Muller ?

A. Isaac Heyman's.

824. Q. I present to you four similar certificates, referred to in the testimony of William W. Young; in whose handwriting are the names of the persons Henry Stern, Charles Warneck, William Lukas, and Gottlieb Kaffenberger?

A. Isaac Heyman's.

825. Q. I now present to you five similar papers, referred to in the testimony of Theodore Block; in whose handwriting are the names Charles Fieling, William Smith, John Lehman, Jacob Schlafler, and John Noelsch?

A. Fieling's name does not look to be in Heyman's handwriting, the other names are in his handwriting.

826. Q. Look at the filling in of the dates.

A. They are filled in in three different handwritings.

827. Q. Are you familiar with the handwriting of the clerk of the superior court?

A. There are two clerks there: Captain Thomson and Mr. Gillespie. This paper of Kerwin's is in the handwriting of Gillespie, and the paper of Andrew Signaub is in the handwriting of Thomson.

By Mr. KERR:

828. Q. You say you were employed by the general German naturalization committee to aid, at No. 6 Centre street, in the preparation of naturalization papers?

A. Yes, sir.

829. Q. Who paid you for that service?

A. The general German committee.

830. Q. Who is the chairman?

A. Supervisor Hermann.

831. Q. When you were employed by him, what instructions did he give you as to your duties?

A. He told me Rosenberg would give me all instructions what to do; that it was to make out applications for men coming there, and to give them all necessary instructions.

832. Q. How many clerks were employed there at one time?

A. Four besides Rosenberg.

833. Q. Were you there much of the time during the six weeks prior to election?

A. I was only there from the 13th to the 23d of October, inclusive. Some of the other clerks were there from the 28th of September to the 23d of October; we had to stop ten days before election.

834. Q. Tell the committee whether, at any time during the time you were about that room, you knew of any fraudulent naturalization papers having been made up and given or sold to anybody.

A. No, sir; none in the least—not in our office.

835. Q. Tell the committee whether you know that Rosenberg, the chief clerk, was engaged in the sale of fraudulent certificates to anybody.

A. No, sir. He was stricter than anybody I had ever seen in that business, because he asked more questions than the judge or any court would ask; and if they did not answer to his satisfaction he sent them away.

836. Q. Did you ever know any persons to be rejected there by the clerks, of whom you were one, because they were not qualified to be naturalized?

A. Yes, sir; a great many of them. I can bring you proof of it. Rosenberg was arrested on a Wednesday, and we kept open until Friday night of the same week.

837. Q. Did you ever see any of these committee men in the room during the days that you were there ?

A. Yes, sir; there was always one there.

838. Q. Was it always the same one ?

A. No, sir; they would take turns.

839. Q. What was it your general duty to do; you and all the other clerks ?

A. To make out applications.

840. Q. Did you ever administer an oath to a man who desired to be naturalized ?

A. No, sir.

841. Q. Did you ever tell him he could be naturalized in any way, except by going to the court-house and appearing before the court ?

A. No, sir.

842. Q. What did you do, except to give him instructions how to go there ?

A. We gave him instructions. After he made the application he had to sign his name, and the witness had to sign his name. If the man had his first papers, there were two blanks where he had to sign his name. After that we gave him a ticket and told him where to go and get his citizen papers, and to pay this ticket for it.

843. Q. Was it the practice of persons who wanted to be naturalized to bring along with them their witnesses; or was it the duty of your committee to furnish witnesses ?

A. Every man who came to us had to bring his witnesses along with him. We had nothing whatever to do with witnesses.

844. Q. Tell us whether you know of any hangers on or loafers about the court-house who were hired by you clerks or by Rosenberg in this committee room to go in and swear these men through.

A. None whatsoever, that I know. I took one man around to 25 Chambers street before I was employed at Centre street. He said he was in the 7th regiment. I made out the application for him, and the clerk who had charge told me to take the man to the court.

845. Q. What is your business ?

A. I have been a clerk formerly. I have been in the provost marshal's office.

846. Q. Are you extensively acquainted with Germans here ?

A. Yes, sir.

847. Q. How long have you lived here ?

A. Twelve years.

848. Q. Are you naturalized ?

A. Yes, sir.

849. Q. Do you know Major Simms ?

A. I have seen him here in this court-room.

850. Q. Did you ever see him in No. 6 Centre street ?

A. Yes, sir.

851. Q. How often ?

A. Three times.

852. Q. With whom was he in conversation there ?

A. Rosenberg.

853. Q. Was it Rosenberg's habit, while you were there, to sometimes take men aside and talk with them some distance from you, or in another part of the room ?

A. No, sir. Rosenberg would get up from his chair and talk over the table to them. I sat right near to him.

854. Q. Did you ever see money paid to Rosenberg ?

A. No, sir.

855. Q. Did you see Simms or McDonald pay him any money ?

A. This Simms came down one day about 12 o'clock —

856. Q. Were you examined in either of the prosecutions against Rosenberg, as a witness ?

A. No, sir. I remember that it was on Monday, the 19th of October, Mr. Simms came down about 12 o'clock. He inquired for Mr. Rosenberg. He asked the landlord, who said to him, "There sits Mr. Rosenberg." He came there and said: "Mr. Rosenberg, I want to see you." Rosenberg got up from his chair. He said: "Rosenberg, I am from the country—from Yonkers; I have about 30 or 40 laboring men whom I want to get citizens, if I can get them." Rosenberg said: "Bring these men here and I will get citizens' papers." He said: "They cannot very well get off, but I will see about it." In the afternoon, about 5 o'clock, Simms came in again, and said: "Rosenberg, here is a list of five men, and in case they come in to-day, get them up as fast as you can, for they live in the country and are laboring men." They did not come that day. The next day, about half-past 5 o'clock, these five came, and had a witness with them. One was a Spaniard—Antonio Gomez. Rosenberg spoke Spanish to them, and we made out the papers for them. They went over to the court, and were gone about half an hour. They came back and said: "We have been sworn, and we cannot get our citizen papers yet." Rosenberg said: "You have got to wait until your names are called." They said: "Rosenberg, we can't wait; we live in the country." They gave their red tickets back to Rosenberg, and said to Rosenberg: "Please to get these papers for us; you can send any child for the papers after they are sworn; Mr. Simms will come in again, and please hand him the papers." Rosenberg went to get the papers. About a quarter of an hour afterwards Simms came and inquired if the men had been there. Rosenberg said: "Yes; and here are the five papers." Simms said to Rosenberg: "Here, take a drink;" and he handed him something. I do not know what it was.

857. Q. Was any ever paid to him ?

A. No, sir.

858. Q. Was any ever paid to you clerks, that you know of ?

A. No, sir.

859. Q. How was the cost of these applications in court paid by the democratic party ?

A. By the general committee.

860. Q. How did they indicate that payment to the clerk of the court ?

A. Through one of these tickets. A man had to hand over a ticket, and he got his paper for it. Every citizenship paper costs 50 cents, and if it is for an alien it costs 75 cents.

861. Q. State whether Rosenberg himself was in the habit of filling up many of these naturalization papers.

A. He filled up none of them. We clerks filled up the applications. Rosenberg examined the men and we made out the applications.

862. Q. Who paid you for your services ?

A. Supervisor Herman.

863. Q. Do you know where the other clerks are to be found ?

A. One of them is outside waiting now; Karmorer lives at 154 Delancy street; another of them lives up in Third avenue—I do not remember the number.

864. Q. I understand you to say that the persons for whom Simms made applications for the papers came back afterwards with their witnesses.

A. With their witnesses; and from our place we sent them over to the court-room with their witnesses.

865. Q. Or with somebody who pretended to be their witnesses?

A. Yes, sir. I only knew that one name of the five—Antonio Gomez—who wanted to be naturalized. I am the one who wrote the application for him. Nobody was there but myself and Rosenberg, and I wrote the application for him.

By Mr. DICKEY:

866. Q. Did I understand you that Simms brought five men there?

A. No, sir; he brought a slip of paper with these names, and told Mr. Rosenberg when these men did come to hurry them up as fast as they could, and favor him, because they lived in the country.

867. Q. Was that all he said?

A. At the same time he brought the slip of paper.

868. Q. Whereabouts did he say they lived?

A. Yonkers.

869. Q. Did he say he had brought them down?

A. Oh, no; the first time he came in at 12 o'clock and applied to get papers for 30 or 40 men without bringing them before the court.

870. Q. And the five men he said would come down?

A. That is what he said in the afternoon, when he came the second time, about half-past 4 o'clock.

871. Q. Then when the men came there were none of the clerks there but you and Rosenberg?

A. Yes, sir. The other clerks were gone to supper, and I went and wrote the applications.

872. Q. Were there other parties in while they were there?

A. Yes, sir; a good many men.

873. Q. But there were none of the other clerks there?

A. None of the other clerks.

874. Q. Did you keep a list of the applications to the general committee?

A. I did.

875. Q. Who has got that list?

A. I do not know. I gave it to the landlord, Mr. Siep, the proprietor of the house.

876. Q. You gave that book to him?

A. Yes, sir. It is a book containing the list.

By Mr. HOPKINS:

877. Q. How many names were in that list?

A. I do not know. We numbered them. I do not recollect the number—from 5,000 to 6,000. They commenced on the 21st of September and continued until the 23d of October.

By Mr. DICKEY:

878. Q. There were from 5,000 to 6,000 naturalized from that office?

A. Yes, sir.

By Mr. HOPKINS:

879. Q. Was the list in the form of a book?

A. No, sir; in folio size, fastened together.

By Mr. DICKEY:

880. Q. Were the names of these five persons put upon the list?

A. That is what I do not know. Every name we put on that was naturalized.

881. Q. Were the names of these five persons who were brought by Simms put upon the list ?

A. Every name naturalized through our office has been put upon the list.

882. Q. Did you put those names down ?

A. They are certain to have been put down.

883. Q. One of them was a Spaniard ?

A. Yes, sir.

884. Q. They brought their vouchers with them ?

A. Yes, sir.

885. Q. Did you see Simms give Rosenberg money ?

A. I do not know what he gave him. He handed him something, and told him to take a drink for it. And Rosenberg called Simms up, and Simms took a drink. He called me up and I took a cigar.

By Mr. HOPKINS:

886. Q. Was there a little dark room opening out of the bar saloon ?

A. There is a wine cellar, where the landlord keeps his wine.

887. Q. Did you see Rosenberg and Simms go into that room ?

A. In the morning we sat in the front, because we had light ; and in the evening there was but one gas-light, and that was right in the rear of the room ; and we sat right in front of it. Mr. Simms passed me and opened that door and stood inside, and Mr. Rosenberg stood outside and near the door.

888. Q. Could you hear at that time, standing where they were, what they said ?

A. I was closer to them than to you now, (about two feet,) and I heard one of them speak.

By Mr. DICKEY :

889. Q. Simms came for these papers and they were given to him ?

A. Yes, sir.

890. Q. Rosenberg had got them ?

A. Yes, sir.

891. Q. You say you were not a witness in Rosenberg's case ?

A. I have not been on the stand yet.

892. Q. Have you not been subpoenaed by Rosenberg ?

A. I have not been subpoenaed by anybody, for there has been no trial. I made out an application, and if there is any trial I shall be subpoenaed.

893. Q. Is Rosenberg at liberty ?

A. I believe he is on bail.

894. Q. Do you know where he is to be found ?

A. Yes, sir ; I saw him this morning, at 6 Centre street.

895. Q. Rosenberg, you, and who else were there this morning ?

A. There was another clerk there ; when the officer handed me a subpoena, a clerk came in.

896. Q. How often do you meet Rosenberg there ?

A. He occupies an office up-stairs ; he is a real-estate agent.

897. Q. And you are there every day ?

A. Almost every day.

By Mr. HOPKINS:

898. Q. Have you had any conversation with Rosenberg with relation to your testimony before this committee ?

A. No, sir ; I did not know I would be called up before this committee.

899. Q. You have not seen him to have a conversation with him about it?

A. No, sir.

900. Q. How many clerks were at 6 Centre street.

A. Four with Rosenberg.

901. Q. What were your office hours?

A. From 8 o'clock till 9 o'clock at night.

902. Q. Were you kept busy all the time?

A. Most of the day.

903. Q. Filling applications?

A. Filling applications.

904. Q. Rosenberg was the chief man, was he?

A. Yes, sir.

905. Q. In the great number of applicants for naturalization, you and the other clerks of course personally did not know all the men who applied for naturalization?

A. No, sir.

906. Q. You knew nothing about what they were, except as they came and gave you their names and told you themselves?

A. Yes, sir.

907. Q. You did not personally know the witnesses, as a general rule there, did you?

A. No, sir.

908. Q. You knew nothing about the character of the applicants or the witnesses?

A. No, sir.

909. Q. Neither for honesty or truth as a general rule?

A. No, sir; I only asked how long they had been in the country; if they were aliens, and if they had made a declaration of intentions to become citizens. The court asked about their behavior—it was none of our business.

910. Q. You could not recollect from day to day all the persons who had made application to you?

A. No, sir.

911. Q. Did the witnesses, as a general rule, come into the office with the applicants, or did they go to the court?

A. They had to come first into the office and then to the court.

By Mr. DICKEY:

912. Q. Who furnished you those blanks for filling up applications for naturalization papers?

A. They were furnished to the court.

913. Q. You filled them up, and the party signed his application in that office, and his witness signed it?

A. Yes, sir.

914. Q. Then you gave him a ticket to go to the court?

A. Yes, sir.

915. Q. What proportion of these naturalization papers were used in the respective courts.

A. There were two courts in session during the daytime—the common pleas and the superior court. They were in session from 10 o'clock until 4; and at 5 or half-past 5 the supreme court opened; and at last, about a week before they stopped naturalization, the supreme court kept open at night until 10 o'clock.

916. Q. Then the supreme court did not meet for that purpose until half-past five?

A. No, sir.

917. Q. How late did it sit for that purpose ?

A. Ten o'clock ; sometimes it was later.

918. Q. How late ?

A. I cannot tell ; they only sat until 9 o'clock, and I went away. The court sat as long as there were men there.

919. Q. In what proportion were the naturalization papers in those courts you had the most ?

A. Sometimes one clerk made them for this court and made them for that court ; I cannot say which court had the most. (To Mr. Kerr.) Rosenberg examined the men and said : first, second, or third clerk make out applications for these men. One clerk had the blanks for the superior court, one for the court of common pleas, and another again had applications for soldiers.

920. Q. Which of the clerks had the applications for the supreme court ?

A. All of us, in the evening.

921. Q. You ran the supreme court in the evenings ?

A. Yes, sir ; some evenings the supreme court was not in session, and the superior court was in session.

By Mr. HOPKINS :

922. Q. Did not most parties come in the evening after their work was done ?

A. The laboring men did.

By Mr. DICKEY :

923. Q. Are not the great majority of the men who are naturalized laboring men ?

A. There are a great many other men wanting to be naturalized, and there was a good many laboring men.

924. Q. Do you know Charles Edward Norton ?

A. No, sir.

NEW YORK COMMON PLEAS.

In the matter of the application of _____ }
 _____, to be admitted a citizen of the } E. L. G.
 United States of America.



STATE OF NEW YORK, *city and county of New York*, ss :

_____, the above named applicant, being duly sworn, says, that he resides at _____ ; that he has arrived at the age of 21 years ; that he has resided in the United States three years next preceding his arrival at that age, and has continued to reside therein to the present time ; that he has resided five years within the United States, including the three years of his minority, and one year, at least, immediately preceding this application, within the State of New York ; and that for three years next preceding this application it has been, *bona fide*, his intention to become a citizen of the United States.

Sworn in open court, this _____ day of _____, 186-.

_____, Clerk.

STATE OF NEW YORK, *city and county of New York*, ss :

_____, being duly sworn, says, that he resides at _____, and that he is well acquainted with the above named applicant ; and that the said applicant has resided in the United States for three years next preceding his arrival at the age of 21 years ; that he has continued to reside therein to the present time ; that he has resided five years within the

United States, including the three years of his minority, and in the State of New York one year, at least, immediately preceding this application; and that during that time he has behaved as a man of good moral character, attached to the principles of the Constitution of the United States, and well disposed to the good order and happiness of the same; and deponent verily believes that for three years next preceding this application it has been, *bona fide*, the intention of the said applicant to become a citizen of the United States.

Sworn in open court, this — day of —, 186—. _____,
 _____, Clerk.

STATE OF NEW YORK, *City and County of New York, ss:*

I, _____, the above-named applicant, do declare, on oath, that it is, *bona fide*, my intention, and has been for three years next preceding this application, to become a citizen of the United States, and to renounce forever all allegiance and fidelity to every foreign prince, potentate, state or sovereignty whatever, particularly to the _____, of whom I am now a subject.

Sworn in open court, this — day of —, 186—. _____,
 _____, Clerk.

STATE OF NEW YORK, *City and County of New York, ss:*

I, _____, the above-named applicant, do solemnly swear that I will support the Constitution of the United States, and that I do absolutely and entirely renounce and abjure all allegiance and fidelity to every foreign prince, potentate, state or sovereignty whatever, and particularly to the _____, of whom I was before a subject.

Sworn in open court, this — day of —, 186—. _____,
 _____, Clerk.

At a special term of the court of common pleas for the city and county of New York, held at the City Hall of the city of New York, on the — day of —, 186—.

Present, Hon. _____, judge.

In the matter of the application of the within-named applicant to be admitted a citizen of the United States of America.

The said applicant appearing personally in court, producing the evidence required by the acts of Congress, and having made such declaration and renunciation, and having taken such oaths as are by the said acts required, it is ordered by the said court, that the said applicant be admitted to be a citizen of the United States of America.

SUPERIOR COURT OF THE CITY OF NEW YORK.

In the matter of _____, on his }
 application to become a citizen of } E. L. G.
 the United States. }

STATE OF NEW YORK, *City and County of New York, ss:*

_____, of _____, being duly sworn, says, that he is well acquainted with the above-named applicant, and that the said applicant has resided within the United States for the continued term of five years

at least next preceding the present time, and within the State of New York one year at least immediately preceding this application; and that during that time he has behaved as a man of good moral character, attached to the principles of the Constitution of the United States, and well disposed to the good order and happiness of the same.

Sworn in open court, this — day of —, 18—, _____, Clerk.

STATE OF NEW YORK, *City and County of New York, ss :*

I, _____, of _____, do solemnly swear that I will support the Constitution of the United States, and that I do absolutely and entirely renounce and abjure all allegiance and fidelity to any foreign prince, potentate, state or sovereignty whatever, and particularly to the Queen of the United Kingdom of Great Britain and Ireland, of whom I was before a subject.

Sworn in open court, this — day of —, 18—, _____, Clerk.

SUPERIOR COURT OF THE CITY OF NEW YORK.

In the matter of _____, on his }
 application to become a citizen of } Minor, E. L. G.
 the United States. }

STATE OF NEW YORK, *City and County of New York, ss :*

_____, of _____, being duly sworn, doth depose and say, that he is well acquainted with the above-named applicant; that the said applicant has resided in the United States for three years next preceding his arrival at the age of 21 years; that he has continued to reside therein to the present time; that he has resided five years within the United States, including three years of his minority, and that he has resided in the State of New York one year at least immediately preceding this application; and that during that time he has behaved as a man of good moral character, attached to the principles of the Constitution of the United States, and well disposed to the good order and happiness of the same; and deponent verily believes, that for three years next preceding this application it has been the real and honest intention of the said applicant to become a citizen of the United States.

Sworn in open court, this — day of —, 186—, _____, Clerk.

STATE OF NEW YORK, *City and County of New York, ss :*

_____, of _____, the above-named applicant, being duly sworn, says, that he has arrived at the age of 21 years; that he has resided in the United States three years next preceding his arrival at that age, and has continued to reside therein to the present time; that he has resided five years within the United States, including the three years of his minority, and that he has resided one year at least, immediately preceding this application, within the State of New York, and that for three years next preceding this application it has been his real and honest intention to become a citizen of the United States.

Sworn in open court, this — day of —, 186—, _____, Clerk.

I do declare on oath, that it is my *bona fide* intention, and has been for the three years next preceding this application, to become a citizen of the United States, and to renounce forever all allegiance and fidelity to any foreign prince, potentate, state or sovereignty whatever, and particularly to the _____, of whom I was before a subject.

Sworn in open court, this _____ day of _____, 186-.
_____, *Clerk*

I, _____, do solemnly swear that I will support the Constitution of the United States, and that I do absolutely and entirely renounce and abjure all allegiance and fidelity to any foreign prince, potentate, state or sovereignty whatever, and particularly to the _____, of whom I was before a subject.

Sworn in open court, this _____ day of _____, 186-.
_____, *Clerk.*

NEW YORK COMMON PLEAS.

In the matter of the application of _____ }
_____, to be admitted a citizen of the } E. L. G.
United States of America. }

STATE OF NEW YORK, *City and County of New York*, ss :

_____, being duly sworn, says, that he resides at _____, and that he is well acquainted with the above-named applicant, and that the said applicant has resided within the United States for the continued term of five years, at least, next preceding the present time, and within the State of New York one year, at least, immediately preceding this application; and that during that time he has behaved as a man of good moral character, attached to the principles of the Constitution of the United States, and well disposed to the good order and happiness of the same.

Sworn in open court, this _____ day of _____, 186-.
_____, *Clerk.*

STATE OF NEW YORK, *City and County of New York*, ss :

I, _____, residing at _____, do solemnly swear that I will support the Constitution of the United States, and that I do absolutely and entirely renounce and abjure all allegiance and fidelity to every foreign prince, potentate, state or sovereignty whatever, and particularly to the _____, of whom I was before a subject.

Sworn in open court, this _____ day of _____, 186-.
_____, *Clerk.*

At a special term of the court of common pleas for the city and county of New York, held at the City Hall of the city of New York, on the _____ day of _____, 186-.

Present, Hon. _____, judge.

In the matter of the application of the within-named applicant to be admitted a citizen of the United States of America.

The said applicant appearing personally in court, producing the evidence required by the acts of Congress, and having made such decla-

ration and renunciation, and having taken such oaths as are by the said acts required, it is ordered by the said court that the said applicant be admitted to be a citizen of the United States of America.

SUPREME COURT, *City and County of New York* :

In the matter of _____, on his }
petition to become a citizen of the } E. L. G.
United States. }

To the supreme court of the State of New York :

The petition of _____, residing at _____, respectfully shows : That he is of the age of twenty-one years and upwards, and has resided within the United States for the continued term of one year next preceding the present time ; that your petitioner enlisted in the army of the United States, in the _____ regiment of New York volunteers, on the _____ day of _____, 186-, at _____, in the State of New York, and was honorably discharged therefrom on the _____ day of _____, 186-, at _____ ; your petitioner therefore asks to be admitted to become a citizen of the United States, pursuant to sec. 21 of the act of Congress passed July 17, 1862, entitled "An act to define the pay and emoluments of certain officers of the army, and for other purposes."

STATE OF NEW YORK, *City and County of New York* :

_____, the within-named petitioner, being duly sworn, says that the matters contained in the foregoing petition are true.

Sworn in open court, this _____ day of _____, 186-.

_____, Clerk.

STATE OF NEW YORK, *City and County of New York*, ss :

_____, being duly sworn, says that he resides at _____, and that he is well acquainted with the above-named petitioner, and that the said petitioner has resided within the United States for the continued term of one year, at least, next preceding the present time, and within the State of New York one year, at least, immediately preceding this application ; and that during that time he has behaved as a man of good moral character, attached to the principles of the Constitution of the United States, and well disposed to the good order and happiness of the same ; and that he knows the said applicant to be the identical person mentioned and described in the foregoing petition, and in the certificate of discharge from the service of the United States army, now produced to the court.

Sworn in open court, this _____ day of _____, 186-.

_____, Clerk.

STATE OF NEW YORK, *City and County of New York*, ss :

I, _____, residing at _____, do solemnly swear that I will support the Constitution of the United States ; and that I do absolutely and entirely renounce and abjure all allegiance and fidelity to every foreign prince, potentate, state or sovereignty whatever, and particularly to the _____, of whom I was before a subject.

Sworn in open court, this _____ day of _____, 186-.

At a special term of the supreme court, held at the City Hall of the city of New York, on the — day of —, 186—.

Present, Hon. —, justice.

In the matter of the application of the within-named applicant to be admitted a citizen of the United States of America.

The said applicant appearing personally in court, and producing his certificate of discharge from the service of the United States army, and the evidence required by the acts of Congress, and having made such declaration and renunciation, and having taken such oaths as are by the said acts required, it is ordered by the said court that the said applicant be admitted to be a citizen of the United States of America.

[Exhibit E, in Goldstein's testimony.]

SUPREME COURT, *City and County of New York* :

In the matter of the application of — }
 — to be admitted a citizen of the } E. L. G.
 United States of America. }

STATE OF NEW YORK, *City and County of New York*, ss :

—, being duly sworn, says that he resides at —, and that he is well acquainted with the above-named applicant, and that the said applicant has resided within the United States for the continued term of five years, at least, next preceding the present time, and within the State of New York one year, at least, immediately preceding this application; and that during that time he has behaved as a man of good moral character, attached to the principles of the Constitution of the United States, and well disposed to the good order and happiness of the same.

Sworn in open court, this — day of —, 186—.

—, Clerk.

STATE OF NEW YORK, *City and County of New York*, ss :

I, —, residing at —, do solemnly swear that I will support the Constitution of the United States; and that I do absolutely and entirely renounce and abjure all allegiance and fidelity to every foreign prince, potentate, state or sovereignty whatever, and particularly to the —, of whom I was before a subject.

Sworn in open court, this — day of —, 186—.

—, Clerk.

At a special term of the supreme court, held at the City Hall of the city of New York, on the — day of —, 186—.

Present, Hon. —, justice.

In the matter of the application of the within-named applicant to be admitted a citizen of the United States of America.

The said applicant appearing personally in court, producing the evidence required by the acts of Congress, and having made such declaration and renunciation, and having taken such oaths as are by the said acts required, it is ordered by the said court that the said applicant be admitted to be a citizen of the United States of America.

SUPREME COURT, *City and County of New York* :

In the matter of the application of _____,
to be admitted a citizen of the United States of } E. L. G.
America.

STATE OF NEW YORK, *City and County of New York*, ss :

_____, the above-named applicant, being duly sworn, says, that he resides at _____; that he has arrived at the age of 21 years; that he has resided in the United States three years next preceding his arrival at that age, and has continued to reside therein to the present time; that he has resided five years within the United States, including the three years of his minority, and one year, at least, immediately preceding this application, within the State of New York; and that for three years next preceding this application it has been, *bona fide*, his intention to become a citizen of the United States.

Sworn in open court, this _____ day _____, 186-.

_____, Clerk.

STATE OF NEW YORK, *City and County of New York*, ss :

_____, being duly sworn, says, that he resides at _____, and that he is well acquainted with the above-named applicant; and that the said applicant has resided in the United States for three years next preceding his arrival at the age of 21 years; that he has continued to reside therein to the present time; that he has resided five years within the United States, including the three years of his minority, and in the State of New York one year, at least, immediately preceding this application; and that during that time he has behaved as a man of good moral character, attached to the principles of the Constitution of the United States, and well disposed to the good order and happiness of the same; and deponent verily believes that for three years next preceding this application it has been, *bona fide*, the intention of the said applicant to become a citizen of the United States.

Sworn in open court, this _____ day of _____, 186-.

_____, Clerk.

STATE OF NEW YORK, *City and County of New York*, ss :

I, _____, the above-named applicant, do declare on oath that it is, *bona fide*, my intention, and has been for three years next preceding this application, to become a citizen of the United States; and to renounce forever all allegiance and fidelity to every foreign prince, potentate, state or sovereignty whatever, particularly to the Queen of the United Kingdom of Great Britain and Ireland, of whom I am now a subject.

Sworn in open court, this _____ day of _____, 186-.

_____, Clerk.

STATE OF NEW YORK, *City and County of New York*, ss :

I, _____, the above-named applicant, do solemnly swear that I will support the Constitution of the United States; and that I do absolutely and entirely renounce and abjure all allegiance and fidelity to every foreign prince, potentate, state or sovereignty whatever, and par-

ticularly to the Queen of the United Kingdom of Great Britain and Ireland, of whom I was before a subject.

Sworn in open court, this — day of —, 186—.

—, Clerk.

At a special term of the supreme court, held at the City Hall of the city of New York, on the — day of —, 186—.

Present, Hon. —, justice.

In the matter of the application of the within-named applicant to be admitted a citizen of the United States of America.

The said applicant appearing personally in court, producing the evidence required by the acts of Congress, and having made such declaration and renunciation, and having taken such oaths as are by the said acts required, it is ordered by the said court that the said applicant be admitted to be a citizen of the United States of America.

PORTER G. SHERMAN sworn and examined.

By the CHAIRMAN :

925. Question. What position did you hold at the last election in New York ?

Answer. I was register and inspector in the 8th district and 17th ward.

926. Q. I present to you four papers purporting to be naturalization certificates, referred to in the testimony of William W. Young, and signed "Charles E. Loew, clerk," and issued, one to Henry Sterne, one to Charles Warneck, one to William Lucas, one to Gottlieb Kaffenberger ; state what you know of these papers.

A. The paper of Sterne was brought by a man named Henry Sterne, who presented himself for registration. I inquired how he got the paper, or in what court ; he said he got it in the City Hall. I inquired from him as to what room or what court in the City Hall, and he said he did not know. I asked him whether it was up stairs or down stairs, and he could not tell about that ; he understood that it was in the City Hall. I asked him who were there ; he said the hall was crowded. I asked him if it was crowded up stairs and down stairs ; he said it was. I asked him if he was sworn ; he said he was. I asked him who swore him ; he said he did not know. I asked him who was with him ; he said the whole crowd were sworn and he was sworn with them ; and that after being sworn they got the papers ; he did not know who gave him the paper, but he got it. I asked him if he had a witness with him ; he said he had. I asked him how long he knew him ; he said about a year. I asked him if he knew him longer than that ; he said no, about a year or nearly two years. I asked him his name ; he said his name was Cook.

927. Q. Did Sterne say whether he himself had been in the country five years.

A. No ; he said he had been here about four years. As to Warneck's papers, Charles Warneck, of 263 East Houston street, presented himself with this paper to register, at the 4th election district, 17th ward. He said he got the paper in Centre street ; he thought No. 6 ; it was in the basement ; somebody there gave him this naturalization paper ; he said he was not in court and did not get the paper in any court. [To Mr. Ross.] The statement was not made under oath. William Lucas presented this paper ; he said he got it from Mr. Rupert, of Essex market court. He said first, "I got it in court ;" we then inquired from him

what court, and then we found out it was the Essex market court; it was not any other court. There is no Essex market court authorized to issue naturalization papers.

By Mr. ROSS :

928. Q. Was that testified to ?

A. It was his answer under oath.

By Mr. DAWES :

929. Q. It was a statement made when he presented the naturalization paper for registration ?

A. Yes, sir. Gottlieb Kaffenberger presented this paper; he said he got it in Centre street, in the basement, not in any court; that was his statement, not under oath.

By the CHAIRMAN :

930. Q. Did you refuse these parties registration ?

A. Yes, sir.

931. Q. About what proportion of voters in your district were foreign-born citizens ?

A. The great majority of them were foreign born; it is rather a German district.

932. Q. Did you generally swear them ?

A. No, sir; we found it no kind of use to swear them; they came up there to swear right through that they were citizens, or whatever it was.

933. Q. What proportion of them were sworn ?

A. We swore very few—perhaps one in 20. When I came to question them as to how they got their papers, I found they got them in that way; there was the seal of the court and the signature of the clerk. One of my associates came back and said that we could not go behind the court; that the court held itself responsible for what they did.

By Mr. KERR :

934. Q. In other words, when you examined them they told you the truth and you excluded their votes. Do you think it is hardly fair for you to say that they came prepared to swear the thing through ?

A. I do not know; I believe these men told the truth; some told a pretty crooked story and I took away their papers from them.

By Mr. ROSS :

935. Q. You kept out the illegal votes pretty well ?

A. We registered a good many of them which I think were spurious.

936. Q. Did they vote ?

A. We registered 414 and there were 386 votes polled.

937. Q. Did you know of any illegal votes having been given at your precinct ?

A. No, sir; I do not positively know of any; I know if I had it to do over again I would retain all of these papers instead of allowing anybody to vote upon them.

JOHN OSBOENE sworn and examined.

By the CHAIRMAN :

938. Question. What office did you hold at the last election ?

Answer. I was chairman of the board of registers and inspectors of election. I have been so ever since there has been a registration law in this city, except the three years I was in the army.

939. Q. What do you know of fraudulent naturalization papers being presented to procure registration of voters on ?

A. Last year I saw there was something of the sort coming, to have naturalization papers without the men going down to the court to procure them themselves; that is, they were furnished by committees anywhere. I saw it coming last year, and I used every opportunity to challenge all those that were dated in the month of October, last year. I made them swear, and I found that several of them had got them fraudulently; and I found the same thing this year, and I seized four or five of these papers. One of them I was mistaken about, so that I had to withdraw it in order to hand it to the man to whom it belonged, but he never called for it afterwards; that is one of four or five. Myself and Mr. Bogart ceased taking the responsibility of this.

940. Q. What proportion of the adult male citizens of your district are foreign-born, and what proportion are native-born?

A. There are over 90 per cent. of foreign birth.

941. Q. About what percentage of them were sworn when they were registered?

A. Quite a number of them. I swore every one whose paper was dated in October, 1867, and October, 1868. After they were sworn a memorandum was put on the paper by Mr. Bogart, so that the registration could not be repeated in another district.

942. Q. If you have a paper in your possession purporting to be a naturalization paper, present it and describe it.

A. I present this paper, issued to Daniel O'Donohue, dated 18th of October, 1868, and signed, "Charles E. Loew, clerk."

943. Q. State what O'Donohue said when he presented it for registration.

A. I asked him if he went into court to get that paper from the judge; he said he did. I asked him if he was properly sworn; he said he was. I asked him if he had a witness with him; he said no, he had no witness. Said I, "Did you ever declare your intention to become a citizen, or get your first papers?" he said he did not. I asked him why; he said because he was told by several persons that it was no use to do anything of the kind, as the law had been altered in some way so that it did not require a man to declare his intentions to get out his first papers. Then there was a question brought up before the court whether he should be arrested or not, as he was not entitled to the paper. Our associates decided that the man had been made a dupe of, and that we had better not punish, but go a little further, and expose what the court was doing. We decided to do that; I kept this paper; but before he went out he stated he had served three years in the army, and had got an honorable discharge which would entitle him to this paper, but we still held it because the judge did not question him upon that. It would have been the same thing if he had not been in the army, and had not been honorably discharged. However, I think the man was entitled to the paper, and I withdrew it so as to return it, but he never called for it. If he had applied to the judge and mentioned that he was a soldier, he would have got his paper, but in the other papers there was no such excuse at all.

944. Q. Do you know any other facts tending to show the existence of naturalization papers?

A. No more than that I had three or four such papers as this; I believe they are in the hands of some committee.

By Mr. Ross.

945. Q. There were no illegal votes polled at your place that you know of?

A. None that I know of. They were attempted but they could not go through. There were three young men of whom I was doubtful whether they were of age or not. They swore they were of age, but they could not tell their birthday. We had to register them, but they never came up to vote.

946. Q. You think you protected your polls so that no illegal votes got in there?

A. I think so.

By Mr. KERR:

947. Q. What are your politics?

A. Republican.

CHARLES HENRY SIEP recalled.

By Mr. DICKEY:

948. Question. Have you the list of naturalization papers which the clerk, Goldstein, says he left with you as a member of the general committee?

Answer. He did not leave any list with me; if the list be there, Mr. Rosenberg must have it.

949. Q. Goldstein says that after Rosenberg was arrested he acted as chief clerk, and that he left a list of naturalizations with you.

A. He did not leave any list there at all. Rosenberg kept his papers in his private possession—in his pocket. He left only the blanks and his pen and ink, &c., there in the evening.

By Mr. KERR:

950. Q. Are you a member of the German naturalization committee?

A. No, sir; I am a member of the general committee, but not of the naturalization committee.

951. Q. Are you a member of the committee that appointed the naturalization committee?

A. Yes, sir.

By Mr. DICKEY:

952. Q. You say that no list was left with you?

A. No, sir.

953. Q. Do you know where it is?

A. No, sir. Rosenberg ought to know that. He had this list in his possession, and he must have it, or know all about it. Goldstein is mistaken about that.

PATRICK T. FEENY sworn and examined.

By the CHAIRMAN:

954. Question. Are you a native of the United States?

Answer. No, sir; I came here when I was about two-and-a-half years old.

955. Q. Did you ever go into any court to procure naturalization papers?

A. I went over to 6 Centre street to get a paper there, and from there I was sent over to the chambers of the board of councilmen in the City Hall.

956. Q. Did you go into any court to be naturalized?

A. Only that room in the City Hall.

By Mr. DICKEY :

957. Q. Were you sworn in court ?

A. Yes, sir.

958. Q. Did you have a witness with you ?

A. Yes ; Michael Denham.

959. Q. How old are you ?

A. Twenty-two next March.

960. Q. Did you get a naturalization paper ?

A. Yes, sir.

961. Q. Do you recollect the name of the clerk who signed your naturalization paper ?

A. James M. Sweeney.

By Mr. DICKEY :

962. Q. Were you examined in court, and had you a witness along with you to get your paper ?

A. Yes, sir.

By Mr. DAWES :

963. Q. What did they ask you in court ?

A. I don't believe they asked me anything in that court. There were four of us sworn together, and they said it so fast that I could not exactly understand what was said.

964. Q. What did the man say who went with you ?

A. When he got the papers at Centre street he said he knew me ten years.

By Mr. DICKEY :

965. Q. When he went to the court what did he say ?

A. The gentleman spoke so fast that I could not exactly understand.

966. Q. What did you say to the court in answer to the questions ?

A. I put my hand on the book.

967. Q. Did you tell the court anything ?

A. No, sir.

968. Q. Did the court ask you anything ?

A. No, sir.

969. Q. Did he ask the witness anything ?

A. How long he knew me.

By Mr. DAWES :

970. Q. Did any one ask you in the court-room how old you were when you came to this country ?

A. No, sir. They asked me where the papers were made out ; if I came under eighteen.

971. Q. Did they ask you that in the court-room ?

A. I don't recollect it.

972. Q. Who administered the oath to you ?

A. That I cannot say. I believe Judge Stewart was there.

973. Q. Who told you he was there ?

A. My witness.

By the CHAIRMAN :

974. Q. What room in the City Hall was this ?

A. Room No. 16, I believe.

975. Q. Who was your witness ?

A. Michael Denham.

976. Q. How long had he known you ?

A. I guess he knew me over ten years.

977. Q. You have been in the country that long?

A. Yes, sir; I have been here since I was a child.

By Mr. ROSS:

978. Q. Did you vote?

A. No, sir.

979. Q. Did they take your paper away from you?

A. No, sir.

980. Q. But you did not vote?

A. This gentleman, Mr. Stewart, who reported me, said that my papers were fraudulent, and a deputy marshal came and looked at my papers and asked me if I would go before the commissioner. I said yes. I had my name registered, but I could not vote. I had an engagement that night—an engagement at Hooley's Minstrels, and I thought I might be arrested and could not go there, and so I would lose my job.

981. Q. So you were frightened away from the exercise of your right to vote by these marshals?

A. Yes, sir.

By Mr. DAWES:

982. Q. You were induced to stay away for fear you could not have a job the next day?

A. Yes, sir.

983. Q. How would you have voted?

A. I was to vote for both parties. I was to vote for Griswold for governor, and for all the other candidates of the other party.

984. Q. So far as you know you were lawfully entitled to vote?

A. Yes, sir.

985. Q. You made the proper oath?

A. Yes, sir.

986. Q. You got the proper certificate?

A. Yes, sir.

987. Q. But for fear of being arrested you desisted from voting?

A. Yes, sir.

CHARLES BARNEGAT sworn and examined.

By the CHAIRMAN:

988. Question. Did you vote at the presidential election in this city?

Answer. No, sir.

989. Q. Have you a naturalization paper?

A. I got one.

990. Q. Where did you get it?

A. In the supreme court.

991. Q. Have you it with you?

A. No, sir.

992. Q. How long have you been in the United States?

A. Nine years.

By Mr. DICKEY:

993. Q. How old are you?

A. Thirty years. The first day I was in court to get my papers there I saw in the newspapers that I could get the papers all at once.

994. Q. Were you in the army?

A. No, sir.

995. Q. You did not get your first papers out?

A. No, sir; I got them all at once in the supreme court.

A. I do not know that he had any papers.

996. Q. Who was your witness ?

A. Charles Jew.

997. Q. How old were you when you came to the United States ?

A. I was about 18.

998. Q. You say you are 30 years of age and have been only nine years in this country ?

A. Well, I was first in the south before I came here ; I was six years in New York ; I was three years in New Orleans, St. Louis, Memphis, and other places.

By the CHAIRMAN:

999. Q. Were you registered as a voter at the last election ?

A. No, I did not register, and they said the paper was not good and I went home again.

1000. Q. Did they swear you when you went to register ?

A. No, sir. I said, "what is the matter ?" He asked me where I got the paper. I told them that I got it in the supreme court, and that it must be good. They said no, and a policeman told me I had better go home, and I went home ; and now I got a notice to come here.

By Mr. ROSS:

1001. Q. What age were you when you came to this country ?

A. May be 18.

1002. Q. Were you under or over 18 ?

A. I think it must be under 18.

1003. Q. Did your witness testify that you came to this country before you were 18 ?

A. Yes, sir.

1004. Q. And I think the court gave you a certificate of naturalization ?

A. Yes, sir.

1005. Q. You got your papers all at once in that way ?

A. Yes, sir.

1006. Q. And they would not let you vote ?

A. No, they would not let me vote.

By Mr. DICKEY:

1007. Q. What year were you born in ?

A. I do not recollect.

1008. Q. How long ago was it ?

A. Well, I am 30 now.

1009. Q. What year did you come to this country ?

A. I do not recollect ; some time before the war commenced.

1010. Q. How long before the war commenced ?

A. I do not know ; may be three or four years.

1011. Q. How long did you know this man who was your witness ?

A. I knew him just since I have been here ; he was in New Orleans with me.

By Mr. DAWES:

Q. He went around with you ?

A. Yes, he went with me.

By Mr. DICKEY:

1012. Q. When did he get his papers ?

By Mr. HOPKINS:

1013. Q. Did you pay anything for your papers ?

A. No, sir, I had to pay nothing for them ; there were about 500 put

through at the same time; there was a whole lot of them; I was smashed up, almost, to get in.

By Mr. DICKEY:

1014. Q. Did you go up to court to take the oath, or did you all stand in the room and hold up your hands?

A. Some had their hands on the back of the Bible, and some were pointing that way.

By Mr. DAWES:

1014. Q. Did you kiss the Bible?

A. No, sir.

Q. How far were you from the Bible?

A. Six or eight feet.

1015. Q. You say the court was full?

A. Yes, sir.

1016. Q. Were they all naturalized at once?

A. Not at once; at several times.

By Mr. DICKEY:

1017. Q. How many at a time?

A. I suppose about eight or nine.

By Mr. KERR:

1018. Q. You are satisfied that when you came to this country you were under 18 years of age?

A. Yes, sir.

1019. Q. Whom would you have voted for if you had been permitted to vote?

A. I always voted for the republican party, because I respect Abraham Lincoln and General Grant, and have got pictures of them in my room.

By Mr. DAWES:

1020. Q. And these fellows would not let you vote?

A. No, sir.

By Mr. KERR:

1021. Q. Do you know that policeman who told you to go home?

A. I do not know him. He said, "how is the matter; how is this?" and he said I had better go home.

1022. Q. Did you tell him you wanted to vote the republican ticket?

A. No, I did not tell him that.

1023. Q. Do you know whether he was a democrat or republican?

A. No; but I know that the man at the registry was a republican; they did not say anything to democrats.

1024. Q. You wanted to vote the republican ticket and the republican officers would not let you?

A. They did not know it.

ANDREW B. LEUCHTNER sworn and examined.

By the CHAIRMAN:

1025. Question. Where do you live?

Answer. 652 Washington street.

1026. Q. What country are you a native of?

A. Germany.

1027. Q. Have you ever been before the court to procure naturalization papers?

A. I got my first papers about five years ago.

1028. Q. Has any person offered to procure naturalization papers for you without your going into court ?

A. Yes, sir.

1029. Q. Who ?

A. Kelley; I do not know his first name.

1030. Q. When ?

A. Before election.

1031. Q. What did he say to you ?

A. He asked me if I got my papers yet. I said, "I got my first papers; not my second." So he said he could get them for me. I told him that if there was any trouble about it I did not want them. Said I, "Do you want me along?" He said, "O no, we do not want you at all; all I want is your name." Said I, "Do you want my first papers?" He said he did not want them, but give my name and he would give me the papers.

1032. Q. Did you pay him anything for it ?

A. I paid him \$2.

1033. Q. Is this the paper ?

A. That is the paper.

1034. Q. This appears to have been issued from the superior court of the city of New York; did you ever appear in court to be sworn to get it ?

A. No, sir.

By Mr. DAWES:

1035. Q. Where were you when you were first spoken to about this paper ?

A. I was hitching up my horse to go up West street.

1036. Q. What is your business ?

A. Driving a hay-cart.

1037. Q. How long was that before you got the paper ?

A. He spoke to me in the morning; in the afternoon, about 3 o'clock, he gave me the paper. He came and brought it to me on the West Tenth street dock.

1038. Q. Did you tell him where he could find you ?

A. No; but he knew the place where he could find me.

1039. Q. You never left your work from the time you were first spoken to about it until it was delivered to you ?

A. No, sir.

By Mr. DICKEY:

1040. Q. Did you know Kelley before ?

A. I am not acquainted with him, but I suppose he knew me.

1041. Q. Did you register on that paper ?

A. I did.

1042. Q. Did you vote on it ?

A. I did; I asked if I would get into trouble on it, and he said "no."

1043. Q. What precinct and what ward did you vote in ?

A. In the ninth ward, corner of West Tenth and Greenwich streets.

1044. Q. You voted on it during the last congressional and presidential election ?

A. Yes, sir.

1045. Q. Do you know what political party Kelley belonged to ?

A. I do not.

1046. Q. What ticket did you vote ?

A. I do not know exactly; I voted a ticket that was given me.

1047. Q. Did you get it of a democratic distributor ?

A. No, I do not know him myself; he is a good friend of my boss.

By Mr. KERR :

1048. Q. What is your boss ?

A. He is a republican.

By Mr. DICKEY :

1049. Q. Did you vote for Seymour or for Hoffman ?

A. I cannot tell.

1050. Q. Have you been a democrat heretofore ?

A. Yes, sir.

1051. Q. Are you still a democrat ?

A. I never voted before.

By Mr. DAWES :

1052. Q. Are you conscious of having experienced any change of politics ?

A. No, sir.

By Mr. ROSS :

1053. Q. Did you vote the same way as your boss did ?

A. I do not know how he voted. My boss did not give me the ticket.

1054. Q. But the man who gave you the ticket was a great friend of your boss ?

A. I think so.

1055. Q. And your boss is a republican ?

A. I believe he is.

[The naturalization certificate referred to in the testimony of this witness is annexed to his testimony and marked "Exhibit E."]

[Exhibit E.]

UNITED STATES OF AMERICA, STATE OF NEW YORK,
City and County of New York, ss :

Be it remembered that, on the 19th day of October, in the year of our Lord one thousand eight hundred and sixty-eight, Andrew B. Seigner appeared in the superior court of the city of New York, (the said court being a court of record, having common law jurisdiction, and a clerk and seal,) and applied to the said court to be admitted to become a citizen of the United States of America, pursuant to the provisions of the several acts of the Congress of the United States of America for that purpose made and provided. And the said applicant having thereupon produced to the court such evidence, made such declaration and renunciation, and taken such oaths as are by the said acts required: Thereupon, it was ordered by the said court that the said applicant be admitted, and he was accordingly admitted by the said court to be a citizen of the United States of America.

In testimony whereof, the seal of the said court is hereunto affixed, this 19th day of October one thousand eight hundred and sixty-eight, and in the 93d year of our independence.

By the court:

JAMES M. SWEENEY, *Clerk.*

MICHAEL KERWIN sworn and examined.

By the CHAIRMAN:

1056. Question. In what country were you born ?

Answer. Ireland.

1057. Q. How long have you been in the United States?

A. Over 11 years.

1058. Q. Did you ever go into any court to be naturalized?

A. No, sir.

1059. Q. Was any oath ever administered to you?

A. No, sir.

1060. Q. Did you vote at the last election for President in this city?

A. Yes, sir.

1061. Q. Where?

A. In the 9th ward.

1062. Q. Were you registered?

A. Yes, sir.

1063. Q. Did you present the naturalization certificate which I now hold in my hand for registration?

A. Yes, sir.

1064. Q. Were you sworn when you were registered?

A. No, sir.

1065. Q. Whom did you get this naturalization paper from?

A. From Thomas Kelley and Charles Malloy.

1066. Q. What did you pay for it?

A. Two dollars.

1067. Q. What did they say to you about it when they gave it to you?

A. Kelley came to me and wanted me to get out my papers. I told him I did not want them. I said I would lose a couple of dollars by going down town to get them. He said he would go down town and get them if I would give him \$2; so I consented to give it to him.

1068. Q. How soon after that did he bring the paper back?

A. He brought it back about a quarter-past 5 o'clock. When he came to me in the morning it was between 8 and 9 o'clock.

1069. Q. How long have you been in this country?

A. I am in the country 11 or 12 years.

1070. Q. But you never have got any papers?

A. No, sir; I never wanted them, and I would not want them now, only they came to me.

1071. Q. Where did you vote?

A. At the corner of Perry and Greenwich streets.

1072. Q. Did anybody question you at the polls?

A. No, sir.

1073. Q. What ticket did you vote?

A. The republican ticket. The fellow gave me a ticket, and said it was a republican ticket.

By Mr. DICKEY:

1074. Q. What did Kelley say to you, at the time he gave you this paper, about the danger of using it?

A. Kelley said there was no danger about using it; that a great many had the same kind of paper, and there was no danger.

1075. Q. What did he say about protecting you?

A. He said that Pop Culpin would make that all right. He is one of the assistant aldermen of the 9th ward.

1076. Q. Is he a democrat?

A. I guess so.

1077. Q. When did you last see the man who gave you the ticket to vote?

A. I did not see him ever since; I would not know him if I met him.

(The paper referred to in the testimony of this witness is signed

"James M. Sweeny, clerk," and is in all respects similar to the paper marked "Exhibit E.")

WILLIAM J. McMURRAY sworn and examined.

By the CHAIRMAN:

1078. Question. What office do you hold?

Answer. Roundsman and policeman in the 22d precinct of the metropolitan police in this city.

1079. Q. I present to you a paper purporting to be a certificate of naturalization signed "Charles E. Loew," dated the 15th of October, 1868, and issued to August A. Sanger; what do you know of that paper?

A. I took a paper similar to this from a man named Sanger, and delivered it to a clerk in the United States district attorney's office.

1080. Q. What information have you about the paper?

A. I received information the morning of the 3d of November that this man Sanger had registered. I received information from a man named Speck, and I went and arrested him on the complaint of Speck, and brought him to the station-house. He there admitted, so I am informed, that he arrived in this country last May; that he went down to No. 6 Centre street, and procured the certificate of naturalization for \$3. I took him there to see if he could identify the parties, but he did not see them, so I brought him back. I got these facts through Speck as interpreter; he was sworn as interpreter.

By Mr. KERR:

1081. Q. What are your politics?

A. As a general thing I vote the republican ticket lately.

DANIEL SULLIVAN sworn and examined.

By the CHAIRMAN:

1082. Question. In what country were you born?

Answer. Ireland.

1083. Q. How long have you been in the United States?

A. Seven years next May.

1084. Q. Were you ever naturalized in any court?

A. No, sir.

1085. Q. I present to you a paper signed James M. Sweeny, clerk, purporting to be a certificate of naturalization made from the superior court of the city of New York, dated the 7th of October, 1868; did you have that paper?

A. I got a paper to vote and it was taken from me.

1086. Q. Whom did you get the paper from?

A. It was left in the house where my boss was working. I do not know who put it there. It was left in the house where my boss was living.

1087. Q. Did you vote at the last election?

A. No, sir.

1088. Q. Who took the paper from you?

A. A person at the registry.

1089. Q. Did they swear you?

A. No; they only questioned me.

By Mr. HOPKINS:

1090. Q. Were there other papers of this kind left at the house of that man?

A. No; only for myself.



1091. Q. Do you know of any other papers of this kind being given to men like you ?

A. I heard something about it, but I do not know the fact.

1092. Q. Did you pay any money for it ?

A. I did not.

By Mr. DAWES :

1093. Q. Whom did you work for ?

A. Paddy Burke.

1094. Q. Did he give you the paper ?

A. I do not know who gave it to me; it was handed to me that night; it was put in the house 450 Cherry street. (The paper exhibited to witness is the same in all respects as the paper marked "Exhibit E," except it has got a five-cent revenue stamp attached.)

1095. Q. Did you ever talk with Burke about this paper ?

A. I did not.

1096. Q. Didn't you tell the man who took it from you that you got it from Paddy Burke ?

A. I do not know whether it was Paddy Burke or the children; somebody or other gave it to me.

By Mr. ROSS :

1097. Q. You do not know who brought it to the house ?

A. I do not know who brought it to the house.

1098. Q. Do you know who gave it to you ?

A. Some girls or boys.

PATRICK BURKE sworn and examined.

By the CHAIRMAN :

1099. Question. Do you know Daniel Sullivan ?

Answer. I do; he worked for me four or five years.

1100. Q. Did you give him a certificate of naturalization ?

A. I did not; I had nothing to do with it. I know nothing about the paper at all; I took the paper off the table and handed it to John Sullivan; said I, "Here is a paper for you." "All right," says he.

1101. Q. Who left it at the house ?

A. I don't know.

1102. Q. Did you see the man who left it ?

A. I did not.

By Mr. DAWES :

1103. Q. How did you know it was a paper for him ?

A. The children told me it was for him.

1104. Q. Did you ever tell any body that you had a man in your employment who was not naturalized ?

A. I did not.

DUGOLD STEWART sworn and examined.

By the CHAIRMAN :

1105. Question. What office did you hold at the last election ?

Answer. Inspector of election and registration, in the 17th district, 20th ward.

1106. Q. State if you know of any person having registered on naturalization papers who was not entitled to be registered.

A. No, sir; I do not know of any in that district.

By Mr. DICKEY :

1106. Q. Do you know of any person being there with naturalization papers for the purpose of registering who were not entitled to do so ?

A. There was one man came there and tried to register, but we did not allow him. I did not know his name.

1107. Q. Had he a paper ?

A. Yes, sir ; but he would not swear to it ; at least he would not swear that he was the age of 21. He said he swore once when he got it at the City Hall, and they told him there not to swear again. I believe his name was Mueller.

1108. Q. Did he vote at the last election ?

A. That is more than I can say ; to the best of my knowledge he did not.

1109. Q. Do you know whether he had naturalization papers ?

A. Yes, sir ; I saw them.

1110. Q. Did he tell you he was 21 years of age ?

A. Yes, sir ; he told me so several times before ; I think he looks younger than that now. He never told me what his age was, but he never said he was 21.

1111. Q. Did he say he was not ?

A. I cannot say exactly that he said he was not ; he never gave me any satisfaction. He always told me that he had a right to vote and he would vote. I told him I would try to stop him if I could. I believe he did not vote.

1112. Q. You were one of the officers, and do you think you protected the polls pretty well ?

A. I think we did.

NEW YORK, *December 23, 1868.*

JOSEPH A. MILLER sworn and examined.

By the CHAIRMAN :

1113. Question. State what you know about persons procuring or being able to procure naturalization papers without going into court to get them. Answer. I do not know anything about it.

1114. Q. Did you have a conversation with Charles Fox about getting naturalization papers ?

A. He came and spoke to me in relation to citizen papers. I did not have anything to do with them ; I never got any. I keep a public house. I know there were citizen papers given out there, for I have seen them.

By Mr. DICKEY :

1115. Q. Who gave them out ?

A. That I cannot say ; I did not. I saw Norris give out papers, but I could not say that they were citizen papers.

1116. Q. Did you hear him ask people if they wanted citizen papers ?

A. Yes, sir.

1117. Q. Did you hear him tell them that they need not come down town ; that he could get the papers for them ?

A. I am not positive about that.

1118. Q. Did you see him give papers to the same persons that you heard him ask if they wanted citizen papers ?

A. I cannot say positively as to that. I have seen him have papers in my house.

1119. Q. Do you know what price he charged for them ?

A. Two dollars.

1120. Q. And he offered to get papers for persons at two dollars ?

A. Yes.

1121. Q. And you saw him have some papers there ?

A. Yes.

By the CHAIRMAN :

1122. Q. Many of them ?

A. I saw him have five or six in his hand.

1123. Q. At different times ?

A. No ; only at one time. I think about the 19th of October.

By Mr. KERR :

1124. Q. Do you know whether the papers that you saw with Norris were citizen papers ?

A. No, sir.

1125. Q. Did you ever know any of those men who had any of that kind of papers vote upon them ?

A. No, sir ; none of them voted on them. Officer Cottrell told me if I knew any of them to stop them from voting.

1126. Q. Are you a democrat or a republican ?

A. A republican.

1127. Q. And you helped to keep away the men who had these papers ?

A. Yes, sir.

1128. Q. Do you know whether they were republicans or democrats ?

A. I suppose they would have gone democratic. I never heard of any frauds being practiced except by democrats.

1129. Q. Is not that because you associate mainly with republicans on subjects of a political nature ?

A. That has been always my politics.

1130. Q. And therefore all that you ever heard talk of frauds in this city would be republicans ?

A. Well, perhaps so.

By Mr. DICKEY :

1131. Q. What position did Norton hold in your ward ?

A. He was president of a democratic club.

1132. Q. What did he say about the frauds that were being practiced before Judge Barnard ?

A. He said that men went before Judge Barnard and got their papers easy, without any trouble.

NEW YORK, *December 23, 1868.*

PETER POHL sworn and examined.

By the CHAIRMAN :

1133. Question. Of what country are you a native ?

Answer. Baden, Germany.

1134. Q. How long have you been in the United States ?

A. Twenty years.

1135. Q. Did you ever appear in any court to be naturalized ?

A. I got my first papers in 1852.

1136. Q. How did you get your naturalization certificate ?

A. My boss, Charles Fox, ordered the paper, and I paid 75 cents for it. I did not go into any court to get it, and did not take any oath. I did not go to be registered. I put the paper in my trunk, and the officer came and took it away from me.

NEW YORK, *December 24, 1868.*

JOHN T. HOFFMAN sworn and examined.

By the CHAIRMAN:

1137. Question. State how long you were mayor of New York city.

Answer. A little less than three years.

1138. Q. State if you issued a proclamation on the 31st of October, 1868, as mayor.

A. I issued a proclamation; I do not recollect the date of it.

1139. Q. Is this a correct copy of it?

A. I think that is a correct copy; there may be some verbal discrepancies, but it is the substantial proclamation.

1140. Q. It may be made a part of your testimony, I suppose?

A. Yes.

The following is the proclamation:

PROCLAMATION.

MAYOR'S OFFICE, *New York, October 31, 1868.**To the people of the city of New York:*

We are on the eve of an important election. Intense excitement pervades the whole community. Unscrupulous, designing, and dangerous men, political partisans, are resorting to extraordinary means to increase it. Gross and unfounded charges of fraud are made by them against those high in authority. Threats are made against naturalized citizens, and the authority of the judges and the seal of the supreme court is defied. A grand jury of the United States court, summoned through the agency of those who are in this scheme, has, as I have been informed, been induced, without that preliminary examination which is usual, and which is afforded by law for the protection of character, to find in great haste and secrecy bills of indictment against divers persons for the purpose, openly avowed, of intimidating them in the discharge of their public duties. The United States marshal, a violent political partisan, has assumed to himself the power and duty of appointing swarms of special deputies to take their place at the polls, and to threaten and awe the electors of the State of New York in the exercise of their high privilege of casting their votes for the chief officers of the nation and State. It is the first time in the history of the country that United States government officials have attempted to interfere with free elections in the Empire State, and the act is attended with danger.

Evidence is accumulating that the combination of dangerous men who have set on foot and thus far carried into execution these unusual and unjustifiable movements have done so for two purposes:

First. To conceal and cover their own schemes of fraud, which they hope to consummate by the aid of untried or pardoned criminals.

Second. So to excite the masses of people in this city, who are opposed to them, as to lead them into acts of disorder and violent resistance.

In the exercise of my duty as chief magistrate of this city, I call upon all good people to unite in preventing the consummation of this scheme. Let them watch carefully the movements of those who seek to perpetrate great frauds, while they charge frauds upon others, and above all things let them see to it that there shall be no scenes of violence or disorder on the day of election. Perfect peace and order are essential to the welfare of the city and prosperity of the State, and the maintenance of the rights of the people.

Nothing but evil and calamity can come from any disturbance of the public peace. Those in authority and those out of it alike find their protection in the maintenance of law and the preservation of order.

Let no citizen, however, be deterred by any threats or fears from the discharge of his duty at the polls or elsewhere, but let him assert his rights boldly, resolutely, and at the same time with calmness and dignity, and he will find his perfect protection under the laws and lawfully constituted authorities of the State of New York.

By virtue of authority vested in me by law, I hereby offer a reward of \$100, to be paid on the arrest and conviction of any person charged with a violation of the election laws of this State, and a like sum to be paid on the arrest and conviction of any person charged with intimidating, obstructing, or defrauding any voter in the exercise of his right as an elector.

In witness whereof I have hereunto set my hand and official seal, at the City Hall, in the city of New York, this 31st day of October, 1868.

JOHN T. HOFFMAN, *Mayor*

1141. Q. State what evidence you had, at or prior to the time of issuing this proclamation, that threats were made against naturalized citizens.

A. Before answering the question, I should like to know whether the object of this inquiry is to question the policy or wisdom of my proclamation, because I do not recognize the right of Congress to sit in judgment on my official action as mayor of the city of New York.

The CHAIRMAN. The committee is charged simply with the duty of investigating alleged frauds in the recent election; I will show you the resolution under which the committee is acting.

WITNESS. I do not wish to delay the committee by any undue objection; I am quite ready to answer every question relating to frauds or alleged frauds in the city of New York, or relating to naturalized voters, but if anything is asked relating to the mere wisdom or policy of my action as mayor, I do not propose to answer it.

The CHAIRMAN. I have no purpose to inquire into the wisdom of any of those matters.

WITNESS. I should like to have it entered on the minutes that the committee does not propose to inquire into the policy of my official acts; and that the questions are simply put to ascertain facts in relation to the naturalization of foreigners.

The CHAIRMAN. There is no objection to that.

WITNESS. Then I will answer the question by saying that it was common report, based on the statements of many individuals and on the reported proceedings of some committees, that an organized system of challenging all persons claiming to be citizens by naturalization would be carried out on the day of election, not only with a view of intimidating them; but of delaying the receipt of votes at the polls.

1142. Q. Can you state what persons gave you information that there was such an organized purpose?

A. I cannot now give the names.

1143. Q. Can you give any of them?

A. I think not.

1144. Q. Can you furnish the committee with the proceedings of the committees to which you have referred?

A. I only read them in the daily journals as the proceedings of what I suppose may be called committees, organizations in political interest; I cannot now give even the dates at which they appeared.

1145. Q. In your proclamation you say: the authority of the judges and the seal of the supreme court is defied; will you state to the committee what evidence you had of that?

A. It was announced in many of the papers, and I think some legal opinions were also given, that the registers, whose duty it was to register persons claiming the right to vote, had the right to go behind the certificates of naturalization issued by a court of record, to deny the validity of them, to examine into their genuineness or regularity, and to refuse to register, if in their judgment they thought proper so to do; whereas the claim of those who agreed with me was that the registers had no right to go behind any certificate issued by a court of record, and that it was their duty, when the oath was offered to be taken, to receive it and leave the man, if he committed any offence, to be prosecuted under the laws of the State; it was in that way that the seal of the court was to be defied, and was defied—as was commonly understood—by some of the registers; it was very clear to us who understood the largeness of the population and vote of this city, that if the registers should undertake to try the genuineness of papers bearing the seal of the supreme

court, a very large proportion of the vote would fail to be registered; that the time allowed for registration was too short to get the vote of the city registered.

1146. Q. Did you advise that the registers had no right to inquire into the genuineness of certificates of naturalization?

A. I gave no advice on the subject, and was not consulted.

1147. Q. State if that opinion was expressed in your presence and intercourse with citizens of New York, and whether you assented or objected to it.

A. It was mentioned to me, I think, in conversation by the district attorney of the city, who was also the counsel for the board of police commissioners who had charge of the appointment of registers. I have no doubt that I did assent to it though it was not stated to me in any official way. I also so understood Judge Davies's opinion to read when it was first published.

1148. Q. Can you furnish the committee with references to the newspapers, and their dates, in which you allege there were articles the object of which was to deny the authority of the supreme court and to defy its seal?

A. I have no file of them and have no time to examine them.

1149. Q. State if it was notorious, at and prior to the last presidential election, that fraudulent naturalization papers had been procured or used in this city.

A. I have no knowledge of any such fact. I know that such charges were made in the papers.

1150. Q. Did you take any steps to ascertain the correctness of the charges?

A. No, sir; I was in the city very little during the six weeks preceding the election.

1151. Q. You say in your proclamation, "A grand jury of the United States court, summoned through the agency of those who are in this scheme, has, as I have been informed, been induced, without that preliminary examination which is usual, and which is afforded by law for the protection of character, to find, in great haste and secrecy, bills of indictment against divers persons, for the purpose, openly avowed, of intimidating them in the discharge of their public duties." State what evidence you had that such purpose was openly, or otherwise, avowed.

A. I cannot give names, but it was generally understood in this city, at the time, that persons prominent in the organization of the republican party had declared that every means should be resorted to to break down the democratic majority in this city; that they had bet largely on it; that one of the persons who had made such declaration, and had either made or was interested in such wagers, was the marshal of this district, who, I believe, is the officer empowered by law to summon juries. I say I cannot give the names of the persons who stated this, because it was common report, generally understood—no concealment about it. I do not give names because that would necessarily be followed by the question, "What conversation had you with this particular person?" and I could not recollect.

1152. Q. Can you give the name of any person?

A. No, I cannot now. And on this subject I would like to say here, (it is due to myself and due to the judge of the court, who, I am told, considered it might be some reflection upon him,) that the whole burden of that charge in the proclamation was that indictments were found without the preliminary examinations which I understood to be usual in the United States criminal courts, as it is in our State criminal courts.

It had no application to the case of Rosenberg, because Rosenberg had had his preliminary examination and an opportunity to defend himself. But other indictments were found (at least I was so informed and had no doubt about it) against men in the city, and against men out of the city, in adjoining counties, without any notice to them or any complaint. One of them, a very respectable gentleman in the county of Westchester, told me that on coming to this city, after being notified that his presence was required, on asking who his accusers were, or what the charge was, he was denied the information, and had to remain over the election without knowing it.

1153. Q. In what court was this grand jury summoned?

A. I understood it to be in the United States district court.

1154. Q. Had you any information that that grand jury was summoned through the agency of republicans?

A. I believe Marshal Murray is a republican and that he summoned the grand jury. He was very active as a republican, I know, during the canvass.

By Mr. DICKEY:

1155. Q. I should like to know whether the marshal summons a grand jury whenever he wishes. Is he the agency by which grand juries are summoned, or is he the mere instrument to summon them?

A. I suppose he is the instrument to summon them. The word "agency" hardly expresses the idea. Therefore "instrumentality" would be, probably, the more accurate word. I am not familiar with the practice in the United States courts, but I suppose it is a pretty well understood fact that the marshal summons grand juries, and it is understood, also, that in relation to petit juries, at all events, he summons pretty much whom he pleases.

1156. Q. I presume he summons by the order of the court?

A. O, I presume so; in the regular course of business.

By the CHAIRMAN:

1157. Q. Did you have information to induce you to suppose that that grand jury had been summoned, or procured to be summoned, in any other than the legal and usual way?

A. No, sir; I do not think my proclamation implies any such thing. The whole point of the matter, in my mind, was this: that, on the eve of an election, with the great excitement prevailing in the community, whatever might be the practice of the court in ordinary times, it was a great outrage to indict men of well-known respectability without any preliminary charge and without an opportunity to defend themselves before a commissioner; and one effect of it was to produce very great excitement, not only here but elsewhere.

1158. Q. State whether it is not usual for grand juries to find indictments without any preliminary examination before a commissioner, and whether the law does not authorize it.

A. I suppose the law authorizes it. My acquaintance with practice in the United States courts is such that I cannot say whether it is usual. I have always understood that the practice conformed to that of the State courts. During the five years that I was judge of a criminal court in this city, whose jurisdiction covered all cases, including capital ones, I do not think that half a dozen indictments were found against anybody without a preliminary examination, unless it was in cases where the accused persons were fugitives from the State, and where the indictments were found in order that they might be the basis of a requisition from the governor for the return of the accused.

1159. Q. About what time did the grand jury sit?

A. I do not know the duration of the session. I understood it was in session at the time my proclamation was issued, or that it had been a few days before. The fact that the practice of preliminary examinations was an ordinary one was to be inferred from the case of Rosenberg, who was the first person charged with fraud under the naturalization laws, and who was permitted to have that opportunity of defending himself before a commissioner.

1160. Q. Did you have any information that any person had avowed that the object in having the grand jury summoned was to intimidate any person or officer in the discharge of any duty?

A. I had heard no such specific declaration. I had no doubt, from all the signs of the times, that that was the object of many of those who instituted complaints.

1161. Q. I refer now to the summoning of the jury.

A. O, no, sir; the expression about summoning the grand jury had reference solely to the connection of Marshal Murray with it, who was known to be an exceedingly bitter partisan in that contest.

1162. Q. Did you have any information that Marshal Murray had any agency whatever in procuring the grand jury to be summoned; and, if so, what was it?

A. No other than the usual agency. I did not understand that that grand jury was summoned for that specific purpose. There is no such charge.

1163. Q. Did you have any information that Marshal Murray had any agency in procuring this grand jury to be summoned? If so, what was that information?

A. The fact that the grand jury was assembled—summoned, as usual, by the marshal; that was all.

1164. Q. Do you mean to say that the indictments found by that grand jury were found without the examination that is usual by grand juries in that court; if so, what examination that is usual did that grand jury omit?

A. I do not mean to say so, and have not said so in the proclamation.

1165. Q. Did you have any evidence that that grand jury was summoned through the agency of any persons who had a scheme by means of which they sought to intimidate any person or officer in the discharge of his duty?

A. I had this fact before me, that, as I understood, it was the usual custom in the United States courts, as it was in the State courts, to give to every person accused of crime an opportunity to defend himself before a committing magistrate, as he is called in the State courts, or before a commissioner in the United States court. I had also the fact stated to me that this grand jury, (who composed it I did not know,) on the eve of an election, surrounded by officers of the United States, the chief of whom was marshal of this district, devoted itself to inquire into election cases, and found a very considerable number of indictments against persons in and out of the city, without giving to any of them an opportunity to defend themselves on a preliminary examination. This was the evidence that satisfied my mind that it was part of the general scheme which, I believed, was then being carried on in this city, to intimidate voters and to break down what was known to be the large democratic majority vote.

1166. Q. When you issued the proclamation did you know what persons had been indicted and for what offences; or did you know anything in reference to the question of their guilt or innocence?

A. I only knew that it was stated that a large batch of indictments had been found; the officers connected with the court refusing to declare the names of the persons against whom the indictments were found.

1167. Q. You did not know the persons?

A. I heard, among others, that one gentleman residing in the county of Westchester (personally well known to me as a highly respectable man) was included in the list; and it turned out afterwards to be so. I prefer not to mention his name, because I do not want any publicity to be given to it.

By Mr. DICKEY :

1168. Q. This information about the number of persons indicted, &c., did you get it from personal inquiry or from rumor?

A. It was reported to me at my office by some official connected with my office; and it was stated in some papers next day.

By the CHAIRMAN :

1169. Q. Did you take any steps yourself to ascertain who were indicted, and whether they were, or were not, probably guilty of the offence with which they were charged?

A. I did, as soon as I heard of the man in Westchester county; particularly in reference to his case.

1170. Q. Did you, prior to issuing the proclamation?

A. I cannot tell about that.

1171. Q. Did you make any inquiry as to any except this one case?

A. No, sir; for I was not informed of the names.

By Mr. DICKEY :

1172. Q. You do not recollect whether that was before or after the proclamation?

A. I think it was before, but I am not positive.

By the CHAIRMAN :

1173. Q. From whom did you make the inquiry in relation to him?

A. From persons in the village—from his counsel in fact, and from himself.

1174. Q. Did you make any inquiry of the proper officer of the court, charged with the duty of prosecuting him?

A. No, sir.

1175. Q. State whether the United States marshal appointed special deputies to take their places at the polls?

A. I was so informed.

By Mr. DICKEY :

1176. Q. Do you know whether that was the fact or not?

A. I have no doubt of it. I cannot swear to it. I know that on the Friday preceding the election, (I believe the proclamation was issued on Saturday,) on going to my native town in Westchester county to address a meeting in the evening, one man in that village reported himself as having been, that day, sworn in by the United States marshal to be a deputy at the polls. He was a man of the name of Sniffen. This was at Sing Sing, Westchester county. It was a matter of common notoriety that the marshal did appoint deputies, and that the sheriff was going to appoint his. And it seemed to me that if things went on so there would be a collision. It was generally understood that in the city of New York the marshal had sworn in a large number of deputies.

By the CHAIRMAN :

1177. Q. Did you take any steps to ascertain, from the marshal or any other official source, whether he had appointed such deputies?

A. No, sir. I had no communication with Marshal Murray during the election or since.

1178. Q. Did you have any evidence that such deputies were appointed by the marshal with instructions or with a purpose to threaten and awe the electors of the State? If so, what was that evidence?

A. I had no evidence of any instructions that the marshal gave them. I inferred it from the appointments. When a United States officer appoints deputy marshals to attend an election in the State of New York I do not stop to inquire what instructions he gave them. I draw the inference from the fact of the appointment; and I found that that was the inference drawn by other people.

1179. Q. Do you know any instance in which any deputy, appointed by the marshal, attempted to interfere with the free exercise of the elective franchise? If so, state what that interference was?

A. No, sir, I do not. I think the idea was abandoned after they were appointed.

1180. Q. Can you furnish the committee with any evidence that any such purpose was entertained by the marshal or by any deputy appointed by him?

A. No, sir. Marshal Murray was not much disposed to convey to me any idea of what his intentions or purposes were. I could not get them from anybody except from him.

By Mr. DICKEY:

1181. Q. You had no information of any such intention except the inference that you drew?

A. And from those appointments.

By the CHAIRMAN:

1182. Q. Can you give us the names of any deputies appointed by him, so that they may be summoned before the committee to state whether they did attempt to interfere with men in the exercise of the elective franchise, or whether they were appointed for any such purpose, or entertained any such purpose?

A. I do not know the name of any of them except the one I mentioned at Sing Sing; and very certainly he did not attempt to do anything. It seemed very clear, from the temper of the people, that it would not be very wise for him; and I have no doubt that the same temper prevailed here.

1183. Q. Do you know that he was appointed recently, prior to that time, a deputy?

A. It was so stated by a gentleman in whom I had confidence, who stated that he had the information from himself.

1184. Q. Did you have any evidence that there existed a combination of dangerous men?

A. Before you go on to that I would like to state that there is one statement in that proclamation which I believe is not true—that is, that it was the first time in the history of the country for the United States government to interfere with an election in the State of New York. An old gentleman lately called my attention to the fact that De Witt Clinton, in one of his messages to the legislature, called its attention to a similar state of facts in 1820, and hoped that proceedings would be taken to prevent any repetition of it.

1185. Q. State if, when you issued the proclamation, you had any information of the existence of a combination of men whose object was to consummate fraudulent schemes by the aid of untried or pardoned criminals, and if so, what untried or pardoned criminals?

A. I had information from the district attorney of this city, that he had issued bench warrants for the arrest of certain persons under indictment for crime; that for some reason or other, which he could not explain, the police authorities would not execute the warrants. One of them I understood to be a man quite notorious in the eighth ward of this city, of the name of Theodore Allen; the names of the others he did not mention to me. It was reported to me on confidential authority that certain persons, whose names I would rather not mention, (because the election is over, and I do not desire to have personal collision with them,) but who are well known to this committee, were in the habit of holding frequent meetings with a view of affecting results at the election, and that this man Allen was one of the party who joined the meetings. I would rather not mention the names of the parties unless insisted upon by the committee; some of them I have never had any personal differences with. They were known partisans in the contest, and very bitter ones; but I see no necessity of drawing them in unless to defend my proclamation, and I do not care whether it is defended or not, except to my constituents; if I give the names it will be under the pressure of the committee.

1186. Q. State what purpose was to be accomplished by the aid of untried or pardoned criminals, and what evidence you have of such purpose?

A. I believed it to be the organization of a system of fraud in registering and in voting, and possibly in canvassing; but that I cannot say.

1187. Q. Will you furnish the evidence which you had of that?

A. No, sir.

1188. Q. Or do you have any?

A. I had merely the statements made to me by confidential friends, of the meetings held in this city, at which this man Allen was one of the persons present—a man whose reputation is so notoriously bad that it required no legal evidence to satisfy any magistrate that whatever he is engaged in is wrong. I once sentenced his brother to State prison for five years for pocket-picking, (after being three times before me,) but Governor Fenton pardoned him after six months, on the eve of my election as mayor, and he was used in the party against me, although I do not suppose Governor Fenton intended it; he says he did not.

1189. Q. What other untried or pardoned criminals were to be used?

A. I have already said that I cannot give their names. The district attorney said he had issued bench warrants for several, and that the police refused to execute the warrants.

1190. Q. Did you take any steps to ascertain the number of them?

A. No, sir. And here, perhaps, it may be well for me to say a word about this proclamation, because it comes in properly in connection with this question. I do not say it to defend the proclamation, for I do not think it necessary to do so; but I say it, as this testimony, I suppose, will be ultimately printed for the information of any gentleman who may take an interest in it. I had been absent from the city of New York a good deal; I came here just on the eve of the election, and I found a very excited state of feeling in the community. The city was filled with rumors, some of them very absurd, some of them very probable. In all my official life, excepting only about the time of the riots in 1863, I never had seen so much evidence of deep excitement in the community as there was then. It looked to me very much as if it might end in very serious results, which I desired, for many reasons, to avoid. I felt assured that a word from me would quiet a great many elements in the city that were excited. I called my clerk in my office about half-past

two on Saturday afternoon, and dictated this proclamation to him; sent it to the printers by 3 o'clock, and it was published on Saturday morning. I was very conscious that in certain quarters it would lose me a great deal of support from moderate men in the city who would be alarmed at its tenor; but I believe it tended to preserve the peace of the city of New York, and to allay the excitement; I think now that it did more towards it than the presence of all the National Guards in the city.

1191. Q. At the time that you issued the proclamation did you have any evidence that any republicans were engaged in the contemplated schemes of fraud; and if so, can you furnish the committee with that evidence so that we may inquire into it?

A. I supposed I had. Besides these meetings to which I have referred, and the names of the parties to which I have asked leave not to mention, it was very well understood that immense sums of money were being contributed by very wealthy men, candidates for office and others; so large that it was hard to find any way that it could be expended unless it was to consummate some other measures than those contemplated by the statute. I am told that some of these gentlemen, and many of them, have since declined under oath to give any statement of their subscriptions. They were, however, very well understood at the time, and one of them for \$20,000 was pretty well published through the country.

By Mr. DICKEY :

1192. Q. To affect the election in the State of New York?

A. It was sent here; I do not know how it was expended.

By the CHAIRMAN :

1193. Q. Do you know of your own knowledge of the use of money by republicans?

A. No, sir; nor by democrats either.

1194. Q. Are you able to furnish the committee with evidence as to what was said or done at or by these meetings to which you have referred?

A. No, sir; they took very good care not to let me know.

1195. Q. Did you take any steps to ascertain the truth or falsity of what was alleged to have been said or done at these meetings?

A. I was satisfied officially by statements made to me, and by the character of the men who made them, that I was warranted in issuing my proclamation—all that I needed was to be satisfied officially what my duty was—not whether it was legal evidence or not, but whether I was satisfied.

1196. Q. Can you furnish the committee with any evidence that any republicans were engaged in making false registrations or in the issue of false naturalization papers, or in procuring any voter or voters to vote more than once, or in any other frauds on the ballot?

A. I think you will have to apply to the other side of the house for this information. I cannot give it. I was too busy about other matters to look after their frauds.

1197. Q. Did you have any information when you issued the proclamation that any republican or republicans were engaged in any scheme, or had any purpose to excite the masses of the people of this city, or any portion of them to acts of disorder or violent resistance; if so, what evidence had you?

A. The acts of this committee to which I have referred, the avowed purpose of an organized system of challenging at the polls, obstructing the registration, delaying the voting, finding indictments without preliminary examination, preventing the arrest of criminals on bench warrants issued by the district attorney, violent denunciations of a parti-

san press, and other things calculated to produce great excitement. Not an avowed purpose of course, for no one would be foolish enough, I suppose, to declare it.

1198. Q. Can you give the names of any republicans whose duty it was to make arrests and who refused to do so?

A. No, sir.

1199. Q. Can you give the names of any criminals or others accused of crime who were not arrested and who should have been?

A. I can give you no other information on that subject than that I have already given.

1200. Q. Can you give the names of any republicans who were engaged in procuring false registration of voters?

A. No, sir.

1201. Q. Can you give the names of any republicans who were falsely registered?

A. No, sir.

1202. Q. Can you give the names of any republicans who voted more than once?

A. No, sir.

1203. Q. Can you furnish the means by which any evidence of any of those facts can be given to the committee?

A. I do not know whether I can or not. I have no knowledge on the subject one way or the other on either side. I paid no attention to it, and I know nothing about it.

1204. Q. Did you have such evidence at the time the proclamation was issued?

A. None except what I stated in my testimony.

1205. Q. Can you furnish any evidence that any republicans were engaged in acts of disorder affecting the free exercise of the elective franchise?

A. I never knew a more quiet election than it turned out to be, although we had Governor Fenton here, and although the National Guard turned out. I went to police headquarters the night before the election by invitation to meet the governor and the sheriff. The governor did not come and the sheriff did not come. I found the police authorities in a great state of excitement, and I told them I did not think there would be any trouble, it would be all pleasant.

1206. Q. State whether you heard rumors or had information prior to the election that fraudulent naturalization papers were being issued?

A. I read of the charges in the Rosenberg case. I read the allegations made in the papers.

1207. Q. Did you take any steps to ascertain whether fraudulent naturalization papers were being issued?

A. I did not. I had no means of ascertaining.

1208. Q. State if there were rumors or reports of fraudulent registration?

A. There were such rumors.

1209. Q. Did you take any steps to ascertain the truth or falsity of these charges?

A. No, sir; it was no part of my business; it was the business of the police commissioners, who were supposed to appoint the registers—one half from each political party—and who had all the facilities of determining whether there were any frauds in the registration. I had not. I had no police force at my command or any machinery at my command. The mayor of the city has nothing to do with the police of the city; he has merely two policemen detailed at his office by the courtesy of the commissioners.

1210. Q. State if you ever saw a circular like the printed one which I now present to you?

The circular is as follows:

[Private and strictly confidential.]

ROOMS OF DEMOCRATIC STATE COMMITTEE,

October 27, 1868.

MY DEAR SIR: Please at once to communicate with some reliable person in three or four principal towns, and in each city of your county, and request him (expense duly arranged for this end) to telegraph to Wm. M. Tweed, Tammany Hall, at the minute of closing the poll—not waiting for a count—such person's estimate of the vote. Let the telegraph be as follows: "This town will show a democratic gain (or loss) over last year of ____." Or this one, if sufficiently certain: "This town will give a republican or democratic majority of ____."

There is of course an important object to be attained. By a simultaneous transmission at the hour of closing the poll, but not longer waiting, opportunity can be taken of the usual half-hour lull in telegraphic communication over lines before actual results begin to be declared, and before the Associated Press absorb the telegraph with returns and interfere with individual messages; and give orders to watch carefully the count.

Very truly yours,

SAMUEL J. TILDEN,

Chairman.

A. I have seen what seemed to be like this, published in the newspapers after the election, but I never saw or heard anything of it before.

1211. Q. Who is Mr. Tilden?

A. A leading lawyer in this city; chairman of the Democratic State Central Committee.

1212. Q. When did you first hear of that circular?

A. Some time after the election. I read it in the newspapers—never before.

1213. Q. State if you have any knowledge as to whether that was sent to various parts of the State?

A. I have no knowledge about it at all.

1214. Q. Nor information?

A. Nor information; except that I have seen Mr. Tilden's card in the papers stating that he did not sign it. I know nothing about it except what I have seen in the newspapers.

1215. Q. Are you acquainted with James O'Brien?

A. Yes, sir.

1216. Q. What office did he hold during the year?

A. Sheriff.

1217. Q. Do you know whether he appointed special deputies?

A. I was informed that he did.

1218. Q. Do you know to what extent?

A. I do not. A large number I heard.

1219. Q. Can you state, from information or otherwise, whether many of the deputies that he appointed were men who had been guilty of crime?

A. I have no information on the subject.

1220. Q. Can you furnish the committee with the names of republicans who resorted to unusual means to increase the excitement during the election, in any way affecting, or designed to affect, the purity of the ballot?

A. No; I should not undertake to do that.

By Mr. DICKEY.

1221. Q. You have stated that one of the reasons of your issuing the proclamation was an arrangement for universal challenge. Is challenging unusual or improper?

A. A system of challenging, by which men were to stand at the polls

and challenge every man who came up with his papers as a naturalized citizen is unusual.

1222. Q. Is there any impropriety in that ?

A. Yes sir ; because it would destroy (if carried on as an organized system) the facilities for voting and prevent half the voters getting their votes in. If every man who came up as a naturalized citizen were challenged, and if he were to stop and take the oath and answer the questions put to him, the delay would be so great that the vote could not be got in in the city, with all the polling places that we have provided.

By the CHAIRMAN.

1223. Q. Unless that right of challenge is permitted to be freely exercised, is there not great danger of fraud being practiced ?

A. No one ever objected to its being freely exercised, if exercised in good faith and for no other purpose but to get at the truth ; but, if exercised in a partisan spirit, for the purpose of obstructing voting rather than of guarding against fraud, that is a very different thing. Police are stationed at each poll to guard every challenger in his right to challenge everybody that may be objectionable.

By Mr. DICKEY.

1224. Q. What evidence had you that there was any combination to exercise this right of challenge in any way but in good faith ?

A. My recollection of the proceedings of some committees that were published in some of the papers was that there were general assurances made in those meetings by some parties engaged in them that, by reason of what they said were the enormous and gross frauds in naturalization, it was their duty to scrutinize every man who came up with a naturalization paper, and to interpose this challenge without hesitation. Of course it was not said in so many words that every man who came should be challenged, but the idea was that there should be such a free use of the challenge as would necessarily result in the obstruction of the polls.

1225. Q. Then one of the purposes of this proclamation was to repress the exercise of the right of challenge beyond what you considered or what might be considered its usual exercise ?

A. Not beyond what I considered its reasonable exercise, but beyond what would be its reasonable exercise. It was to indicate to men in this city who might undertake to unduly obstruct electors in casting their votes that they had better avoid it.

1226. Q. That they should be careful in exercising this right of challenge ?

A. Discreet.

1227. Q. You have spoken of the reports of large sums of money raised for election purposes ; do you speak of it from report or from a knowledge of the facts ?

A. I have no knowledge of the facts—nothing that I can swear to as facts.

1228. Q. Did not that report apply to both parties in the election ?

A. Yes ; but hardly to ours as it did to yours. We would have spent it probably if we had it, but we did not have it.

1229. Q. I suppose that money was raised by your party ?

A. Yes. I spent some myself.

1230. Q. Is it anything unusual in New York to raise money for election purposes ?

A. If half the stories are true of the large sums contributed in this

city, then it is very unusual. It is only from rumor I know that the sums were unusually large.

By the CHAIRMAN:

1231. Q. Had you known, or did you hear of any assessment or assessments having been made on any railroad company or gas company?

A. I heard something since the election about a requisition having been made upon a railroad company by one of your people.

1232. Q. Do you know of any contribution by any of those companies?

A. No, sir; I do not.

By Mr. HOPKINS:

1233. Q. You alluded to one very large contribution on the republican side, which was largely published over the country. Was it not a fact that one of your party doubled that amount?

A. The fact was, I believe, that a patent medicine man advertised himself in that way, but I never heard of his having given any money.

By Mr. KERR:

1234. Q. You are mayor of the city something like three years?

A. Yes, sir; I resigned about the last of November. The month of December would have made three years.

1235. Q. Tell the committee how the police board of this city is constituted, both in numbers and politics?

A. The police board is made up of four gentlemen. It is now equally divided politically. This year is the first time that it has been so for many years.

1236. Q. Hitherto how has it been?

A. At first, when the board was organized, it was organized of a non-partisan character—half and half. Mr. Wm. McMurray, who was appointed by Governor Seymour as one of the board, died; and then Mr. Manierre, an extreme republican, was appointed to succeed him. That made the board three republicans and one democrat. It continued so till last winter, when, one of the republicans having died, the legislature, being democratic on joint ballot, elected Mr. Brennan as a democrat to succeed him, so that the board is now equally divided.

1237. Q. By whom are the registry boards of the city and county of New York appointed?

A. By the police commissioners.

1238. Q. Is it a fact that they are appointed so that each board shall have an equal number of men of each party?

A. I am told by the commissioners that that is the design always; that they do it as nearly as they can now.

1239. Q. Is that required by any law of the State of New York, or is it the result of a voluntary action of the board?

A. I think it is the result of voluntary action of the board, for I am certain there is nothing in the law that requires it. The law gives the commissioners the power to make the appointments, but does not say how they shall exercise it.

1240. Q. How are the boards of canvassers appointed?

A. By the same authority.

1241. Q. With the same division in politics?

A. Yes, sir; so it is understood to be.

1242. Q. How are the police appointed?

A. By the same commissioners.

1243. Q. By whom are the police officers detailed whose duty it is to guard this registration of voters and the elections?

A. They are detailed either by general order of the superintendent, or by the captains of precincts—I presume it is by the captains of the different precincts.

1244. Q. Either on their own motion, or by the order of the superintendent?

A. Yes. As I understand it each precinct has so many policemen. They are distributed through the precinct on election day, just as the officer in command of the precinct chooses to assign them.

1245. Q. Do you know anything about alleged naturalization frauds in this city prior to the election?

A. No, sir.

1246. Q. Were you, in the course of the last canvass, familiar with the committee organizations in the city?

A. No, sir; not at all. I do not know anything about the details of the canvass, hardly anything. I think I was in the State committee rooms only twice during the last canvass.

By Mr. DICKEY:

1247. Q. How many voting places are there in the city of New York?

A. I think 340.

NEW YORK, *December 24, 1868.*

SAMUEL J. GLASSEY sworn and examined.

By the CHAIRMAN:

1248. Question. State if you are acquainted with Thomas Gould?

Answer. I am slightly acquainted with him. I had two or three interviews with him in the month of November last.

1249. Q. State if he was a candidate for any office.

A. He was a candidate for member of assembly in the fourth assembly district of this city, the seventh ward, at the general election in November. He is the person who was examined by the committee yesterday.

1250. Q. If you had an interview with him state what he said in relation to naturalization frauds.

(Objected to by the minority of the committee, on the grounds, first, that the chairman had no right to contradict his own witness, and second, that the testimony was only hearsay. Objection overruled.)

A. Gould called upon me to see me in company with General Foster, the 12th or 13th of November last. He told me that on the 10th or 12th of October, 1868, he was in the first part of the supreme court of this city when the business of naturalization was going on; that he saw a clerk who was attending to that business deliver to a person who came and asked for 350 certificates, a large bundle of certificates which were signed and sealed, but otherwise in blank, the clerk saying to this man as he delivered them, "There are three hundred in this package." He also stated that he knew, and he could prove it, of three hundred bogus certificates being sent to Staten island to use there. He was asked whether he was willing to swear to that, and he said he was. Quite a number of questions were asked him as to the details, some in the nature of a cross-examination, and he adhered to that statement. General Foster wrote down the statement of what he had said, at the time, in his presence and in my presence, which statement I saw here yesterday. He called once or twice afterwards and asked questions as to what we were doing, and whether we were willing to employ him to work up the case. We told

him we saw no reason for doing that. We had some conversation at the same time as to the vote in the district in which he was a candidate. He stated that there had been a great many illegal votes there, and that he believed that he had been cheated.

Mr. Ross moved that all this testimony be struck out, it being irrelevant and hearsay. The motion was rejected.

1251. Q. State what office you held in connection with the election in New York at the last election.

A. I was inspector of registrations and elections in the 16th district, 20th ward.

1252. Q. State what you know of fraudulent naturalization papers being presented for the purpose of registering voters.

A. Three fraudulent certificates were presented on the evening of the 30th of October, 1868, and one on the evening of the 31st. About 7 o'clock, on the evening of the 30th, a man came in who said his name was Richard Dargan, who wanted to be registered. He had been naturalized, and he presented a paper purporting to be a certificate of naturalization. I examined him as to how he got it. He said that he had never been in any court; did not know what witness, if any, had testified to his residence in this country; he had never taken any oath, and said the paper was given him at a place which he pointed to, a liquor store, corner of Thirty-fourth street and Ninth avenue. He stated that the paper was given to him by the man in there. He was informed that he could not be registered or vote, and I took possession of the paper and retained it. I subsequently made complaint against him and caused his arrest, and he was held to bail by the commissioner and the case sent before the grand jury. The certificate I delivered to the commissioner before whom I made complaint, and I saw it subsequently in the possession of the grand jury.

1253. Q. What court did the certificate purport to be issued from?

A. It was a certificate signed by "Charles E. Loew, Clerk," bearing the same signature as that one you hold in your hand, and bearing the seal of the county. It was dated late in October, 1868. It was precisely like this paper, except the date, which may have been different. Commissioner Osborne heard the complaint and committed him, and the case was sent to the grand jury. A few minutes after that man had gone away another man appeared and gave his name as Joseph Reinhardt. He presented a certificate precisely like the other, issued from the supreme court and bearing the signature and seal of the court. He stated he had been to court and got it; he did not know who was his witness; that he had never taken any oath, and that the paper was given to him by a man by the name of John Perrine, who was clerk in a shoe factory in Forty-second street. He had never made any declaration of intentions, and had never taken any oath. He knew nothing about the paper, except that Perrine got it for him and gave it to him. I did not get possession of that paper. It was returned to Reinhardt by one of the other inspectors, and he left the place with it in his possession. I made a complaint against Reinhardt and Perrine, and a warrant was issued for their arrest, and I believe it was never served. In the evening of Saturday, the 31st of October, the last day of registration, a man came and, stating that his name was Pat. Duffey, he asked to be registered. He brought as evidence of his naturalization this certificate, and stated on examination that he had never declared his intentions and did not know anything about his witnesses; had never been in court, had never taken any oath, and that the paper was given him by Mr. Moore, who kept

the liquor store across the way, on the southeast corner of Thirty-fifth street and Ninth avenue. Registration was refused and I took possession of the paper. Duffey came back in a little time afterwards, begging me to give it up to him, saying he would make no use of it. I declined, and Moore then called upon me and asked me to give it to him. I told him I would not; that I proposed to find out who it was issued it. I asked him what he knew about it. He said that he knew nothing about it except that it was left at his place for Duffey, and that he gave it to Duffey. The name of Moore was written in pencil, as it now appears on the back of the paper, when it came into my possession, and there was pencil-writing in the same hand on the back of the Dar gan paper, indicating that both papers passed through the hands of the same party. I made a complaint against Duffey and Moore and both were arrested, and Moore, I believe, has been indicted.

By Mr. Ross:

1255. Q. How many of these certificates were there?

A. There were three presented, two of which I took possession of and the other was returned to the party by the other inspectors.

1256. Q. Were you one of the inspectors of election?

A. Yes, sir.

1257. Q. Do you know of any fraudulent votes being given in your voting place?

A. There were two or three as to which I had suspicion, but knew nothing.

1258. Q. They were passed upon by a majority of the board as good, and were allowed to vote?

A. There was no controversy in the board. There were nineteen men registered who did not vote, some of whom I had marked to challenge.

1259. Q. To what political party do you belong?

A. To the republican party.

1260. Q. Do you belong to any secret organization of the party?

A. I hardly know whether I do or not. Some years ago I became a member of the Union League in the ward that I then lived in, but I never attended a meeting. That is some four years ago.

1261. Q. Were you in any of these secret meetings before the election?

A. No, sir; I attended two or three meetings of republican inspectors.

1262. Q. Were they composed of republicans exclusively?

A. So I understood.

1263. Q. Why did you hold those meetings?

A. I only know from the invitations addressed to me, which were, to meet for consultation and to receive advice as to the discharge of our duties.

1264. Q. Whom did you get that invitation from?

A. I think the note sent to me was signed "John H. White."

1265. Q. Is that the attorney who is looking after this case?

A. He is one of the counsel who is looking after the matter.

1266. Q. Was he one of the board of inspectors?

A. I think not. I am not aware that he was. I am under the impression that he was not an inspector.

1267. Q. He sent a communication to you to meet the rest of the republican inspectors at a particular place?

A. Yes, sir.

1268. Q. Where did you meet?

A. At the Fifth Avenue Hotel.

1269. Q. Who were there beside the republican inspectors?

A. Nearly all the persons whom I remember meeting there were inspectors. There was quite a number of persons there whom I did not know, but I can't tell whether they were inspectors or not.

1270. Q. Is Mr. White the only man you knew there whom you did not know to be an inspector?

A. I saw Colonel Bliss there; I do not know whether he was an inspector or not. I saw Isaac Dayton there; I am under the impression that he was an inspector, but I do not know.

1271. Q. Was Marshal Murray there, or any of his deputies?

A. Not to my knowledge; I didn't see Marshal Murray there upon any occasion; I was there two or three times.

1272. Q. Did you sit with closed doors?

A. No, sir; they had three or four rooms on the first floor of the hotel; the rooms were all full, and the passages were full. There must have been two or three hundred persons there, and people were running in and out all the time.

1273. Q. Did you organize by calling any one to the chair?

A. No, sir; not while I was present; there was very little order or organization of any kind.

1274. Q. State what instructions, if any, Mr. White gave you after you got there?

A. He did not give me any at all.

1275. Q. Did he give any to the inspectors?

A. I heard Mr. White in conversation with a number of persons. I did not hear him give any definite instructions or directions to anybody.

1276. Q. Was there anybody who gave general instructions as to what you should do?

A. No, sir.

1277. Q. Was there any determination come to as to what you should do?

A. There was not. I myself went there to get advice and to give advice on certain points, and I did not succeed in doing either. The invitation was to be there at a certain hour, and it was some time after that hour when I arrived.

1278. Q. Do you know whether the others had come to any conclusion before you came?

A. I do not.

1279. Q. Was it agreed there that night that all persons having naturalization papers should be challenged?

A. No, sir.

1280. Q. Was there anything said of any action taken with a view to prevent democratic voters from depositing their votes?

A. No, sir; nor anything approaching to it.

1281. Q. Was there anything done there in the way of raising funds with a view to controlling elections?

A. No, sir; there was not a word said about money.

1282. Q. You came to no conclusion on any point for which you went?

A. I am not aware of any definite conclusion being arrived at; the meeting was not called for the purpose of arriving at any definite conclusion. Mr. White invited us for the purpose of receiving advice.

1283. Q. From whom?

A. That was not stated.

1284. Q. Did you get the advice?

A. I did not get any.

1285. Q. Was there any advice given?

A. I heard a good many questions asked and answered.

1286. Q. Was there any advice given ?

A. Yes, sir.

1287. Q. By whom ?

A. I heard Mr. Dayton answer questions that were put.

1288. Q. What were the questions and answers ?

A. I do not recollect.

1289. Q. How long were you in session ?

A. I don't know how long other parties were there; I was there only 15 or 20 minutes.

1290. Q. Did you leave before the meeting broke up ?

A. It was not an organized meeting; there was an assemblage of people there, all talking. I found a great many engaged in that general conversation, and I left them there.

1291. Q. Did you meet any democratic inspectors there ?

A. No, sir; I did not see any person whom I recognized as democrats in the whole party.

1292. Q. It was exclusively a meeting of republican inspectors with a view to the coming election ?

A. I understood so.

1293. Q. How many persons did your board refuse to permit to be registered ?

A. I think only these three.

1294. Q. How many did you refuse to permit to vote ?

A. Only two; and there was no dispute about them.

1295. Q. I thought I understood you to say that quite a number were rejected ?

A. No; I said there were 19 registered who did not vote, some of whom I had marked to challenge. They did not appear to vote. There were some half a dozen challenged who swore in their votes, and gave explanations satisfactory to the whole board.

1296. Q. How many votes were given at your precinct ?

A. Four hundred and eleven, I think.

1297. Q. And you think the polls were kept substantially free there from illegal votes ?

By Mr. DICKEY:

1298. Q. This meeting of republican inspectors that was called, was there any secrecy about it ?

A. No, sir.

1299. Q. Was there a doorkeeper, or anything of that kind ?

A. I noticed nothing of the kind.

1300. Q. What was the purpose of it,—to consult as to what their legal duties were ?

A. Yes, sir; the special purpose, as I understood it, and the matter which I heard discussed was, what action should be taken in the event of peremptory mandamus being issued on the last day of registration, directing them to register men whom they did not think entitled to registration. It was rumored, and was believed by a good many inspectors, and many republicans, that application would be made to some judges for peremptory mandamus to compel inspectors to register names after rejection, and there were one or two cases of that kind. There was some consultation also as to the course to be adopted in regard to certificates of naturalization, it being believed that there were a great many irregular and improper ones issued; these matters were talked over, but whether there was any formal organization effected before my arrival I do not know. I found Mr. Dayton at one end of the table and heard

him addressed as chairman, but there was a great deal more conversation between the persons present, among themselves, than there was addressed to him. There were more people in the room than it would comfortably accommodate. The only two subjects which I have any recollection of hearing discussed were, first, what should be done in the event of mandamus being served; and second, what was the proper course to be taken in cases of certificates of naturalization where fraud was suspected.

By Mr. Ross:

1301. Q. Who is Mr. Dayton?

A. A lawyer of many years' standing in this city, and one of the registrars in bankruptcy.

1302. Q. He was not one of the board of inspectors?

A. I do not know whether he was or not.

1303. Q. Do you know, or have you any reason to believe, that any republican organization, or any one or more republican citizens, were engaged in any purpose to exclude any legal voters from the right to exercise the elective franchise?

A. No, sir; I never heard such a suggestion except once in the newspapers, and I know it to be utterly without foundation.

1304. Q. Did you know or hear of any purpose on the part of any republican to obstruct or intimidate voters in their right to vote?

A. I did not.

1305. Q. Did you know of any purpose of making challenges except in cases where fraud or illegal voting were suspected?

A. No, sir; and I know that precautions were taken to see that challenges were made only in proper cases.

1306. Q. State whether in the registration districts, generally, it was the practice to swear all persons presenting certificates of naturalization.

A. A very small proportion of them were sworn. The general practice was not to swear them.

By the CHAIRMAN:

1307. Q. Was not the register liable to be imposed upon by naturalization papers apparently good upon their face, but which were illegally procured?

A. Yes, sir; because the fraudulent certificates are precisely the same in appearance as the genuine ones, and it is only by the examination of the parties presenting them that any fact tending to impeach them can be ascertained. The democratic inspectors very generally stated that they had been advised by counsel that the certificate was conclusive evidence of all that it stated and of the right of the holder to be registered. That question was very often discussed in our own board, and the two democratic inspectors objected to my action very strenuously on that ground, and informed me that Mr. A. Oakey Hall, and other prominent lawyers, had advised them, and had issued instructions to that effect.

1308. Q. How many persons voting on naturalization papers were challenged on the day of election in the district in which you acted?

A. Not more than 10 at most; I think not more than six.

1309. Q. Who is Mr. A. Oakey Hall?

A. He has been for many years the district attorney for this county, and is now mayor elect.

1310. Q. Is he a democrat or a republican?

A. He used to be a sort of republican a good many years ago, but he has been for many years a very decidedly pronounced democrat and a member of Tammany Hall.

1311. Q. Who was the sheriff of the county ?

A. James O'Brien.

1312. Q. A democrat ?

A. A democrat of the most decided character.

1313. Q. State whether he appointed a large number of deputies to act on the day of election.

A. I have no personal knowledge of the fact ; I have information to that effect, some of it under oath.

1314. Q. Were there any deputies appointed by the United States marshal ?

A. Not one to my knowledge ; I heard nothing of it except the suggestion contained in Mr. Hoffman's proclamation.

By Mr. Ross :

1315. Q. Did Mr. Dayton give any instructions to the republican inspectors at the meeting to which you have referred ?

A. I heard him answering questions put to him by a great many different persons.

NEW YORK, *December 24, 1868.*

JOHN A. FOSTER sworn and examined.

By the CHAIRMAN :

1316. Question. State whether you are acquainted with Thomas Gould ?

Answer. I know a person who calls himself Thomas Gould ; it is the party I saw in this room yesterday testifying.

1317. Q. Did you have an interview with him in relation to naturalization papers ? If so, state when and what it was.

Mr. KERR. We object to this, as before, on the ground that it is hearsay, immaterial and irrelevant.

A. About a week or so after the election a man who called himself Thomas Gould, and whom I saw here yesterday testifying as a witness, called at the office of the sub-committee of the Union League club, and stated that he was in possession of valuable information in regard to the frauds in the naturalization of voters, at and before the last November election. He made a long statement of what he knew and of what he had seen ; he stated among other things that he had been in the supreme court, part 1, in which Judge Barnard was then presiding, and had seen the clerk, John B. McKean, with a large number of papers that seemed to be naturalization papers ; that a man came in the door and passing him requested to be given 350 naturalization papers, and that McKean counted out what he said was 350 such papers. He said he was near enough so that he could see the nature of the papers, the clerk's name and the seal upon it ; and that the clerk told the man that there were 350 papers there ; he said the man received them, ran over them as though to count them, and left a check of some sort—a small check—for them ; he said he had witnessed this ; and we then requested him to make an affidavit of the fact ; he asked to be employed in some way. We told him that there was no employment to be had for him, and he then said that he wanted some money to work up the case, as he called it. We informed him that we did not intend to pay any person for testifying, but that we wanted him to give any evidence on the subject that he might have. He said that he knew of 300 of these papers that had been sent to Staten Island to be voted on. I attempted to get him to make an affidavit to that fact ; he went away. I think he called within two or three days from that time and again wanted money. Mr. Glassey was there and myself—both times I think—I am certain Mr. Glassey was

there the first time. I told this man that we could not give him any money, but that if he would testify, he could be put in a position where he could give his testimony, and wanted him again to make an affidavit to the facts he had stated; I told him that we had no money to pay him but that I wished he would give his testimony; I took down what he stated on a slip of paper, and he then seemed to become rather excited at not having been paid, and left apparently angry; I sent for him quite recently, but he did not come; I furnished the Sergeant-at-arms with his name, to be subpoenaed; I heard him testify yesterday, but I did not hear apparently more than a portion of his testimony.

By Mr. KERR:

1318. Q. What is this man's business?

A. I do not know him, sir.

1319. Q. What is your business?

A. Counsellor-at-law.

1320. Q. You do not know whether he was one of that kind or not?

A. I presume that he was not; he did not talk like a lawyer.

By Mr. ROSS:

1320. Q. He was a republican candidate for the legislature?

A. He was nominated by the republican party, but he was understood to be a democrat.

1322. Q. Is the republican party in the habit of nominating such men?

A. Sometimes; in that district they are very apt to.

By Mr. DICKEY:

1323. Q. In cases where there is no chance of their winning the election?

A. Yes; and there is no chance of our coming out third, or even fourth, in that district.

NEW YORK, *December 24*, 1868.

MONTAGUE RICHARD LEVERSON sworn and examined.

By Mr. LAWRENCE:

1324. Question. State whether you reside in New York, and, if so, how long you have resided here.

Answer. I have resided in New York city about two years.

1325. Q. State whether you have observed the mode in which naturalization certificates are issued and naturalization had, in any of the courts of this city; and, if so, state when you have made such observations, and what opportunities you have had of knowing anything about it.

A. I noticed the proceedings for several days in the supreme court of this city and in the superior court, and on one occasion in the court of common pleas; but as everything was apparently conducted with perfect regularity in the court of common pleas, I did not again visit it.

1326. Q. What is your business?

A. I am a member of the bar of the United States.

1327. Q. State to what extent you have had your attention turned to the subject of the exercise of the elective franchise and the laws upon that subject.

A. I may say that for the last 18 years my attention has been specially devoted to what may be termed the philosophy of legislation. I am a disciple of Jeremy Bentham, the great father of the modern school of legislation, and have had the benefit of the personal teaching of John Stuart Mills and William Ellis.

1328. Q. State what occurred under your own observation in these New York courts; and if you have prepared a statement which contains the whole truth and nothing but the truth, you can adopt that statement and present it to the committee; or you can give it in such other form as you may deem best.

A. I am not aware that there is anything which I would change in this statement. [Producing a printed statement.] I prepared this statement, which is published over my own signature in the New York Tribune of October 23, 1868, and which I now present to this committee as perfectly true.

Mr. Kerr objected to the statement being received on the ground that it was not competent testimony in any legal acceptance of the word.

The chairman put the question on sustaining the objection and it was sustained.

1329. Q. Take the article, and refresh your recollection with it, if you please, and state the facts which you observed; take up each court separately, and state what you observed there, in the words of that statement, or otherwise, as you prefer.

By Mr. DICKEY:

1330. Q. You were in the courts witnessing the naturalization of persons desiring to be naturalized?

A. Yes. I first went into a room in the basement of the old City Hall building, which used to be the sheriff's office. When I first went into it in the daytime there were about four gangs of four clerks to each gang, one of whom acted in what may be termed the capacity of foreman to each gang. On this occasion I did not stay to notice closely what was going on, but that same evening I went again. There was only one gang with one foreman at work at this time. The foreman had before him a list of names and addresses, and he would keep the other three at work, giving to each man a name and address which that man would fill into one of the forms before him. There were on the table two or three piles of papers. One of them was a pile of blank forms, affidavits, &c. The first form was one in which the applicant is required to swear that he has arrived at the age of 21 years, that he has resided in the United States three years next preceeding his arrival at that age, and has continued to reside therein to the present time; and that he has resided five years within the United States, &c. On the front sheet there were also the other affidavits which are given in this communication to the Tribune. I have in this paper as a copy thereof. The three clerks would fill in each the name furnished to him as that of the applicant. It would be filled in as that of the applicant in three places, and the clerk would then sign the name of the applicant in each instance. In every case which I saw each of the clerks filled in the name of Patrick Goff as that of the attesting witness for the applicant without a single exception. The name of "Patrick Goff" was inserted as the witness by each of the three clerks, inserted as the name of the person who was well acquainted with the applicant, &c. The clerks did not sign the name of "Patrick Goff" but put it "Patrick Goff—his mark." The clerks wrote the name of Patrick Goff and made the mark also.

1331. Q. Without his being there?

A. Yes. Whether Patrick Goff exists or not I do not know; at any rate he was not there, nor any one of the applicants whose names were signed. This was common to nearly every case. In a few instances, however, there would be a variation in the cases of men who were sup-

posed to have been in the armed forces of the United States. It would be rather important to have the form for the judge's endorsement. We have in this paper only the endorsement for a person who has been in the service. The more common form, and the one which was used in ninety-nine cases out of the hundred, would be the other form.

1332. Q. The ordinary form of the judge's certificate on the back?

A. Yes, sir; the form ordinarily used. I did not on that evening trace the papers which I then saw as passing through the court in any way, but that same day, and also on two or three other occasions, I witnessed the scene in the supreme court where Judge Barnard holds his court.

1333. Q. What communication have these rooms where you saw these clerks to work with any court?

A. They had no particular connection with a court; they are in the basement of the City Hall. The room is the old sheriff's office. It does not communicate with any court, except that you can go up and down from it to where Judge McCunn was sitting in the evening, but it has no immediate connection with any of the courts, neither was the room in use for any court business. Whether these clerks were clerks of the court, or clerks employed for the occasion, I do not know.

By Mr. KERR:

1334. Q. Can you give the names of any of them?

A. No; I do not know any of the names.

By the CHAIRMAN:

1335. Q. Was there any other court in the building?

A. The superior court was held by Judge McCunn in the evening, in the same building. Judge Barnard held his court nominally from 7 to 9 o'clock in the evening, but I have seen the session running up till half-past 10 or 11 o'clock. The mode in which the process was gone through in Judge Barnard's court was this: As the men came up, they would hand in their papers, *this* form of affidavit, and it would be handed to the clerk by the usher, who would call out the names. It is a presumption on my part that they call the names of the persons who in that paper are represented as applicants and witnesses, because of course I could not tell that of my own knowledge; all I can tell with certainty is that the clerk purported to call out the names from the paper. On one occasion a man named Lush or Lusk was called forward while Judge Barnard was in court, and the clerk said to him, "Get your witness to sign his affidavit." The man looked about the court. I was at that time at the extreme end of the court, and I heard him say, in a voice which I supposed was heard by the judge and the clerk, "I don't know who he is, your honor." The clerk would call out the names of persons so rapidly that I could not take them down. I commenced to do so at first, but it was performed too rapidly for me to follow it, but I made a mark on some papers which I had with me for each name called; I forget the exact number, but I think I have it mentioned somewhere in this paper. I have been called here suddenly without notice, and have had no opportunity of referring to my notes. On looking at this report, I see that I put the number at from one hundred and ten to one hundred and fifty or even two hundred. I remember now, on one occasion one hundred and eighty were called up in one batch; I do not remember and I do not think that, while I was there, there was any one occasion when the number was less than one hundred and ten, the lowest number mentioned in my report, in a batch. The average was about one hundred and forty to one hundred and fifty in a batch. I made a mark on my paper as each name was called. When

they came up they would be divided in groups round four or five Bibles; each Bible would be held up by four, five, or six men in the centre, and the others would either touch it or stretch out their hands towards it, on being directed so to do by the clerk or the judge, I am unable to say which. While they were being called up to touch the Bible, or in effect to stretch out their hands towards it, the clerk would call out the names. There was a double calling of the names; the first time to get them within the bar, and the second for the purpose of getting them to touch the book. As the clerk called out the names he would hand the paper, being the affidavits before mentioned, to the judge, turning each paper over as he handed it, so that the place for the judge's signature might be presented at once to him to save time. The judge would make some mark, which I have no doubt you will find on the records when you have them produced, as his signature to the endorsement, being, in fact, the fiat for the naturalization. No evidence of any kind was taken by the judge, nor was any oath of any kind administered to the applicants prior to the judge's signing the papers in this way, which he did as fast as the clerk could hand the papers over to him. When they were all through in this way, the judge then administered the oath in words which I took down at the time, and which I will adopt from this report: "You, the several applicants, swear that you are twenty-one years of age; that you arrived in this country three years before attaining that age, and have resided five years in the United States, and for the last year in the State of New York." He swore them in a batch to that form. He would then say: "And you, the several witnesses, swear that the contents of your several affidavits are true."

By Mr. Ross:

1336. Q. And they all swore to that, did they?

A. They did, and to nothing further than I have stated. The judge repeated this form of oath, and every man was supposed to kiss the book. The batches ran from one hundred and ten up to about two hundred; and I remember on one occasion when I counted over one hundred and eighty in a batch. That number was divided round five Bibles. Probably two dozen hands reached the Bibles, and the rest stretched out their hands over the shoulders of the others towards the Bible. On one occasion that I was taking notes I was within the bar, and the judge ordered the space within the bar to be cleared. I had gone on one side to one of the tables, and was seated by the table. When the judge had given the order the other persons within the bar went out, but I considered I had a right to remain, and I remained. The usher came to me and told me that the judge had ordered the space within the bar to be cleared. I told him I was a member of the bar, and had a right to be there. He went to the judge and came back to me, and said that the judge required the space within the bar to be cleared. I, therefore, went without the bar and stood on a form at the extreme end of the court. It was while I was standing there that I heard Lusk say that he did not know who his witness was. I was observed to be continuing taking notes, and just as another batch had been sworn in the way I have named. After they were sworn, when they were being called over to receive their certificates, a further order was given by the judge to clear the court. There had been no disturbance whatever in the court, and no more noise than was absolutely unavoidable from the shuffling of so many feet going up and crowding around the Bibles. The other people without the bar went out. I did not. The usher, not the same one who had first spoken to me, came up and told me that the judge had ordered the

court to be cleared. I told him that it was a public court and that I was a member of the bar, and that on both accounts I had a right to be there. He began to forcibly eject me. I then called out to the judge that I was a member of the bar, and called upon him to protect my rights. I did not hear anything done in consequence of that. I only know that I was ejected. Of course I did not attempt to resist. I allowed them to eject me. I did not want to be seen with a black eye in the streets of New York. I cannot say positively that Judge Barnard heard my appeal to him for protection, but I express my belief that he must have done so, because I spoke loudly, intending that he should hear me. Still, being at the extreme end of the court-room with a man hustling me out, of course I cannot say positively that the judge heard me. The process of giving out the certificates was in this way: The certificates were stamped with the seal of the court, in blank, and they were placed in a huge pile. As fast as the judge signed the certificates he handed them out to the clerks who were sitting behind this pile of certificates and to the judge's right; they would then fill in the names as the papers were handed to them. The name of each applicant would then be called, the certificates handed to him, and then all would together take the oath of allegiance to the United States.

By Mr. KERR:

1337. Q. Before the clerk?

A. No. The judge was generally still present. I only remember one occasion when the judge retired to his room when this oath was administered. They were sworn in the same way as before, in batches, but the batches were not quite so large. The certificates would be handed probably to forty or fifty persons at a time. As they were finished by the clerks the usher would call out the names of the parties, and the papers would be delivered to them while the clerks went on writing others. On one occasion I saw a gentleman, whose name I do not know, but I could identify him. I believe him to be a prominent politician in this city, and I have seen him several times. I saw him come out of the judge's room and take away with him a considerable number of these certificates in blank, stamped with the seal of the court. I had seen them go through the operation of stamping. I presume they also bore the signature of the clerk; though that of course I had not an opportunity of seeing. He took away a considerable number of them in blank, and for each one that he took away he handed in a red ticket. I do not know whether the committee have had these red tickets before them. The red tickets, thus handed in, were in these words:

"No. —.

"Please naturalize the bearer.

"M. D. GALE,

"Chairman Naturalization Committee, Tammany Hall."



By Mr. DICKEY:

1338. Q. What was the judge—a democrat or a republican?

A. Judge Barnard?

1339. Q. Yes.

A. If I am asked my opinion, I believe he is a democrat—so reputed. The clerk also. The clerk of the court is Mr. Loew; I do not know Mr. Loew personally and cannot, therefore, say that I saw him in any of these operations. It is possible that when I know him personally I may be able to identify him as one of those whom I saw in court.

By the CHAIRMAN:

1340. Q. These papers that were being prepared by batches of clerks, each batch having four clerks with a leader—they were blanks for what court?

A. All for the supreme court. The proceedings in Judge McCunn's court had a far greater semblance of regularity, and what I saw in the court of common pleas seemed to me so entirely regular as not to call for any further attention.

1341. Q. What is the judge of the superior court—a democrat or a republican?

A. He is reputed a democrat.

1342. Q. What is the judge of the court of common pleas?

A. In all these courts there are several judges. Of the judges of the court of common pleas I am unable to speak with any certainty.

1343. Q. Go on and state all the facts that you observed.

A. Do the committee want the conversation of the parties engaged in these operations?

1344. Q. Certainly—conversation occurring at that time.

A. On the occasion when I saw these papers filled up with the name of Patrick Goff as the witness for so many persons, I saw a pile of the same kind of papers all filled up apparently in the same writing. When I say *all*, it is a presumption on my part, for I had an opportunity of seeing only three or four in the batch, but they were all in the same handwriting. I lifted up a number and saw several in different parts of the pile; all had Patrick Goff as witness and all were in one or other of the same three handwritings. Of course I had no opportunity of examining the whole pile, but these seen in different parts of the pile seemed to be in the same handwriting, both the filling up and the applicant's name and the signature of the applicant; and to all three, besides those which I counted during the time that I was watching the operations—to the whole batch already prepared, the name of "Patrick Goff—his mark," was placed as witness. I say this with the explanation that I did not see the whole lot. One batch of clerks could not get through the whole lot, and the foreman handed a list of names on some sheets of brief paper to some one else, and told him to fill them up. The man said, "Shall I make these in the supreme or superior?" to which the reply was: "Make them in the supreme; they go through easier." On the 15th of October one of the clerks told me that up to that date they had put 20,000 through the mill, (that was the expression used by him; I employed it first to him and he adopted it,) and that they expected to get through another 20,000 before election. Another gentleman came in about that time, and his statement reduced the number about one-half; he said they had done 10,000 and would do 20,000. My belief is that the former number was correct, and I will give you my reasons for so thinking. There would be four or five batches varying from 110 to 200 in number, averaging about 140 or 150 got through by Judge Barnard in each hour. It seems impossible at first, until you remember that the only thing the judge had to do was simply, as fast as the clerk turned over the papers to him, to sign his name, or, I think, simply his initials to the fiat. That is the way it was done—no question of any kind being asked. I can also speak of two occasions when I saw the court at work up to 10 and half past 10 o'clock at night. I cannot myself speak of more than two such occasions, but I can direct you to further evidence about the hours that Judge Barnard's court was kept open. I sent down some persons to make certain inquiries, and I could also bring them before you if you desire.

By Mr. DICKEY:

1345. Q. Give us the names of the persons that you sent, and their circumstances, so that we may have them subpoenaed.

A. I have not got the names here, but I have them at my office. Perhaps you would like to know the names of the most frequent vouchees, McCaffrey, Harvey, Patrick Goff, Gallagher, Schmidt, Spenser, Tracy, and Dunphy. This Dunphy I think there would not be much difficulty in finding. He is a young man, very intelligent-looking and of very prepossessing appearance. He was one of the most active of these men, and certainly a man who, from his appearance, you would expect to find otherwise engaged.

1346. Q. What do you mean by vouchees?

A. The witnesses.

By the CHAIRMAN:

1347. Q. Did the judge examine the affidavits, or was it physically possible for him to do so?

A. Not at all—utterly impossible. He did not attempt it.

1348. Q. Did he make any inspection which would enable him to ascertain whether the persons making the affidavits were the persons present or who they were, or anything about it?

A. He made no inspection of any kind whatever, nor any examination at all. The men were called up and he swore them in batches, as I have described.

By Mr. KERR:

1349. Q. In describing this scene do I understand you to say that these men whose names you have mentioned as witnesses, or vouchees, remained there for the purpose of putting these batches through?

A. Precisely. In a large number of cases I made note of times they appeared under different names—sometimes as applicants and sometimes as witnesses. This man Patrick Goff I never saw. I took his name from seeing it on these papers. He was not in the place at all when his mark was made, and I never saw him to my knowledge.

By the CHAIRMAN:

1350. Q. Were these papers which you have described as being prepared in the basement of the City Hall, used in the course of the business?

A. I know that the same kind of papers were. I had not the opportunity, from circumstances which the committee probably might not care to have described, to inquire into the matter particularly—I had not the opportunity of tracing these identical papers, and I could not say that those were the same papers which I saw filled up. But there is a mode in which the committee can get at it, which I will suggest if desired. Whether all the papers are preserved or not I don't know; but you ought to find the papers filed as of the 16th and 17th of October, and they ought to bear the name of Patrick Goff as witness. If they do not they have been made way with.

By Mr. DICKEY:

1351. Q. Did you hear the name of Patrick Goff called in court?

A. Yes, I did, decidedly.

1352. Q. As witness to these naturalization papers?

A. Whether to these or others, I do not know.

1353. Q. How often was his name called?

A. I should say that I did not hear his name called more than three or four times—once to each batch—when I was present.

1354. Q. If you heard him called once, of course there was no necessity of his being called again when he answered that time?

A. That I could not answer for; I can only tell you the fact. I heard him called three or four times one evening in Judge Barnard's court, each time for a different batch of applicants. But he could not have been witness for all the men in each batch, because I also heard some of these other names which I had before noticed in Judge McCunn's court. For instance, I heard the name of Dunphy, and having heard it and noticed it before specially in Judge McCunn's court, I remembered him when I heard his name mentioned in Judge Barnard's court. So again the name of Gallagher. I had heard it in Judge McCunn's court, and I had noticed it in the newspapers, which published, as long as they were permitted to do it, the names of persons naturalized and their witnesses. I have noticed the name of Gallagher appearing as a witness in a very large number of cases; consequently when I heard it again, and when I saw him or a person answering to his name in Judge McCunn's court, and afterwards heard the same name called in Judge Barnard's court, I concluded—it is a mere surmise, of course—but I concluded that it was the same man appearing as a witness again. Of course Gallagher is rather a common name among the Irish population, and it might have been another Gallagher. Then McCaffrey was another name which I had noticed in Judge McCunn's court and noticed again in Judge Barnard's court. Of course, as in the other case, I could not state positively that it was the same man, but I have no doubt about it.

By Mr. KERR:

1355. Q. Did the judge put any questions to those men who came there as witnesses?

A. Not one.

1356. Q. Was any oath administered?

A. Merely as I have described.

1357. Q. The witnesses did not take that oath at the same time that the applicants did?

A. It was administered in this way: "You, the several applicants, swear [following the form] that you are each of you 21 years of age; that you arrived here more than three years before attaining that age; that you have resided five years in the United States, and for the last one year in the State of New York; and you, the several witnesses, swear that the contents of your several affidavits are true." That was the whole extent of the swearing.

1358. Q. Prior to that oath being administered were the names of the witnesses called by the clerk or the judge?

A. Names were called over which I could not positively distinguish as those either of applicants or witnesses. A lot of men went forward when the names were called, and having no opportunity to read the papers as the names were called I could not say positively which were applicants and which witnesses; but I will give the committee such facts as will enable them to draw, no doubt, the same conclusion which I drew: With each batch I would hear one name called which was perfectly familiar to me, which I had heard over and over again before, and my conclusion was that this was the name of the witness. Each batch would probably have two or three or four witnesses. Then I would hear those familiar names called again with a succeeding batch, while the bulk of the names called which I took to be those of the applicants appeared perfectly strange; besides which, the number of cer-

tificates issued after each swearing, before fresh batches came within the bar, corresponded very nearly with the number within the bar; nearly every man within the bar received a certificate.

1359. Q. Then there was no way of discriminating, when the clerks were calling the names, between applicants and witnesses?

A. None whatever, excepting the way in which the judge put the oaths: "You, the several applicants," and "You, the several witnesses."

1360. Q. Then there was a promiscuous crowd of applicants and witnesses all bound towards the bibles?

A. Exactly; some with their hands on the bible. The bible was held up as high as those in the centre could hold it, and others were pointing to it.

1361. Q. By that way of doing business would it have been perfectly easy to have gone through with all those forms without having any witnesses there at all?

A. Of course it would; in fact, facts which I will mention presently will show clearly that in many cases the man who really wanted the certificate did not appear:

1362. Q. State the facts.

A. A gentleman named Jourdain applied for his certificate. He resides at present with Dr. Petitjean, Franklin street, below West Broadway—whether it is beyond Varick street or not I forget, but I could find it. Petitjean's name is on the door. He applied for his certificate and was rejected, I think, in the superior court, by Judge McCunn. He had been four years and a half in this country, and his first papers, I believe, were about three years old; but of course he would be better able to tell you all that himself. At all events he afterwards got his papers without appearing in any court at all. I have seen the papers in his hands, and the man himself would not commit perjury at all, and had no idea at the time that any perjury had been committed in getting the papers.

1363. Q. What court did he get them from?

A. I think the superior court, but I won't be sure about that.

1364. Q. Did you learn who he obtained them from?

A. Through this committee at No. 6 Centre street. I was asked in this room in the basement of the City Hall whether I wanted my papers prepared. I told them I had not been in this country a sufficient length of time to entitle me to naturalization. I may add that I have been over and over again offered my certificate. Even when I had not been in the country three weeks I was offered my certificate.

By the CHAIRMAN:

1365. Q. When you said that you had not been long enough in the country what was said to you?

A. I was told that that was of no consequence; that they could get my papers for me.

1366. Q. Who said that to you?

A. One of the clerks down there engaged in the filling up of those papers. [Mr. Kerr objected to the last answer as too indefinite.] In the superior court the proceedings were conducted in this way: A clerk at the gate of entrance for the bar called the names of applicants and witnesses in the order in which the papers came to his hands, and on the persons called coming forward they were arranged within the bar, often one witness for four or five applicants at a time. When a number were thus arranged their papers were handed to the clerk, who stood at the judge's left hand, who, as he finished off the lot already in hand,

took up the fresh batch. An applicant and a witness being now called by this clerk, and answering to their names, the judge would direct them to hold up their right hands. Very frequently the left would be held up, and the usher would have to help the man to put up his right hand instead of his left. The judge then proceeded to swear the parties in the following words: "You solemnly swear in the presence of the ever-living God that these affidavits which you have severally subscribed are true: So help you God." Does the committee wish me to describe some of the scenes which took place before Judge McCunn?

1367. Q. Yes; state facts within your knowledge.

A. I state these facts, not that I have any recollection of them now outside of my report, which is taken from notes I took at the time and which refresh my memory; of course I could not pretend to remember them but for these notes. "Patrick Hogan, the applicant, or some one personating him, and McCarthy, the witness. McCarthy I notice to be one of the most common vouchees. The Judge says: 'Which is Hogan?' Hogan nods. Judge: 'How old are you?' Hogan: '24.' Judge: 'How long are you in this country?' Hogan: 'Seven years.' Judge: 'How old were you when you came into the country?' Hogan: '17.' Judge: 'Pass on and get your papers.' Denis O'Reilly and G. Gallagher—Judge: 'Which is O'Reilly?' Gallagher (pointing to O'Reilly:)' 'This, sir.' Judge: 'How old are you, O'Reilly?' O'Reilly: '27.' Judge: 'How long have you been in the country?' O'Reilly: '10 years.' Judge (to Gallagher:)' 'Do you know this man?' Gallagher: 'Yes, sir.' Judge: 'Is he a man of good moral character?' Gallagher: 'Yes, sir.' Judge: 'Pass on and get your papers.' Denis Darcy and Flanagan—To Denis: Judge: 'How old are you?' No answer. Judge: 'How long have you been in this country?' Denis, (scratching his head:)' 'I don't know.' Flanagan, (prompting him:)' '25 years.' Judge, (to Flanagan:)' 'How long has he been in this country?' Flanagan: '25 years.' Judge, (to Denis:)' 'How old are you?' Denis: '32.' [Denis is bald at the crown of his head, and what hair he has is gray; he looks over 60.] Judge: 'Now, that won't do, Denis; a worn, gray-headed man like you must be over 50; I am 43, and look 10 years younger than you. I can't naturalize you.' The judge then tore up the papers. I noticed many of these witnesses going from Judge McCunn's to Judge Barnard's court, backwards and forwards. A man named Dougall, evidently an elderly man, said he was 38. He was cross-examined by Judge McCunn, and admitted he was 48. As the witness was evidently too young to swear that he had known him 30 years, the judge asked Dougall if there was any one in the court who had known him in this country over 30 years. The usher of the court said to him in a low tone, [I was within the bar, seated at counsel's table, just behind the usher, and heard him,] 'Go and fetch —.' I could not catch the name, but Dougall answered, 'Is he here?' The usher said, 'You will find him below, or about somewhere.' One Brennan said he was 23, and had been here five and a half years; he looked over 40. Thornton, 19 years in this country, had voted before; came over at three years of age; his father was naturalized. Judge McCunn told him he was already a citizen, and was about to destroy the papers, when a clerk said something to the judge, and the judge said, 'Oh! very well; let him have his certificate.' Several applications were made for naturalization for discharged soldiers without the production of the discharge or the production of any evidence as to its loss except the affidavit of the man himself. They were all passed. To one man who came up and who had lost an arm the judge said, 'Your armless sleeve is the best certificate.' Nearly all the applicants, with

scarce an exception, purported to have arrived in this country between the ages of 17 and 18. Probably there were two or three exceptions. There was no examination into these at all in the supreme court, but in Judge McCunn's court they were examined, and they all swore that they came over before they were 18, and generally between the ages of 17 and 18."

By the CHAIRMAN:

1368. Q. Do I understand you to say that in the superior court the judge asked all the applicants themselves what age they were when they came to this country?

A. Generally he asked the applicants, but sometimes the witnesses.

1369. Q. The witnesses then made no statements as to the age of the applicants when they came into the country?

A. Sometimes they did, and sometimes not. I have mentioned the case of Dougall, who said he was 48. His witness was evidently too young to state his age when he came into the country. An applicant gave his age as 31 and said he had been 12 years in the country, whereupon this colloquy took place between him and the judge: Judge: "How old were you when you arrived?" "17." Judge: "How long have you been in this country?" "12 years." Judge: "Now, how old are you?" "31." Judge: "How much is 12 from 31?" No answer. Judge: "How old were you when you came to this country?" "17." Judge: "How long have you been in this country?" "12 years." Judge: "How much are 17 and 12?" No answer. Judge: "I can't pass this case," and tore up the papers. This man Dunphy appeared when I was in Judge McCunn's court on one occasion certainly 25 times—generally as a witness, but sometimes as an applicant, but not eight times under the same name. I believe he represented 12 to 15 different names in his 25 to 30 appearances.

1370. Q. You saw him?

A. I saw him and heard him make his appearance under these different names; but his favorite name was Dunphy. On one occasion he appeared and answered as Gottleib Spier, or as Keutch, I don't know which. The judge said to him, "I think I have seen your face before to-day?" "No, sir." Judge: "Are you quite sure?" "Yes, sir." Judge: "I rarely mistake a face I've once seen. Are you quite sure you have not been here before to-day?" "Quite sure." Judge: "Nor yesterday, nor the day before?" "No, sir." Judge: "Well, I have no doubt, you are an honest witness." (To applicant:) "Pass on and get your papers." It frequently happened that a man would come forward and give evidence with perfect truthfulness, and it would appear that he came here after he was 18 years of age. In such case, Judge McCunn would tell him to come back in two years, when he would naturalize him; but he could, nevertheless, get his papers. I have referred to Jourdain as one of those cases, but he afterward obtained his certificate, as I have stated, without going to court at all. I will state that the conduct of Judge McCunn, and of all his officers, was marked with the utmost courtesy. The officials, of course, took their tone from Judge McCunn, and the judge was perfectly polite and courteous to everybody who appeared before him.

By Mr. KERR:

1371. Q. Then the only court that you arraign for the disregard of law is the supreme court?

A. You will judge whether what I have stated as occurring in the superior court shows a disregard of the statute or not; but in regard to the supreme court I suppose there can be no question.

1372. Q. Well, as you have undertaken to give some opinions here, I will ask you for another; whether it is your opinion, based upon all you saw and all you heard there, that Judge McCunn really desired to execute the law in good faith, or whether he desired to be a party to any fraudulent violation of law?

A. I think that Judge McCunn desired to keep up the appearance of complying with the law.

1373. Q. That is not answering my question, because that is susceptible of two or three meanings. Do you mean to say that in your opinion he desired only to keep up an appearance of complying with law; that he was unfaithful to the law, and was willing to violate it whenever he could so without a palpable appearance of desiring to violate it?

A. If you insist upon my giving an answer to that question I will do so, but I would rather not.

1374. Q. I ask it because you have been giving just such answers all along.

A. I would rather not give an opinion if I am permitted to retain it.

The CHAIRMAN. State your opinion.

Mr. DICKEY. The question is whether he can be forced to state his opinion.

Mr. KERR. I have no doubt that he cannot be if he objects.

WITNESS. I would rather not give it. It was the mode of granting and afterwards distributing the certificates in the superior court, which specially enabled me to distinguish the witnesses or common vouchees. On leaving the superior court the applicants would go down stairs and would be conducted by their witnesses to room No. 11. The witnesses handed a red ticket to each applicant, and would stand outside while the applicants went in. Three clerks and the principal deputy of Mr. Loew were seated behind a long table, the principal deputy by himself, the other clerks with a number of certificates in blank, not yet stamped, before them. So far as I saw, no certificates were ever stamped in blank in the superior court. I did not see any at any time stamped with the seal of the court, in blank. The record bearing the judge's fiat would be handed to the clerks behind this deal table, who would proceed to fill up the certificates. There were three clerks engaged in filling up, and as soon as they were done the certificates were handed over to a clerk who was standing at another desk near the window, having charge of the seal, and he would seal the certificates and hand them over to the applicants, in exchange for these red tickets.

By the CHAIRMAN:

1375. Q. You say that in the supreme court the judge signed some papers; state what papers those were.

A. They were the endorsement on those forms which I have given here—the printed forms in which these names had been filled in—and he signed on the reverse side, being the judge's fiat for the admission of the applicant.

1376. Q. It was not the certificate of naturalization that he signed?

A. No, it was not. The form of fiat given here (in the Tribune) is only that for discharged soldiers; the more common one was the other form.

1377. Q. Are there any other facts which you wish to state; give them.

A. I do not at present remember any facts bearing upon this part of the subject.

1378. Q. Can you state the names of any other persons who saw these or similar transactions in this court?

A. There is a man by the name of Henri, whom I employed. He

boards, I believe, at an hotel in Greene, just above Bleeker. There are a great many suggestions which I could make to the committee to enable them to get at the whole truth, and to prevent these frauds in the future.

By Mr. KERR:

1379. Q. With what political party do you act?

A. I have acted with the republican party in this election.

1380. Q. Did you ever act with any other party in this country?

A. I have not.

1381. Q. You appear to have given a good deal of attention and a good deal of time to the investigation of this matter; have you done that upon your own voluntary motion, or upon the employment of others?

A. I was applied to by gentlemen connected with the citizens' committee, sitting at the Fifth Avenue Hotel.

1382. Q. Appointed by the League?

A. No, not by the League; I don't know who they were appointed by; it was a citizens' committee acting with the State republican committee.

1383. Q. And by that committee you were employed to look after this matter?

A. Yes, sir; I will tell you if you wish exactly the whole story of the employment.

1384. Q. I don't want the details; I just wish to know the fact. In pursuance of that employment you went to work to make these various inquiries and observations?

A. Yes, sir.

1385. Q. And reported them at the time in notes, and subsequently in this form?

A. Yes, sir; I did not report them in notes to the committee; I had verbal communications with the members of the committee; I pointed out the manner in which the whole thing might have been stopped by, the latest, the 20th of October, but I was not supported and nothing was done to that end.

1386. Q. In reference to the place where those papers were apparently in the first instance prepared, you say it is in the old City Hall?

A. Yes, sir.

1387. Q. And part of that building used to be the sheriff's office?

A. Yes, sir. By saying that that used to be the sheriff's office, I only mean to describe it; I can't speak for my personal knowledge as to how it has been used generally within the last six months.

1388. Q. It was not then used as a sheriff's office, but by those people whom you have described?

A. It had ceased to be the sheriff's office at the time they were using it in this way.

1389. Q. Do you know who those persons were that were in that room and carrying on that business?

A. No; I have seen one of them since, however, in one of the courts.

1390. Q. How comes it that, acting as I must assume you were, first from personal convictions of duty, and secondly from employment, you did not make it your duty to inquire the names of those persons?

A. I think if I had done so, I should have been very summarily turned out, and not allowed to see what I was anxious to see.

1391. Q. It might have been so, but could you not have got the information somewhere else outside?

A. My impression is that if I had asked at the time any questions there as to the names, I should have failed entirely in the whole object of my investigation.

1392. Q. And upon that impression you declined to make such inquiries?

A. Quite so.

1393. Q. Was that the only reason you had for failing to make such inquiries?

A. Within the building, yes, sir. I was prevented from prosecuting the case as I should have liked to do.

1394. Q. Did you afterwards make such inquiries outside of the building?

A. I did not; I laid a plan before members of the citizens' committee and also before members of the State committee, for the purpose of obtaining a complete chain of evidence; but I could get nothing done; I could get no assistance from any of the committee. Mr. Wilkes was away on account of severe sickness, Mr. Eaton was out of the city on business, and Colonel Bliss was already overwhelmed with work which he did manfully, though it was a work for three men, and with the exception of these gentlemen, the rest of that committee were either incompetent or indifferent, and they did nothing; otherwise the whole thing might have been exposed and stopped by the 20th of October, at the latest.

1395. Q. But on the contrary it went on and you made no further inquiries?

A. No, sir; I had no further opportunity; my plan was not adopted. In fact, nothing was done.

1396. Q. Have you the memoranda which you made at the time these things were going on?

A. I have, but I have not them here; I was brought here suddenly to day without notice.

1397. Q. Did you obtain from any of these parties who were thus being "put through" any papers?

A. Yes; I have got several of them, and I have seen a very large number of them.

1398. Q. Have you those which you have, here?

A. No, I have not, but I can look them up and bring them here.

1399. Q. Will you do so?

A. I will with great pleasure.

1400. Q. Can you go to the court-room in which Judge Barnard's court is held and look at the employés in that room, and about it, and in the clerk's office, and identify those persons if they are about there now?

A. Which persons do you refer to now?

1401. Q. Only to those doing the subterranean work, which you have described.

A. I could go and look, but I should not expect to find them.

1402. Q. I will ask you whether you think you could identify them, if you should see them again?

A. I think I could identify two or three of them.

1403. Q. I request you now to go at a convenient time into the court-room—you need not state your business—and see if you can identify them.

A. I will do so with pleasure, but will you permit me to give a reason why I do not think that any of these persons were the clerks of the court.

1404. Q. Yes; give the reason.

A. I described three clerks as present with Judge Barnard in his court, engaged in the business, one clerk seated by him and two others at the desk. There were in the superior court in the same way three clerks engaged in filling up the certificates, and two clerks in the court-room, so that it is scarcely within the bounds of probability that any of

the principal or ordinary clerks of the court should have been engaged in the work in the room below, unless so large a staff of clerks is employed as one cannot imagine to be at all necessary. Still I will make the search.

1405. Q. Now, I want to know, more specifically than I was able to comprehend from your running statement, precisely when these different operations were witnessed by you. State, as near as you can, the dates and the hours of the day that you personally observed them.

A. The first day was Thursday, the 15th; then Friday, the 16th; and Saturday, the 17th, of October; also, the 19th, 20th, and the 22d of October.

1406. Q. On the 15th, at what time did you go there, and how long did you remain?

A. On the 15th I went into Judge McCunn's court at about 3 o'clock in the afternoon.

1407. Q. What time had the court met?

A. I don't know at what time it met. He held his court all day. I went there about 3 o'clock, and stayed until 5. On the 16th I was also in Judge McCunn's court; I think about the same time. On the 15th I also went to Judge Barnard's court—in the evening. I was there from about 7 until 9 o'clock—two hours. I understood the court was about to close at 9, (I saw it in the newspapers,) and I left and went down stairs. I also went to Judge Barnard's court on the 20th. That was the day on which I made most of my notes in Judge Barnard's court. I was one hour there on the 20th, and two hours on the 15th. On the 16th and 17th I was not in Judge Barnard's court at all. I was there for about half an hour on the 19th—from 10 till about half-past, p. m.

1408. Q. Where were you on those days?

A. In Judge McCunn's court, a considerable part of the time.

1409. Q. How long each day?

A. I went in there twice in the course of each day, and stayed each time from three-quarters of an hour to an hour and a quarter. Then, on the 22d I was refused admittance to Judge Barnard's court; there was no admittance for anybody except applicants and witnesses. The court was held with closed doors.

1410. Q. Who refused you admittance?

A. The usher at the door asked me if I was an applicant or a witness, and I told him no, and he said: "Then you can't come in; none but applicants or witnesses are admitted." I got in by the other door. An usher then came to me and said that there was no admittance, except for applicants or witnesses, and I then went out, having been in there only a few minutes. I think it was before the court had organized for the night, as there was nothing doing.

1411. Q. So that you saw nothing there on the 22d?

A. Nothing, except the fact of the court being closed to the public. I passed there again at 10 o'clock, and by the lights and the crowd outside and shadows within I presumed the court was still sitting.

1412. Q. Now go back to that subterranean space—on the 15th, 16th, and 17th, what time did you actually spend in that place?

A. I went into that place, for the first time, on the 15th. I went in first for about a quarter of an hour in the middle of the day, and then that same evening I went in for about 40 minutes, making about an hour altogether that day; then on the 17th or 19th, I forget which, I went in once more with Henri Lassey, whom I have referred to here, to show him the place, and enable him better to understand my explanations of what I wanted him to do. When I took in this man I saw the same work still going on.

1413. Q. And it was during these various times in the two courts, and in that room, that you made the observations, and obtained the information that you have reported here under oath?

A. Quite so.

1414. Q. Now, in reference to the number of persons who came in that day, during the time you were there, tell the committee about how many you saw come in and go out.

A. In the room in the City Hall? very few indeed. Except those who were already there writing, I think there were not altogether a score.

1415. Q. During that time, how many papers of the kind you have described did you see brought in or taken out, any?

A. I saw one batch taken out in the evening; I did not notice anything in the day time beyond the continual writing. My observation in the morning was confined to that. I saw one large batch taken out in the evening.

1416. Q. Give us your impression as to the number?

A. No, I cannot; but I should think it could be ascertained pretty closely.

1417. Q. Have you any memoranda on the subject?

A. No, except this; the batch was about half as thick again as this book. (The bible commonly used in the United States circuit court in this city.) About three inches thick but not tightly compressed—the papers just laid on each other and carried away. You know the papers I refer to, and it would not be a very difficult thing to ascertain approximately the number of them.

1418. Q. You saw that one batch taken out: do you know where they were taken to?

A. No, I do not.

1419. Q. Did you see any brought in?

A. No, none.

1420. Q. Did you know where any of these blanks came from, when they came to that room?

A. No.

1421. Q. Did you make any inquiries with a view to develop the source where they came from?

A. No.

1422. Q. You have made allusion to the place at No. 6 in connection with Jourdain: do you know anything else about that, except what you have stated?

A. No, sir.

1423. Q. Now we will go for a little while into the court-room: you say in reference to the general mode of prosecuting business in Judge McCunn's court, that the judge and his officers were courteous and attentive to their duties.

A. Perfectly so.

1424. Q. Treating everybody right?

A. Yes, perfectly so.

1425. Q. You decline to answer, in reference to your opinion as to the judge's real purity of purpose, but in reference to his real conduct I will ask you now to state whether, in a single instance, you saw him do anything officially that seemed to leave manifestly open a loop in the law or in his conduct where a rascal could go through and get naturalized; in other words, was the mode of transacting business so loose as that a man might go through fraudulently, except in the way in which courts may at any time be deceived by applicants?

A. O yes. In the first place, the witnesses who appeared, very fre-

quently appeared for different persons; the same witnesses appeared sometimes under different names and sometimes personated applicants. With every desire to speak as charitably as possible of a gentleman who behaved so courteously to myself as Judge McCunn did, it would certainly be a large charity which should suppose that he could have failed to notice that. One single man appeared five and twenty times, at least, in a single evening under many different names.

1426. Q. Do you say that in view of the great, and by him uncontrollable, rush at such times? Do you make any allowance for that?

A. I do.

1427. Q. And for its effect upon the best of us?

A. Yes, I make every allowance for that.

1428. Q. You think, then, that even in view of that great rush of business and the insufficiency of time for the transaction of the business, there was too great looseness in passing applicants?

A. I have seen men committed by judges for perjury on very much less evidence than was palpable in the conduct of those witnesses.

1429. Q. How many cases deserving that sort of criticism did you see in Judge McCunn's court?

A. The bulk of them.

1430. Q. The bulk of the business done there?

A. Yes, the bulk of the business done there, was done by these vouch-ees.

1431. Q. You were in his court altogether about three hours?

A. A great deal more. [By the direction of the committee, the stenographer here read the statements already made by the witness as to the time he was in the superior court on the 14th, 15th, 16th, and 17th of October last.]

1432. Q. Do you mean to say now that you were in Judge McCunn's court on each of those four days?

A. Yes, sir.

1433. Q. How long were you there on the 15th?

A. About two hours.

1434. Q. On the 16th?

A. About two hours and a half in the morning and half an hour in the evening.

1435. Q. On the 17th?

A. On the 17th about two hours and a half.

1436. Q. On the 19th?

A. About the same; I am speaking from recollection myself, and of course it is difficult to tell; I do not know the time exactly in each case.

1437. Q. During the time you were in there, on each of these days, about how many persons were passed through in the way you have described?

A. I did not begin to count the number until the 16th; I have got a memorandum which I made on that day, but the effect of it is this: on one occasion I timed the operation for 30 minutes, and I noticed the passage of three in two minutes. There were between forty and fifty in the half hour, some of whom were rejected; I did not continue to count further than that.

1438. Q. Do you know personally or did you personally determine by the examinations and observations which you made in Judge McCunn's court, that one single person was granted naturalization papers, who was not entitled to them?

A. I know, as I have told you, of the case of a gentleman named Jourdain.

1439. Q. That case only ?

A. Only. I should mention that I have since had a number of cases before me of persons who have obtained certificates in the superior court, without ever having been there at all.

1440. Q. But they were not persons whom you know to have been passed on those days ?

A. No, sir; none that I have any personal knowledge of, except from the admission of the parties afterwards when charged with the offence.

1441. Q. Did you know any persons who received naturalization there ?

A. No; none.

1442. Q. Do you now know personally the clerks who presided in that court-room ?

A. I think I could identify them.

1443. Q. Do you know them by name ?

A. I do not; I have not since made any inquiry at all.

1444. Did you know any persons produced as witnesses, except those you have attempted to describe, who were duplicating themselves ?

A. No; I noticed several, who were evidently very honest. I noticed, for instance, a father appearing for his son, who had arrived in this country after the age of 18. A thing I noticed very frequently in Judge McCunn's court was the case of two men who came to this country together, appearing as witnesses for each other, which I believe is contrary to the statute.

1445. Q. Go now to Judge Barnard's court. Do you know the clerk of that court, Mr. Loew ?

A. Personally, no.

1446. Q. Do you know a young man in there whose name has been given to us as McKean ?

A. I think I do; I am almost sure I do. There are several persons that I know, without knowing their names; I do not practice in the State courts, but only in the United States courts, and hence I am not acquainted with the officers of the State courts.

1447. Q. Are you personally acquainted with Judge Barnard ?

A. Not personally acquainted; I recognize him of course; I have seen him sitting as a judge in these matters.

1448. Q. You were in his court about three hours and a half on two separate days ?

A. Yes, somewhere thereabouts.

1449. Q. During those hours, about how many persons do you think were put through there—making the estimate as well as you are able from your recollection of what you saw ?

A. I should think, sir, about 1,800 to 2,000.

1450. Q. In the space of three hours and a half ?

A. Yes; I reckon four batches an hour, averaging 150 each; that would make about 1,800 or 2,000—about six hundred an hour. I reckon that they averaged four batches of 150 each, although it might be a little less; I once saw five batches in the hour.

1451. Q. In that court how many persons do you think you saw, who were either personating others as applicants or repeating their appearance as witnesses ?

A. It is impossible for me to form any idea as to that in Judge Barnard's court.

1452. Q. Was the multitude considerable in the court-room all the time ?

A. It was pretty considerable; not very great. I have seen the court fuller, but the way the parties were called up rendered it impossible to distinguish except by surmise.

1453. Q. You mean the rapidity of the calling?

A. Not so much that as that there was no distinction made between witnesses and applicants.

1454. Do you mean to say that the officer did not know which he was calling, witnesses or applicants?

A. The officer would read from a paper, but there was nothing given out publicly to show which was which; applicants and witnesses were read out promiscuously, and it would be utterly impossible, when once the batch was there, for judge or clerk to tell which were witnesses and which were applicants.

1455. Q. You say that you could not tell which was which, from what you saw or knew?

A. No; it was perfectly impossible.

1456. Q. You did not see the lists from which they read?

A. I saw the papers.

1457. Q. But you had no knowledge of what was on them?

A. None. I knew nothing whatever of the papers, except that they resembled the papers which I had seen filled up in the old sheriff's room.

1458. Q. You don't pretend to have identified any of them as being the same?

A. No, sir.

1459. Q. Do you mean to say, now, that it was impossible for the clerks who were reading off those names and for the judge to have so understood themselves and the business they were doing as to have been able to distinguish the one class from the other, and to have had an intelligent comprehension of what they were, in fact, doing?

A. Utterly impossible. When the men were once called up there was no attempt at separation. They formed a promiscuous assemblage, and it was utterly impossible, except by going through the process of counting and separating them, to tell which was which.

1460. Q. Remember, now, I am asking you not on the basis of what it appeared to you to be.

A. Yes, I understand; and I unhesitatingly say that it was utterly impossible, in the way in which it was managed, for judge or clerk to know which was witness or which was applicant.

1461. Q. In other words, you mean to say that it was impossible for them to know what they were doing?

A. I would rather not put it in those words—I will say that it was utterly impossible to know which was witness or which was applicant.

1462. Q. I understood you to say that in that court you heard no inquiries made by the judge, as you say in Judge McCunn's court?

A. None whatever.

1463. Q. And no response made by the witnesses?

A. None whatever.

1464. Q. And no response by the parties?

A. None whatever.

1465. And that was the case as to all the applicants who came in while you were there on those days?

A. All, with the single exception of Lusk.

NEW YORK, *December 24, 1868.*

MAXIMILIAN BOECK sworn and examined.

By the CHAIRMAN:

1466. Question. Of what country are you a native?

Answer. Bavaria.

1467. Q. How long have you been in the United States?

A. I am not five years yet.

1468. Q. How old were you when you came to the United States?

A. Twenty-four.

1469. Q. Did you ever go into any court to be naturalized?

A. Never.

1470. Q. Did you ever take out your first papers?

A. No.

1471. Q. Will you produce any naturalization paper that you have?

A. [Producing a naturalization paper, which is annexed.] I paid for this \$2.

1472. Q. Who gave it to you?

A. I got it here in the City Hall room—No. 12, in the basement. I did not go up into the court-room to get it. There were about three or four men in there.

1473. Did they have papers scattered about?

A. Yes; there were about 200 or 300 men in there. I said, "I want my first papers." He says, "What is the reason you don't take the whole?" I said, "I have not got my first." He said, "That don't make any difference—have you got \$2?" I say yes. I gave him \$2 and got that paper, and then he said, "Now, you go home." I got the paper, but I did not take a vote on it. I put it in my trunk.

1474. Q. Why didn't you vote?

A. My boss told me, "You have no right—you have no first paper;" and of course I told him this man told me it is not necessary, but my boss say, "You had better not vote on it." It cost me \$2 50. I was before up in No. 80, and I told the man I wanted my first paper, and he said, "Wait about a couple of hours and come back again." I then went down in the City Hall. I showed that paper in my shop. There was about 40 men in my shop. My boss says, "You don't take a vote; you will get trouble."

1475. Q. Did you take any witness with you?

A. My boarding-house boss, Mr. Smith.

1476. Q. How long did he know you?

A. He knew me, I guess, about two years. He has a lager-beer saloon; he lives at 103 Essex street, where I live.

1477. Q. You had no other witness with you?

A. No.

1478. Q. Was there any man in the City Hall that proposed to be a witness for you for \$5?

A. No; he asked me for \$2.

1479. Q. Did you go out in the hall and ask the man if he would be a witness for you?

A. No; he came up and told me, "You have got a witness?" I say, "Well, no, I have not got a witness here, but my boarding-house boss will be here; I had not time to go up and fetch him." The man that gave me the papers I gave \$2. He asked me, "Do you want a large or a small paper," and he showed me one for \$3, one for \$2, and one for 50 cents; and I said, "I like better this;" and he gave me this for \$2.

1480. Q. Do you know any other man who has naturalization papers, who has not been in the United States five years?

A. I know a man in my shop who took out one, but I do not know how long he is here; I am sure he is about six years here; he was in Canada before. I think he got a paper like this. I did not see his paper, but he saw mine.

1481. Q. Will you surrender this paper to the committee to be annexed to your testimony?

A. Yes; when it is not right I cannot use it.

1482. Q. Do you know what sign was up over this room in the basement?

A. Yes; "Sheriff's Office. No. 12."

By Mr. Ross:

1483. Q. When do you say you came to this country?

A. I came in November, four years ago.

1484. Q. How old were you when you came?

A. Twenty-four.

1485. Q. How old are you now?

A. Twenty-eight.

1486. Q. Have you ever voted?

A. No; my boss told me, "Don't take a vote on it," and I asked him why, and he said, "I don't like it; you will get trouble."

1487. Q. You don't know the name of this man who gave you the paper?

A. I don't know; he is a small man, about 22 or 23.

1488. Q. Do you know where he lives?

A. No. It was an old man that I saw in No. 80; I asked him for my citizen papers, and he asked me to come again in a couple of hours.

1489. Q. Have you seen the man lately that let you have the paper?

A. Yes.

1490. Q. Where is he now?

A. I stood there in the door, and he asked me what I wanted, and I said, "my first papers." He said, "I will give you your papers."

1491. Q. You did not vote on this paper?

A. No.

1492. Q. How were you going to vote, if you had voted?

A. Well my shop is all democrat.

1493. Q. Would you have voted for Grant?

A. Well, my shop is all democrat, except two or three or four for Grant; and somebody told me to vote for Grant, and I said, "No, I have no vote."

1494. Q. But would you have voted for Grant, if you had a chance?

A. Yes, when I had a chance I would vote for Grant.

UNITED STATES OF AMERICA.

STATE OF NEW YORK, *City and County of New York, ss:*

Be it remembered, that on the nineteenth day of October, in the year of our Lord one thousand eight hundred and sixty-eight, Maxmilon Beck appeared in the superior court of New York, (the said court being a court of record, having common law jurisdiction, and a clerk and seal,) and applied to the said court to be admitted to become a citizen of the United States of America, pursuant to the provisions of the several acts of the Congress of the United States of America for that purpose made and provided. And the said applicant having thereupon produced to the court such evidence, made such declaration and renunciation, and taken such oaths as are by the said acts required; thereupon, it was ordered by the said court that the said applicant be admitted, and he was accordingly admitted by the said court to be a citizen of the United States of America.

In testimony whereof the seal of the said court is hereunto affixed this nineteenth day of October, one thousand eight hundred and sixty-eight, and in the ninety-third year of our independence.

By the court:

[SEAL.]

JAMES M. SWEENEY, *Clerk.*

NEW YORK, *December 24, 1868.*

CHARLES E. LOEW sworn and examined.

By the CHAIRMAN:

1495. Question. You are clerk of the supreme court?

Answer. Clerk of the city and county of New York, and, by virtue of that office, clerk of the supreme court of the first judicial district.

1496. Q. Have you in your possession the records and papers relating to naturalization for the months of August, September, October, and November of this year?

A. I think there are filed in my office the certificates, or rather the records, of naturalization for October and what there is of them for November. I think there was none for August and September.

1497. Q. But those for October are filed in your office and under your control?

A. I presume they are to a certain extent under my control. They are under the control of the court. They are filed in my office.

1498. Q. Can you state what number of persons certificates of naturalization were issued to in that court during the month of September last?

A. No; I cannot.

1499. Q. Or during October and November?

A. I cannot.

1500. Q. Can you ascertain for the committee the number?

A. I presume I could put a clerk to work counting them for you if you desire to have that done, or I would let the committee come over and have the use of my office to examine the records if they choose or if it would be convenient for them.

1501. Q. You will submit for the inspection of the committee the papers and records?

A. Yes, certainly; with pleasure.

1502. Q. At what time would it be convenient for you to do that?

A. Almost at any time that you name.

1503. Q. Of course not to-morrow?

A. If necessary I could. I will come down and attend to it myself if the committee desire.

1504. Q. Were there clerks employed in room No. 12, "the old sheriff's office," in the basement of the City Hall building?

A. None that I know of; none by me.

1505. Q. Do you know whether there were any employed there?

A. I do not. I was not in it and do not know. I know there were none employed by me there. In fact, much as I know about the City Hall I don't know where No. 12 is.

1506. Q. I hand you three papers, purporting to be certificates of naturalization, annexed to the testimony of Robert Marshall and signed "Charles E. Loew"—that is your name?

A. That is supposed to be my name; I presume it is. It looks like the signature of John McKean, as he writes my name.

1507. Q. Was he a clerk in your office?

A. He was clerk in that portion of the supreme court that took up naturalization—supreme court circuit, Part 1.

1508. Q. How many clerks had you in that business?

A. Mr. McKean was clerk of that department of the court, and it was his business to attend to that. There were other clerks deputized, but none of them could sign my name in that court but him.

1509. Q. In whose writing is the name "James R. Smith," in the body of that certificate?

A. That I cannot tell you.

1510. Q. And the names Lemuel Reynolds and Patrick Rafferty?

A. It looks like the writing of Izaac Heyman, a clerk there.

1511. Q. In whose writing is the filling in of the dates of this certificate to James R. Smith?

A. That I cannot tell you.

1512. Q. Is it in the handwriting of any clerk about that office?

A. That I cannot tell. I am not familiar with the handwriting of all the clerks in the office.

1513. Q. Can you tell the handwriting of the filling in of the dates in the certificate of Reynolds?

A. No, sir; I cannot tell the handwriting in either one of the certificates?

1514. Q. Did you give your personal attention to naturalization in that office?

A. During the evenings, when the court held sessions, I tried to be present, and was as much as I could, not neglecting my other duties.

1515. Q. How many subordinates have you in your office?

A. I have in my office probably 30—in the neighborhood of 30—that is, in the county clerk's office and the supreme court both. Then I have some twenty odd that I pay myself who are not said to be employed in the office, because they are employés of my own.

1516. Q. Could you have any personal knowledge of the great mass of persons who apply for naturalization, of their witnesses?

A. No, sir; it would be an impossibility.

By Mr. KERR:

1517. Question. Is No. 12 in the City Hall building a part of your office?

Answer. No, sir.

1518. Q. I would like to have you state, if you can, who presides over the supreme court, in which you are clerk; state the names of the judges.

A. Do you mean the judges of the entire supreme court?

1519. Q. Yes.

A. The judges are Cardoza, Barnard, and Ingraham, and Sutherland.

1520. Q. Do they all preside together?

A. At the general term they do; at other times the court is divided into various branches for the transaction of business—chambers, special term, and circuit, Parts 1 and 2—and each of the judges is assigned to some portion of that court.

1521. Q. The different parts of the court sitting in different buildings in different parts of the city?

A. In different parts of the building, but generally in the same building.

1522. Q. And of all those courts you and your deputies are clerks?

A. Yes, sir.

1523. Q. Was this naturalization business confined to one court, or to Parts Nos. 1 or 2, or to the general term?

A. It was done by the supreme court, circuit, Part 1, before Judge Barnard.

1524. Q. Alone?

A. Yes, sir.

1525. Q. That sat in the same building?

A. Yes, sir.

1526. During what time in the months preceding the last general election was this business of naturalization mainly carried on?

A. The main portion of it was carried on in the supreme court from about the 6th to about the 23d of October.

1527. Q. Give us an idea of how long Judge Barnard sat during that time attending to the business of naturalization alone—doing nothing else?

A. That I could not tell you, because during the day-time I was not there and do not know really what portion of the day he devoted to that business, or whether he devoted the whole day to it or not. In the evening he generally sat there from 6 to 11 or 12 o'clock.

1528. Q. How many evenings did he sit that way?

A. Almost every evening from about the 6th or 8th of October until the 23d.

1529. Q. During the days between those dates did the court do civil business in its ordinary course?

A. Various branches of the court did. I cannot say whether that particular branch did or not. I have so many things to attend to that I cannot tell.

1530. Q. Which of your subordinates was the clerk of that court?

A. John B. McKean.

1531. Q. For all purposes?

A. Yes, for all purposes. It was his business to attend to that part of the court, and has been for a number of years. He is appointed by the county clerk.

By the CHAIRMAN:

1532. Q. With or without the approval of the court?

A. I don't know whether the court had anything to do with it in that particular case or not. He held over. He has been there six or seven years. I have not removed him.

1533. Q. State to the committee how you would do if you were about to appoint him to-day.

A. Well, I should administer the oath to him that he would faithfully discharge the duties of the office; and I would file the certificate of his appointment. It would not require any action on the part of the court. The certificate would be filed in my office.

By Mr. KERR:

1534. Q. By what authority does he sign your name?

A. He is a deputy appointed by the county clerk to perform the duties of clerk of that portion of the court, and therefore he has that right. It would be impossible for me to attend to the various branches of the court and perform the duties myself.

1835. Q. Is it not the proper and the usual way, where the deputy signs your name, to sign it "by J. B. McKean, deputy"?

A. It never has been the custom in that court or in this county.

By the CHAIRMAN:

1536. Q. Did either of the judges of that court, other than Judge Barnard, hold court at nights in the supreme court?

A. Not to my knowledge?

1537. Q. Did Judge Barnard hold court prior to October 1st, or after the 25th?

A. He did not, sir.

By Mr. KERR:

1538. Q. You say you were not able to be in Judge Barnard's court except in the evenings?

A. I say that I was not there except then.

1539. Q. About what portion of time during the evenings were you there?

A. Some evenings I was there all evening. I cannot exactly specify the evenings. Some evenings I was not there at all; but I attended to it as much as I could without neglecting other matters.

1540. Q. State how this business of naturalization went on there: was it a continued pressure—a demand beyond the ability of the court to attend to?

A. It was a continual pressure of people who desired to be naturalized during the time that the court was in session.

1541. Q. Won't you just give to the committee, in your own language, a minute description of the *modus operandi* in that court-room during the evenings that you were there?

A. Well, the way it was done was this: First, the applications of the various parties were handed in by the officer of the court. The parties were sitting outside, just as if they were outside *that* railing, and the judge was sitting on the bench, and the applications were handed in by the officer. The court then called off the name of the applicant; sometimes Judge Barnard called it off, and sometimes I called it when I was there. The party answered to the name, and came inside the railing. Then the witness was called, and he came inside. The judge would call probably eight or ten in that way, and then the oath was put to them.

1542. Q. The judge, or you, would call the applicant, and then the witness?

A. Yes, sir.

1543. Q. Was that the uniform mode of doing in each particular case?

A. That was the uniform mode of doing.

1544. Q. And in that way you would go through with a certain number?

A. Yes; with eight or ten at a time. That is the way it was done. When they came inside the railing, the judge would either swear them or direct me to swear them.

1545. Q. How did you administer the oath to so many?

A. I administer it—that “you and each of you (whose names have been called) do severally and solemnly swear.” That is when the applicants were all alike—of one class. The papers were separated and each class put by itself, and then the usual oath prescribed by the law was administered.

1546. Q. How did you swear the witness?

A. “You, John Doe, (or whatever the name was,) and you ———, being witnesses for the several parties who have just been sworn, do severally solemnly swear that you have been acquainted with the parties,” &c., complying with the requirements of the law.

1547. Q. Do you mean to say that you administered the oath to the witnesses separately?

A. No, sir; I do not. In some cases it was done, and in some it was not.

1548. Q. How did you proceed with the examination of the witnesses?

A. Judge Barnard examined the witnesses; I did not examine them; I had not the power to examine them.

1549. Q. Were they ever passed without examination?

A. No, sir; not to my knowledge. I never saw one.

1550. Q. The witnesses were sometimes sworn in a batch and sometimes separately?

A. Yes, sir.

1551. Q. How were the applicants sworn ?

A. As I have described—eight or ten at a time.

1552. Q. Either by the court or by you, in open court ?

A. Yes, sir ; I don't say that that was always the case, but when I was there I would, by his direction, administer the oath occasionally.

1553. Q. You would repeat the oath but once for the eight or ten ?

A. Yes, sir ; calling the names as they came up and putting the oath to them, " You do severally and solemnly swear," &c.

1554. Q. What is the space inside of the bar there—is it as large as this space ?

A. No ; not quite so large.

1555. Q. Is that court-room as large as this, or larger ?

A. I don't think it is quite as large as this ; I think not ; but I can't say.

1556. Q. Tell the committee what is the largest number of applicants and witnesses that you ever saw at any one time inside of that bar, receiving naturalization or giving testimony, in that way ?

A. To the best of my knowledge the largest number I ever saw was not over a dozen.

1557. Q. Would it be physically possible for 140, or 150, or 175 applicants to get inside of that bar, with their witnesses ?

A. It might be, but I do not think it is.

1558. Q. You are confident that you never saw over a dozen there ?

A. Yes, sir ; at one time.

1559. Q. That is, a dozen applicants and a dozen witnesses, 24 persons in all ?

W A. Yes, sir ; the largest number I ever saw naturalized there, or the oath administered to, did not exceed that number at one time.

1560. Q. On the evenings when that naturalization business was transacted by Judge Barnard, what was his custom in reference to allowing the presence of attorneys or strangers inside the court-room or inside the bar—did he suffer it habitually or did he order them out ?

A. At times when the room got crowded he ordered some people out and told them that if they had not any business there they had better leave. He told them that if they had no business there in reference to naturalization they had better leave ; and that if there were any reporters there they should come up and he would give them a seat at the table.

1561. Q. Did he ever, to your knowledge, or within your hearing, order the court-room to be cleared of all persons ?

A. Yes ; when there were no more papers and no more parties to be naturalized, he ordered it cleared.

1562. Q. What did he order it cleared for, then ?

A. Because he wanted to close up, I presume.

1563. Q. I mean to ask whether when he was transacting this business he ever ordered the court-room to be cleared of all except the officers of the court and the applicants and their witnesses ?

A. Not while I was there, and there were any applications. When the applications were exhausted, and there were people there, he would say : " If there are no more applications here, and if the parties have no further business with the court, they can leave."

1564. Q. In other words, he would adjourn ?

A. Yes, sir.

1565. Q. Do you know how this business of naturalization and the preparation of parties and their papers for naturalization was conducted before they came into the court-room to receive the final action of the court ?

A. I do not.

1566. Q. Do you know where it was done ?
A. I do not.
1567. Q. Or by whom it was done ?
A. I do not.
1568. Q. You speak of those papers having been brought there by them—the applications you mean, I suppose.
A. Yes, sir.
1569. Q. You say you don't know where or how they were prepared ?
A. I do not know.
1570. Q. You are clerk of the county and city of New York, and *ex officio* clerk of the supreme court ?
A. Yes, sir.
1571. Q. Is it your right to direct these subordinates in the performance of their duties, and to give them instructions from time to time, how they shall discharge those duties ?
A. Yes, sir.
1572. Q. State to the committee how it is that those blanks of the final papers, such as you saw here to-day, are procured to be printed, or by whom it is done.
A. It is done in my office; they were ordered to be printed by my office—by me.
1573. Q. And they are kept in your office ?
A. They are.
1574. Q. Are they printed on separate sheets or in books ?
A. Always in separate sheets.
1575. Q. And they are sent to you in bundles ?
A. Yes.
1576. Q. Where is it your custom to keep those blanks ?
A. In the general office of the county clerk.
1577. Q. Under cover ?
A. No; they were put away in a closet. Any one that wanted one received it.
1578. Q. Did you permit your deputies to hawk those final papers about the city—to carry them with them or give them out to irresponsible parties ?
A. No, sir; but if anybody called and wanted a blank he received it.
1579. Q. That is, an absolute blank—no signatures ?
A. No signatures.
1580. Q. Could any person calling at the office and wanting a blank naturalization paper like that submitted to you here, get it ?
A. They could get blank applications; nothing else.
1581. Q. Did you ever give out any of those other papers, so as to have them go outside of the court-room, to any person ?
A. I never gave out any of them.
1582. Q. Who does that; who gives out the final papers ?
A. If I understand you, the “final paper” is the certificate ?
1583. Q. Yes.
A. Well, that paper was to be given out only by the clerk, on the order of the court.
1584. Q. The blank, then, is never given out ?
A. The blank is never given out; there never was one given out to my knowledge; but even though parties had a blank certificate, there could not be any signature attached, because my clerks are not allowed to sign any papers except on the order of the court.
1585. Q. Were you examined in the prosecution against Rosenberg ?
A. I was not, sir. I was subpoenaed to appear there forthwith; I did

so and reported to Mr. Courtney that I was there and should like him to have me placed upon the stand. He replied that he did not know whether he should want me or not, and that I had better go about my business, and when he wanted me he would send for me; and he never sent for me.

1586. Q. Was Mr. McKean ever sworn there?

A. I don't know; but I think not.

1587. Q. State to the committee whether at any time, when you were in the court-room and when persons were being naturalized, you ever saw persons come into the court-room and perform the office of witness for several applicants. John Smith, for example, might come up and be a witness for three or four applicants.

A. Well, I might say that I suppose that the same witness was called in three or four different cases.

1588. Q. How numerous have you seen such persons?

A. I cannot positively swear that I knew of more than one case, but from the similarity of name I should say that there were several cases. I might call Patrick Murphy to-night and I might call Patrick Murphy to-morrow night as a witness. I don't mean to say that Patrick Murphy was the individual in any case, but I take that name for illustration, as you took John Smith.

1589. Q. Did you ever see or call the same person half a dozen times during the same evening?

A. Probably two or three times the same name.

1590. Q. No more than that?

A. Not to my recollection.

1591. Q. Do you recollect ever having called the same person as a witness two or three times, or any number of times, on successive evenings?

A. That I don't remember.

1592. Q. In other words, do you know of any set of professional hangers-on or loafers about any of your courts, who are in the habit of having themselves hired, bribed, suborned, or in any way induced, to come up there and swear through these applications fraudulently?

A. In answer to that question I say I do not know of any set of professional hangers-on, or anything of that kind, and have not, in fact, heard that there was any professional hangers-on of the courts. I have no acquaintance with any such people.

1593. Q. Have you reason to believe from your observation, or from what you know of the transactions in and about your office, and in and about the various courts of which you are clerk, or from any information you have received, that such persons do exist here during times of naturalization and are used to come into court and fraudulently swear that they have knowledge of the applicants, representing that they are persons whom they are not, and being used to personate others or in any way to aid parties to perpetrate frauds upon the law by obtaining naturalization papers in violation of law?

A. I have no knowledge of anything of the kind.

1594. Q. You have no knowledge of such combinations of persons?

A. No, sir; I have not.

1595. Q. In reference to this particular clerk, McKean, I will ask you whether your suspicions have not been excited at times during this period, that you speak of, that he was acting otherwise than in good faith, or otherwise according to the strict line of his duty in reference to such matters?

A. No, sir; they have not. I went into the court in the evenings

simply to see that this business was conducted properly; that is the only reason I attended the court at all, and if I had had the least intimation of anything of the kind mentioned in your question, I should have discharged him instantler.

1596. Q. Had it been suggested to you before that time that he was acting improperly in the administration of his duties; was it anything of that kind that induced you to go there?

A. No, sir; it never was suggested.

1597. Q. What induced you to go there?

A. For 20 years past it has been the custom in New York, when naturalization has been going on, to talk of great frauds and everything of that kind, and I went there to see that nothing of that kind should be done there or should be attached to me or my court, as far as it was possible to avoid it.

1598. Q. And in all that business you had no reason to suppose that McKean was acting unlawfully or in violation of his duty?

A. No, sir; as I said before, if the least intimation or knowledge of anything of that kind had come to me, I should have discharged him instantly.

1599. Q. You have heard that these charges of fraud have been made?

A. Yes, it has been the custom to make such charges for the last 20 years.

1600. Q. That custom prevailed during the last canvass?

A. I presume it did, it is the custom of the newspapers always.

1601. Q. You know that fraud was charged in the last canvass?

A. I know that the newspapers spoke about it—that is all I know.

1602. Q. You heard that it was charged that fraudulent naturalization papers were being procured in some way, and that persons were claiming to be naturalized under them and to have a right to vote.

A. I know it only from what I saw in the paper.

1603. Q. I ask you whether, upon the basis of what you saw and learned in that way, you instituted any inquiry to determine how those frauds were being practiced, or whether they were being practiced at all?

A. The only inquiry that I made in regard to the matter was to watch the proceedings in our court, to see that nothing wrong was done there so far as the clerical part of the business was concerned; that is all I had any power over or could have any control over in the least.

1604. Q. During the trial of Rosenberg did you examine any of those alleged fraudulent papers?

A. I did not, sir.

1605. Q. Do you know a gentleman in this city, a member of the bar, practicing chiefly in the federal courts, whose name is Montague Richard Levenson?

A. I do not know him by name. I might know him if I saw him.

1606. Q. Did you, during the last canvass, when this naturalization business was going on in Judge McCunn's court, ever visit that court in the way you visited Judge Barnard's?

A. No, sir.

1607. Q. Who acted there as clerk?

A. I do not know who acted there. I know who the clerk of the superior court is: James M. Sweeny.

1608. Q. You have nothing to do with that court?

A. O, no, sir.

1609. Q. That court also has several branches?

A. Yes, sir.

1610. Q. And the clerk of it also has a multitude of assistants?



A. Yes, sir; but I don't know, that his assistants are appointed in the same way as mine are or not.

1611. Q. Look at that impression of a seal on the three naturalization papers annexed to Marshal Murray's testimony; that appears to be an impression of the seal of the supreme court.

A. I presume it is.

1612. Q. Of course it might be counterfeited, but you think it appears to be genuine?

A. If the paper is signed by Mr. McKean, it is genuine, of course.

1613. Q. Tell the committee whether, in that court, any other form for the final certificate ever was used than that.

A. I know of no other.

1614. Q. You have used that a good while?

A. I have been in office only this year, on the naturalization, and consequently I know nothing further about it.

By Mr. Ross:

1615. Q. Do you know of any persons getting papers of naturalization, who were not present or who were personated by any one else?

A. That I know nothing about.

1616. Q. Do you know of persons personating different applicants there?

A. No, sir.

1617. Q. If these are legal papers will there be corresponding applications in your office to fit them?

A. I have no doubt of it, sir.

1618. Q. These records are not kept alphabetically in your office?

A. No, sir; because we have not had time to get them up yet in that way.

1619. Q. What does the judge do?

A. He enters the order on the record that is kept in the clerk's office.

1620. Q. In each case?

A. In each case. On the back of the application it says: "It is ordered that (so-and-so) be admitted a citizen of the United States," and he signs his initials on the book.

1621. Q. Well, they are, or should be, on file in your office.

A. They are or should be—all that have got certificates.

By Mr. KERR:

1622. Q. You keep no record in a book?

A. No, sir; the record is only in the papers themselves.

1623. Q. Are the applications always brought to your office by the persons making them?

A. No, sir; they are not brought to my office at all; they are brought before the judge.

1624. Q. I speak of the court in which you are employed—they are brought before the judge in open court?

A. Yes, sir. For instance, if this room were full and the parties outside the railing, the officer would take the paper and hand it up to the judge.

1625. Q. Then in such a case you do not know whether the applicant himself brings the papers, or whether they are brought by some third party?

A. Well, the applicant is supposed to be the person, but I could not tell whether it would be the applicant or not. I could not be supposed to know whether John Doe was John Doe or not, or whether Richard Roe was Richard Roe, except to his answering to his name and swearing to it.

1626. Q. The point I want to get at whether it has not been the custom for other parties to bring packages of these applications and have them sent into the court, the applicants not accompanying them ?

A. Not to my knowledge.

1627. Q. Who is the man at the door who receives them and passes them to the judge ?

A. There are several officers there. Of the officers in court the evenings I was there, there are only two that I can name—one was Knight and the other Valentine, the crier of the court.

1629. Q. Are they still employed there ?

A. Yes, sir ; they are appointed by the court—not by me.

1630. Q. You stated that never to your knowledge have over 12 men been naturalized in one batch there at one time ?

A. Not to my knowledge.

1631. Q. Do you know of your own personal knowledge that 150 persons have not been naturalized there in one batch in one evening, in October last ?

A. I have said that it was never done to my knowledge.

1632. Q. How much of the evenings were you there ?

A. Some evenings all the evening ; some evenings two or three hours, and some evenings not at all.

1633. Q. Then you cannot say that there were not 150 persons, or more, naturalized there in one batch at one time ?

A. Of course not ; if I was not present I cannot swear to what was done. I say that not to my knowledge was anything of that kind done.

1634. Q. In your absence was McKean there ?

A. He was there all the time, whether I was present or not. It was his portion of the court and he had to be there, because no one else could sign those certificates.

1635. Q. You say you have seen nothing except the general charge in the newspapers in regard to frauds in your court. Were you not apprised of the fact that Rosenberg was arrested and indicted and tried for that crime ?

A. I knew nothing about that except from the newspapers.

1636. Did not that lead you to make a more rapid inquiry than you otherwise would have done ?

A. No, sir ; that had nothing whatever to do with it, because, as I stated before, I took all the precautions to have the things honestly done, so far as I could control it, and I could do no more ; and, of course, when there were no charges made against any one in my office I could not investigate any further. There was no such charge brought to my notice in any way, shape, or manner.

1637. Q. The charge against Rosenberg was for issuing fraudulent papers purporting to have come from the court in which you are a clerk ?

A. No, sir ; I don't so understand it. The charge was that he had issued fraudulent papers ; and, if I understand it, they could not be fraudulent papers if they were issued by the court. If they were forged papers they could not have anything to do with the court.

1638. Q. Fraudulently obtained papers, I suppose, was what he was charged with issuing ?

A. I did not see that ; and there being no intimation or charge, in any way, shape, or form, that anything wrong was done by any of my employés, I had nothing to do with it.

1639. Q. Was it ever said to you, or in your presence, that any one of your subordinates was acting fraudulently ?

A. No, sir.

1640. Q. You were not requested to make any investigation into the personal conduct of any of them ?

A. No, sir, never.

By the CHAIRMAN :

1641. Q. Is Mr. McKean still retained as clerk ?

A. Yes, sir.

1642. Q. How long have you been clerk ?

A. Since the 1st of January last.

1643. Q. You have given no attention to naturalization except between the 6th and 23d of last October ?

A. That is all, sir.

1644. Q. All the naturalization was done between those dates ?

A. There might have been one or two or a few cases in November, but the great bulk was between those dates.

1645. Q. What are the clerks' fees for naturalization ?

A. They vary. I suppose them to be from 50 to 75 cents, in proportion to the kind of paper the applicant wants.

1646. Q. Were a great many persons naturalized upon red tickets received from Rosenberg's office ?

A. The tickets I don't know anything about. I had nothing to do with them. I know there were tickets.

1647. Q. Red tickets ?

A. All kinds of tickets. Red tickets and, I think, white tickets.

1648. Q. Don't you know that blank applications for naturalization, and blank affidavits for affidavits, ready to be used, were brought from Rosenberg's office, or other places outside, into the court-room to be used there ?

A. I do not, sir.

1649. Q. You gave no personal attention to the business in Judge Barnard's court during the day ?

A. No, sir; I was in the clerk's office.

1650. Q. And you were in court only a portion of the evenings ?

A. Yes, sir.

1651. Q. How many seals are there of the supreme court ?

A. Only two.

1652. Q. Are they alike ?

A. Yes, sir.

1653. Where are they ?

A. One is in the county clerk's office proper, and the other was over in that portion of the court—supreme-court, Part 1, Mr. McKean's part.

1654. Q. You have blank forms of affidavits for witnesses, for the procurement of naturalization papers ?

A. Yes, sir.

1655. Q. The testimony of the witnesses is all taken by affidavit ?

A. Yes, sir.

1656. Q. The oath which is administered, then, to witnesses, in applications for naturalization papers is: "You swear that the affidavits to which you have subscribed your names are true?"

A. No, sir; it is read off as it is on the application to which he signs his name.

1657. Q. Just give me the form of the oath.

A. If I had my blanks here I could give it to you. I will show it to you when you come over.

By Mr. KERR :

1658. Q. The witnesses and the applicants would be together, and the oath administered to both together ?

A. First to the applicants and then to the witnesses.

1659. Q. But it is a sort of continuous oath to the two ?

A. No, sir; the applicant is finished with before the other is taken up.

1660. Q. Is the applicant separated from the witness inside the bar so that you can distinguish them ?

A. They were while I was present.

By the CHAIRMAN:

1661. Q. I now present you the blank form of affidavit referred to in the testimony of Goldstein, who was one of Rosenberg's clerks; state if that is one of the blanks used in your court.

A. That appears to be similar to one of the blanks, but most of them were different from that.

1662. Q. Give the form in which the oath is administered.

A. "John Doe, residing at _____, you do solemnly swear that you are well acquainted with the above-named applicant, and that the said applicant has resided within the United States for the term of five years, &c."—as on that paper.

By Mr. KERR:

1663. Q. About how many men were naturalized in Judge Barnard's court during the month of October ?

A. I cannot tell you.

1664. Q. Can't you approximate the number ?

A. I cannot.

By the CHAIRMAN:

1665. Q. Is there a journal kept by the court on which all naturalizations are entered ?

A. No, sir; these are the records of the court and of the transaction.

1666. Q. They are filed ?

A. They are filed.

1667. Q. They are not put in a book ?

A. No, sir.

1668. Q. Suppose a person is naturalized, and afterwards wants a certified copy of his naturalization, from what is it furnished ?

A. These papers are all taken and the names are put in a book, and the names of the witnesses are put in a book and arranged alphabetically, and if you want a duplicate they turn to the name and see who the witness was, and what was the date of the naturalization, &c. It is all arranged alphabetically in a book.

1669. Q. Is that record made up yet, in your office, of the naturalizations in October ?

A. It is not.

1670. Q. How far is it made up ?

A. I cannot tell you; but it has not proceeded a great way, because we have a great deal of business to attend to, and we have to do that after hours.

1671. Q. Does that record show the country from which the applicant came ?

A. The application shows that.

1672. Q. But the record does not ?

A. No; but I can refer to the application; the record contains the name of the applicant, the date, and the name of the witness.

By Mr. KERR:

1673. Q. Do you refer to them by the number ?

A. By the date.

By the CHAIRMAN :

1674. Q. Is it not a fact that, with the multitude of clerks that you have, and the large amount of business that you have, you personally have been able to give but very little attention to this matter of naturalization in Judge Barnard's court ?

A. I have stated to you that I attended that court as much as my business would allow me, and that that was almost every evening ; the exceptions were very few.

By Mr. KERR :

1675. Q. How long a time did the judge take to examine each man—about how long ?

A. That I cannot tell you ; I kept no memorandum of it.

1676. Q. Is it a matter within your knowledge that he did make a practice of examining each man that appeared there for naturalization ?

A. Each man was called ; and each man was sworn ; and each witness was sworn.

1677. Q. That does not answer my question ; did the judge ask or examine each applicant separately and distinctly in regard to his application, or did he just administer the oath in the words of the affidavit ?

A. Well, I would not swear that he examined each man separately.

1678. Q. Was there any examination of the witness, except administering the oath in the words of the affidavit ?

A. There was at times ; I don't know that he would ask every witness particularly, but there was such an examination at times ; but I don't swear that he asked every one of them.

1679. Q. How many, or about how many, were "put through," using a common term, in one day and evening in that court.

A. I have told you that I could not answer that because I was not present.

1680. Q. Well, how many in any one evening when you were there ?

A. I cannot tell.

By the CHAIRMAN :

1681. Q. If the judge, or clerk, or another person, should examine every witness as to his knowledge of the right of each applicant to be naturalized, how many such examinations could be made in one evening sitting of that court ?

A. That would depend entirely upon who the judge was, and what kind of witnesses he had.

1682. Q. Assuming that he did it in the ordinary time ?

A. I could not answer that question ; you might ask me a question, and I being a witness that could answer it promptly, it might take you but a second ; but there might be another witness who could not answer your questions, and it might take longer, so that I cannot give an opinion.

By Mr. KERR :

1683. Q. Is Judge Barnard a man who talks rapidly ?

A. He is rather a rapid talker.

By the CHAIRMAN :

1684. Q. Suppose the judge or clerk should ask each witness in relation to each applicant these questions : "Are you acquainted with the applicant ? How long has he resided in the United States ? How long has he resided in the State of New York ? How has he behaved as a man of good moral character ? Is he attached to the principles of the Con-

stitution of the United States, and well-disposed to the good order and — of the same?" Suppose a judge or clerk or an attorney should have to ask these questions of each witness in relation to each applicant, how many such examinations could be made in one evening sitting of the court?

A. You would be as well able to judge of that as I would.

NEW YORK, *December 26, 1868.*

CHARLES D. LOEW recalled and examination continued.

WITNESS. I desire to correct one statement given in my testimony the day before yesterday. I understand that Mr. McKean did keep rough minutes of naturalization matters.

By the CHAIRMAN:

1685. Q. Do you mean that he kept rough minutes all the way through?

A. For the first few days, I believe.

1686. Q. I present to you papers purporting to be certificates of naturalization to James M. Smith, Samuel Reynolds, Patrick Rafferty, Patrick O'Brien, John J. Mercer, Antonio Gomez, Alexander N. McCann, and Adolph Slechelseine. Can you furnish the committee with the application for naturalization and the affidavits of the witnesses in those cases?

A. I will try. The papers in the Rosenberg case were, at the request of his counsel, laid aside; and I can the more readily procure them.

1687. Q. Examine these certificates, and state whether they bear the genuine seal of the court and the signature of the county clerk?

A. They appear to be impressions of the genuine seal, and the signatures appear to have been written by Mr. McKean, clerk of Part 1 of the supreme court.

1688. Q. I present to you similar certificates of naturalization, purporting to have been issued to Thomas Schmitt, Sebastian Schneider, John Winkens, Hugh Smith, James McCarty, Michael Dunn, Joseph Herbert, Frederick Henney, Thomas Surridge, William Honig, James Brown, August Betzel, Henry Beaune, John Doolin, August Miller, Henry Stern, Charles Warneck, William Lukas, Gottlieb Kaffenberger, Charles Fehling, William Schmidt, John Lehman, Jacob Schafer, John Noelsch, Daniel O'Donohue, August A. Sanger, and Patrick Duffy. State whether they bear the genuine seal and signature.

A. They appear to be genuine.

1689. Q. Can you tell in whose handwriting the names of the persons naturalized are?

A. Some of them appear to be in Mr. Heymain's handwriting.

Witness withdrew in order to have search instituted for the papers which he was asked to produce, and, on his return, he presented to the committee the applications and affidavits (with the initials of the judge granting naturalization) in the case of Adolph Slechelseine, Patrick O'Brien, Alexander N. McCann, John J. Mercer, and Antonio Gomez, being the cases referred to in the testimony of Marshal Murray, the certificates being annexed to his testimony, marked "Exhibit A." The witness in each of those cases appears to have been George Hoffman, residing at 61 First avenue, New York. The residence of the principals is given in each case as Yonkers. Certified copies of those papers are annexed to the testimony, marked "Exhibit F," the written portion being underscored in red ink.

By Mr. KERR:

1690. Q. Have you examined the initials to the order in each of those cases?

A. I have.

1691. Q. By whom are the initials written?

A. By George G. Barnard.

1692. Q. You are familiar with his handwriting, and know these initials to be his?

A. Yes. He is presiding judge of the supreme court.

1693. Q. Is this his customary way of signing orders, by initials only?

A. Yes, sir.

By the CHAIRMAN:

1694. Q. The committee has adopted this resolution:

Resolved, That the chairman of the committee be and he is hereby authorized to cause the records and papers in the possession of the county clerk of New York, referring to naturalization in the supreme court, to be examined, and a list to be made of the name of each person so naturalized, his age and residence, and the name and place of residence of the witness, and the day of the month on which such person was naturalized, during the month of October, 1868.

Under that resolution I propose to designate some suitable persons to make the examination and lists referred to in the resolution. State if you are willing to submit the papers at such time and place as may suit your convenience, and in the presence of yourself or such person as you may designate for that purpose, to be examined so that the list may be made in compliance with the resolution?

A. I shall want to consider that question.

1695. Q. How soon will you notify the committee of your determination?

A. On Monday next. I want time to consider whether I have the facilities for the committee to make the examination without taking the records away, for that I cannot allow.

By Mr. KERR:

1696. Q. State who presided in the supreme court during the time this naturalization business was done.

A. Judge Barnard. He was holding the circuit part of the court.

1697. Q. There was no other judge presiding but him?

A. No sir.

1698. Q. And no other judge alternated with him?

A. No sir.

By the CHAIRMAN:

1699. Q. State who paid for the red tickets which you received for the fees for naturalization.

A. I did not receive any.

1700. Q. Were they received at the office?

A. That I do not know.

Witness subsequently produced the application for naturalization specified in question 1686, which are annexed to his testimony, as follows:

SUPREME COURT CITY AND COUNTY OF NEW YORK.

In the matter of the application of Patrick O'Brien to be admitted a citizen of the United States of America.

STATE OF NEW YORK, *City and County of New York*, ss:

Patrick O'Brien, the above-named applicant, being duly sworn, says, that he resides at Yonkers; that he has arrived at the age of 21 years;

that he has resided in the United States three years next preceding his arrival at that age, and has continued to reside therein to the present time; that he has resided five years within the United States, including the three years of his minority, and one year, at least, immediately preceding this application, within the State of New York; and that for three years next preceding this application it has been, *bona fide*, his intention to become a citizen of the United States.

PATRICK ^{his} + O'BRIEN.
mark.

Sworn in open court, this 20th day of October, 1868.

CHAS. E. LOEW, *Clerk.*

STATE OF NEW YORK, *City and County of New York, ss :*

George Hoffman, being duly sworn, says, that he resides at No. 61 First street, and that he is well acquainted with the above-named applicant, and that the said applicant has resided in the United States for three years next preceding his arrival at the age of 21 years; that he has continued to reside therein to the present time; that he has resided five years within the United States, including the three years of his minority, and in the State of New York one year, at least, immediately preceding this application; and that during that time he has behaved as a man of good moral character, attached to the principles of the Constitution of the United States, and well disposed to the good order and happiness of the same; and deponent verily believes that for three years next preceding this application it has been, *bona fide*, the intention of the said applicant to become a citizen of the United States.

GEORGE HOFFMAN.

Sworn in open court, this 20th day of October, 1868.

CHAS. E. LOEW, *Clerk.*

STATE OF NEW YORK, *City and County of New York, ss :*

I, ———, the above-named applicant, do declare, on oath, that it is, *bona fide*, my intention, and has been for three years next preceding this application, to become a citizen of the United States, and to renounce forever all allegiance and fidelity to every foreign prince, potentate, state or sovereignty whatever, particularly to the Queen of Great Britain and Ireland, of whom I am now a subject.

PATRICK ^{his} + O'BRIEN.
mark.

Sworn in open court, this 20th day of October, 1868.

CHAS. E. LOEW, *Clerk.*

STATE OF NEW YORK, *City and County of New York, ss :*

I, ———, the above-named applicant, do solemnly swear that I will support the Constitution of the United States, and that I do absolutely and entirely renounce and abjure all allegiance and fidelity to every foreign prince, potentate, state or sovereignty whatever, and particularly to the Queen of Great Britain and Ireland, of whom I was before a subject.

PATRICK ^{his} + O'BRIEN.
mark.

Sworn in open court, this 20th day of October, 1868.

CHAS. E. LOEW, *Clerk.*

At a special term of the supreme court, held at the City Hall of the city of New York, on the — day of — 186—.

Present, Hon. ————, judge.

In the matter of the application of the within-named applicant to be admitted a citizen of the United States of America.

The said applicant appearing personally in court, producing the evidence required by the acts of Congress, and having made such declaration and renunciation, and having taken such oaths as are by the said acts required, it is ordered by the said court that the said applicant be admitted to be a citizen of the United States of America.

Enter:

G. G. B.

SUPERIOR COURT CITY AND COUNTY OF NEW YORK.

In the matter of the application of Adolph Slechelsimer to be admitted a citizen of the United States of America.

STATE OF NEW YORK, *City and County of New York, ss :*

Adolph Slechelsimer, the above-named applicant, being duly sworn, says, that he resides at Yonkers; that he has arrived at the age of 21 years; that he has resided in the United States three years next preceding his arrival at that age, and has continued to reside therein to the present time; that he has resided five years within the United States, including the three years of his minority, and one year, at least, immediately preceding this application, within the State of New York; and that for three years next preceding this application it has been, *bona fide*, his intention to become a citizen of the United States.

ADOLPH SLECHELSIMER.

Sworn in open court, this 20th day of October, 1868

CHAS. E. LOEW, *Clerk.*

STATE OF NEW YORK, *City and County of New York, ss :*

George Hoffman, being duly sworn, says, that he resides at No. 61 First street, and that he is well acquainted with the above-named applicant, and that the said applicant has resided in the United States for three years next preceding his arrival at the age of 21 years; that he has continued to reside therein to the present time; that he has resided five years within the United States, including the three years of his minority, and in the State of New York one year, at least, immediately preceding this application; and that during that time he has behaved as a man of good moral character, attached to the principles of the Constitution of the United States, and well disposed to the good order and happiness of the same; and deponent verily believes that for three years next preceding this application it has been, *bona fide*, the intention of the said applicant to become a citizen of the United States.

GEORGE HOFFMAN.

Sworn in open court, this 20th day of October, 1868.

CHAS. E. LOEW, *Clerk.*

STATE OF NEW YORK, *City and County of New York, ss :*

I, _____, the above-named applicant, do declare, on oath, that it is, *bona fide*, my intention, and has been for three years next preceding this application, to become a citizen of the United States, and to renounce forever all allegiance and fidelity to every foreign prince, potentate, state or sovereignty whatever, particularly to the King of Prussia, of whom I am now a subject.

ADOLPH SLECHELSIMER.

Sworn in open court, this 20th day of October, 1868.

CHAS. E. LOEW, *Clerk.*

STATE OF NEW YORK, *City and County of New York, ss :*

I, _____, the above-named applicant, do solemnly swear that I will support the Constitution of the United States, and that I do absolutely and entirely renounce and abjure all allegiance and fidelity to every foreign prince, potentate, state or sovereignty whatever, and particularly to the King of Prussia, of whom I was before a subject.

ADOLPH SLECHELSIMER.

Sworn in open court, this 20th day of October, 1868.

CHAS. E. LOEW, *Clerk.*

At a special term of the supreme court, held at the City Hall of the city of New York, on the 20th day of October, 1868. °

Present, Hon. George G. Barnard, judge.

In the matter of the application of the within-named applicant to be admitted a citizen of the United States of America.

The said applicant appearing personally in court, producing the evidence required by the acts of Congress, and having made such declaration and renunciation, and having taken such oaths as are by the said acts required, it is ordered by the said court that the said applicant be admitted to be a citizen of the United States of America.

Enter:

G. G. B.

SUPREME COURT, *City and County of New York :*

In the matter of the application of Alex. N. McCann to be admitted a citizen of the United States of America.

STATE OF NEW YORK, *City and County of New York, ss :*

Alex. N. McCann, the above-named applicant, being duly sworn, says, that he resides at White Plains; that he has arrived at the age of twenty-one years; that he has resided in the United States three years next preceding his arrival at that age, and has continued to reside therein to the present time; that he has resided five years within the United States, including the three years of his minority, and one year, at least, immediately preceding this application, within the State of New York; and that for three years next preceding this application it has been, *bona fide*, his intention to become a citizen of the United States.

his
ALEX. N. + McCANN.
mark.

Sworn in open court, this 20th day of October, 1868.

CHAS. E. LOEW, *Clerk.*

STATE OF NEW YORK, *City and County of New York, ss:*

George Hoffman, being duly sworn, says, that he resides at No. 61 First street, and that he is well acquainted with the above named applicant; and that the said applicant has resided in the United States for three years next preceding his arrival at the age of twenty-one years; that he has continued to reside therein to the present time; that he has resided five years within the United States, including the three years of his minority, and in the State of New York one year, at least, immediately preceding this application; and that during that time he has behaved as a man of good moral character, attached to the principles of the Constitution of the United States, and well disposed to the good order and happiness of the same; and deponent verily believes, that for three years next preceding this application it has been, *bona fide*, the intention of the said applicant to become a citizen of the United States.

GEORGE HOFFMAN.

Sworn in open court, this 20th day of October, 1868.

CHAS. E. LOEW, *Clerk.*

STATE OF NEW YORK, *City and County of New York, ss:*

I, ———, the above-named applicant, do declare, on oath, that it is, *bona fide*, my intention, and has been for three years next preceding this application, to become a citizen of the United States; and to renounce forever all allegiance and fidelity to every foreign prince, potentate, state or sovereignty whatever, particularly to the Queen of Great Britain and Ireland, of whom I am now subject.

his
ALEX. N. + McCANN.
mark.

Sworn in open court, this 20th day of October, 1868.

CHAS. E. LOEW, *Clerk.*

STATE OF NEW YORK, *City and County of New York, ss:*

I, ———, the above-named applicant, do solemnly swear that I will support the Constitution of the United States; and that I do absolutely and entirely renounce and abjure all allegiance and fidelity to every foreign prince, potentate, state or sovereignty whatever, and particularly to the Queen of Great Britain and Ireland, of whom I was before a subject.

his
ALEX. N. + McCANN.
mark.

Sworn in open court, this 20th day of October, 1868.

CHAS. E. LOEW, *Clerk.*

At a special term of the supreme court, held at the City Hall of the city of New York, on the ——— day of ——— 186—.

Present, Hon. ———, judge.

In the matter of the application of the within-named applicant to be a citizen of the United States of America.

The said applicant appearing personally in court, producing the evidence required by the acts of Congress, and having made such declaration and renunciation, and having taken such oaths as are by the said acts required, it is ordered by the said court that the said applicant be admitted to be a citizen of the United States of America.

Enter:

G. G. B.

SUPREME COURT, *City and County of New York:*

In the matter of the application of John J. Mercer to be admitted a citizen of the United States of America.

STATE OF NEW YORK, *City and County of New York, ss:*

John J. Mercer, the above-named applicant, being duly sworn, says, that he resides at Yonkers; that he has arrived at the age of 21 years; that he has resided in the United States three years next preceding his arrival at that age, and has continued to reside therein to the present time; that he has resided five years within the United States, including the three years of his minority, and one year, at least, immediately preceding this application, within the State of New York; and that for three years next preceding this application it has been, *bona fide*, his intention to become a citizen of the United States.

his
JOHN J. + MERCER.
mark.

Sworn in open court, this 20th day of October, 1868.

CHAS. E. LOEW, *Clerk.*

STATE OF NEW YORK, *City and County of New York, ss:*

George Hoffman, being duly sworn, says, that he resides at No. 61 First avenue, and that he is well acquainted with the above named applicant; and that the said applicant has resided in the United States for three years next preceding his arrival at the age of 21 years; that he has continued to reside therein to the present time; that he has resided five years within the United States, including the three years of his minority, and in the State of New York one year, at least, immediately preceding this application; and that during that time he has behaved as a man of good moral character, attached to the principles of the Constitution of the United States, and well disposed to the good order and happiness of the same; and deponent verily believes that for three years next preceding this application it has been, *bona fide*, the intention of the said applicant to become a citizen of the United States.

GEORGE HOFFMAN.

Sworn in open court, this 20th day of October, 1868.

CHAS. E. LOEW, *Clerk.*

STATE OF NEW YORK, *City and County of New York, ss:*

I, ———, the above-named applicant, do declare, on oath, that it is, *bona fide*, my intention, and has been for three years next preceding this application, to become a citizen of the United States, and to renounce forever all allegiance and fidelity to every foreign prince, potentate, state or sovereignty whatever, particularly to the Queen of Great Britain and Ireland, of whom I am now a subject.

his
JOHN J. + MERCER.
mark.

Sworn in open court, this 20th day of October, 1868.

CHAS. E. LOEW, *Clerk.*

STATE OF NEW YORK, *City and County of New York, ss:*

I, ———, the above-named applicant, do solemnly swear that I will support the Constitution of the United States; and that I do absolutely and entirely renounce and abjure all allegiance and fidelity to every foreign prince, potentate, state or sovereignty whatever, and

particularly to the Queen of Great Britain and Ireland, of whom I was before a subject.

JOHN J. ^{his} + MERCER.
mark.

Sworn in open court, this 20th day of October, 1868.

CHAS. E. LOEW, *Clerk.*

At a special term of the supreme court, held at the City Hall of the city of New York, on the — day of — 186—.

Present, Hon. ———, judge.

In the matter of the application of the within-named applicant to be admitted a citizen of the United States of America.

The said applicant appearing personally in court, producing the evidence required by the acts of Congress, and having made such declaration and renunciation, and having taken such oaths as are by the said acts required, it is ordered by the said court, that the said applicant be admitted to be a citizen of the United States of America.

Enter:

G. G. B.

SUPREME COURT, *City and County of New York* :

In the matter of the application of Antonio Gomez to be admitted a citizen of the United States of America.

STATE OF NEW YORK, *City and County of New York*, ss :

Antonio Gomez, the above-named applicant, being duly sworn, says, that he resides at Yonkers; that he has arrived at the age of 21 years; that he has resided in the United States three years next preceding his arrival at that age, and has continued to reside therein to the present time; that he has resided five years within the United States, including the three years of his minority, and one year, at least, immediately preceding this application, within the State of New York; and that for three years next preceding this application it has been, *bona fide*, his intention to become a citizen of the United States.

ANTONIO GOMEZ.

Sworn in open court, this 20th day of October, 1868.

CHAS. E. LOEW, *Clerk.*

STATE OF NEW YORK, *City and County of New York*, ss :

George Hoffman, being duly sworn, says, that he resides at 61 First avenue, and that he is well acquainted with the above-named applicant; and that the said applicant has resided in the United States for three years next preceding his arrival at the age of 21 years; that he has continued to reside therein to the present time; that he has resided five years within the United States, including the three years of his minority, and in the State of New York one year at least immediately preceding this application; and that during that time he has behaved as a man of good moral character, attached to the principles of the Constitution of the United States, and well disposed to the good order and happiness of the same; and deponent verily believes, that for three years next preceding this application it has been, *bona fide*, the intention of the said applicant to become a citizen of the United States.

GEORGE HOFFMAN.

Sworn in open court, this 20th day of October, 1868.

CHAS. E. LOEW, *Clerk.*

STATE OF NEW YORK, *City and County of New York, ss :*

I, _____, the above-named applicant, do declare on oath, that it is, *bona fide*, my intention, and has been for three years next preceding this application, to become a citizen of the United States, and to renounce forever all allegiance and fidelity to every foreign prince, potentate, state or sovereignty whatever, particularly to the Queen of Spain, of whom I am now a subject.

ANTONIO GOMEZ.

Sworn in open court, this 20th day of October, 1868.

CHAS. E. LOEW, *Clerk.*

STATE OF NEW YORK, *City and County of New York, ss :*

I, _____, the above-named applicant, do solemnly swear that I will support the Constitution of the United States; and that I do absolutely and entirely renounce and abjure all allegiance and fidelity to every foreign prince, potentate, state or sovereignty whatever, and particularly to the Queen of Spain, of whom I was before a subject.

ANTONIO GOMEZ.

Sworn in open court, this 20th day of October, 1868.

CHAS. E. LOEW, *Clerk.*

At a special term of the supreme court, held at the City Hall of the city of New York, on the _____ day of _____, 186-.

Present, Hon. _____, judge.

In the matter of the application of the within-named applicant to be admitted a citizen of the United States of America.

The said applicant appearing personally in court, producing the evidence required by the acts of Congress, and having made such declaration and renunciation, and having taken such oaths as are by the said acts required, it is ordered by the said court that the said applicant be admitted to be a citizen of the United States of America.

Enter:

G. G. B.

SUPREME COURT, *City and County of New York :*

In the matter of _____, on his petition to become a citizen of the United States.

To the Supreme Court of the State of New York :

The petition of _____, residing at _____; respectfully shows: That he is of the age of twenty-one years and upwards, and has resided within the United States for the continued term of one year next preceding the present time; that your petitioner enlisted in the army of the United States in the _____ regiment of New York volunteers, on the _____ day of _____, 18-, at _____, in the State of New York, and was honorably discharged therefrom on the _____ day of _____, 186-, at _____. Your petitioner therefore asks to be admitted to become a citizen of the United States, pursuant to section 21 of the act of Congress passed July 17, 1862, entitled "An act to define the pay and emoluments of certain officers of the army, and for other purposes."

STATE OF NEW YORK, *City and County of New York, ss :*

———, the within-named petitioner, being duly sworn, says that the matters contained in the foregoing petition are true. _____.

Sworn in open court this, — day of —, 186—. _____, *Clerk.*

STATE OF NEW YORK, *City and County of New York, ss :*

———, being duly sworn, says that he resides at —, and that he is well acquainted with the above-named petitioner, and that the said petitioner has resided within the United States for the continued term of one year, at least, next preceding the present time, and within the State of New York one year, at least, immediately preceding this application ; and that during that time he has behaved as a man of good moral character, attached to the principles of the Constitution of the United States, and well disposed to the good order and happiness of the same ; and that he knows the said applicant to be the identical person mentioned and described in the foregoing petition, and in the certificate of discharge from the service of the United States army, now produced to the court.

Sworn in open court, this — day of —, 186—. _____, *Clerk.*

STATE OF NEW YORK, *City and County of New York, ss :*

I, —, residing at —, do solemnly swear that I will support the Constitution of the United States ; and that I do absolutely and entirely renounce and abjure all allegiance and fidelity to every foreign prince, potentate, state or sovereignty whatever, and particularly to the —, of whom I was before a subject.

Sworn to in open court, this — day of —, 186—. _____.

At a special term of the supreme court, held at the City Hall of the city of New York, on the — day of — 186—.

Present, Hon. —, justice.

In the matter of the application of the within-named applicant to be admitted a citizen of United States of America.

The said applicant appearing personally in court, and producing his certificate of discharge from the service of the United States army, and the evidence required by the acts of Congress, and having made such declaration and renunciation, and having taken such oaths as are by the said acts required, it is ordered by the said court that the said applicant be admitted to be a citizen of the United States of America.

Enter:

_____.

SUPREME COURT, *City and County of New York* :

In the matter of the application of _____, to be admitted a citizen of the United States of America.

STATE OF NEW YORK, *City and County of New York, ss :*

_____, being duly sworn, says, that he resides at _____, and that he is well acquainted with the above-named applicant, and that the said applicant has resided within the United States for the continued term of five years, at least, next preceding the present time, and within the State of New York one year, at least, immediately preceding this application, and that during that time he has behaved as a man of good moral character, attached to the principles of the Constitution of the United States, and well disposed to the good order and happiness of the same.

Sworn in open court, this _____ day of _____, 186-_____.
_____, Clerk.

STATE OF NEW YORK, *City and County of New York, ss :*

I, _____, residing at _____, do solemnly swear that I will support the Constitution of the United States, and that I do absolutely and entirely renounce and abjure all allegiance and fidelity to every foreign prince, potentate, state or sovereignty whatever, and particularly to the _____, of whom I was before a subject.

Sworn in open court, this _____ day of _____, 186-_____.
_____, Clerk.

At a special term of the supreme court, held at the City Hall of the city of New York, on the _____ day of _____, 186-_____.

Present, Hon. _____, justice.

In the matter of the application of the within-named applicant to be admitted a citizen of the United States of America.

The said applicant appearing personally in court, producing the evidence required by the acts of Congress, and having made such declaration and renunciation, and having taken such oaths as are by the said acts required, it is ordered by the said court that the said applicant be admitted to be a citizen of the United States of America.

Enter: _____.

SUPREME COURT, *City and County of New York* :

In the matter of the application of _____, to be admitted a citizen of the United States of America.

STATE OF NEW YORK, *City and County of New York, ss :*

_____, the above-named applicant, being duly sworn, says that he resides at _____; that he has arrived at the age of 21 years; that he has resided in the United States three years next preceding his arrival at that age, and has continued to reside therein to the present

time; that he has resided five years within the United States, including the three years of his minority, and one year, at least, immediately preceding this application, within the State of New York, and that for three years next preceding this application it has been, *bona fide*, his intention to become a citizen of the United States.

Sworn in open court, this — day of —, 186—.
 _____, Clerk.

STATE OF NEW YORK, *City and County of New York*, ss :

_____, being duly sworn, says that he resides at _____, and that he is well acquainted with the above-named applicant, and that the said applicant has resided in the United States for three years next preceding his arrival at the age of 21 years; that he has continued to reside therein to the present time; that he has resided five years within the United States, including the three years of his minority, and in the State of New York one year, at least, immediately preceding this application, and that during that time he has behaved as a man of good moral character, attached to the principles of the Constitution of the United States, and well disposed to the good order and happiness of the same, and deponent verily believes that for three years next preceding this application it has been, *bona fide*, the intention of the said applicant to become a citizen of the United States.

Sworn in open court, this — day of —, 186—.
 _____, Clerk.

STATE OF NEW YORK, *City and County of New York*, ss :

I, _____, the above-named applicant, do declare, on oath, that it is, *bona fide*, my intention, and has been for three years next preceding this application, to become a citizen of the United States, and to renounce forever all allegiance and fidelity to every foreign prince, potentate, state or sovereignty whatever, particularly to the Queen of the United Kingdom of Great Britain and Ireland, of whom I am now a subject.

Sworn in open court, this — day of —, 186—.
 _____, Clerk.

STATE OF NEW YORK, *City and County of New York*, ss :

I, _____, the above-named applicant, do solemnly swear that I will support the Constitution of the United States, and that I do absolutely and entirely renounce and abjure all allegiance and fidelity to every foreign prince, potentate, state or sovereignty whatever, and particularly to the Queen of the United Kingdom of Great Britain and Ireland, of whom I was before a subject.

Sworn in open court, this — day of —, 186—.
 _____, Clerk.

At a special term of the supreme court, held at the City Hall of the city of New York, on the — day of —, 186—.

Present, Hon. _____, judge.

In the matter of the application of the within-named applicant to be admitted a citizen of the United States of American.

The said applicant appearing personally in court, producing the evidence required by the acts of Congress, and having made such declaration and renunciation, and having taken such oaths as are by the said

acts required, it is ordered by the said court, that the said applicant be admitted to be a citizen of the United States of America.

Enter :

NEW YORK, *December 26, 1868.*

ROBERT G. ADAMS sworn and examined :

By the CHAIRMAN :

1701. Q. State your residence ?

A. 116th street and avenue A, in this city. I have resided in this city ever since I was born.

1702. Q. State if you were in the supreme court in the month of October last, and if so, whether anything occurred there in relation to naturalization papers.

A. I was in the circuit room, supreme court, on the morning of October 10th last, about 10 o'clock. I went in at the usual entrance to the court-room. There was no judge in court. Mr. McKean, the clerk, was there, and several young men officiating in some clerical capacity behind an extra table at the clerk's desk. My business there was to look at the day calendar of the day before. I asked Mr. McKean the clerk to let me see it. He said he would, and told me to wait a few moments. While waiting, I was startled by somebody behind the counter wanting to know why that door was open by which I had come in. It was ordered to be shut and it was shut. While I was waiting, some men at the table alongside the clerk's desk were very busy filling out naturalization papers. During this time a party came by the door that is usually used by the judges and some officers of the court, and with red tickets in his hand, called out to the court as he approached the table "I want ten citizens' papers." "Very well," said McKean, "I will hand them to you directly." The man said, "I am in a hurry." McKean turned his back to his desk and opened some drawers that were behind him and took several of these papers. The man said, "he was in a hurry, and wanted to know whether Charley, or Bill, or somebody else, would not give him the papers." McKean said, "Wait a minute," or something of that kind. After a little interval he got up and handed him ten citizen's papers, and the man threw down ten naturalization tickets. I am not sure whether it was McKean or one of the men at the desk who handed him the papers. In the mean time I got the calendar from Mr. McKean, found what I wanted, and then left.

1703. Q. Did you examine the papers delivered to the man who came with the red tickets ?

A. No, sir ; I judged the character of the papers from their general style. They were printed forms, partly printed and partly written. I cannot say whether they corresponded with these now shown me because I did not see them opened. But the man did not ask for any particular kind of papers, only he wanted ten citizens' papers.

1704. Q. Was any writing done upon the papers that were delivered to him after he came in ?

A. There was nothing done to them after he came in.

1705. Q. Do you know of any other fact connected with naturalization in this city that would throw light upon our investigation ?

A. I do not.

By Mr. HOPKINS :

1706. Q. You understood that the red tickets represented so much money ?

A. That was my understanding.

1707. Q. Do you know whether the papers were signed and sealed ?

A. I do not.

By Mr. ROSS :

1708. Q. Do you know whether these papers that were handed out by the clerk were not papers passed upon by the court the night before ?

A. As a matter of fact, I cannot say ; as a matter of opinion, I suppose they were not.

By Mr. KERR :

1709. Q. What is your political association ?

A. I am a republican at present and have been for some years. I was formerly a democrat.

1710. Q. Did you go into the court-room for any purpose connected with the business of naturalization, or on your professional business ?

A. On my professional business as a lawyer.

1711. Q. Do you know the names of any of the clerks who were there ?

A. I do not.

1712. Q. Did the man say what kind of papers he wanted ?

A. No.

1713. Q. What led you to infer that he wanted any particular kind of papers ?

A. I had had knowledge of the operations of naturalization for some 30 years, and I knew that it was usual for political parties to send to clerks these tickets to pay the fees of naturalization papers.

1714. Q. That is the custom of both parties ?

A. I believe it is ; but I do not think that tickets did the republican party any good.

1715. Q. Why ?

A. I had a German who wanted to be naturalized, and I sent him to one of the republican rooms for that purpose ; he there got a ticket and I found that there was great difficulty afterwards in getting him naturalized although he was fully entitled to it. The pretext set up was, that the witness could not swear that the applicant had been in the country five years ; but afterwards the man was naturalized on the testimony of the same witness ?

1716. Q. How long did it take Mr. McKean to hunt up the papers and hand them out to this man ?

A. There did not seem to be any hunting up particularly. I do not think the man was there more than three minutes altogether.

NEW YORK, *December 26, 1868.*

JAMES M. SWEENEY sworn and examined :

By the CHAIRMAN :

1717. Q. State if you are a clerk of the superior court, New York, and if so, how long have you been ?

A. I am and have been for the last two years and over.

1718. Q. During what months in the present year were persons naturalized in that court ?

A. During the whole year.

1719. Q. Can you give the number of persons naturalized during each month of the present year ?

A. I can get that information and will furnish it to the committee.

1720. Q. Can you give conveniently the number naturalized each day in your statement?

A. In the early part of the year there would be very few naturalized. I will try to get that information.

1721. Q. Were they principally naturalized in October?

A. They were; in October previous to the election.

1722. Q. Will you furnish the committee with the aggregate number naturalized each month in 1868 and with the number naturalized each day during October?

A. I will as near as I can possibly get at it.

1723. Q. State whether you use printed blank forms for applications of naturalization, for the affidavits of the witnesses, and for the certificates to be issued to persons naturalized.

A. Yes, sir.

1724. Q. In naturalizing persons, was it the practice of the court to swear the witnesses to the affidavits that they made?

A. I am not present in the court when these things are done. I merely issue the certificate.

1725. Q. What officers are present when naturalizations are granted?

A. Thomas Bennett and Thomas E. Nolan are both special term clerks deputized for that purpose.

1726. Q. I now present to you four papers purporting to be certificates of naturalization, one to Joseph Rush, dated October, 1868, one to John Wallace, dated October 22, 1867, one to William Malia, dated October 25, 1867, and one to James Montgomery, dated October 25, 1867, signed James M. Sweeney, clerk, and referred to in the testimony of Albert Bogart; state if the seal affixed to these papers is the genuine seal of the superior court, and whether the signature of the clerk is genuine?

A. The seal appears to be the genuine seal, and the signature appears to have been written by Mr. Joseph Meeks, who is authorized to sign my name. I haven't signed my own name to certificates during the present year. (Witness also identifies in the same way the certificates issued to Edward Sullivan, dated October 17, 1868, and to Michael Kerwin, same date.)

1727. Q. Can you furnish to the committee the applications of those persons purporting to be naturalized, and the affidavits of witnesses in these several cases?

A. I will take a memorandum of them and do so.

1728. Q. You do not give particular attention yourself to the mode of naturalization?

A. No, sir; I would be in and out of the court, but I gave no particular attention to that branch of the business.

1729. Q. Will you permit any person or persons whom the committee may designate to go to your office and in your presence, or in the presence of such persons as you may designate, make a list of the names of persons naturalized, their residences, the dates and the names of the witnesses and their residences?

A. I would like to employ my clerks to do it under the supervision of anybody you may suggest. These papers are records and I do not feel justified in letting them out of my possession. I have no objection to any investigation into the affairs of the office.

1730. Q. Then these lists may be made?

A. Yes, I think so.

By Mr. ROSS :

1731. Q. Have you any idea how many persons were naturalized last year?

A. Not nearly so many as this year.

By the CHAIRMAN :

1732. Q. Were there one-fourth as many?

A. O, yes; I think more, nearly one-half.

1733. Q. Are the clerks you have named the only clerks in your office authorized to attend naturalization?

A. No, sir; when the rush comes, all the clerks are engaged. But Mr. Meeks signs all the certificates so as to have a uniform signature. I never sign one myself. I think we have twelve clerks in the office.

By Mr. HOPKINS :

1734. Q. Did you keep a record of persons who have received naturalization?

A. Yes sir; we index them as we go along, but that takes considerable time. The index for this year is not complete. We index the witness as well as the applicant.

1735. Q. What proportion of the whole number were naturalized during the month of October?

A. I cannot say; I think a very large proportion.

1736. Q. Have you more than one seal for your court?

A. We have two, and impressions are made from both seals. Mr. Meeks, my deputy, had in charge the seals; they were locked up each night. There were no papers sealed in advance; my directions were to have no certificates sealed in advance.

By Mr. HOPKINS :

1737. Q. Judge McCunn is judge of that court?

A. He is one of the judges.

1738. Q. He is the one who had charge of this naturalization business?

A. No, sir; Judge Garvin did some of it and so did Judge Jones.

1739. Q. Do you know what has been the habit of these judges in reference to questioning each applicant and witness?

A. No, sir, I do not.

1740. Q. You do not know whether the forms prescribed by the statute has been followed by all these judges?

A. I didn't take particular notice.

1741. Q. How many did they put through there at a time?

A. Generally the applicants are put through singly; those whom I saw naturalized came along singly and the applicant and witness were sworn.

By Mr. KERR :

1742. Q. Did you ever see it done up by batches?

A. No, sir; not in the superior court.

1743. Q. Did you ever in any court where naturalization was done?

A. No, sir; the judges in my court used to destroy a great many papers where they did not have the proper affidavits.

1744. Q. Was that the case during the days of the rush?

A. Yes, sir.

1745. Q. Who did the chief part of this naturalization business in the superior court?

A. Judge McCunn and Judge Garvin did the most of it; I think that the late chief justice did a small part of it; so did Judge Jones; Judge Monell was in Europe, and Judge Barbour was away.

1746. Q. Can you approach any opinion as to the number of persons naturalized in any one day in your court during the month of October last ?

A. I think that one day there were in the neighborhood of 2,000.

1747. Q. Were you in the court-room during the time ?

A. I was in and out.

1748. Q. Was there any other business transacted by the court on that day ?

A. I think not.

1749. Q. Was the court-room left open to the public and the lawyers, or were they excluded from the court-room during that day ?

A. I don't think they were excluded.

1750. Q. Did you ever know them to be excluded any day when this business was going on ?

A. Not to my knowledge.

1751. Q. How long did the court sit that day ?

A. It sat almost all day.

1752. Q. And in the evening ?

A. I think so, but I am not positive.

1753. Q. Describe how the work was done on that day ?

A. Similar to any other day, I suppose. The men would go in with their application to the judges, and the judges would swear them and then they would get their certificates.

1754. Q. Did the judges undertake to make personal examination of witnesses ; or were their statements put in the form of an affidavit, and the affidavit sworn to ?

A. In all cases that I saw, the judges swore them.

1755. Q. Would the judge detain them to answer any questions touching qualifications, residences, &c ?

A. He would, sometimes.

1756. Q. And sometimes he would not ?

A. Sometimes he would swear them to the affidavit, I think ; but I did not pay sufficient attention to know exactly.

1757. Q. During the time you were paying any attention to this business, was it a common thing for you to hear persons coming in as witnesses swearing for a dozen principals ?

A. I never knew that ; I heard reports to that effect, but know nothing of my own knowledge ; I didn't see any such thing.

1758. Q. You saw no "repeating" of this kind on the part of witnesses ?

A. No, sir.

1759. Q. Can you say that you were in the court-room during these hurried days enough to observe that kind of business going on if it were going on ; I mean this repetition of service by witnesses ?

A. The court-room would be very much crowded. I saw the judges going on with their business as usual, and I did not go up very close to the judges to see what they were doing.

1760. Q. Did you know anything of the details of the business carried on at No. 6 Centre street, where Rosenberg was chief clerk ?

A. No, sir ; I know nothing at all about it.

1761. Q. Did you have occasion to go in there on the part of any person who wanted to be naturalized during the last political canvass ?

A. I never went into any of those places but once ; and that was to tell them that the court would not be open that night.

By the CHAIRMAN :

1762. Q. You say there were as many as 2,000 naturalized in one day ?

A. About that.

1763. Q. Were they all naturalized before one judge ?

A. No, sir; I think not. I think that the four judges whom I have named were naturalizing that day.

1764. Q. Were they in four different rooms ?

A. They had two rooms; and afterwards we had rooms in the City Hall.

By Mr. HOPKINS:

1765. Q. Who distributed these papers to the applicants after they were signed by you ?

A. The papers were given as the men came through.

1766. Q. Were these applications first brought in by either of the parties in batches in your office for the official certificate to be made ?

A. Not to my knowledge. Mr. Meeks issued all the certificates.

1767. Q. You do not know whether it was his habit to give out these papers in batches ?

A. No sir; but I rather think not.

By Mr. KERR:

1768. Q. Who had charge of the two seals used by your court ?

A. Mr. Meeks; it was his business to take charge of them. The seals were kept right opposite where he was sitting.

1769. Q. Tell the committee whether it is a fact within your knowledge or belief that at any time during the last political canvass any of these certificates were given out in blank.

A. No, sir; they were not. I do not think there was anything of the kind done.

1770. Q. Did you use any precautions or give any directions with a view to prevent any such thing being done ?

A. Yes, sir; I gave direction to Mr. Meeks to lock up the seals every night; also, that the seals should be entirely under his charge, and that he should sign every one of the certificates.

1771. Q. Are you aware that any of the certificates in blank were obtained by anybody out of your office ?

A. No, sir.

1772. Q. Since the common rumor about frauds in the procuring of these certificates of naturalization, have you instituted any inquiry or made any examination with a view to determine in your own mind the fidelity of your own subordinates ?

A. Yes, sir.

1773. Q. With what result ?

A. With the result that I am satisfied that they have not done anything wrong.

1774. Q. In connection with these inquiries, did you or not develop any irregularities in connection with this business, either on the part of your subordinates or on the part of any of the judges ?

A. I did not.

1775. Q. Have you had brought to your knowledge any certificates of this kind that were ever obtained for which there is no corresponding record in your office ?

A. No, sir; I have had no opportunity to search, because I have not been notified of any such case.

By Mr. HOPKINS:

1776. Q. Do you know what clerks occupied room No. 12 in the City Hall ?

A. Yes, sir; I understood there were some outside parties who occu-

pied the basement known as the old sheriff's office; and on learning that fact I had the communication between the office and the rooms where my clerks were at work closed.

By Mr. KERR:

1777. Q. Can you give us the names of the parties who occupied that room?

A. No, sir.

1778. Q. Who has charge of the building?

A. Samuel Roome, the general janitor; he has the keys; whether he acts under another or not I do not know.

By the CHAIRMAN:

1779. Q. This old sheriff's office in the basement of the City Hall was one of the rooms belonging to the city?

A. Yes, sir—in the City Hall.

1780. Q. Who rented that room to these outside parties?

A. I do not know anything about it.

By Mr. HOPKINS:

1781. Q. Was it generally understood that some of the rooms were being used by parties in writing up applications for citizenship?

A. I heard it said, and that was the reason that I closed the communication between that and the room where my clerks were.

NEW YORK, *December 26, 1868.*

ANSON WILLIS sworn and examined.

By the CHAIRMAN:

1782. Q. What office did you hold at the last election?

A. I was one of the inspectors and registrars of election of the 16th district, 16th ward.

1783. Q. State what you know of persons presenting certificates of naturalization that were fraudulent?

A. Many naturalization certificates were presented by persons who came to be registered. They appeared to have the genuine seal and the genuine signatures of the clerks of the various courts. Being apprized that spurious naturalization papers had been sent out in every direction, I interrogated several of these persons and they gave me unsatisfactory answers. They could not tell me in what court they were naturalized, when they were naturalized, or where they were naturalized. One of them told me he was naturalized in Tammany Hall; another that he was naturalized in Columbia street, away over in the east side of the city; and another down in the Park. They gave no satisfactory information upon this subject. Some of them, after being registered, did not offer to vote. Several told me that they had never declared their intention to become citizens, and that they never had received any first papers. It appeared from the answers they made that these papers had been sent to them, and had been sent broadcast all over the city, and given to persons who had never applied for them.

1784. Q. What proportion of voters in your district were of foreign birth?

A. Much less than half of them were native-born.

1785. Q. What proportion of those presenting certificates of naturalization were sworn.

A. It is my impression that not more than one in fifty was sworn. Some of the inspectors appeared to be perfectly satisfied, if the parties

only presented naturalization papers. And they were opposed very strongly to my asking questions, or taking any steps like investigation. Some naturalization papers were several years old, and these we did not investigate very closely. It was only those that had been recently issued that we took particular notice of. I questioned some parties so severely that they never made their appearance on the day of election; they were generally registered; some, very few, were rejected.

By Mr. HOPKINS:

1786. Q. Do you recollect the number of naturalized citizens that were registered at your precinct?

A. I said over one-half of the whole; the whole number was about 500; I was the only one of the four inspectors that seemed to take any interest in stopping this thing; the democratic inspectors put every obstacle in my way; and when a young man took his position there to challenge some of these men, the chairman of the board ordered him out of the room and told him he was interfering with the election, and that he could not stay there.

1787. Q. Was the chairman a democrat?

A. Yes sir.

1788. Q. Do you recollect the relative vote of the two parties in that precinct?

A. I do not recollect; it was largely democratic.

By Mr. ROSS:

1789. Q. Give us the names of the democrats who acted with you?

A. Mr. Van Buren and Mr. Seixas; my republican colleague said but little.

1790. Q. Did he not vote with you all the time?

A. Questions were very rarely put to a vote; he made no objection to receiving these papers; I had heard so much of these illegal votes that I suspected that a great many of these votes were wrong, but I had no positive means of determining.

1791. Q. Do you know of any illegal votes having been given at your polls?

A. I am not positive of any, but I had good reason to suspect that many were illegal, because the men could not tell where they were naturalized, and many of them had never made application, and never received their first papers.

1792. Q. How many did you reject?

A. About a half a dozen.

1793. Q. How many did you register who could not give you satisfactory evidence?

A. I should think from a dozen to 20.

1794. Q. Did you have some one at the polls to challenge?

A. Yes, sir.

1795. Q. Did you discharge that duty yourself, or did somebody else?

A. I believe I did in one or two instances; my position was at the desk, to look over the names as they presented themselves, and see if the names were there.

1796. Q. You had a challenger at the polls?

A. Yes, sir.

1797. Q. Did he exercise the privilege pretty freely?

A. No, sir; he was ordered out of the room by the chairman.

1798. Q. Did he go out of the room?

A. Yes, sir.

1799. Q. After that you had no challenger?

A. After that there was no regular challenger; once in a while some person came up and challenged a vote.

1800. Q. What was the name of your republican colleague on the board?

A. I have forgotten it. He was an Englishman, and lives in the avenue just above Twenty third street. He keeps a tailor's shop just north of Twenty-third street on the avenue.

By Mr. KERR:

1801. Q. Did you register two men whose answers were so unsatisfactory as you have stated?

A. Yes, sir; we registered more than that.

1802. Q. More than three?

A. Yes, sir; I think we registered more than a half a dozen of those cases.

1803. Q. Can you name one of them?

A. Of course not; they were men I never saw before.

1804. Q. Do you know whether any one of these persons so registered voted?

A. Yes, sir; some of them did. They swore right through.

NEW YORK, *December 26, 1868.*

SAMUEL S. URMY sworn and examined.

By the CHAIRMAN:

1805. Q. What office did you hold at the last elections.

A. Inspector of elections for the 15th district, 21st ward.

1806. Q. State what you know of persons presenting fraudulent naturalization papers.

A. I know parties who presented papers who, when they were sworn and questioned respecting them, stated that they had not been in court. Some of them had never taken out any first papers, and two or three of them had papers given them in lager-beer saloons, club-houses, and such places.

1807. Q. State what you know of James Gillem?

A. James Gillem was registered as living at 444 Fourth avenue. On the morning of the election, about 11 o'clock, a man came along and gave that name. I challenged him for non-residence, administered the oath to him, took his vote and had him arrested. After he was arrested I subsequently ascertained his name to be Michael Cochran. I thought he lived out of the district.

By Mr. HOPKINS:

1808. Q. He was voting on a name which did not belong to him?

A. Yes, sir.

1809. Q. You style such men repeaters?

A. Yes, sir.

1810. Q. Is he a foreigner?

A. I think he is.

1811. Q. Did he register on naturalization papers?

A. I do not think he was registered at all. I think another man gave that name. I don't think he was near the polls at all until he came to vote.

1812. Q. Who were the inspectors in that district?

A. On election day they were Stephen N. Crandall, Wm. P. Slater, John Dalton, and myself.

By the CHAIRMAN :

1813. Q. State what occurred after you had this man arrested.

A. A few minutes after he was arrested and taken away to the police office a posse of deputy sheriffs came in, rushed around the counter, carried me out, put me in a stage, took me to the Ludlow street jail and put me in charge of the keeper.

1814. Q. How long were you confined ?

A. I was taken from the polls a few minutes after 11 o'clock, and was confined in jail until 3 o'clock, when I was taken out on a writ of *habeas corpus*. I made application to send a letter or despatch to my friends, but I was not allowed to do so.

1815. Q. For what were you arrested ?

A. I was not accused of anything. These deputies came in, caught hold of me and carried me out. I am convinced they had no authority.

1816. Q. What was the pretext for arresting you ?

A. There was no pretext stated. Afterwards I saw a commitment charging me with obstructing the polls. But the warrant, I am sure, was not in the hands of the deputy sheriffs when I was arrested.

1817. Q. Had you done anything to obstruct the polls, except to challenge this man to vote ?

A. Nothing in the world. I had taken votes very rapidly from sunrise up to that.

1818. Q. With what political party do you act ?

A. With the republican.

1819. Q. Who were the deputy sheriffs ?

A. One was Lawrence O'Brien, brother of James O'Brien, the sheriff. Another was George E. Hickey, who was somewhat notorious, and another was John Bennett, who is known in the ward as "Black Jack," and another of whose name I am not positive. I think it was Armstrong.

By Mr. HOPKINS :

1820. Q. Were these men special deputies, or were they regular deputies ?

A. I think that Bennett and O'Brien were special deputies for preserving the peace at the last election.

By the CHAIRMAN :

1821. Q. What was their politics ?

A. They were democrats. I am inclined to think that Dickey is a regular deputy from his having had transactions before in connection with such matters.

1822. Q. Had there been any disturbance at the polls during the day ?

A. No, sir, not at all. It was perfectly quiet and orderly.

1823. Q. What proportion of voters in your district are of foreign birth ?

A. Considerable more than a majority of voters in that district are Americans. There are a good number of Irishmen and Germans there. There were 789 names registered.

1824. Q. What proportion of naturalized citizens were challenged at the registry ?

A. Probably one in ten was challenged at the registry ; at least, if not absolutely challenged, a greater number than that were questioned. Those persons whom we knew were, of course, not questioned.

1825. Q. Have you any means of expressing an opinion as to the number of illegal votes registered and polled in your district.

A. I have only the means which my knowledge of the people there gives me. I am satisfied there were a great many fraudulent papers pre-

sented there and that a great many men voted who had no right to vote. For instance, there is one house in our district from which about twenty names were registered; it is a little shanty two stories high; the first story is taken up with a bar-room and restaurant and there cannot possibly be more than four small rooms in the second story.

By Mr. HOPKINS.

1826-27. Q. Has there been any investigation in court of the case of the person whom you challenged and whom you arrested?

A. No, sir; he was brought before a police justice in the morning, and admitted to bail. He is a man who is well known in the ward; he has been up on the island a number of times.

1828. Q. This occurrence was at the presidential election?

A. Yes, sir; it is our State election as well.

By the CHAIRMAN:

1829. Q. When did you revise your registration?

A. Friday and Saturday before election. We registered names as well as revised them on these days. The first two days for registration are the Tuesday and Wednesday three weeks before the election.

By Mr. KERR:

1830. Q. How many did you say were registered from this house in Fourth avenue?

A. I think about 20. It was known in the district as "The Senate." It is a drinking saloon and restaurant kept by Michael Sharkey.

1831. Q. What is he politically?

A. He always votes the democratic ticket.

1832. Q. Can you give a fair approximation of the number of persons of foreign birth who registered in your district?

A. I do not know, but I think half of them were persons of foreign birth.

1833. Q. Can you give an approximate proportion of those men of foreign birth who presented papers more than a year old?

A. I should think that half the naturalization papers presented were new ones issued within three months of the last election—most of them within six weeks.

1834. Q. You say that you ascertained for yourself that this Gillem did not reside where he said?

A. Yes, sir; I went to the proprietor of the house and asked him if any such person lived there; he said he did not. It is a drinking saloon kept by Patrick Daly. The man is notorious as a rough; he is a man of very bad character; he has frequently been before the police courts, and has been sent to the island.

1835. Q. Is he a man of drinking habits also?

A. I should think he is a man who drinks a good deal.

1836. Q. In reference to your arrest, was it made in a rude and ungentlemanly way?

A. Yes, sir, it was; my coat was badly torn, and I was absolutely carried or dragged out of the room.

1837. Q. Did you resist?

A. I did not resist with any force—I refused to go.

1838-39. Q. Then it required the use of physical force to carry you out of the room?

A. They did not wait to see whether it did or not—they carried me out.

1840. Q. How did the business go on in your absence?

A. There was a man sent there to take my place until I returned—a Colonel Colvin, a republican.

1841. Q. Did you ever institute any legal proceedings against these persons for making the arrest ?

A. No, sir.

1842. Q. Were you arrested or tried for any offence ?

A. No, sir.

1843. The whole matter dropped after your discharge ?

A. Yes, sir; the deputies told me when they were taking me to prison that I would be let out the next morning.

1844-45. Q. Do you know that any person did, in fact, vote at that district who was not by law entitled to vote, except this man Gillem ?

A. I cannot positively say that there was any. There were men who voted and who swore in their votes, who, I believe, were not voters in that district—men whom I knew to be just as likely to vote in one district as in another, for they are floating back and forth from one saloon to another, and live in any place, as the case may require. I had a list of names of persons who, I was well satisfied, were fraudulent voters, for the purpose of challenging them. This Gillem was one of them, and he was the first that presented himself. When I returned these names were all voted in.

1846. Q. How do you know they voted ?

A. Their names were checked upon the book as having voted.

1847. Q. Are there a good many times men having the same name in a district ?

A. It does not very often occur. I find the name of Patrick Keefe registered twice from 449 Fourth avenue. I also find the name of William Doogan registered twice from the same place. Another instance is that of a man named Nicholas Moore, who is registered in our district as John Moore; and he does not live in the district at all. After he had registered as John Moore he came, at another session of the board, and offered to register as William Murry. I knew the man, and turned him away. I knew him to be identical with the other man; I had known him two or three years—perhaps longer. A number of instances occurred where parties registered and other parties came in to vote on their names—men whom I knew not to be the parties who had registered.

1848. Q. State, generally, whether you and your republican colleague and your democratic colleagues used reasonable diligence to purge the ballot-box of that kind of votes.

A. For myself, I did use all the diligence I could. I cannot answer for the others.

1849. Q. State, generally, whether you know, of your own knowledge, that persons unauthorized to register did, in fact, register in that district, except those whom you have named.

A. I am satisfied that a good many did register who were not authorized to register there and to vote there. I had a list of 50 names of persons who I was satisfied were not legal voters.

1850. Q. Is it true that this list was furnished you by others ?

A. Some names of the men were furnished me; but I know I made personal inquiry and investigation into every name on the list.

1851. Q. How much time did you give to that kind of inquiry ?

A. I gave considerable time to it.

1852. Q. You do not know, as a fact, that all of those upon that list of 50 were illegally registered ?

A. I do not know it as a fact, but I have every reason to believe it.

By Mr. HOPKINS:

1853. Q. I understand you to say that you had a list of 50 illegal voters whom you intended to challenge, and that while you were under arrest their votes were received?

A. Yes, sir. Those deputies, when they were taking me down to jail, told me they would teach me that I had no right to challenge any votes.

1854. Q. How many wards are there in this city?

A. Twenty-two.

1855. Q. How many of these republican?

A. Only one, I believe—the 15th ward.

By Mr. ROSS:

1856. Q. In the 50 men whom you had upon that list were those 20 who were registered from 449 Fourth avenue included?

A. A good many of them were on the list. There were two or three of them whom I knew to be legally entitled to vote.

1857. Q. How many of that 20 were on your list of 50?

A. Probably 11 or 12. From 120 East Thirty-second street there are six Joneses registered; on personal inquiry and investigation I found there were only two men by the name of Jones living there; those six men all voted.

1858. Q. How many voted from this 449 Fourth avenue?

A. I think they all voted, except, possibly, one or two.

NEW YORK, *December 26, 1868.*

TIMOTHY LYNCH sworn and examined.

By the CHAIRMAN:

1859. Question. What office did you hold at the last election?

Answer. A registrar and inspector in the 5th district, 6th ward.

1860. Q. Of what country are you a native?

A. Ireland.

1861. Q. How long have you been in New York?

A. Since 1849 or 1850.

1862. Q. What proportion of the men in your district are of foreign birth?

A. A large majority of them are Irish?

1863. Q. State to what extent persons who came to be registered this year had naturalization papers.

A. A great many.

1864. Q. State whether persons were registered who ought not to have been.

A. I cannot swear that a great many were registered who had no right to be registered; but a great many voted who had no right to vote. They did it by coming from other districts and taking up other men's papers.

1865. Q. How many were registered in that district?

A. Some 872.

1866. Q. Do you know how many votes were polled?

A. About 767.

1867. Q. State to what extent you are acquainted with the people in your district.

A. I know the majority of them.

By Mr. HOPKINS:

1868. Q. Do you know how the number registered this year compared with the number registered last year?

A. I expect there were some entitled to vote this year who were not entitled last year.

1869. Q. Were there anything like 250?

A. I should think not.

By the CHAIRMAN:

1870. Q. State if there was any interruption from any of the inspectors.

A. I think there was. There was a great deal of favoring one party above the other party. Myself and my partner were trying to stop it as much as we could; and I think if the others had acted as I did there would not have been the large vote cast that there was.

By Mr. ROSS:

1871. Q. The others wanted to go fast and you wanted to go slow?

A. I wanted that every one who had a right to vote should vote, and that those who had no right to vote should not vote.

By the CHAIRMAN:

1872. Q. State if any threats or demonstrations of personal violence were made against you.

A. There were, from both inside and outside. They threatened me all the day; and when the polls were closed a committee came and took me out lest I should be killed. I do believe they would have killed me. They called me a black this and a black that.

By Mr. KERR:

1873. Q. Are you a republican or a democrat?

A. I am a republican.

1874. Q. How long have you been a republican?

A. I guess I am a republican about 10 or 12 years.

1875. Q. What is your business?

A. I am in the city express business.

1876. Q. Who were your colleagues on the board of inspectors?

A. One was Mr. Joralemon, who was put there as a republican, and I suppose did the best he could; but I wish he had been a little smarter. The democratic inspectors were Donnelly and Mr. Brophy.

1877. Q. Was it your rule whenever you suspected a man not to be a legal voter to make him show his naturalization papers, so that you could examine them?

A. Yes, sir.

1878. Q. And if the case was suspicious would you not swear him, so as to make him answer under oath?

A. I swore some men who had papers, knowing that the papers did not belong to them. Some of them refused to give us the paper, laughed at me and went away.

1879. Q. How many of this class were there?

A. I didn't catch many of them—three or four or five; we would have caught double three or four or five, but that my colleague across the way would vouch for these fellows.

1880. Q. Was that done by your republican colleagues or by your democratic colleagues?

A. By my democratic colleagues.

1881. Q. Were they truthful men?

A. Yes, sir, I dare say they were.

1882. Q. Was your republican colleague as sharp a man as you are?

A. I should think he was sharper because he was an American.

1883. Q. That doesn't follow, by any means.

A. Well, I wish he was as sharp as I was.

1884. Q. Did your board ever register one man without such an examination as satisfied the majority of the board that he ought to be registered?

A. No; we did not.

1885. Q. State generally what you know of one single man having voted in your district, who was not entitled to vote.

A. Yes, sir; I know a good many.

1886. Q. Tell us who they are.

A. I cannot tell you.

1887. Q. Can you not tell one of them?

A. I cannot name one of them.

1888. Q. How many of that kind voted?

A. I guess as good as two or three hundred. Between them and repeaters there were as many as from two hundred to two hundred and fifty.

1889. Q. How do you know, if you do not know one man?

A. Here is my book. I find from 472, 474, and 476 Pearl street, and 502 Park street, there were more men registered than lived in those houses.

1890. Q. Will you furnish the committee with the number and names of persons voting from each of those houses?

A. I will make up the list, and furnish it to the committee on Monday. This witness did not again appear before the committee.

DAVID CROWLEY sworn and examined.

By the CHAIRMAN:

1892. Question. Are you a United States deputy marshal?

Answer. Yes, sir.

1893. Q. How long have you resided in this city?

A. About 11 years.

1894. Q. In the office of the clerk in the supreme court of this city there are five applications on file, purporting to be applications for naturalization of Patrick O'Brien, J. J. Mercer, Antonio Gomez, Alexander N. McCann, Adolf Slechelseine; the witness whose affidavit is on file to support these applications is George Hoffman, No. 60 First Avenue, New York; state if you have made inquiry at 61 First avenue as to whether there is or has been any such person living there as George Hoffman.

A. I have; there are two Nos. 61 in First avenue, the old number and the new number; the one is a slaughter house, and the other is a candle manufactory. I have been at both places, and made due inquiries, and found that no such person was known there.

NEW YORK, *December 28, 1868.*

CHARLES E. LOEW recalled and examination continued.

WITNESS. In answer to your question of Saturday, I now produce the original applications, affidavits of applicants and witnesses, and the order of the court thereon in the cases in which certificates of citizenship were issued to Daniel O'Donohue, Jacob Schafer, Wm. Lukas, August A. Sanger, Thos. Surridge, Chas. Fehling, Patrick Duffy, John Winkens, Sebastian Schneider, August Muller, Thos. Schmidt, William Schmidt, Chas. Warneck, Michael Dunn, Hugh Smith, Joseph Herbert, Frederick Henney, Henry Beaume, Wm, Honig, August Betzel, James Brown, John Lehman, Henry Stern, Gottlieb Kaffenberger, Patrick Rafferty, James R. Smith, and Samuel Reynolds. These are all the records that I have been asked to produce, with the exception of the five that I produced on Saturday last.

In regard to the subject of the resolution adopted by the committee last Saturday I desire to say that I find I am in a very peculiar and unpleasant dilemma; that I am fettered by State laws and statutes which make me liable to indictment for allowing papers to be taken from the files of the court without the order of the court, I being merely the custodian of those papers and subject entirely to the direction of the court. While I am willing, as I before stated, to allow the members of the committee to make any examination individually of the files, I do not think that, without the order of the court, I have any right to allow other parties to come in and take temporary custody of those papers. I have, therefore, prepared a communication to the justices of the supreme court requesting its proper order in the matter, which communication I will read to the committee:

To the justices of the supreme court of the first judicial district :

The undersigned clerk of your court has been served with the original of the following resolution :

“Resolved, That the chairman of this committee be, and hereby is, authorized to cause the records and papers in the possession of the county clerk of New York, referring to naturalization in the supreme court, to be examined, and a list to be made of the name of each person so naturalized, his age and residence, and the name and place of residence of the witness, and the day of the month on which such persons were naturalized during the month of October.”

The above is a true copy of a resolution passed this day (December 26, 1868) at a meeting of the select committee of Congress, appointed to investigate alleged frauds at the recent presidential election in the State of New York, held in the office of the county clerk of the county of New York.

Attest:

JOHN J. DAVENPORT, *Clerk.*

The undersigned is the mere custodian of the records of the court and its officer. He is fettered by certain State statutes providing how papers in his office shall be filed, kept, examined, and copies made, and making him custodian merely for the purpose of searches by his own authorized deputies and for their production on order of court, and then only in his custody or that of his statutory assistants.

He has been advised by the chairman that the chairman considers himself empowered to select any person and any number of persons to examine and take temporary custody of papers in his office, and take copies thereof, and all without the assistance from or participation in the said proceeding by the undersigned or his clerk.

Being in doubt how he shall act in the premises, and the court being, as he is advised and believes, the rightful authority to order the undersigned in and about the premises, he begs its instruction by proper order. The undersigned begs, however, to express his entire willingness that the chairman of the committee, or any member of the same, may (*ex comita*) do whatever they please in the way of furthering the object of said resolution, but to add that it is an unprecedented course to allow irresponsible persons, not parties in interest or their attorneys, to handle records and papers on file in this court, and, as he is advised, contrary to a State statute, and thereby possibly interfere with their validity or subject them to interpolation, spoliation, and loss, and especially so as to records which are important muniments of personal rights and of real estate.

Respectfully yours,

CHARLES E. LOEW.

NEW YORK, December 26, 1868.

That is my communication to the court, and I am awaiting its order in that matter.

By the **CHAIRMAN**:

Question. Will you refer the committee to the law which you suppose you would violate by submitting for inspection to such persons as may be designated by the chairman, the papers which I have asked to be inspected, giving volume and page ?

Answer. I will send you the law.

Q. I will prepare a written communication to you, which I will ask you to submit to the court with your statement.

A. I will do so with pleasure.

The chairman prepared, signed, and delivered to the witness a communication, of which the following is a copy :

NEW YORK, *December 28, 1868.*

DEAR SIR: In explanation of the communication which you have this day submitted to the committee of Congress charged with the duty of investigating alleged election frauds, you will please advise the supreme court that it is deemed necessary that a list should be made of the names and places of residence of the witnesses and applicants in matters of naturalization in the supreme court in the month of October. That to make these lists I will select clerks of integrity and good character, and, if you or the court require, these gentlemen shall be attorneys and counsellors at law—officers of the court. I further desire you to state that I do not expect or intend that said clerks shall take the custody of the naturalization papers in your office, but merely that they shall make the lists indicated in the resolution of this committee, of which you have an attested copy, from the papers themselves and in the presence of yourself or such of your deputies as you shall designate, and in your office, or at such other place as you shall direct.

I desire also that the papers shall be submitted to the inspection of one or more experts in chirography, of high character, skill, and integrity, and if you or the court desire, the names of these clerks and experts shall be furnished at once, and would be herein were they at this time selected.

I respectfully ask you to submit this communication to the supreme court in general term, if that be the proper tribunal, and as it is desirable the examination should be made at an early hour, I express the hope that it may be convenient to a speedy decision.

Respectfully, yours,

WM. LAWRENCE, *Chairman.*

CHARLES E. LOEW, *Esq., County Clerk.*

The following are the names of the applicants and witnesses in the papers presented by the witness :

APPLICANTS.

John Lehman, 160 East 4th street.
Henry Stern, 163 Norfolk street.
James Brown, 18 Delancey street.
Wm. Honig, 32 Christie street.
August Betzel, 114 Rivington street.
Frederick Henney, 219 2nd avenue.
Joseph Herbert, 318 East 31st street.
John Doolin, 509 Washington street.
James McCarty, 318 East 31st street.
Hugh Smith, 318 East 31st street.
M. J. Dunn, 317 3rd avenue.

WITNESSES.

Jacob Diehl, 207 avenue C.
Jacob Foerster, 76 avenue B.
John Kiug, 318 West 41st street.
Same.
Same.
Robert Blume, 24 Clinton street.
Same.
Owen Gannon, 64 Watts street.
Robert Blume, 24 Clinton street.
Same.
Same.

Chas. Fehling, 10 Domihick street.
 D. O'Donohue, 44th street and 1st avenue.
 John Noelsch, 430 C street.
 Wm. Lukas, 283 East Houston street,
 Patrick Duffy, 410 9th avenue.
 Jacob Schafer, 95 C street.
 Henry Baun, 46 Eldridge street.
 Charles Warneck, 263 East Houston street.
 Wm. Schmidt, 418 C street.
 Thomas Schmidt, 108 Bowery street.
 August Muller, 543 5th street.
 John Winkens, 534 3rd avenue.
 Sebastian Schneider, 3rd avenue.
 August A. Sanger, 672 11th avenue.
 Thomas Surridge, 528 West 29th street.
 Gottlieb Kaffenberger, 291 E. Houston street.
 Paterick Rafferty 400 3rd avenue.
 James K. Smith, 75 3rd avenue.
 Samuel Reynolds, 21 Prince street.

James McCabe, 111 Lawrence street.
 John Mackelson, 225 22nd street.
 Carl Spoer, 59 Attorney street.
 John Wolf, 248 2nd street.
 Edward Gonnoud, 43 7th avenue.
 Jacob Dahl, 527 7th street.
 John King, 318 West 41st street.
 Charles Juls, 54 Carmine street.
 Jacob Steiger, 137 Pell street.
 William Henry, 355 Broome street.
 John G. Diercks, 44 avenue B.
 George Hill, 374 3rd avenue.
 Henry Weir, 74th street, near 10th avenue.
 Julius Bock, 164 Attorney street.
 Peter Burke, 2 4th avenue.
 Rudolph Watke, 137 1st avenue.
 Maurice Baker, 62 Washington street.
 Same.
 Same.

JOHN JAY sworn and examined.

By the CHAIRMAN :

1900. Question. State what you know of the arrest of S. S. Urmy on the day of the last presidential election in this city ?

Answer. I went to the polls about 11 o'clock. There were but few persons before me waiting to vote, and I waited until there was but one, whose vote was challenged. Mr. Urmy was presiding at the polls receiving the votes. This vote was challenged by Mr. Urmy, and the oath was administered by Mr. Urmy. His vote was then received and deposited. As he was moving away Mr. Urmy said, "Stop a moment ! officer, detain that man." One of the other inspectors of election said, "Officer, let the man alone; you have no business to touch him." Mr. Urmy said, "Detain him." The officer did so. There was a delay of a few moments, while Mr. Urmy appeared to be consulting his colleagues and examining the books. Presently he handed to the officer a paper and said, "Here is your warrant for the arrest of this man for illegal voting." The inspector, who had spoken before, said, "Officer, let the man alone; you have no right to arrest him." Urmy said, "Officer, do your duty," and the officer led the man aside. I then handed my vote to Mr. Urmy, and he asked me if I would make a place for a moment for a police officer who resided in the district, but who had to go on duty, which I did. That police officer's vote was received; I then voted. After my vote was received the man behind me handed in his vote. About that time there was some disturbance about the door, and Urmy said, "Officers, preserve order." Presently there was a rush made into the room; three, or four, or five persons rushed behind the counter, on which the poll-books were placed, and one of them laid his hands on Urmy and said, "I arrest you; go with me." Urmy said, "Take your hand off; you have no business to touch me while I am in the discharge of my duty." The officer said, "We'll see about that; come along." The whole place was in confusion. They began to handle Urmy very roughly, and I said, "What is it all about; where is your authority?" I think it was in answer to that remark of mine that the person who arrested Urmy pulled out a paper and said, "Here is my warrant;" but before Urmy had an opportunity of looking at it, he was dragged from behind the counter and through the door into the street, by two or three of these men. I followed them into the middle of the street, where they hailed an omnibus, to learn Urmy's name. The officer who had charge of him (and I think there was one on either side) objected to my speaking to him, and threatened to arrest me. Urmy was hurried

into an omnibus, which was driven off at a rapid pace. I went back to the polls and asked Urmy's name, which was given. I think it is S. S. Urmy. I then stopped at the Union League Club-house, where I saw one of the members, and went with him to the Fifth Avenue Hotel, where I saw Governor Fenton and two other gentlemen, to whom I narrated the circumstances; and then I was told that Judge James was sitting at the Metropolitan Hotel. I went there, I think in company with Judge Hilton, and found Judge James and a number of gentlemen at the Metropolitan Hotel, holding court at chambers. I made an affidavit to the facts, and a writ of *habeas corpus* was issued, addressed to the sheriff and the keeper of the jail. Then I went with the officer, to whom it was given, to the police headquarters, where I saw some of the commissioners, and I found that they had already learned of the fact by telegraph, and that Urmy had been taken to the Ludlow street jail. The *habeas corpus* was made returnable at 3 o'clock; at 3 I returned to the hotel, and soon after Urmy was brought in, I think by the keeper of the jail, who made a return to the writ. I saw the writ, and it was to the effect that Urmy was arrested by virtue of an order thereto annexed, which was a warrant executed by two persons, who I understood were his associate inspectors in that district. Judge James, after reading the return, remarked that it was an infamous proceeding, and he hoped that Urmy would vindicate his rights at law. (To Mr. Kerr.) It was on the return to the writ of *habeas corpus* that the judge made that remark.

By Mr. Ross:

1901. Q. Does that judge reside in this city?

A. He does not.

1902. Q. Is he in the habit of holding court here?

A. I think not.

1903. Q. Where does he live?

A. In one of the northern counties of the State, I think.

1904. Q. Was he brought to the city by application of the Union League Club, for that day?

A. I do not know at whose request he came down. There was no action on the subject by the Union League Club.

1905. Q. Had you ever known him to hold court in this city before?

A. I think not; he may have done so, but not to my knowledge.

1906. Q. Do you know as a fact whether he was or was not brought here for political purposes in connection with the election?

A. I understand that he was requested to come.

By the CHAIRMAN:

1907. Q. State what you know yourself.

WITNESS: I know nothing.

By Mr. KERR:

1908. Q. If you had such information where did you get it?

A. I am not quite certain, but I think Colonel Cannon told me that he believed Judge James was coming.

1909. Q. Did he tell you he had been sent for and requested to come down here?

A. I am not quite certain whether it was by Colonel Cannon, but I was told by some gentlemen belonging to the republican party that Judge James was here, and would remain at the request of some gentlemen in order to protect the rights of the republicans, should it be necessary, during the election.

1910. Q. Where did he hold his court?

A. At the Metropolitan Hotel.

1911. Q. Did the judge pretend to go into any public court-rooms of the city or county to hold his court?

A. I do not know. I only know what I saw; I saw him at the Metropolitan Hotel.

1912. Q. He did not come down and hold a general court for general purposes?

A. I never heard of his doing so.

1913. Q. Do you know of his transacting any other business than that to which you have referred?

A. Yes, sir.

1914. Q. What was it?

A. A number of parties were brought before him on that day for illegal voting.

1915. Q. Do you know to what party they belonged?

A. I cannot say.

1916. Q. Did not Colonel Cannon tell you they belonged to the democratic party?

A. He did not.

1917. Q. Did not Judge James himself tell you so.

A. No, he did not.

By Mr. ROSS:

1918. Q. Has he held court in this city since that day?

A. Not that I am aware of.

By the CHAIRMAN:

1919. Q. After Urmy had challenged this voter, was there time to get out any warrant until he was arrested?

A. I do not think that more than five minutes had elapsed.

1920. Q. Are you a lawyer?

A. Yes, sir.

1921. Q. Is there any law which authorizes an inspector to issue a warrant for the arrest of Urmy?

A. Not the slightest.

1922. Q. State if you know any reason why Judge James was brought here?

A. It was suggested that some city judges were preparing to issue mandamuses to inspectors, to compel them to receive votes which they had refused to register, and that some interference with the election by some of the city judges, in that or in other ways, might render it wise for the public safety that an independent judge from the rural districts should be here.

1923. Q. State what is the reputation of Judge James as an impartial and honest judge.

A. I think it is very high—very high, indeed.

By Mr. HOPKINS:

1924. Q. Who were the officers who made this arrest of Urmy?

A. I understood they were deputy sheriffs, and that one of them was a brother of Sheriff O'Brien.

1925. Q. Did you see anything which, in your judgment, would justify the arrest of Urmy?

A. I saw nothing whatever to justify it. The proceedings were conducted with perfect quietness on the part of Urmy.

1926. Q. Is there any law which authorizes Urmay to have a voter arrested?

A. I believe it is his duty under a statute of the State.

1927. Q. Will you refer us to the section?

(Witness referred to the seventh section of the statute of May 13, 1865, which provides that any person who shall wilfully make any false statement in reference to his right to vote shall be deemed guilty of a misdemeanor, and shall be punished by a fine of \$50, or by imprisonment for 10 days; also to section 13th of the same law, which provides that whoever shall wilfully swear falsely on such examination shall be deemed guilty of perjury.)

GEORGE BLISS, Jr., sworn and examined.

By the CHAIRMAN:

1928. Question. What is your profession?

Answer. I am a lawyer, and have been practicing in this city for the last thirteen years.

1929. Q. State your knowledge of police matters, and of any efforts made to prevent illegal voting, and of the manner in which persons registered.

A. My knowledge of police matters arises from my being the attorney of the board of health and the board of excise, which is composed in part of the board of police. Their offices are in the same building. My relations, therefore, to police matters have been rather intimate for two or three years. I have been there every day during that time, with rare exceptions.

1930. Q. State how registrars have been imposed on by persons who were not entitled to vote.

A. I was actively concerned in endeavors to prevent frauds at the elections. Having very active charge of that matter through the city, my attention was of course directed to it. I found this state of things: I would receive information that a man was intending to register fraudulently at a given place, and would send that information to the police. A man would come up and say he lived at a certain place. The inspector would question him as to whether he lived there, and would administer an oath to him.

Mr. Ross: I object to this second-hand testimony.

WITNESS. I saw two or three instances of this kind. The inspector would challenge the man and swear him, and the man would swear that he lived at such a place. The inspector having only an unsworn statement handed to him, the board considered that it was bound to allow the man to register. Before the election, inquiry enabled us to ascertain that the man actually did not live at the place from which he claimed to vote. He would come up on election day, be challenged, and swear his vote in. (To Mr. Kerr.) I saw that in a single case. I did not see the same man who presented himself and was registered come on election day and vote; but I saw the thing done partly in the registry and partly in the voting by different men. Under the registry law, the inspectors are obliged, if a man who has registered swears his vote in, to take it. The inspector who has charge of the books then requires the police to arrest the man. Another inspector says, "Don't arrest him" and it is a question of republicans and democrats, the board being divided two and two. In one of the cases which I saw at one poll, the officer declined to make an arrest, as the majority did not direct him to do so. In the other case, the officer did make the arrest.

The party was taken before a justice and held to bail, and I know by general report that he, with all the others, was discharged the next day. That is substantially the state of the case which did prevail at the last election at all the polls in this city. I say that from having had before me and talked with nine-tenths of the republican registrars of this city.

1931. Q. State how many republican wards there were in the city at the last presidential election?

A. One; I think the 15th; that had not been so for, certainly, two elections previously. The republicans made the largest relative gains in that ward that they made anywhere in the city.

1932. Q. Are you acquainted with the sheriff of this county?

A. Yes, sir.

1933. Q. Can you state anything of his antecedents?

A. Not of my own knowledge.

1934. Q. Do you know of his having been in the penitentiary?

A. Not of my own knowledge.

1935. Q. Can you state whether he appointed deputy sheriffs on the day of election; and if so, can you give us any idea of the number?

A. I cannot give an idea of the number. I saw a considerable number of persons who claimed to be special deputies, and who had some kind of authority. I saw others who also claimed to be special deputies, and who when asked for their authority had none.

1936. Q. Do you know anything of the characters of these men politically and otherwise?

A. Not of my own knowledge. I saw three or four of them that I thought were about as hard-looking men as ever I saw in my life, though they may be reputable citizens for all I know.

1937. Q. State what you know of the way in which naturalization was effected in the courts of this city.

A. My first knowledge of it, this fall, was in the court of common pleas, where I saw the thing conducted by Judge Barrett with considerable care, I thought, and probably with all the care which could be expected; so much care that after it had gone on for a few days the naturalization substantially stopped. After that I had occasion to find Judge McCunn in the superior court on other business. I went first into the superior court-room over the engine-house. I found a large crowd there, with Judge Garvin on the bench. As I was about to go away Judge Garvin called me to the bench beside him. I stayed there for perhaps ten minutes seeing the process of naturalization. The witness and the man to be naturalized both came on and handed to the judge the application and the affidavit. The judge put some questions to the witness very rapidly. He put questions as to the length of time they were in the country, &c., and the judge thought he did it fairly, because he spoke to me about it. It seemed to me that the questions were so rapidly put that it was utterly impossible for the men, being in all cases foreigners, to understand them. They were put almost as fast in administering the oath, "You swear to tell the truth, the whole truth, and nothing but the truth." Learning that Judge McCunn was in the common council chamber, holding another branch of the same court, I went there and found a very large crowd in the entry, gathered about the two doors leading into the room. They were apparently letting them in by one door and out by the other. I went to the door by which they were coming out, and with some little difficulty I succeeded in persuading the officer to let me in. I took a seat there and found a string of people coming up. They came in at the other door, and when they came within eight or ten feet of the judge the Bible was put in their hands, and per-

haps a dozen or fifteen were sworn at a time to make true answers. They then passed up in front of the judge. The judge had before him a large pile of these applications. He would take them up and ask questions about them, and the witness would answer. (To Mr. Ross:) He took them up one at a time, and at first I noticed that the question he asked was, "Do you know this man?" The witness had no means of knowing who the man was that was named in the paper before the judge. I looked about to see where the men to be naturalized were, and it struck me that the men to be naturalized were not in the room. I then went to one of the officers to ascertain the fact. Just as I was going to him I noticed a little noise at the door at which they were coming in, and heard one of the officers say to a man, "Go out." The man said, "I want to be naturalized." "Well," said the officer, "where is your witness?" "Here he is," said the man. "Well, we do not want you here," said the officer, "go out;" and he kept the man out and let the witness in. I then found that in no case was the person to be naturalized allowed to come into the room. After a time the judge adopted the plan of asking the witness how long he had known the man—giving his name. I may be mistaken, but I thought he did not give the name until he saw me sitting there. It seemed so to me. It went on for fifteen or twenty minutes in that way. The witnesses were asked the questions less rapidly than before Judge Garvin, but a peculiarity in Judge McCunn's court was that the persons naturalized were not present, and there were no means, of course, of identifying who the man was. The witnesses would then ask for their papers, and the officers would tell them, "No, you can't have the papers." The papers were handed to a clerk in the court, then to an officer, and then were taken out to a room across the entry. There were some of them who went and took the oath of allegiance before the clerk. I cannot specify any man who got his paper without taking the oath of allegiance, but while I was standing there in the entry there were certainly many more people coming out with their papers than had taken the oath of allegiance. I ought to say that Judge McCunn, after he recognized me, called me up, and I did my business with him. In the course of the conversation he said, "You see how we do this with all the legal forms, and there ought to be a stop of this abuse of us in the papers." I timed him. The first five minutes I was there he naturalized 13 men, and the second five minutes 15 men. In many cases the same party appeared as a witness for several persons; and in two or three instances a man appeared as a witness in behalf of another, and pretty soon that other appeared in behalf of the first one. Judge McCunn told me that he proposed to stay there until midnight if it was necessary, as these poor men could not afford to leave their work. The papers were taken into the room across the entry, and the person to be naturalized was supposed to go in there before the clerk and take the oath of allegiance. I have said that I saw very many more papers brought out of that room complete than there were persons who took the oath of allegiance. In other words, it seemed to me that the oath of allegiance was not taken by more than half the number of persons for whom papers were brought into the room. That was the impression it made upon me. In one court when a man was waiting to be naturalized, I asked to see the paper which he had in his hand, and on examination I found that it was a soldier's paper, and it referred to the fact that he had served in the army one year and had been honorably discharged, as appeared by his discharge thereto annexed. That was about the language. The first paper I saw had a certificate dated a year before, stating that the person named in it had surrendered his discharge for the purpose of collect-

ing bounty, and subsequently I saw some of these papers with nothing whatever annexed to them.

1938. Q. State how many applicants for naturalization were rejected.

A. While I was there I think that one application was rejected.

By Mr. Ross :

1939. Q. You stated some two cases which you had witnessed at the registry and voting places.

A. Yes, sir.

1940. Q. State at what polling places these transpired

A. One of them was in the 21st ward on the west side, but I cannot give the number of the district. That was the case where the inspectors did not believe that the man lived at the place indicated. There was no arrest there because he swore his name on to the registry, and the inspector had simply the statement furnished him that the man did not live there. The inspector had no knowledge that the statement was untrue and did not deem it right to arrest him.

1941. Q. That is, the republican register had a minute furnished by the Loyal League to challenge the man ?

A. I suppose that the inspector was a republican, but whether he got his information from the Loyal League or not, I do not know, and in fact, I do not know what you call the Loyal League.

1942. Q. The inspector had a memorandum to challenge this man ?

A. He had some information that the man did not live at the place named.

1943. Q. And he challenged him and the majority of the board overruled him ?

A. He questioned him very sharply as to how long he had lived at the place, and made him take an oath, and having taken the oath, all the inspectors agreed I think to register. I think the man who challenged him said something like this: "I don't believe him, but I do not know how we can go back of his oath."

1944. Q. You have no knowledge of your own but that he was a legal voter ?

A. No, sir.

1445. Q. What was the trouble in the other ward ?

A. In the other ward the information had been given from our committee, and had been also derived from a man who claimed to have had charge of registering. The man was challenged, and swore his vote in.

1946. Q. Then I understand you to say they caused his arrest ?

A. In that case he was arrested.

1947. Q. By whose direction and authority ?

A. One of the inspectors.

1948. Q. A republican inspector ?

A. It seems that he was a republican inspector.

1949. Q. What was the number of that voting precinct ?

A. That was a precinct in the sixth or seventh ward.

1950. Have you any knowledge of your own that the man was not a legal voter ?

A. No, sir.

1951. Q. These are all the frauds of which you have any personal knowledge in any of the wards of the city of New York ?

A. I think so; I was about the last man that they would have given any personal knowledge of frauds to.

1952. Q. Was there any affidavit or complaint made before this man was arrested by order of the republican inspector ?

A. I think not.

1956. Q. It was done on his mere order ?

A. Yes, sir.

1957. Q. Did you preside over the board of republican inspectors that were called together at your instance ?

A. I was a member of a committee whose business it was to endeavor to prevent fraudulent voting. I presided over no meeting. I met portions of the republican inspectors nearly every evening for two or three weeks prior to the election. There was no chairman; there was no presiding whatever. I addressed them.

1958. Q. By what authority of law did you have a right to call the inspectors together ?

A. None whatever.

1959. Q. Still you issued your mandate directing them to come before you for instructions ?

A. No, sir. I issued a notice which was almost precisely in these words: "You are respectfully invited to attend a meeting of republican inspectors, at room number 15, Fifth Avenue Hotel, on such an evening, for the purpose of consultation."

1960. Q. Were you one of the inspectors ?

A. No, sir.

1961. Q. Who gave you authority to call the inspectors together ?

A. Nobody.

1962. Q. It was self-assumed ?

A. Self-assumed, entirely. It was very much the same authority that A. Oakey Hall had in calling the democratic inspectors in Tammany Hall; with this difference, that we called them together on week days, and he on Sunday afternoon.

1963. Q. Did you direct the officers whom you called together that they should challenge voters ?

A. I gave them no directions. I advised them that in all cases where they had reason to think, from any cause, that the man was not a legal voter, they should challenge him.

1964. Q. Did you direct any of these election officers to make an arrest of persons whom they suspected not to be legal voters ?

A. No, sir; I could not direct them to do anything.

1965. Q. Did you instruct them or advise them ?

A. I advised them, whenever they had sufficient evidence that men were violating the law, to cause their arrest.

1966. Q. Can you give the law on the subject giving the election boards the right to make arrests ?

A. They are expressly authorized by the revised statutes of the State. The old election law is in the revised statutes, and the registration act has been superimposed upon the old election law. It dates only from 1865. Section 12, of chapter 740, of the laws of 1865, provides that the election board shall have the same powers in preserving order as are given to inspectors of election for preserving order on election days.

1967. Q. Can you tell about the time when you were in Judge McCunn's court ?

A. I should think it was about the 10th of October. It was within two or three days of Judge McCunn's return from Europe. (To Mr. Kerr:) I should say there were from 100 to 125 persons naturalized in the way I have described. I saw a good many others go in while I was in the entry, and I suppose they went through the same process.

(Witness refers to Revised Statutes, part one, chapter six, title four, article three, section 38, in fifth Edwards, Revised Statutes, folio one,

page 433, which provides that if any person refuses to obey the lawful command of the inspectors, or disturbs the proceedings, the inspectors may make an order directing the sheriff or the constable of the county to take the person so offending into custody. The 37th section directs that the inspectors shall possess full authority to maintain regularity and order, and to enforce obedience to their lawful commands during the election, and during the canvass of the votes; and that it shall be the duty of every inspector to challenge any person offering to vote, whom he shall know or suspect to be not duly qualified.)

By Mr. Ross:

1968. Q. The point of inquiry I made was as to the authority of an officer of election to order a man arrested, when he had voted and was going away from the polls.

A. As to that I cannot say; I suppose there is no such statutory provision, but I suppose it is held in this State to be the common law to do so.

1969. Q. That is all the law you find on the subject?

A. That is all the statute law I now find; I do not think there is any special act giving power to order an arrest.

NEW YORK, *Monday, December 28, 1868.*

SAMUEL A. ROBERTS, sworn and examined.

By the CHAIRMAN:

1965. Question. What office did you hold at the last election?

Answer. I was inspector in the 2d district of the 17th ward.

1966. Q. I now present to you a paper purporting to be a certificate of naturalization to Charles Storm, dated the 16th of October, 1868, signed Charles A. Loew, clerk, under the seal of the supreme court; state what you know of it.

A. This man Storm presented himself at the board of registration on the 3d of October, and desired to be registered. I asked him his name and place of residence; and I also asked him if he was a native or foreign-born. He said he was a foreigner, born in Germany. I asked him for his papers. He presented me this paper and I asked him where he obtained it. He said that he obtained it at a liquor store, at the corner of Thirty-second street and Second avenue. I asked him if he had ever taken out any other papers than this, and he said he had not. I kept the paper, and told him I would preserve it. We did not register him.

1967. Q. State what you know in reference to the presentation of similar papers for registration.

A. When parties came up with newly-issued papers, I questioned them as to where they got them and whether they had been before a judge. If they answered the question satisfactorily, and were willing to take the oath, they were registered. Some said they got their papers at the City Hall; but on their being prompted by one of my associates as to what building of the City Hall, they would say the court building. There were some 400 voters registered in our district. I do not believe that over 100 of them came with these new papers. There were other old papers; but it had reference to the new papers. I questioned all presenting these papers, and administered the oath to all who were willing to take the oath. This man Storm did not take it. He stated that he got the paper at a liquor store. We did not administer the oath to him. He frankly told where he obtained the paper and that he had not appeared before a court.

1968. Q. State what proportion of persons who presented naturalization papers for registration were challenged or sworn.

A. But very few.

1969. Q. Were not registers liable to register many persons who held fraudulent naturalization papers?

A. I should think they were liable to register persons who have been illegally naturalized.

1970. Q. State how it was when they came to vote—whether a few or many were challenged.

A. There were none challenged on election day in the district where I was.

1971. Q. Why not?

A. We believed that they were legal voters, as we had given them a thorough examination on the days of registration. We then scrutinized the voters and their papers.

1972. Q. State if you know any facts that led you to suppose that it would be dangerous to challenge on election day.

A. I do not know of anything that would have deterred me from challenging a voter.

By Mr. KERR:

1973. Q. Or deter any one else?

A. Or any one else.

By Mr. ROSS:

1974. Q. You say you examined and scrutinized the applications for registration under all these new certificates pretty carefully?

A. Yes, sir.

1975. Q. And where there was any doubt you swore them?

A. I asked them if they would take the oath.

1976. Q. Do you think in that way at registration you got rid of all the illegal votes?

A. I think that our strictness there prevented a great many from coming there to be registered.

1977. Q. And that you kept your polls pretty pure?

A. Yes, sir.

1978. Q. How many did you reject?

A. I suppose we may have rejected some 20, more or less.

1979. Q. Generally for the reason that they could not tell the places where they got their papers?

A. There were other questions which they did not answer satisfactorily.

1980. Q. As to these 20 who were rejected, state on what ground they were rejected.

A. Some few of them were rejected on the ground they had never obtained their first papers.

1981. Q. Did they state whether they had come to the country before they were 18 years of age?

A. I was very careful to ask them that. Some of them were rejected because they had not been long enough in the city or county.

1982. Q. How about the others?

A. The reason for rejecting those we did reject was non-residence and illegal papers.

1983. Q. And do you think that on the whole the vote was pretty fair in that precinct; and that they were generally legal voters.

A. I cannot say, as I did not know them personally; they answered the questions.

NEW YORK, *Monday, December 28, 1868.*

WILLIAM D. SLOAN sworn and examined.

By the CHAIRMAN:

1984. Question. State what you know of the arrest of Urmy, one of the inspectors of elections?

Answer. Urmy was arrested by special deputies of the sheriff; a man named James Gillem offered to vote, and after taking his name Urmy told him he would have to challenge his vote; the man swore his vote in, and Mr. Urmy immediately ordered his arrest on the ground that he was an illegal voter; immediately after that four or five or six men came in, and the leading man among them said, "I arrest you, Urmy;" Urmy declined to go with him, and they took him by the collar and dragged him out from behind the counter, thrust him into a stage and took him down to the Ludlow street jail, as I was informed; about the time they were arresting Mr. Urmy one of the inspectors, named Dalton, said to a man named Day, who said he knew the man to be a voter, and that he lived in his house, "See to it, Day, that that man is not arrested."

By Mr. Ross:

1985. Q. This man Gillem was arrested?

A. Yes, sir.

1986. Q. This inspector, Urmy, refused to go with the officers?

A. Yes, sir; he declined to go, and said they had no authority to arrest him; I counselled him not to go, as I thought they were arresting him without any authority, as he was doing his duty.

1987. Q. These men did not use any more force than was necessary to take along a man who refused to go with them?

A. Yes, sir; they dragged him out bodily, with his back to the ground.

1988. Q. He could have got up and gone with them, could he not?

A. Yes, sir; if he chose to do so; when he got to the door his arm caught in the door, and he groaned as if he was hurt, and there was some excitement; he then said, "I will go along with you now;" he lost his hat about that time, too; they did not wait for him to get to his feet, but dragged him along and gave him pretty rough handling, I thought.

1989. Q. Had you been employed to give advice to election officers?

A. I was nominally in charge of the district, so to speak.

1920. Q. Appointed by whom?

A. By the organization of the party to which I belong.

Q. What organization?

A. The republican.

Q. Where did it hold its headquarters?

A. 179 Lexington avenue.

Q. Did you have a written commission?

A. O, no.

1921. Q. What kind of instructions had you, and from whom?

A. I got only general instructions to get our voters out, and see that no persons on the other side voted illegally.

1922. Q. Who gave you these instructions?

A. They were given by the executive committee of our organization.

1923. Q. Then you were not a police officer, or one detailed by the sheriff?

A. No, I was acting as any other citizen.

1924. Q. You had no office there?

A. No, sir.

1925. Q. And no business any more than any other citizen ?

A. No more than any other citizen.

1926. Q. Still you took it upon yourself to give advice to resist the officers of the law ?

A. I did not recognize them as officers of the law.

1927. Q. But you did recognize these men who arrested the voter Gillem ?

A. Because they were legally appointed.

1928. Q. You did not have so much sympathy for him as for the other man ?

A. Not by any means.

1929. Q. He was not on your side in politics ?

A. I do not know that that influenced me ; perhaps it did.



STEPHEN M. CRANDALL sworn and examined.

By the CHAIRMAN :

1930. Question. What office did you hold at the last election ?

Answer. I was inspector of election at the last election, but not of registration.

1931. Q. State what you know of the arrest of S. S. Urmy.

A. On the morning of the election I was checking the list while Urmy was acting as chairman of the board. About 10 o'clock a man came to vote who gave the name of one of those who was supposed not to live where he alleged he did. He was challenged and Mr. Urmy swore him. He took the oath and Mr. Urmy immediately ordered his arrest ; one of the democratic inspectors objected to his going without a commitment, and Mr. Urmy turned to me and asked me to write a commitment, which I did ; as the officer was taking him, I heard some one outside saying something about that " man in the corner." Just at that moment in rushed five or six, or may be eight of the crowd ; then I surmised what they were after, and I told the policemen not to allow any more to pass behind the counter. They did pass by the police, got behind the counter and claimed Urmy as their prisoner, saying that they were deputy sheriffs. Urmy protested against going with them ; they caught him by the lapels of his coat and took him out. About an hour after that one of the party came back with a paper and showed it to one of the democratic inspectors—Mr. Slater, I think it was—who signed it. Mr. Urmy was released about half past three o'clock, I think.

1932. Q. State if Urmy did anything else to cause his arrest than to challenge this voter.

A. He did nothing else.

1933. Q. State if there was anything boisterous in his manner, or disorderly in his conduct.

A. Nothing whatever.

By Mr. Ross :

1934. Q. What kind of a commitment was made for this man Gillem ?

A. A commitment on one of the blanks furnished by the department for that purpose ; we had a list of names from the house where he came to vote from.

1935. Q. That list was furnished by the republican committee ?

A. No, sir ; it was taken from our books. There were more registered from that house than we supposed could well occupy the rooms in it ; I learned afterwards that this man proved to be not a resident of the house.

MICHAEL QUINLAN sworn and examined.

By the **CHAIRMAN**:

1936. Question. Have you a certificate of naturalization?

Answer. I have, but not with me.

1937. Q. Of what country are you a native?

A. Ireland.

1938. Q. Where did you get this certificate of naturalization?

A. In the City Hall.

1939. Q. How long have you been in the United States?

A. Six years.

1940. Q. How old are you?

A. Twenty-three years.

1941. What questions were asked by the judge when you got your naturalization papers?

A. No questions except when I was taking my oath against all foreign powers, and particularly the Queen of Great Britain and Ireland.

1942. Q. Who was your witness?

A. My brother.

1943. Q. What questions were asked of him?

A. Whether he knew me, and whether I was of good moral character.

1944. Q. Was that all?

A. That was all.

1945. Did you ever get out your first papers?

A. No, sir.

By **Mr. Ross**:

1946. Q. Were you under 18 years when you came here?

A. Yes, sir.

NATHANIEL JARVIS, Jr., sworn and examined.

By the **CHAIRMAN**:

1947. Question. What is your official position?

Answer. I am clerk of the court of common pleas in this city, and have been since 1850.

1948. Q. Who is judge of that court?

A. There are three judges—Daly, Brady, and Barrett.

1949. Q. State what party you and they act with.

A. I suppose they do not act with any party judicially; they were elected by the democratic party.

1950. Q. Can you state what number of persons were naturalized in your court during October, 1868?

A. From the 1st of June to the 21st of October the number was 2,987. There were but few naturalized during the preceding part of the year.

1951. Q. Will you furnish the committee with the number of persons naturalized each year for the past three years, and the number naturalized each day during the month of October, 1868?

A. Certainly, sir, with great pleasure.

1952. Q. State what proportion of naturalizations, prior to this year, was had in the court of common pleas as compared with the other courts.

A. Prior to this year I suppose the common pleas naturalized more than the other courts, being the county court, and being the court in which most of the declarations of intention are made, and being constantly in session. This and the superior court were then the only two courts that did naturalize. The supreme court never did so, in my memory, until this year. This year we naturalized very few comparatively.

1953. Q. Can you state any reason why that class of business was done more in the other courts this year and less in yours?

A. I cannot state any reason; I may have an impression. I don't think we naturalized them rapidly enough. I cannot give any other reason than that. We have but three judges, and the other courts have more.

1954. Q. Will you permit the committee to inspect the naturalization papers in your office?

A. Yes, sir; I will be delighted to have them do so.

1955. Q. Will you permit the persons who may be designated by the chairman of this committee, to go into your office and in your presence, or in the presence of such clerks as you may designate, make a list of the names and places of residence of the persons naturalized, and the names and places of residence of the witnesses?

A. Certainly; I shall be very happy to assist them.

1966. Q. Describe the mode in which naturalization is done in your court.

A. Yes, sir; as it always has been done within my memory. In the first instance, the applicant presents himself to the clerk, and the clerk asks the witness whether he has known the applicant for five years; whether he has resided in this city for the past year, and whether he has been out of the United States any time within five years. The uniform custom of our office and of our court has been to swear the witness in such case to answer the truth touching the questions put to him in the matter of the application of A B to become a citizen. The papers are sent to the court room, and the applicant and his witness are both called up by the judge and examined, each in the hearing of the other; and if the answers are satisfactory to the court, the judge orders the applicant to be admitted to citizenship. He then returns to the clerk's office, and we give him a certificate of naturalization, signed and sealed.

1967. Q. State if there has been in all cases oral examination of witnesses in addition to swearing to the affidavit.

A. Always; and the judges have their marks, as in the cases of minors, &c. They take the age of the witness of the applicant, the length of time he has been in the country, and they put it in the papers themselves.

(Witness produces forms of papers used for naturalization in the court of common pleas.)

1968. Q. State if these blank forms are substantially similar to those used in the other courts.

A. The other courts have adopted the forms which we use.

1969. Q. State what practice prevailed in your court as to the naturalization of several persons at once.

A. They never naturalize more than one at a time.

1970. Q. I present to you a paper purporting to be a certificate of naturalization dated the 3d of October, 1868, with the blank for the name of the person unfilled; state whose signature is annexed to it, and what seal.

A. That is the signature of the deputy clerk of the court, and it seems to me that it is the impression of the seal of the court of common pleas; but it has evidently been sealed with another paper by some mistake, because the impression on it is very faint; it has probably got out of the office by mistake; but it has never been used. I know that we used every care and caution, and naturalized persons without reference to any political party.

1971. Q. State whether your observation and experience enable you to say whether there is anything inherently defective in the present sys-

tem of naturalization, where there is a large number of persons to be naturalized; and if so, whether a remedy is practicable in your opinion.

A. A remedy is practicable by the court making rules by which naturalization shall be done in a certain way; it is a mere matter of practice. I do not know that any greater care can be exercised than I have seen exercised in our court. I think the law might be in some respects very beneficially changed. I think the testimony of witnesses should be taken in a different manner.

By Mr. HOPKINS:

1972. Q. Have you ever been in either of the other courts when they were naturalizing citizens?

A. Yes, sir; I have been in the superior court.

1973. Q. Did you observe the process of naturalization in that court?

A. I did.

1974. Q. What was it, as contrasted with yours?

A. It was slightly different from our own. The court was very crowded, and the judge seemed to have a great deal to do.

1975. Q. Did he examine the applicants and the witnesses in the form required by the statute?

A. It was not done as it was done in our court. I will not say that it did not comply with the statute; that is a question of opinion.

1976. Q. State as a matter of fact how he did do it.

A. I heard the witness called; I do not think I saw an applicant; I don't know that he was called; I was very anxious to get rid of as much of that business as we could, and I thought it ought to be divided up among the courts; I do not think that the examination was quite as critical as was the habit in the court of common pleas. I know that there were other judges in the supreme court quite as careful as the judges of our court; for instance, Chief Justice Robertson was very careful in naturalizing. I think it was Judge McCunn whom I saw naturalizing in the superior court. It was after our court had adjourned, and the superior court was being held in an adjoining room to ours. I did not go in there for the purpose of investigating their manner of doing it, but to see the great number of persons who were applying for naturalizations.

1977. Q. You say there was no applicant present?

A. I only heard the witness called. In that respect it was different from the practice in our court, where both parties are called.

1978. Q. What questions did the judge ask the witness?

A. I think he asked him how long he had known the applicant, mentioning his name from the paper, and whether he had known him to be five years in the country, and whether he had read the affidavit, and whether it was true. It was a very short examination. I did not see the applicant in any case.

1979. Q. Did the judge take up the paper and read the name of the applicant, or did he not simply ask the witness how long he had known this man?

A. I think he mentioned the name of the applicant. In the common pleas the applicants and the witnesses are brought up before the courts side by side; but here the witness only was called, and I did not see the applicant at all. It was a very crowded room.

1980. Q. Have you ever been present in the supreme court during the naturalization of citizens?

A. No, sir; I tried to get in one day to see what they were doing, but I could not get in.

1981. Q. Is it not a novel way of naturalizing persons not to have the applicant present ?

A. It is; because the certificate implies upon its face that the applicant is in court. He may have been in court, but he was not called with the witness.

1982. Q. Have you any knowledge how many persons were naturalized this year in the different courts ?

A. I have not; we made up the exact number in our court from the books. I am told that in the other courts they naturalized 15,000 or 20,000 each; though I can hardly believe that can be possible.

By Mr. KERR :

1983. Q. You do not know that the applicants were not present in the superior court ?

A. I do not know that they were not present; the applicant may have been called after the witness was examined. I do not know their practice there; I stayed but a moment. The superior court sat in the afternoon, after our court had adjourned, and that was the occasion of my having been there.

1984. Q. Did your court sit at night for that purpose ?

A. No, sir.

By Mr. HOPKINS :

1985. Q. How long would it take, under the forms prescribed by your court, to get a person naturalized ?

A. It would take certainly ten minutes for one person—that is, in the preparation of his papers, &c.

By Mr. KERR :

1986. Q. How long would it take for the action of the court alone ?

A. Probably about five minutes. There were many cases where I knew the court to be 20 minutes in the examination of a witness, and then to reject the applicant; but the ordinary time, with an intelligent man, answering truly the questions put to him, would not be over five minutes.

1987. Q. Did you ever go into Judge McCunn's court, except that one time ?

A. Never, except that one time; and only for the reason I have stated, that they were waiting to occupy our room.

1988. Q. Do you know of any persons being naturalized who were not entitled to naturalization ?

A. Yes, sir; I do. I was subpoenaed to Trenton, New Jersey, in the case of a man who had been naturalized in our court and who was not entitled to it. The thing was put through by some person personating the applicant. The case on its face appeared to be regular, and was entirely regular so far as the action of the court was concerned; but it appeared that the man had never been out of the State of New Jersey, and had been in the country only a few months. His employer having discovered that he had been naturalized made the charge, and then it was found that some other person had personated him in the court of common pleas in the city of New York.

1990. Q. In other words, the court was deceived ?

A. The court was deceived by perjury and forgery. That is the only case of fraudulent naturalization that I know of.

1991. Q. When you say that the reason of the transfer of some of this business from your court to the other courts was to secure greater expedition, on what fact do you base that answer ?

A. We have but three judges; the superior court has six; the supreme court has five. During the month of October our court was holding its general term, sitting in banc, and all the judges were required to be present, so that very little time could be by them devoted to naturalization business.

1992. Q. What portion of time were the judges of your court compelled to be in attendance on the regular business of the court during these hurried days?

A. From 11 o'clock until 3.

1993. Q. Did your court ever sit for the exclusive purpose of transacting naturalization business?

A. Never, except during a day when the court would adjourn its regular business and continue its session for the purpose of naturalization; but it never sat beyond the regular hour of adjournment.

1994. Q. Did your court have any regular hours of the day for the transaction of this kind of business?

A. Yes, sir; one hour in the morning—from 10 till 11—and one hour in the evening; and if the court should fall through for want of other business the judges would be in attendance and would dispose of any applications for naturalization.

1995. Q. Can you state whether, during those hours so set apart for naturalization business, the judges were kept busy, or whether they were a great part of the time idle?

A. They were a great part of the time idle. Except for a few days, they had no chance to attend to the business of naturalization at all but during the hours assigned to it.

Q. At those hours so assigned, were the judges always engaged in that business, or were they during a part of those hours left without business?

A. They were left without business; they attended to other chamber business. This naturalization business was considered a matter of chamber business.

1996. Q. Considering the organization of your court—its number of judges; the time they sit; the time devoted to this business, and the rules in regard to it adopted by the court—I ask you, in reference to the other courts and their organization, how much more of this business the other courts could have done than your court could?

A. They could have done three times as much.

Q. State whether, from your knowledge of the manner in which this business is ordinarily transacted, it is not practicable for persons who design fraud to deceive and mislead your court?

A. Yes, sir; it is a very easy thing.

1997. Q. And it is in the power of such persons to perfect frauds?

A. Yes, sir; it is very easy to accomplish them.

1998. Q. Without any corrupt knowledge on the part of the judges or officers of the court?

A. Yes, sir; it is a very easy thing to do.

1999. Q. How long have you been a clerk in that court?

A. Since 1858; and prior to that time I was deputy clerk of the court. I have been attached to the court of common pleas since I attained to manhood, and have very large experience of naturalization business.

2000. Q. State whether, during the year 1868, and in the closing days of naturalization, there was more or less of that kind of business done than any former year of your observation?

A. There was more.

2001. Q. State whether during the last eight years, from any cause

and if so, from what cause, an undue proportion of persons of foreign birth failed to naturalize until the year 1868.

A. Most of the cases of naturalization had in the court of common pleas, under the section of the act of Congress providing for the naturalization of minors, was made necessary by the minor coming to be naturalized, although he might have been naturalized with the naturalization of his father; because our registry laws require a certificate of naturalization before he can vote; for that reason I know we had a very large number of applicants who might have been citizens of the United States by the naturalization of their fathers. We had one instance in the case of a man whose father was naturalized in 1795, and who was refused registration because he could not produce a record of his naturalization; I found his father's record of naturalization. He was a man who died in our city a few years ago worth a good many millions. I then had occasion to make a detailed examination of the number of persons who had declared their intention to become citizens during the past tow years.

2002. Q. Referring now to a different class of facts, I ask you to state whether, on account of the various considerations connected with the late war, and of the liability of citizens in this country to do military service, there was any diminution during the last six or eight years of the number of persons naturalized by the courts of this city.

A. I am not prepared to answer that. I know that, during the war, applications for naturalization were very few, compared to what they were since the war and before it.

2003. Q. State whether, during the year in which we have a presidential election, the number of persons naturalized is not greatly in excess of those in other years.

A. It always has been so. Since the late election applications to declare intentions have been greater than a year ago. I know that the number of naturalizations prior to a presidential election is always greater than at any other time.

Q. Are you personally acquainted with the judges of the supreme court?

A. I am.

2004. Q. And of the superior court?

A. Yes, sir.

2005. Q. I desire to know whether you have any reason to believe that any of them would lend himself to the accomplishment of fraud upon the naturalization law or upon the election laws.

A. I should certainly answer, most positively, no.

By the CHAIRMAN :

2006. Q. Would you consider it consistent with official integrity for a judge to naturalize persons without making any examination at all of the witness, but simply by swearing him that the affidavit subscribed by him was true?

A. No, sir; that is positively wrong. It is in violation of the statutes and of the decisions in our own States where the courts have held that the examination of witnesses must be made in open court and by the judge.

2007. Q. Would you consider it consistent with official integrity for a judge to naturalize persons when the persons naturalized are not present in court but only their witnesses?

A. No, sir.

2008. Q. Would you consider it consistent with official integrity for a judge to naturalize large numbers of persons, say from a dozen up to fifty or a hundred in a batch, swearing them altogether?

A. No, sir; I should think it a great violation of law and right.

2009. Q. Would you consider it consistent with official integrity for a judge to naturalize persons without employing the usual and ordinary means of knowing that no frauds were practiced upon him by the false statements of witnesses or applicants?

A. No, sir; it is his duty to make investigation and be satisfied that the applicants and the witnesses are the persons whom they represent themselves to be. I know that that is the rule in our court.

2010. Q. Did the judges of the court of common pleas sit separately, each judge having jurisdiction?

A. Yes, sir.

2011. Q. State whether the same rules as to the hours devoted to naturalization prevailed in previous years in the common pleas as prevailed this year.

A. Yes, sir.

2012. Q. State what proportion of persons naturalized are minors.

A. About one-half were minors this year; I made that estimate.

Q. How was it in previous years?

A. I estimate it as one-half, or something near it. The minor cases were in consequence of their not being able to furnish certificates of registration.

2013. Q. State if in your court you used printed forms of application containing the oath of allegiance, and renunciation of allegiance to every foreign prince, potentate, and state, and particularly to the country or government from which the applicant came, naming that country or government.

A. Yes, sir.

2014. Q. State if any practice prevails in your court, of striking out that part particularizing the country or government from which the applicant came.

A. No, sir.

2015. Q. Would you consider it consistent with official integrity for a judge to permit large numbers of forms used in naturalization to have that part of the oath stricken out?

A. No, sir; it is his duty to examine papers, as well in papers of naturalization as in any other case.

By Mr. Ross:

2016. Q. Would that be want of integrity, or mere carelessness?

A. I think it would be very careless. I think it the duty of a judge not only to be honest, but to be at the same time careful. I do not know that that would affect his official integrity.

2017. Q. But a man might be an honest judge and let that thing go through?

A. Certainly.

By Mr. HOPKINS:

2018. Q. Was it the custom in your court for one person to be a witness for a number of applicants?

A. No, sir; and when a man presents himself as a witness in two cases, he is refused to be allowed to act as a witness in either, except it may be in the case of minors, where the father or some relative might be a witness for more than one.

2019. Q. Would your court ever permit the name of an applicant and the name of a witness to be signed by other parties, with merely a cross between the two as a mark, without identification?

A. Certainly not.

2020. Q. Would you consider that a very loose and informal way of doing business?

A. Yes, sir; and for that reason persons generally make applications to clerks, who prepare their papers in due form.

2021. Q. Your court would not have considered such an application as being in due form, with the signatures all written by one man, without any identification of the person by a witness?

A. No, sir.

OWEN E. WESTLOCK sworn and examined.

By the CHAIRMAN:

2022. Question. State what office you hold.

Answer. I am general term clerk in the superior court of this city.

2023. Q. Can you state the number of persons naturalized in your court during the month of October, 1868?

A. I present a statement, giving the aggregate number of naturalization in that court for the months of January, February, March, April, May, June, July, August and September, and the number naturalized each day from the 1st to the 23d of October, and the aggregate for the month of November, and up to the 24th of December, the total being 27,897. The statement is as follows:

1868.		1868.	
January	84	October 10th	1,653
February	100	October 12th	1,856
March	105	October 13th	1,868
April	140	October 14th	2,109
May	108	October 15th	1,420
June	102	October 16th	1,112
July	140	October 17th	840
August	195	October 19th	1,026
September	632	October 20th	1,004
October 1st	580	October 21st	860
October 2d	745	October 22d	911
October 3d	840	October 23d	1,024
October 5th	1,425	November	41
October 6th	1,721	December	24
October 7th	1,630		
October 8th	1,842	Total	<u>27,897</u>
October 9th	1,760		

2024. Q. Before what judges were these naturalizations, in October, principally made?

A. Principally before Judge McCunn and Judge Garvin.

2025. Q. Were you one of the clerks who acted in naturalization matters?

A. Yes, sir; my legitimate business in regard to naturalization was simply searching.

2026. Q. State whether it was the practice of the judge to swear the witnesses to the truth of the affidavits by them subscribed, or whether there was any other examination of them.

A. I was not present in court during the examination of the witnesses, but I can give you the *modus operandi*.

By Mr. HOPKINS:

2027. Q. You stated that your duties were searching. What do you mean by that?

A. When a man had been previously naturalized, and had lost his papers, I searched the records to get him a duplicate copy.

2028. Q. Will you present the applications and affidavits of witnesses, on which there were naturalized in the superior court, Joseph Bush,

October 8, 1868, John Wallace, October 22, 1868, William Malia, October 25, 1868, James Montgomery, October 25, 1868, Michael Kerwin, October 16, 1868, and Daniel Sullivan, October 27, 1868?

A. I now present such papers and give a list of the names and residences of the applicants and the witnesses as follows:

APPLICANTS.	WITNESSES.
William Malia, 752 Second avenue. Daniel Sullivan, 450 Cherry street. Joseph Rush, 781 East Forty-eighth street.	Thomas McGovern, 221 First avenue. William Gould, 387 Cherry street Matthew Downey, Forty-eighth street and Second avenue.
John Wallace, Forty-second street, between Second and Third avenue. Michael Kerwin, 304 West Eleventh street. James Montgomery, 787 Second avenue.	William Welch, 596 Greenwich street. Patrick McMahon, 500 West street Thomas McGovern, 221 First avenue.

2029. Q. State what time the superior court met and adjourned during October.

A. The hours of meeting in special term were from ten to three and in trial term from eleven to four.

2030. Q. State if the court sat at night.

A. I think it did on two or three occasions.

2031. Q. State whether in the application of William Malia his signature and that of his witness, James McGovern, are not in the same handwriting; and whether in the case of Daniel O'Sullivan his signature and that of his witness, William Gould, are not also in the same handwriting.

A. I should not like to swear positively; but there is a great similarity; they look very much as if they were in the same handwriting.

2032. Q. State whether all the other applications which you produced, with the exception of the application of Joseph Rush, are not signed with a mark both for the applicant and the witness.

A. Yes, sir.

2033. Q. I present to you a paper purporting to be a certificate of naturalization to Maximilian Beck, issued by the superior court, dated the 19th of October, 1868, and referred to in the testimony of Maximilian Beck; can you furnish the application and affidavit on which it was issued?

A. Yes, sir.

2034. Q. Also the case of Andrew B. Siegner?

A. I will endeavor to find it.

By Mr. HOPKINS:

2035. Q. How long have you been connected with the superior court?

A. About six years.

2036. Q. How did the naturalizations this year compare in numbers with those of the preceding years?

A. I cannot answer that question intelligently, because I have not had charge of that department. I can give the exact number from our books.

By the CHAIRMAN:

2037. Q. State whether in the application of James Montgomery the witness does not purport to be Thomas McGovern, residing at 221 First avenue.

A. Yes, sir.

2038. Q. In the paper his name is signed with a mark?

A. Yes, sir.

2039. Q. State whether in the application of William Malia the wit-

ness does not appear to be the same person, and whether his name there is not signed without a mark.

A. Yes, sir.

By Mr. HOPKINS:

2040. Q. Do you know whether the final papers were delivered to the parties for whom they were made out, or to the parties who filled the applications for the papers?

A. I do not know; the final papers were all signed by Mr. Meeks, the deputy clerk, and were given out, I suppose, to those entitled to them.

2041. Q. Were you present in court on the 14th of October, the day when over a thousand were naturalized?

A. No, sir; I was not present any time in October except one day about ten minutes. My business was confined principally to entering judgments, satisfying judgments, and various other business pertaining to the office. I had nothing to do with naturalization.

By Mr. KERR:

2042. Q. You really know very little about the business of naturalization?

A. Very little during the last year, because I was not present any time. My duties called me into another court; I am clerk of a general term, in which these matters are not attended to.

By Mr. ROSS:

2043. Q. How many judges were acting at the time this large number of naturalizations was granted?

A. From two to four. We have six judges, and they may have all taken part. As a general thing there were two judges, McCunn and Garvin, sitting almost all day.

2044. Q. And frequently in the night?

A. Not frequently—two or three nights. The chief justice naturalized some.

2045. Q. Did you see anything in the conduct of the court or its officers that looked like a disposition to get through fraudulent papers?

A. No, sir; I did not.

2046. Q. Do you know of any fraudulent papers having gone from that court?

A. No, sir.

2047. Q. You have no knowledge of any judges or officers winking at anything of the kind or encouraging it?

A. No, sir; I was not present in court at any time during naturalization except perhaps twenty minutes in the entire month. I know of no frauds myself, and I have not heard of any frauds having been committed by our court.

2048. Q. Did there appear to be in the action of the court a disposition to do the thing fairly and justly?

A. Yes, sir, in every case.

2049. Q. And if anything improper occurred there, it was through mistake?

A. Yes, sir.

HENRY J. CHAPMAN sworn and examined, (at the instance of Mr. Ross.)

By Mr. ROSS:

2050. Question. Did you hold an office at the late election?

Answer. I was register in the 16th district, 16th ward.

2051. Q. Who constituted that board of registration?

A. Mr. Willis and myself were the republican registrars, and Mr. Van Buren and Mr. Seixas were the democratic.

2052. Q. How many votes were given in that poll?

A. We registered about 511, but I don't think we voted as much as 500.

2053. Q. How many of them were registered on certificates of naturalization?

A. There were some few tried to register on fraudulent certificates, and were refused, and they did not try again. There was one man registered and when he came to vote he would not take the oath, and we would not receive his vote. That is about the only case I know of. I was there all day, and checked the ballots as they were put into the box.

2054. Q. Were you in the habit of swearing the applicants for registration on certificates of naturalization?

A. Mr. Willis did that principally. He was very particular with it. I allowed him to do it, for he understood it better than I did.

2055. Q. All about whom there was suspicion were sworn?

A. Yes, sir; and we were very strict and exact about it.

2056. Q. And every one was excluded who could not give satisfactory answers?

A. Yes, sir; two men came up and registered, who spoke like Germans, and who claimed to have been born in this country. Mr. Willis said it was impossible for men to have been born in this country, and not speak better English than they did, and so he refused to register them.

2057. Q. Is not that often the case among Germans?

A. They can generally speak the English language.

2058. Q. So far as you know there were no frauds either in the registration or in the voting?

A. No, sir; there were none.

2059. Q. You think the thing was fairly conducted?

A. It was fairly conducted. The democratic inspectors were very respectable men; we had no trouble at all. They acted very fairly and honorably.

RICHARD G. HUNT sworn and examined.

By the CHAIRMAN:

2060. Question. What office did you hold at the last election?

Answer. I was registrar and inspector of elections in the 19th district, 11th ward.

2061. Q. State what you know of fraudulent naturalization papers having been presented for registration.

A. I had no knowledge of fraudulent naturalization papers being out on the first day of election. On the second day papers were presented to the board issued within a few days previously. When we came to question persons having them pretty closely, we found that they could not give satisfactory answers as to how and when they obtained them. We threw a considerable number of them out. On the first day we had received similar papers, and we registered them without question. On the second day we threw out 30 of them. Several applicants swore right through that they had come down personally to such and such a court and brought their witnesses with them, and had got their papers. Their papers, when produced, were done up in a large envelope and were addressed, "By the politeness of Henry Waltman." That opened my eyes more particularly to the rumors I had heard about these papers, as I was somewhat acquainted with Mr. Waltman's character in the ward. Perhaps a half dozen admitted that they got their papers from Waltman,

and that they had gone to the City Hall for them. In the case of one of these men we refused to register. The man went on to state how he was a voter but had lost his papers. He said he knew the papers which he had presented he had not obtained himself, but went to such and such a number with a friend. (To Mr. Kerr:) I think he said No. 66 or 68, Avenue C, a place occupied by Mr. Brincker's real estate agency. He said he swore there to the fact of his having been naturalized, and to his papers having been lost; that he swore to it before a Mr. Joseph Lyons, and that he told him that that was satisfactory and took his name and residence, and told him to come next evening for his papers; that he had gone the next evening and had got his paper. He wished me to use my influence with the board to have his name registered. I told him I could not do that. The Saturday evening previous to election, when I went to supper, he went in before the three registrars who were there and made the same statement, and produced a witness who swore that he had seen the naturalization paper which he had obtained at Avenue C. I have it now with me and present it to the committee. I have also a name on my registry book of a person who acknowledged that he had obtained his papers of Henry Waltman, in Avenue C, and that he had never been to court.

By Mr. HOPKINS:

2062. Q. Who is Henry Waltman?

A. He was elected to the assembly on the democratic ticket from the 11th ward.

By the CHAIRMAN:

2063. Q. What proportion of persons who presented themselves for registration with naturalization papers were sworn?

A. I cannot say, but I should say that 100 would come close to the number.

2064. Q. How many were registered in the district?

A. Five hundred and sixty-seven, I think.

2065. Q. What number of voters were challenged?

A. So many that they made quite a noise and disturbance about it. I should suppose from 30 to 40, and perhaps 50. We were very particular in swearing them at the time of registration if we had any doubt.

2066. Q. With the small number of persons sworn, state whether the registrars were liable to be imposed upon by persons who were aware they were not entitled to registration.

A. I think they were in a few instances, but not in many instances.

2067. Q. Can you state any number of persons who registered, and who voted, and who were not entitled to?

A. I can state one person who presented a vote under the name of Thomas J. Brown, but was not the man he personated. I swore him, and he swore his vote in. I understood afterwards he went to vote in another district, in Avenue D.

By Mr. KERR:

2068. Q. Do you know what the man's real name is?

A. I do not know.

2069. Q. Do you know him personally?

A. No, sir.

2070. Q. Then why are you so confident that he was not the person he represented himself to be?

A. The reason is this: I have seen Thomas J. Brown frequently, and this is not the person. The genuine Thomas J. Brown did not vote.

By the CHAIRMAN:

2071. Q. Do you know of any other man voting who was not entitled to vote ?

A. No, sir; I do not.

By Mr. KERR:

2072. Q. Do you know Mr. Waltman personally ?

A. I do.

2073. Q. With what political party do you act ?

A. I act at present with the republican party, and did during the last campaign.

By Mr. ROSS:

2074. Q. You think you excluded all illegal votes.

A. Yes, sir, so far as I know.

2075. Q. And the election was carried on purely there ?

A. At the same time I think there was a considerable number of votes that were not legal votes.

NEW YORK, *December 28, 1868.*

BENJAMIN VAN BUREN sworn and examined, (at the instance of Mr. ROSS.)

By Mr. ROSS:

2076. Question. Were you one of the election officers last year ?

Answer. I was inspector of election in the 16th district, 16th ward.

2078. Q. Was Mr. Anson Willis on the board with you ?

A. Yes, sir.

2079. Q. State to the committee how the election there was conducted, and how the officers discharged their duty both at the registration and the election.

A. Everything went on very pleasantly. They all seemed to do their duty. I saw nothing that I supposed to be illegal. Judge Willis being an ex-judge, did most of the swearing for us.

2080. Q. There was no difference or ill-feeling among the members of the board ?

A. None, whatever.

2081. Q. Everything went off pleasantly ?

A. Very agreeably and pleasantly.

2082. Q. And there was no illegal voting or registration so far as you know ?

A. I do not think there was an illegal vote polled.

2083. Q. You think that the registration and election were properly conducted ?

A. Yes, sir.

2084. Q. And that none but legal voters voted ?

A. No, sir.

2085. Q. Nothing improper transpired at the polls ?

A. Nothing, that I saw.

By Mr. KERR:

2086. Q. State whether, during the transaction of your duties on that board, objection was made to a critical examination into the rights of persons to be registered or to vote by any member of the board.

A. None that I am aware of.

2087. Q. Were obstructions of any kind put in the way of a critical examination of that kind by any member of the board ?

A. No, sir.

2088. Q. Who was your democratic colleague ?

A. Mr. Seixas.

2089. Q. State whether you or he, or both of you, either by your votes, or by your expressions, or otherwise, put any obstacle in the way of a critical examination into the rights of parties to register and to vote.

A. None whatever.

2090. Q. State whether you had any words, or controversy, or differences of opinion on this subject with your colleague Mr. Willis.

A. No, sir; there was no objection made to anything that was done. Everything went on harmoniously, as much so as in any board I ever saw.

2091. Q. Did you or your colleague endeavor to get fraudulent votes registered, or voted on ?

A. No, sir.

By the CHAIRMAN :

2092. Q. Was there any objection made to any person who asked to be registered ?

A. No, sir.

2093. Q. Was there any objection made to any person voting who

A. No sir.

asked to vote ?

2094. Q. There were some, however, challenged ?

A. Not one man was refused the right to vote who was challenged.

2095. Q. You were not acquainted with the voters in that district ?

A. No, sir; I did not reside in the district; I do not believe that I knew a dozen voters in it; I lived in the lower part of the ward.

2096. Q. There may have been many persons who registered and voted who were not entitled to register and to vote, and you not know the fact ?

A. Such a thing is possible.

By Mr. KERR :

2097. Q. Can you give the number of persons who registered and who voted on certificates of naturalization ?

A. I think two-thirds of them did; it is a district composed chiefly of foreign residents.

By Mr. HOPKINS :

2098. Q. Was not the presentation of naturalization papers considered evidence sufficient that the man was a voter ?

A. Yes, sir; I so considered it; that is the way I understood the law.

NEW YORK, *December 29, 1868.*

PATRICK DUFFY sworn and examined.

To the CHAIRMAN :

2099. I am a native of Ireland; have been in the United States since 1853 or 1854; I got a paper from J. M. Moore, purporting to be a certificate of naturalization; he keeps a liquor store corner of Thirty-fifth street and Ninth avenue; I happened to be in there one day and to remark how curious it was that as long as I had been in the country I had never voted; he asked why it was, and I said it was neglect on my part; he

said he could get papers for me for a dollar; I gave him a dollar, and on the following Saturday evening he handed me the paper.

JAMES E. CLIFFORD sworn and examined.

To the CHAIRMAN:

2100. I am engaged as foreman of the job press-room by the New York Printing Company; we printed blank forms of naturalization certificates and of applications, of different kinds, for the various courts; the printing was done for six or eight weeks previous to the November election; we would print sometimes 5,000, sometimes 10,000; we may have printed in all 100,000; the forms now shown me (referred to in the testimony of Nathaniel Jarvis, jr., and of Emanuel S. Goldstein) look like those we printed; we had sometimes one press running at this work, sometimes three or four; one press would work off about 10,000 a day.

To Mr. KERR:

We have printed these blanks before, prior to other elections; there was more of this printing done than was taken out of the building, because we ran short of them at one time, and after that we always had some on hand; we did that on our own motion; they were printed by order of the superintendent; I do not know any of the clerks of the courts, Mr. Sweeney, Mr. Jarvis, or Mr. Loew; I do not know the sheriff or mayor.

2101. Q. With what political party do you act?

A. The republican party.

2102. Q. With what party do the other principal employes of the company act?

A. Some are republican, and others democratic.

NEW YORK, *December 29, 1868.*

JOHN ROBERTSON sworn and examined.

To the CHAIRMAN:

2103. I am a native of the United States. I was furnished with a naturalization certificate by a person named Winter or Winters—Friederick, I think; it was right after the Pennsylvania October election this year. It was the first time I ever saw the man. He said he had papers for me and would like to have a little money on them. I said I did not know anything about giving money for papers. He told me he was engaged in that business. I think the paper was from the superior court.

To Mr. KERR.

2104. I am not positive about the court. An acquaintance of mine, Mr. Wood, took the paper over to the police headquarters. I am a republican; so is Mr. Wood. Winter told me he was a democrat. I never saw him before or since, and do not know where he can be found.

NEW YORK, *December 29, 1868.*

T. J. GILLMORE sworn and examined.

To the CHAIRMAN:

2105. I went last evening to serve a subpoena issued by this committee, directing Paul Dehlman to appear as a witness. The name is Dellinger—not Dehlman. He keeps a barber shop in avenue C. When I went in, Charles Loew, county clerk, was there, waiting to be shaved, and there was quite a crowd of other roughs there too.

2106. Mr. KERR. You include the county clerk in that description?

WITNESS. Yes, sir. When I presented the subpoena to the barber Mr. Loew told him not to take it unless I had the original to show him. I said the original was in possession of the committee. Dellinger would not take the subpoena, and as they showed a disposition to be quarrelsome I left.

To Mr. KERR:

2107. This was last night. I have no regular employment at present. I was employed to serve this subpoena by Mr. Davenport, the clerk of the committee. I have no stationary business at present.

2108. Q. Do you belong to that distinguished class that you call "roughs?"

A. No, sir.

2109. Q. What are your politics?

A. Republican.

2110. Q. You are sure you know Mr. Loew, clerk of the supreme court?

A. Yes, sir.

2111. Q. What was he doing there?

A. Waiting to be shaved. I told him I did not come to serve a subpoena on him, but on the other party, and to mind his own business.

2112. Q. What did he reply?

A. He did not reply to me. He told the barber not to take the subpoena unless he saw the original. He knew that it was not the original I held in my hand, because he looked over my shoulder.

ANDREW J. BROAS sworn and examined.

To the CHAIRMAN:

2113. I was inspector of elections at the last election in the 12th district of the 13th ward. On the first day of registry a man named Timothy Cullom was registered from No. 26 Goerck street; but immediately after he left we discovered that that house was not in our district, and we sent an officer to notify him. The name was erased from the registry. On the day of election the same man presented himself to vote, but his name was not on the registry, and finally he said he resided at No. 29 Goerck street, which is in the district. I objected to his being allowed to vote, as he was not registered; my republican colleague, Mr. Austin, was also opposed to his being allowed to vote; but one of the democratic inspectors, John J. Mulligan, put in the vote forcibly, against our protest. I subsequently ascertained, prior to the December election, that the man did not live at 29 Goerck street.

By Mr. Ross:

2114. Q. Then all this story is that the man made a mistake in giving the number of the house, and that he was a legal voter?

A. Yes, sir. I believe the man had a right to vote; but the question was whether this inspector had a right to force the ballot in without the man being registered.

2115. Q. Was there any illegal voting in your precinct, so far as you know?

A. I do not know of any but this case. There were 437 votes polled in our precinct.

DAVID CROWLEY recalled.

By the CHAIRMAN:

2116. Question. By the testimony of Charles E. Loew, clerk, and the naturalization papers referred to therein, it appears that John King, of

318 West Forty-first street, was the witness for the naturalization of James Brown, William Honig, August Betzel, and Henry Beaume. State if there is, or has been, any such person at that place as John King.

Answer. There is not. Numbers 316, 318, and 320 West Forty-first street comprise a wood yard, kept by J. Blair. Nobody resides there, and there is no place there to live in.

2117. Q. By the same testimony and papers it appears that Robert Blume, 24 Clinton street, was the witness for the naturalization of Frederick Henney, Joseph Herbert, James McCarty, Hugh Smith, and Michael Dunn. State if there is, or has been, any such person as Robert Blume at that place.

A. I went there last evening and inquired at Nos. 22 and 24, there being but one entrance to the rear buildings. I went into the buildings on both numbers, rear and front, and could not find out any such man.

2118. Q. By the same testimony and papers it appears that Maurice Baker, 62 Washington street, was the witness for the naturalization of Patrick Rafferty, James R. Smith, and Samuel Reynolds. State whether any such person is, or has been, residing at that place.

A. No, sir. That is a storehouse, with the entrance on West street, and has been for the last four years. I inquired at the office, but they knew nothing of any such person.

R. W. McALPINE sworn and examined.

By the CHAIRMAN :

2119. Question. State your business.

Answer. Journalist.

2120. Q. For what paper?

A. For several. In October last I was on duty for the New York Tribune.

2121. Q. State what occurred under your observation in any of the courts of this city where naturalization was going on.

A. I made but one visit to a naturalization court in this city. It was near the time of the November election. I was requested by the managing editor of the Tribune to visit the naturalization court where Judge Barnard was sitting, and to write a spicy but accurate account of what I saw. I went to the court with the intention of learning something of the *modus operandi* of making American citizens. I sat for perhaps half an hour before I saw anything particular being done except simply calling out names. At a given time a certain number of persons whose names had been called were gathered in the middle of the court-room, and then the process of swearing these men in as citizens was gone into. What I noticed was that there could not, by any possibility, have been more than two or three men who could have touched the Bible at the same time, and I noticed that when the judge directed that those who could not reach the Bible should raise their right hands, there were very few in that crowd who raised their right hand or any other hand. The judge, while either waiting for a new batch of men to swear in, or for some other reason, made some remarks from the bench in reference to certain strictures that had appeared in the papers of the city, and spoke of the writers as a set of scoundrels who had charged him falsely. He said he intended to see that those worthy citizens in front of him should be protected in their rights. Then he ordered the court-room to be cleared. He said: "Those who have not come here for the purpose of being naturalized, or who are not here by order of the court, will immediately leave. If they do not immediately leave they will be ejected by the officers of the court." At the beginning of the address I had risen

from my seat, and, before the judge had fairly concluded his remarks, an officer of the court took me by the arm. "Say," said he, "did you come here to be naturalized?" "No," said I, "I did not." "Then the sooner you get out of here the better." So, without letting go my arm at all, he marched me off towards the public entrance of the court-room. That had been locked and bolted after my entrance into the room. Then we were obliged to pass through that crowd of as yet unnaturalized citizens, past the judge's bench, and through the private door. That ended my experience of a naturalization court, except that I wrote up a full, fair, and impartial account of what I saw. This was the supreme court, before Judge Barnard.

2122. Q. How many lots of men were sworn while you were in court?

A. I think only two lots.

2123. Q. About how many in each lot?

A. I should say there were from 60 to 100 in each lot.

2124. Q. How long were you in the court?

A. Perhaps an hour. I was quite interested in it, as I had never before seen persons naturalized?

2125. Q. State what you heard as to witnesses being sworn in reference to naturalization applications.

A. I have no recollection, whatever, of anything being said on that occasion in relation to witnesses. I remember that there were some formalities, but what they were I do not recollect. I know that the names of witnesses were called, and I remember seeing the clerk pass back certain witness papers with the remark that they were not properly made out.

2126. Q. Who administered the oath?

A. The clerk, I think. On that point I am not certain.

2126½. Q. Who was the clerk?

A. I do not know his name.

By Mr. HOPKINS:

2127. Q. You saw the whole process, did you?

A. Most of those men were in the room before I entered. I suppose some entered after I came in. The space was contracted. The men who were being sworn occupied the middle of the room; and those who had been sworn, or who were about to be sworn, occupied the side.

2128. Q. Did the judge call each man up to him and examine him separately as to his qualifications?

A. Nothing of that sort at all.

2129. Q. The oath was administered to the whole promiscuous crowd?

A. To the whole batch.

By Mr. DICKEY:

2130. Q. What proportion of those men either kissed the book or held up their hands?

A. Not more than one-eighth of them took the oath; in reality, most of the men in the batch which I particularly noticed were engaged in conversation at the time the oath was being administered.

2131. Q. At the time the judge made this order for the closing of the court-room, were you taking notes?

A. No, sir; I did not take a note while I was in the court-room.

By Mr. ROSS:

2132. Q. Do you know whether any of those men were being naturalized at the time, except those who either put their hands on the book or held up their hands?

A. I do not know, except that they were gathered by the officers of the court.

2133. Q. But do you know that those other men, who did not hold up their hands, were not waiting to have their names called?

A. Those who were waiting to be called were standing where I was. When a man's name was called he went down from a little raised platform and walked down into this herd of men.

2134. Q. I do not know how you can tell that there were other men naturalized except those who raised their hands?

A. I would not be competent, of course, to swear that those men were naturalized; but still, I have every reason to believe that that was so.

2135. Q. You do not know that there were any men naturalized, except those who did hold up their hands or kiss the book?

A. I supposed, at the time, that all those men who were herded together by the officers of the court—brought up in a squad in the middle of the room, and ordered by the officers of the court to hold up their right hands—were brought in there for the purpose of being naturalized. I heard the officer ask several of them why they did not hold up their hands. It struck me that those who did hold up their hands were all paying attention to the words of the judge or clerk.

2136. Q. I suppose the others were waiting their turn.

A. I could not understand it so.

By Mr. DICKEY:

2137. Q. Was there a larger number of names called than there were men holding up their hands or kissing the book?

A. Yes, sir; for once in a while a name would be called to which there would be no answer. There was a larger number of names called. If the man answered to his name he walked down—sometimes escorted by an officer—into the crowd.

2138. Q. How many do you suppose answered to their names and were marched into this herd?

A. I suppose that in each one of these batches there were from 60 to 100 men.

2139. Q. Out of these batches, what proportion took the oath?

A. I thought that night that about one out of eight or ten took the oath.

By the CHAIRMAN:

2140. Q. How did the number of names called compare with the number herded together?

A. It was very nearly a tally. There were very few who did not answer to their names.

NEW YORK, *December 29, 1868.*

WILLIAM JORALEMON sworn and examined, (at the instance of Mr. Ross.)

To Mr. ROSS:

2141. I was inspector of elections in the 5th district of the 6th ward. My republican colleague was Mr. Lynch, and the democratic inspectors were Messrs. Brophy and Donnelly. I do not know of any illegal votes being given there. I think we took all proper precautions to guard the polls and the registry against illegal votes. All my colleagues seemed desirous of guarding against frauds. I saw no evidence of any of them desiring to get in fraudulent votes. All the votes that we had any doubt about were sworn and were pretty thoroughly examined.

2142. Q. Did the board act with unanimity in admitting or excluding votes ?

A. It did.

2143. Q. It did not appear to be acting in a party spirit ?

A. No, sir. One of the democratic inspectors was complained of by his own party for being too much on the republican side.

2144. Q. You thought they all acted fairly and justly ?

A. I did.

2145. Q. And you do not know of any illegal registering or illegal voting ?

A. I do not.

2146. Q. There was nothing to interfere with the legitimate exercise of the elective franchise ?

A. No, sir.

By Mr. HOPKINS:

2147. Q. Do you live in the district ?

A. I do not.

2148. Q. What proportion of the voters do you know ?

A. I do not know any of them; but the other three inspectors lived in the ward, and one of them in the district.

2149. Q. What proportion of the voters in that precinct are foreign born ?

A. Three-fourths of them.

2150. Q. Irishmen ?

A. Yes, sir.

2151. Q. What proportion voted on new naturalization papers ?

A. A good many; I suppose one-fourth.

2152. Q. Two hundred or two hundred and fifty ?

A. I should think so.

2153. Q. Did you scrutinize those papers ?

A. Yes, sir.

By Mr. DICKEY:

2154. Q. Did you swear them ?

A. Yes, sir.

2155. Q. Two hundred and fifty ?

A. I cannot swear positively that that number were sworn, but there were a great many.

By Mr. ROSS:

2156. Q. You swore all that any of the board thought doubtful ?

A. Yes, sir.

By Mr. HOPKINS:

2157. Q. Was it not the habit for two of the inspectors to vouch for parties ?

A. In some instances. Three of the inspectors were residents of the ward.

2158. Q. And when one of the inspectors vouched for a party you did not examine him ?

A. Sometimes we did.

2159. Q. But generally you did not ?

A. We examined them pretty generally, but not as a general thing.

2160. Q. As a general thing, did you not take the naturalization papers as *prima facie* evidence of the right to vote ?

A. We questioned the men as to where they got the papers, and whether they had been in court, &c.

2161. Q. Was it not easy for a large number of these men to have registered on fraudulent papers ?

A. I think so.

By Mr. DICKEY :

2162. Q. What proportion of voters did you personally know ?

A. Scarcely any.

By the CHAIRMAN :

2163. Q. When persons came with new naturalization papers, were they generally registered on them without inquiry ?

A. No, sir. I tried my best to keep them out.

2164. Q. What proportion of them were sworn ?

A. I suppose we swore 200.

By Mr. ROSS :

2165. Q. You were one of the republican inspectors ?

A. Yes, sir.

2166. Q. Did your republican colleague and yourself vouch for persons who were registered ?

A. He did ; I did not.

2167. Q. And the democrats extended that courtesy to him, the same as you did to them ?

A. O, yes ; we had no trouble at all.

NEW YORK, *December 29, 1868.*

CHARLES E. WILBUR sworn and examined.

To the CHAIRMAN :

2168. I am president of the New York Printing Company, and have been since its commencement, two or three years ago. We printed naturalization blanks for the various courts this year as follows: For the superior court: October 2, 10,000 certificates of naturalization; October 8, 10,000 certificates of naturalization; October 15, 10,000 certificates of naturalization; October 3, 10,000 applications; October 16, 20,000 applications of four or five different kinds. I believe they were delivered to the officers of the court; that is our custom. We printed for the supreme court: October 6, 5,000 certificates of naturalization; October 12, 5,000 certificates of naturalization; October 15, 10,000 certificates of naturalization; October 20, 10,000 certificates of naturalization; October 6, 25,000 applications, 5,000 each of five different kinds; October 12, 5,000 applications; October 13, 10,000 applications; October 16, 5,000 applications; October 19, 5,000 applications; October 22, 5,000 applications. They were delivered, I believe, to the officers of the court. The aggregates are: for the superior court, 30,000 certificates of naturalization and 30,000 applications; for the supreme court, 30,000 certificates of naturalization and 60,000 applications. I know no reason why there should be more applications in the supreme court than in the superior. I should suppose there would be two or three times as many applications needed as certificates. I do not recollect our having printed naturalization certificates for the supreme court prior to this time. There may be many blanks on hand in the offices of the clerks of the courts; there are none in our office. The company is a stock company.

2169. Question. State its members, so far as you know.

Answer. I do not know that that is necessary for the purposes of this investigation.

2170. Q. You decline to answer ?

A. I prefer not to.

2171. Q. Will you exhibit to the committee copies of the blanks printed at your office ?

A. Here is a copy of each one, with the date and the quantity marked thereon.

2172. Q. On whose order were these printed ?

A. I cannot tell positively; but the orders do come from the clerks of the courts by messengers.

2173. Q. State if any were printed on the order of any other person than the clerks of the courts.

A. On the order of no other person than the clerk or his deputy.

2174. Q. Was Mr. Loew, the clerk of the supreme court, at your office this morning ?

A. Not that I know of.

By Mr. HOPKINS:

2175. Q. Does your company do all the printing of blanks for the courts ?

A. I do not know. If I thought any of it was done elsewhere I would try to get the whole business. We are the printers for the county, and all this work is charged to the county.

By the CHAIRMAN:

2176. Q. Did your company print Mr. Tilden's circular, referred to in the testimony of John T. Hoffman ?

A. It did not.

2177. Q. Did you print blank mandamuses prior to the last presidential election ?

A. We did not.

NEW YORK, *December 29, 1868.*

SAMUEL J. GLASSEY recalled and examined.

By the CHAIRMAN:

2178. Question. State what application you made, if any, to Charles E. Loew, clerk of the supreme court, for permission to inspect the naturalization papers in his office this year, and what he said and did about it ?

Answer. I called upon Mr. Loew about four or five weeks ago, having previously written him a letter stating that I desired to make an examination of those records, and having received a verbal reply from him to the effect that he wished to see me. I had an interview with him in his office, and he asked what I wanted to do with the papers. I told him I desired to make an examination of a great many of the original records to ascertain the total number naturalized during the month of October, and the number naturalized on each day in that month, and that I should want to examine nearly all of the original records. He said that he had shown my note received the day before, to a gentleman whose name he mentioned, a lawyer of this city, an acquaintance of his own, Abraham R. Lawrence. Not knowing me personally, he had consulted Mr. Lawrence, who told him that he knew me well, and that I was a very respectable person. Mr. Loew said: "I should have no personal objection to allowing you to examine these papers, but I do not think I can allow them to be examined at all, because if I can let you do it I must let any member of the bar who chooses to ask it do it also." I told him that I had a distinct, and, as I conceived, a legitimate purpose, in view; that

I desired to make this examination in behalf of the Union League club, with a view of ascertaining whether there were or were not irregularities and frauds which had been charged; that I had no bias or prejudice in the matter, and proposed to ascertain only the facts as they existed. He said he was perfectly willing, so far as he was personally concerned. He had very little to do with the matter of naturalization, but he was not willing to allow the papers to be examined generally; that if I would give him the names of any particular individuals whose papers I wanted to see, he would have them looked up. I then asked for a number, which he said he could not give, because the papers were not yet arranged and indexed; he said it was being done as rapidly as possible. I had more than a week previously made some inquiries of the clerk, Mr. Westlake, in charge of the book in which the papers are indexed, and observed that he had indexed the proceedings of six days, from the 7th to the 12th of October inclusive, and he had made little or no progress during the week before I saw Mr. Loew. I had two interviews with Mr. Loew, and I think at the second of them he said that he had had some conversation on the subject with Judge Barnard, and that Judge Barnard had expressed the opinion that he ought not to permit me to make any general examination, or, as he expressed it, to overhaul his records.

Mr. Kerr objected to the witness stating what somebody else had said to him, and moved that the statement in reference to what Judge Barnard had said be stricken out.

The question was put and the committee refused to strike it out.

2179. Q. State if you got permission to examine the records.

A. I did not. He said that he would have any particular record relating to individuals whose names I could give him looked for. I had with me a list of some six or seven names, and showed them to Mr. Westlake, whom I was informed had charge of the papers, and he found one, and others he could not find, because he said they had not yet been reached; under the arrangement they had not yet got to that day.

2180. Q. State if you communicated to Mr. Loew the fact that you had been employed as counsel by the Union League, to investigate this matter.

A. I did explain it to him very distinctly.

2181. Q. State if you are an officer of the court.

A. I am an attorney and counsellor at law, and have been for some 12 years.

2182. Q. State anything that has occurred between you and Mr. Sweeney recently, yesterday or to-day, in relation to the examination of the naturalization papers in his office.

A. I have never had any personal interview with Mr. Sweeney, although I have had a great deal of business with his office; I have never seen him, and though I called at his office yesterday afternoon with a communication from the chairman of this committee, Mr. Sweeney not being there, nor his chief deputy, I gave it to the gentleman who was in charge of the office, Mr. Westlake. I communicated its contents to him, and left it with him, he saying that he would deliver it to Mr. Sweeney personally, and that it was already arranged that the desired examination should be made, and that the papers would be all in readiness for examination by nine o'clock this morning, and if I went in there this morning I would have free access to the papers. I called there this morning for that purpose, and Mr. Westlake informed me that he saw Mr. Sweeney yesterday afternoon and delivered him my letter, and Mr. Sweeney said that while he was perfectly willing that the examination should

take place, he thought it proper that he should communicate with the justices of the court before allowing it to be commenced, and that he would see the judges early this morning and be ready for me by 11 o'clock. I waited until 11 o'clock, but Mr. Sweeney did not appear; I went to his office at 12 o'clock and was informed that he had not been there; I waited 15 minutes and left a quarter of an hour ago. Mr. Sweeney had not been there this morning.

2183. Q. Will you produce that communication ?

A. I left it with Mr. Westlake to be delivered to Mr. Sweeney, and Mr. Westlake informed me that he had delivered it.

By Mr. KERR :

2184. Q. How long have you been practicing law in this city ?

Q. Twelve years.

2185. Q. What courts do you practice in ?

A. In all the courts of the State.

2186. Q. Where do you live ?

A. Thirty-fifth street, in this city.

2187. Q. Have you personally known Mr. Loew and Mr. Sweeney for some time past ?

A. I have known Mr. Loew for some two or three years; but Mr. Sweeney, the clerk of the superior court, I don't think I should know if I met him, although I have had a great deal of business with that court.

2188. Q. What kind of business ?

A. Law business.

2189. Q. What is the name of your firm ?

A. I have no firm. I have a partial partnership arrangement.

2190. Q. Your principal practice of law has been in connection with the Union League in looking up naturalization papers, has it not ?

A. That has been my principal employment for the last four or five weeks, not before that.

2191. Q. Have you any objections to state what the Union League pays you for that service ?

A. I really don't know. I have received a retaining fee, but have rendered no bill and made no charge. I am a member of the club myself.

2192. Q. Are your relations with Mr. Loew pleasant ?

A. I have never had any relations with him at all. I had no personal intercourse until I called on him on this occasion. I have not seen Mr. Sweeney in his office although I have been there many times. I am personally very well acquainted with all his deputies.

2193. Q. Are you devoting yourself to giving advice and assistance to this committee now ?

A. I have given information to it; I do not undertake to give any advice.

2194. Q. Are you acting as attorney for this committee ?

A. No, sir; I am acting professionally for the committee of the Union League club.

2195. Q. Has not the Union League directed you to give your services to this committee ?

A. The club has given me no directions excepting those at the time I commenced to act for it six weeks ago.

2196. Q. Did you propose their memorial to Congress ?

A. No, sir.

2197. Q. Who did ?

A. Mr. Jay, I think.

By Mr. ROSS:

2198. Q. Do you practice in the United States courts ?

A. I have practiced there, but have never been legally admitted; I never had occasion to do so excepting for a short time during the war, when I represented the War Department in *habeas corpus* cases, but I practiced in all the courts of the State.

2199. Q. How many cases have you commenced in the supreme court of the State in the last year?

A. It would be impossible for me to remember now.

2200. Q. How many have you commenced in all the courts during the last year?

A. Quite a large number; it would be impossible for me to remember.

NEW YORK, December 29, 1868.

N. H. SPRINGSTEEN sworn and examined, (at the instance of Mr. Ross.)

By Mr. ROSS:

2201. Question. You were one of the election officers in this city at the November election, were you not?

Answer. I was an inspector.

2202. Q. In what ward and precinct?

A. In the 19th precinct of the 11th ward.

2203. Q. Who were your colleagues on the board?

A. Mr. Hunt, Mr. Dallinger, and Mr. Mansfield.

2204. Q. State to the committee if there were any illegal votes registered or voted to your knowledge?

A. Well, Mr. Brown was set down on the register, but he was a suspicious character, and what they called at the time, a repeater.

2205. Q. What was his given name?

A. I don't know. When he came up to vote Mr. Hunt challenged him; he swore in his vote and he went immediately from there into another district in the same ward, as I understand, and voted there.

By Mr. KERR:

Q. You state that from hearsay; you do not know it, do you?

A. No, sir; I do not.

By Mr. ROSS:

2206. Q. Do you know of your own knowledge whether that man was a legal voter or not?

A. I do not.

2207. Q. Did he vote?

A. He did in my district; he voted under the name of Thomas J. Brown.

2208. Q. Independent of that, was the registry and the polling well guarded?

A. Yes, sir.

2209. Q. Did you swear many men who had certificates of registry?

A. A good many of them.

2210. Q. About what proportion of them should you think?

A. I should think there were some fifteen or twenty that were sworn.

2211. Q. Was there harmonious action in your board with reference to excluding illegal voters from registering and from voting?

A. Yes, sir; there was.

2212. Q. You all concurred in it?

A. We all concurred in having things done fair and square.

2213. Q. Was any one admitted to register or vote excepting by the consent of the board?

A. Not one.

2214. Q. And in this the board all concurred ?

A. Yes, sir.

2215. Q. From all you know, was the election fairly and honestly conducted ?

A. Yes, sir.

By Mr. DICKEY :

2216. Q. How many voters are there in your precinct or election district ?

A. In the general election, I think, we polled in the neighborhood of 570 votes.

2217. Q. Do you reside in the precinct ?

A. Yes, sir.

2218. Q. How many voters do you know personally ?

A. I should say I know 75 out of the 570 ; that is to say, I was acquainted with them so as to know their names.

2219. Q. How many voted in your precinct on naturalization papers ?

A. Two-thirds of them are German and Irish.

2220. Q. Out of those you swore fifteen or twenty as to their papers, and the rest were not sworn ?

A. Yes, sir.

By Mr. HOPKINS :

2221. Q. Would it not have been easy for many men who came there with new papers to have been registered ?

A. Every one of those papers was set down as doubtful, and the majority of them were challenged.

2222. Q. But you say you only swore fifteen or twenty ?

A. Yes, sir ; and the men swore that they went to the City Hall and got their papers.

2223. Q. According to your own statement about 350 men voted in that precinct on new naturalization papers ; what means had you of knowing whether their papers were fraudulent or not ?

A. A great many of them were old papers, dated as far back as 1855.

2224. Q. What proportion of them ?

A. More than one-half or two-thirds.

2225. Q. Then one-third, or 175, came with new papers ? What means had you of knowing whether they had fraudulent papers or not ? Was it not easy for the board to be imposed upon by those men ?

A. When a man came in we asked, " Where did you get these papers, and did you have your witnesses with you ? " and if he answered correctly what more could we do ?

2226. Q. Where a man answered in that way did you not administer an oath ?

A. No, sir.

2227. Q. You only administered an oath to such men as failed to answer the question ?

A. Yes, sir. Mr. Hunt, who was a republican and was well posted, did all the questioning, and I do not think there was a lot of inspectors anywhere that stuck closer to their work than ours did.

By the CHAIRMAN :

2228. Q. Did you hold when a man presented a certificate of naturalization that it was on the face of it evidence that he was entitled to vote ?

A. Not in all cases, but generally so.

By Mr. ROSS:

2229. Q. You state that the leading man on that board who made the examination was a republican?

A. Yes, sir.

2230. Q. Did you or your democratic colleagues ask that any man should be permitted to register or vote whom he objected to?

A. No, sir.

HENRY WALTMAN sworn and examined, (called at the instance of Mr. Kerr.)

By Mr. KERR:

2231. Question. Where do you reside?

Answer. 197 avenue C, in the 11th ward.

2232. Q. What office have you been elected to?

A. I was elected member of the assembly on the 3d of November last.

2233. Q. Of what party were you the candidate?

A. The democratic party.

2234. Q. Did you attend in person at the polls in district No. 19, in the 11th ward, on the day of election?

A. No, sir, I did not.

2235. Q. State generally what knowledge you had on the subject of the existence of fraudulent and spurious certificates of naturalization during the last presidential campaign.

A. I had not any knowledge of any of it.

2236. Q. State whether you knew or now know that during that campaign any person in your district acting in the interest of the democratic party, or the republican party, was engaged in selling or giving away or procuring or distributing, or in any way unlawfully using, such certificates of naturalization.

A. I do not know of anything of the kind unlawfully.

2237. Q. What do you mean by saying that you did not know of it unlawfully?

A. I have been in courts where naturalization was going on, and have seen persons naturalized. I did not know whether some of them resided in my district or not, and for that reason I say I did not know anything of what was going on.

2238. Q. State to the committee whether, during the last presidential campaign, you handed voters in your assembly district or elsewhere in the city, with a view to have them vote in this election, either legal or unlawful certificates of naturalization.

A. I have handed them lawful certificates.

2239. Q. Can you name some of the persons?

A. I have no record of it, but I can tell you the way I procured them, or the part I took in it. In the first place there are a great many persons that have procured papers in prior years, and have lost their papers, and in order to have their names registered they are compelled to show papers, provided the inspectors demand it, and it therefore becomes necessary for them to procure duplicates of their papers. In order to give persons the necessary information and save time I would take the names and residences and the year in which they took out their papers, and the witnesses to their papers, and procure duplicates for them. I had an office at No. 86 avenue C, and in the evenings, after the judges made up their minds to naturalize in the evening, in order to save the people annoyance in waiting for the clerk to make out their applications for certificates, I would make out the application for them, and they would come down with their witnesses to the court and go through the

regular form. They could not, however, all get their papers that evening, and I would get them for them the next day. In that way I have handled some persons' certificates.

240. Q. Did you ever, at any time during the last election, hand to any person who was a voter, or wanted to vote, a certificate of naturalization that you knew to be fraudulent, or believed to be fraudulent, or had reason to believe to be fraudulent?

A. No, sir; I did not.

241. Q. Do you know Richard G. Hunt?

A. I have seen the gentleman, and am slightly acquainted with him. I believe his name is Richard, though I am not positive about Richard G.

242. Q. I refer to the gentleman who was inspector and registrar in the 19th district of the 11th ward.

A. I hear that he was inspector, though I am not much acquainted with him.

243. Q. Do you know what his politics are?

A. I can only speak from what I have heard, but I believe he is a republican.

244. Q. During the election in your assembly district, do you know of your own knowledge of any illegal votes having been cast in favor of, or upon the procurement of, either political party?

A. Of my own personal knowledge I do not know, nor have I heard anybody say that illegal votes had been cast.

By Mr. DICKEY:

245. Q. How many of these papers did you deliver to parties in the 11th ward?

A. I cannot exactly state the number; there might have been 100 or 200.

246. Q. How many of them were certificates of former naturalizations, and how many new certificates?

A. There were quite a number of duplicates, probably 100 or 200.

247. Q. How many new papers?

A. About the same proportion, 100 or 200.

248. Q. By what court were they issued?

A. Some by the superior court, and others by the supreme court.

249. Q. Were you present when any of these parties were sworn to procure their papers?

A. I was, during the day.

250. Q. How large a proportion were procured during the day, and how large a proportion during the evening, in Judge Barnard's court?

A. In the day-time the people waited for their papers, and in the evening I got them for them.

251. Q. Were you in court in the evening?

A. No, sir; I was at my office. The parties would go before the judge in the evening, and I would get the papers the next day from the clerk of the court.

252. Q. Did you distribute those papers at your office, or did you send them to the parties?

A. A majority of them I kept at my office, and the parties would call for them, but some left their residences with me, and asked me to send them their papers.

253. Q. Have you a branch of any committee for this purpose?

A. I was a branch of the general committee of Tammany Hall that took this matter in hand. They had a committee of naturalization, but I was not a member of that committee.

2254. Q. Had the Tammany committee, of which you are a member, a naturalization office in every ward ?

A. I do not know how many offices they had; they had no more than one that I know of.

2255. Q. Where was it ?

A. It was here on Centre street.

2256. Q. How many offices similar to yours, at which parties had their papers prepared, were there in this city, under the auspices of the Tammany Hall committee ?

A. I don't know. Each ward had a general committee, and acted for itself.

2257. Q. How many of these papers were prepared in your office ?

A. About 500.

By Mr. HOPKINS :

2258. Q. Did the parties coming to you have their papers ready for being passed upon by the court ?

A. Yes, sir, they were all ready.

2259. Q. Do you know that the parties that were applicants took their papers to the court, or were they sent down to the court, and the papers sent back to you ?

A. They were not sent back to me. As I stated before, I kept a memorandum of those who had appeared before Judge Barnard, so that I could get their certificates.

2260. Q. Do you not know that some of the men for whom application was made at your office never went to the court until their papers were received ?

A. I have no knowledge of that.

By the CHAIRMAN :

2261. Q. Did you personally know all the persons whose applications were made at or through your office ?

A. No, indeed; but a very small proportion of them.

By Mr. KERR :

2262. Q. You stated that you were not a member of the general committee on Tammany naturalizations ?

A. No, sir; I was not a member of the committee on naturalizations, but I was a member of the general committee.

2263. Q. State whether you know anything about the pretended naturalization at No. 6 Centre street, where Rosenberg acted as chief clerk ?

A. I know nothing particular about it; I was in there once or twice, but not on naturalization business.

NEW YORK, *December 29, 1868.*

JOSEPH REINHART sworn and examined.

By the CHAIRMAN :

2264. Question. Did you ever go into any court to be naturalized ?

Answer. No, sir.

2265. Q. Was a certificate of naturalization furnished to you ?

A. Yes, sir; I don't know exactly when, but it was four or five days before the last election.

2266. Q. Who gave it to you ?

A. John Perrine, of Forty-second street, between Second and Third avenues.

2267. Q. Did you ever present it to have your name registered as a voter ?

A. I went then to the polls and wanted to be registered, and they would not register my name, and I went off again and did not vote.

By Mr. Ross:

2268. Q. How long have you been in the United States?

A. Fifteen years next New Year.

2269. Q. Did you ever get your first papers?

A. I never got any papers.

2270. Q. Have you lived in this city all the time?

A. Yes, sir; I have lived in the 20th ward 14 years.

NEW YORK, *December 29, 1868.*

ALEXANDER OSTANDER sworn and examined.

By the CHAEMAN:

2271. Question. In what business are you engaged?

Answer. I am a lawyer.

2272. Q. How long have you been so engaged?

A. For 20 years; for 12 years in this city.

2273. Q. State what you know, if anything, of illegal voting in this city at the last presidential election.

A. I spent a couple of hours on the afternoon of election day down in the 6th ward; the first place I visited was the poll in Elizabeth street, I think in the 6th ward, near the corner of Bayard street; there was a grocery store on the corner of Bayard and Elizabeth streets; I noticed quite a crowd in the store and about it, and I stepped inside for the purpose of seeing what was going on; there were several men leaning over the counter, engaged, as I thought, in looking over some papers; a man in a blue coat, just inside the door, partially stopped me as I was going in, and I said, "Can I get a light for my cigar?" He said there was nobody smoking there, and rather edged me out; I took the hint and went out and walked along to the polling place, and the first thing I observed was a couple of men changing caps outside and close to the polling place; one of them went in, and I followed him in and I saw him vote; he then came out and re-exchanged caps with the other man; this operation was repeated several times, different men voting; there seemed to me to be half a dozen more men who were banded together engaged in that business, as I saw these men in company together, not only at that polling place, but, as I will tell you shortly, I saw them going together to another one in the same ward; I saw several men (and this blue-coated man appeared to be their leader) a little while after, going around to a poll which was at No. 46 Bayard street, in a barber shop, and which was away about one block from this polling place, on Elizabeth street, up towards Bowery, the company stopped in front of a feed store, and they were furnished with little slips of paper on which were names and numbers; how I knew that these were names and numbers was because I saw a man (not the blue-coated man, but another man who appeared to be, also, a leader) reading the name which was upon one of the papers and the number to a man who apparently could not read; there were from four to seven of these men furnished with slips at that time and went in and voted.

2274. Q. Were they the same men who had voted at the other polling places?

A. Some of them were the same men, for I recognized them. One of them, on going into the polling place, was told by the inspector, "you have voted before to-day, sir." He appeared very indignant, and said he had not. The inspector took his name and number, and the man gave

him his card of business. Another of the same men was told that the name was just voted, and then the fellow simply turned upon his heel and went off without making any remark. I also saw these men coming out of a grocery store with these little slips of paper in their hands, and they also changed caps before going into the Bayard street polling place.

2275. Q. You saw these men vote at different polling places ?

A. Yes, sir.

2276. Q. Can you state whether the same man voted more than once at the same polling place after changing his hat or cap ?

A. I would not swear positively that I saw any one do that, but I told you that I had never seen these men before, and things were a good deal mixed up ; I was taking notes as rapidly as I could, and these men were changing hats and caps so frequently, that I do not know. I could not swear positively that I saw one man vote more than once at one polling place, but I am positive that I saw men go from the polling place on Elizabeth street, who had voted there, to the polling place on Bayard street, and vote there. From there I went to No. 67 Baxter street, opposite to Franklin, and there I remained until the close of the poll. This was near the time of closing the polls. I saw the same operation of changing caps repeated there by several men who stepped into an alley-way, just on one side of the polling place, where they would make the exchange, and step right out into the street and into the polling place and vote. I did not see them deposit their votes, because there was a great crowd in the room, and they went behind a sort of screen to vote. There was also a counter that extended from the screen out to the window opening on the street. I stood by that window, and a few minutes before the poll closed I saw a man come out from behind the polling place, behind the screen, with a slip of paper, upon which he wrote two names and numbers and handed them to a person outside the counter, who went out and brought in two men, as I took it, to vote upon those numbers.

2277. Q. Can you state whether the tickets which these repeaters voted were furnished from the democratic boxes or the republican ?

A. That I could not say. The little slips of paper were placed in their hands, and I did not know the politics of the men.

By Mr. ROSS :

2278. Q. How many men do you think you saw changing caps that day ?

A. Well, I might have seen six, or I might have seen twenty ; that is as near as I can come to it.

2279. Were you employed by any one to make this examination ?

A. I was not.

2280. Q. How long have you resided here ?

A. Since 1852, permanently.

2281. Q. Where do you live ?

A. At 244 West Thirty-seventh street ; my office is No. 1 Park Place.

2282. Q. How long have you practiced law here ?

A. Since 1852.

2283. Q. Have you ever known, in a contested election, that persons would go and find out who had not voted and send other persons in to personate them ?

A. Yes, sir.

2284. Q. That is the inference you drew in this case ?

A. My inference was that these men who had access to the polls found that there were two names registered of men who had not voted, and they furnished those names to the parties outside that they might vote upon the names.

By Mr. HOPKINS :

2285. Q. That is the general style of repeating, is it not ?

A. It is.

By Mr. Ross :

2286. Q. Have you made yourself familiar with the system of repeating ?

A. I got more familiarity with it that day than I ever had before.

2287. Q. Have you ever been engaged in the business of furthering the ends of repeating yourself ?

A. I have not.

2288. Q. What political party do you belong to ?

A. I am a republican.

2289. Q. Do you belong to a secret political organization ?

A. I belong to the Union League.

2290. Q. Is that a secret organization ?

A. Well, I suppose it is in some respects.

NEW YORK, *December 29, 1868.*

HUGH WARD sworn and examined.

By the CHAIRMAN :

2291. Question. How long have you been in this country ?

Answer. Two years on the 26th of July last.

2292. Q. State if you got a certificate of naturalization, and if so, where ?

A. I got it, but I have forgotten the name of the place where it was : it was in Westchester county.

2293. Q. When did you get it ?

A. Two months before election.

2294. Q. Who gave it to you ?

A. Mr. Smith.

2295. Q. Who is Mr. Smith ?

A. The squire then in Hastings.

2296. Q. Was there any judge present ?

A. No, sir.

2297. Q. Did you ever go into court to get your papers ?

A. No, sir.

2298. Q. Who advised you to go and get your papers ?

A. I never had any person advise me about it.

2299. Q. Did you pay anything for your papers ?

A. I paid one dollar.

By Mr. Ross :

2300. Q. Did you vote on your paper ?

A. No, sir.

2301. Q. Did you try to vote on it ?

A. No, sir.

By Mr. HOPKINS :

2302. Q. Why did you not vote ?

A. Mr. Lee told me not to vote and I took his word for it.

NEW YORK, *December 29, 1868.*

JOHN DONNELLY sworn and examined, (at the instance of Mr. Ross.)

By Mr. Ross :

2303. Question. Were you acting as an election officer last fall ?

Answer. I was inspector of registry and election of the 5th election district, 6th ward.

2304. Q. Who were your colleagues on the board?

A. Mr. Jarolemon, Mr. Brophy, and Mr. Lynch.

2305. Q. Do you know of any illegal votes being given there?

A. I do not.

2306. Q. Do you know of illegal votes being registered?

A. None to my knowledge. All those of whom I entertained the slightest doubt I caused to qualify.

2307. Q. Was the action of your board harmonious in excluding from registering and voting all illegal voters?

A. Yes, sir. I have acted as an election officer on several occasions, and I have never seen any body of men conducting themselves in a more proper manner than our board did at that general election.

2308. Q. Did the democratic inspectors attempt to get anybody registered, or to vote, who was objected to by the other inspectors?

A. No, sir; there was more harmony in that district than in any other district or ward, so far as I know; all my colleagues will testify the same.

2309. Q. You have no knowledge or information of any illegal registering or voting?

A. No, sir; I acted as chairman of the board, and in all cases when we entertained the slightest doubt I administered an oath.

2310. Q. Or when your republican colleagues had any doubt?

A. Yes, sir; whenever they made the slightest objection I administered the oath.

2311. Q. Was the board unanimous in admitting or excluding voters on that occasion?

A. Yes, sir; we neither rejected any one unless we were all satisfied, nor allowed any one to vote. I had to administer the oath on several occasions to men whom I knew to be legal voters myself, some of them old enough to be my father.

2312. Q. Was any man by the decision of the board permitted to vote, that any one of the officers was opposed to?

A. So far as I recollect, there was no instance of the kind.

2313. Q. Do you know how many voters there were in your district?

A. There were 870, I believe, registered, and I think from 825 to 832 voted.

2314. Q. Do you live in the district?

A. Yes, sir; at 112 Franklin street.

2315. Q. How many voters do you personally know?

A. A great many; I have lived a long time in the ward, and presume I know about one-fourth of them.

2316. Q. What proportion of the voters are naturalized citizens?

A. A majority.

2317. Q. Did any of them present new naturalization papers?

A. Yes, sir; that was our great trouble, almost every one of them had to qualify.

2318. Q. Did you hold that when a man presented new naturalization papers, that was evidence of his right to vote?

A. Well, my colleagues, in a great many instances, made objection, and we would question the applicant, and require to know who were their witnesses, and all such inquiries as that.

2319. Q. Did you not hold yourself, that if a man presented a naturalization paper it gave him a right to vote?

A. I was under that impression myself, but my colleagues differed with me on a great many occasions.

2320. Q. How many men were rejected?

A. I could not state accurately the number; there were in the whole perhaps 50 or more.

2321. Q. Were these men who presented naturalization papers?

A. Oh, no; but men who had lost their papers, and had been citizens for a long time, and thought it necessary that they should have gotten duplicates.

2322. Q. Were any rejected who presented naturalization papers; and if so, how many?

A. There was only one that I can recollect certainly.

~~2323.~~ Q. But a small proportion of them were sworn?

A. I should judge that, upon the whole register, it would be sufficient to assume that one-eighth were sworn.

By Mr. HOPKINS:

2324. Q. Do you reside in the ward?

A. Yes, sir.

2325. Q. Have you been an inspector there before?

A. Yes, sir.

2326. Q. How did the vote this fall compare with the vote the year before?

A. I have not acted as inspector in the same precinct for about five years; but the last time I did act there the vote of the precinct reached within a hundred of what it did now. It was then 700 and odd, and this year it was 800 and odd.

NEW YORK, *December 29, 1868.*

SOLOMON SEIXAS sworn and examined, (at the instance of Mr. Ross.)

By Mr. ROSS:

2327. Question. Were you one of the election officers last fall?

Answer. Yes, sir.

2328. Q. At what voting place?

A. At the 16th district, 6th ward.

2329. Q. State who were the officers with you?

A. Mr. Van Buren, Mr. Chapman, and Mr. Willis were the registrars.

2330. Q. Do you know of any illegal votes being either registered or voted at that place?

A. No, sir.

2331. Q. Did you use ordinary precaution to protect the polls?

A. We did.

2332. Q. State to the committee what action you took for the purpose of protecting them?

A. We looked at all the papers, and any paper that we thought doubtful we did not receive. We found one paper, for instance, that was all correct, but we did not receive it on account of the man saying he did not have his first papers. All the rest were in due form, I believe, to the best of my knowledge and belief.

By Mr. KERR:

2333. Q. State whether, at the time of holding the board of registration of voters and the taking of the vote, many objections were made to voters, either by the democratic members of the board or by the republican members of the board?

A. No, sir; there were a few; there were some votes that were challenged.

2334. Q. When such challenge was made, were any obstacles interposed to making the challenge or to the most particular inquiry?

A. No, sir, not that I know of. When a challenge was made it was always asked on what grounds the vote was challenged; and when the

ground of the challenge was deemed reliable, and the man took the oath, the vote was deposited as the law requires. I believe that if a man swears in his vote it must be deposited in the box.

2335. Q. Was there any difference between the members of the board as to your duty, when you came to swear in a vote?

A. None at all.

2336. Q. Did any member on either side desire to make inquiry into the right of a man to vote that was objected to by a member of the other side?

A. Not that I know of.

2337. Q. Do you know Mr. Anson Willis?

A. Yes, sir.

2338. Q. Was he on that board?

A. Yes, sir.

2339. Q. Did he ever make any objection or ask that any objection be put which any other member of the board objected to?

A. I don't remember anything of the kind.

2340. Q. Do you know of any obstacle having been placed in the way of careful inquiry as to the right of a man to vote, by anybody on that board?

A. I don't think any obstacles whatever were put in any man's way. We were very particular, as we had taken an oath to do our duties and we intended to fulfil them.

By Mr. ROSS:

2341. Q. Do you know of any republican challenger being ordered out of the way on election day?

A. Yes, sir; he had made two other challenges and withdrawn them, and he was obstructing the polls. I told him that he had no right to challenge in that way and that if he did it again unless it was a reliable challenge I should put him out, for he was obstructing the voting, and I believe that he was put out.

By the CHAIRMAN:

2342. Q. You say that he challenged some men?

A. He challenged three or four men and withdrew two of his challenges. He would say, "I challenge that man on the ground that he does not live where he states." When the man showed that he did live there he would withdraw the challenge.

By Mr. KERR:

2343. Q. What was your opinion as to the real purpose of that challenge at the time at which he made those challenges and withdrew them?

A. That his purpose was to delay the voting as much as possible. That was what my opinion was, and I think my colleagues thought the same thing.

2344. Q. Which colleagues?

A. I think Mr. Chapman, and Mr. Van Buren I know did.

By Mr. HOPKINS:

2345. Q. Mr. Van Buren was your democratic colleague?

A. Yes, sir; Mr. Chapman and Mr. Van Buren were both by when the man was ordered out of the office.

By Mr. ROSS:

2346. Q. Was any person registered or permitted to vote at that poll who was not agreed to by at least three members of your board?

A. None whatever, that I know of; most of the time all four members were agreed.

2347. Q. Did you have any wrangling or ill-feeling on the board ?

A. None at all. The most amiable feeling prevailed, and we had a very nice time of it.

2348. Q. Did there appear to be a disposition evinced to protect the polls against fraud either in registering or in voting ?

A. Yes. I do not think we would have allowed anything of the kind.

By the CHAIRMAN :

2349. Q. State what this man said who was turned out of the polling place ?

A. He challenged a man whose name I do not remember, I think he gave his residence as Twenty-sixth street, and he understood the man to say Twenty-fifth street, and said "I challenge." We asked upon what ground, and when he explained we questioned the voter if he did not live on Twenty-sixth street, and when the challenger heard that, he said "I withdraw the challenge." I told him, "My friend, you must be very careful and listen well so as not to delay the voting." Well, two or three times after that he challenged again and withdrew the challenge in the same way.

2350. Q. What did he say and do ?

A. Just the same thing; he said "I challenge," and then found out he was mistaken and withdrew the challenge. I thought he was rushing it too much in challenging all the time as much as possible and I told the officers to put him out, and he went out, and at 1 o'clock in the afternoon he came in again and voted and remained in the room and was very careful afterwards.

2351. Q. What proportion of the voters in your district were natives ?

A. I cannot tell; perhaps one-half, or perhaps not so many.

By Mr. HOPKINS :

2352. Q. You say you put the man out because he was obstructing the polls ?

A. Yes, sir.

2353. Q. Did you not know that it was the right of every citizen to challenge ?

A. I did.

2354. Q. Then what right had you to put the man out for exercising his right as an American citizen ?

A. Because he was delaying the voting by challenging and then withdrawing his challenge.

By Mr. DICKEY :

2355. Q. How many challenges did he make ?

A. Four or five.

2356. Q. How many did he withdraw ?

A. Three.

2357. Q. And you say that was such an obstructing as authorized you to expel him ?

A. Yes, sir.

By Mr. HOPKINS :

2358. Q. Did you put anybody else out that day who challenged ?

A. No, sir.

2359. Q. What proportion of voters in the district do you know ?

A. I do not know twenty-five voters in the precinct.

2360. Q. Would it not have been easy for you to have been imposed upon by a large number of persons registered upon fraudulent naturalization papers ?

A. I don't think it would, I think the board could have told them well.

2361. Q. If you had before you a paper purporting to come from a court with a seal of the court, how could you tell if it was bogus or not?

A. I suppose unless the seal of the court was on the paper it would be a bogus paper.

2362. Q. But if the seal was there, that would be conclusive in your mind?

A. I suppose that it would be conclusive that it would be a right paper; that was the way we all regarded it, not one, but all.

NEW YORK, *December 29, 1868.*

JAMES J. BROPHY sworn and examined, (at the instance of Mr. Ross.)

By Mr. Ross :

2362. Q. Were you an election officer last fall?

A. I was.

2364. Q. At what election precinct?

A. Fifth district, sixth ward.

2365. Q. State to the committee what means you took to protect the registry and ballot from illegal voters?

A. That which was required of me by law; we required each one to answer the questions put to him whether he was a citizen, if there was any reasonable doubt as to his being a citizen.

2366. Q. Was that examination pretty thorough and strict?

A. I believe I asked the questions which were in the book of our instructions.

2367. Q. You asked these pretty generally, did you?

A. Yes, sir.

2368. Q. Do you know of any illegal registering or voting in that district?

A. I do not.

2369. Q. Was there harmonious action of the board with reference to protecting the registry and the ballot from fraudulent voters?

A. As a general thing there was, but sometimes there was a difference of opinion and we settled it by our conversation; sometimes one had a doubt, and we put the questions more strictly in that case. When any one member of the board of registry had any doubts about the right of any particular individual to vote he put the questions himself.

2370. Q. When you came to a conclusion it was or was it not with the concurrence of the board?

A. It was. We agreed either to reject or admit a voter to registry by the concurrence of the board.

2371. Q. Was it brought to the knowledge of the board that there were persons registered at a certain place who did not live there?

A. We never ascertained any such thing, I don't know any such case. I know there were men who would go and see if voters did live in the place where they registered, and if any one had any doubt they could be there to challenge, and when a party was challenged and took the requisite oath, we considered that conclusive proof that he was a voter.

2372. Q. Have you any knowledge, now after the election is over, of any persons being illegally registered that voted after it?

A. I have not.

By Mr. DICKEY:

2373. Q. How many voters are there in your precinct?

A. We registered 870 voters.

2374. Q. How many did you poll?

A. Eight hundred and thirty-seven at the presidential election.

2375. Q. How many voters in the election district do you know personally ?

A. I should judge that I knew 300 out of the 837.

2376. Q. What is your occupation ?

A. I am a clerk of the Harlem and Albany Railroad Company.

2377. Q. How many votes were rejected by you on the day of election ?

A. I should judge there were about three; there may have been more or less, but certainly not over six.

2378. Q. How many were challenged ?

A. About 50, or from that to 100.

2379. Q. You took the oath of the party as conclusive evidence in every case of his right to vote ?

A. Yes, sir.

2380. Q. You heard no other evidence ?

A. We followed our instructions and took the oath of the party as conclusive of his right to vote if he was challenged.

2381. Q. Did you get any other instructions besides your printed instructions ?

A. No, sir.

2382. Q. Were you at a meeting of the Tammany inspectors ?

A. I was.

2383. Q. What was that meeting for ?

A. It was an open meeting, and the proceedings were published in the papers. The purpose of the meeting, if I can recollect it, was to instruct us that in case there should be an attempt made to intimidate us from receiving votes we should not be intimidated.

2384. Q. Who gave you those instructions ?

A. I did not accept them from anybody; it was only spoken of.

2385. Q. Who spoke of those instructions to the assembled inspectors ?

A. Well, there were several parties present that day; I could not say who it was who gave those instructions. The meeting was organized, if I recollect right, with Mr. A. Oakey Hall as chairman, but I am not positive of it.

2386. Q. Did he give you any instructions ?

A. No, sir; not that I considered instructions.

2387. Q. What did he tell you ?

A. He told us that there had been a secret meeting of the republican inspectors of election, at the Fifth Avenue Hotel, and from what he could learn of it, they would probably make an attempt on election day by some means to prevent the vote from coming out; that the two republican inspectors would on some pretext probably leave us and insist that it was not a legal election; and he said that in case such a thing was done, we should remain at the polls until the time for closing the polls arrived, and receive the votes as usual; those were only the words of a man.

2388. Q. What else did he advise ?

A. Well, I don't know that I can recollect any other particular thing that he told us.

2389. Q. Who else made a speech to that meeting ?

A. I do not recollect the parties.

2390. Q. Did Mr. Tweed make a speech ?

A. Not to my recollection; so far as I recollect that gentleman was not present.

2391. Q. Who else made a speech there to you ?

A. I believe the Hon. John Fox told us that if we required any instruc-

tions there was to be a committee sitting in Nassau street; a committee of legal gentlemen who could give us advice in case we were in any way confused and did not know how to act.

2392. Q. You say that there were three voters rejected at the polls; how many were rejected at the registry?

A. There were several who came in there who thought they were in the proper place to register; when we ascertained where they lived, that they did not live in that district, we directed them to the proper district. That was the mistake they made.

2393. Q. How many new naturalization papers were there in your precinct?

A. There may have been one hundred new naturalization papers.

2394. Q. Were those who produced new papers examined under oath?

A. Some of them were?

2395. Q. How many?

A. Nearly half.

By Mr. HOPKINS:

2396. Q. Where was that meeting held?

A. At Tammany Hall.

2397. Q. Before that meeting was held was it not a matter of public notoriety that there was a large number of what were called fraudulent naturalization papers being distributed about the city?

A. Not, so far as I believe.

2398. Q. Was it not so charged in the public press and on the streets?

A. I do not recollect having read it myself.

2399. Q. You did not hear anything of such charges?

A. Yes, I heard of the arrest of a man by the name of Rosenberg, I believe.

2400. Q. Was this meeting held after that?

A. I could not swear to that; it was held on a Sunday afternoon.

2401. Q. Was not that meeting held with a view to encourage voting by parties who had naturalization papers whether they were legal or not?

A. To the best of my belief it was not; it was held more for the purpose of assisting those who were entitled to vote, by being naturalized, to get their rights.

By Mr. DICKEY:

2402. Q. Were not you advised at that time that the certificate of a court was conclusive upon you; did not Mr. Hall say that naturalization papers with the seal of the court were conclusive, and that you had no right to inquire regarding them?

A. No, sir.

2403. Q. What did he say about the seal of a court being conclusive?

A. I do not know that I can express it in words; he said that we should always take it.

By Mr. ROSS:

2404. Q. Did he say that it was *prima facie* evidence?

A. Perhaps that was it, but I cannot recollect.

By Mr. HOPKINS:

2405. Q. You considered that it was conclusive evidence, did you not?

A. No, sir; a man might have found that paper on the street. If I thought that he went to the court and got it there, I would consider it so.

2406. Q. Was it not true that Mr. Lynch, one of your colleagues on that board, objected to a good many men being registered who were reg-

istered, and registered because you and your colleague, Mr. Donnelly, vouched for them ?

A. We registered no one until after Mr. Lynch was satisfied that he should be registered.

2407. Q. Be careful how you answer that. You say you registered no one until he was satisfied ?

A. To the best of my recollection we registered no voter where he held to the last that he should not be registered.

2408. Q. Did he not find fault with the registration of the large number of voters at different houses in that ward, say at 472 Pearl street, and 476 Pearl street ?

A. No, sir; not to my recollection. He would ask a man "Do you live there ?" I remember one man, John Ward, to whom he said, "You do not live at 478 Pearl street; you live at City Hall Place." Now, that man does live in Pearl street with his father. I know him to live there. He is a young man, with whom Mr. Lynch is also very well acquainted. He had once lived in City Hall Place, but he has been living in Pearl street long enough to vote.

2409. Q. Do you swear that this Mr. Donnelly and Mr. Lynch did not have sharp words in regard to the registry; Mr. Lynch protesting against the registration of many voters, you and Donnelly vouching for them ?

A. The only sharp language that I recollect was between Mr. Donnelly and Mr. Lynch, and that arose about the case of a man that Mr. Donnelly said that he would vouch for himself. If I recollect aright it was the case of a person by the name of Sullivan, and Mr. Donnelly told Mr. Lynch that he ought to know him; that he had lived long enough there to know him, and to the best of my belief now, Mr. Donnelly convinced Mr. Lynch that the man had lived at that number.

2410. Q. Then you say that every man who was registered by the board was registered with the consent of Mr. Lynch ?

A. No; I do not say so, because Mr. Lynch was not present all the time.

2411. Q. While he was present ?

A. Yes, sir; while he was present.

NEW YORK, *December 29, 1868.*

RICHARD DAY sworn and examined.

By the CHAIRMAN:

2412. Q. Of what country are you native ?

A. Ireland.

2413. Q. Were you ever in any court to be naturalized ?

A. No, sir.

2414. Q. You never took any oath of allegiance ?

A. No, sir.

2415. Q. Were you furnished with a certificate of naturalization ?

A. Yes, sir.

2416. Q. Who gave it to you ?

A. Michael Conroth brought it to me.

2417. Q. Have you got that paper with you now ?

A. No, sir.

2418. Q. Where did he give it to you ?

A. He brought it to the house where I lived, on Thirty-sixth street.

2419. Q. When was that ?

A. Just a few days before the registry.

2420. Q. Did you present it to be registered as a voter ?

A. I did, but they said it was not correct, and asked me where I got it; I told them and then they would not register my name.

By Mr. KERR :

2421. Q. Did you vote ?

A. No, sir.

By Mr. ROSS :

2422. Q. How long have you been in the United States ?

A. About eight years.

2423. Q. Did you make your first application to become a citizen ?

A. No, sir.

By Mr. KERR :

2424. Q. Where is the scallawag that gave you that paper ?

A. He is at home; he lives in the same building with me, on Thirty-fourth street.

2425. Q. Of whom did he get it ?

A. Of the man who keeps the place, McMan I think it was, who keeps a liquor store. I do not know the number, but it is on Thirty-fourth street.

By the CHAIRMAN :

2426. Q. Are you a democrat ?

A. I don't know; I had not made up my mind how I would vote if I was registered.

HUGH F. DOLAN recalled.

2427. Q. Will you produce to the committee a list of the names of the persons found on the registry list as registered at No. 288 Hudson street ?

A. I produce a list of names registered at this place.

(The list is hereunto annexed.)

2428. Q. Will you produce the poll list from the 12th district, 8th ward, of this city, and the registry list for that district ?

A. I now produce them.

2429. Q. How many of these names do you find on the poll-list as voting there during the presidential and State election ?

A. Every name on that list marked with a ✓ is found on the poll-list of voters, except the name of Andrew Wilson.

NAMES ON REGISTRY FROM 288 HUDSON STREET.

Checked 23, 12 not=35.

✓John D. Betts.
 ✓James Cavanagh.
 ✓James Cook.
 William Conner.
 ✓John Clarkson.
 ✓James Dunn.
 ✓William Davis.
 ✓John Drennon.
 ✓James Eveland.
 ✓Lewis Fox.
 Henry Gregory.
 ✓Henry S. Hall.
 ✓Peter Lynch.
 George Logan.
 ✓James Moran.
 ✓Thomas Moran.
 James Mitchell.
 ✓John McEntee.

David McGrath.
 ✓Samuel Merritt.
 ✓William McGrath.
 ✓James O'Rourke.
 Thomas O'Neil.
 ✓John Oakley.
 John Pierce.
 ✓Augustus Rogers.
 Henry Strong.
 ✓James Stewart.
 Andrew Smith.
 William Taylor.
 Samuel Thompson.
 ✓George Wood.
 ✓Henry Wolf.
 ✓Andrew Wilson.
 George Wilson.

OWEN E. WESTLAKE recalled.

WITNESS: I now present to the committee a statement of the naturalizations for the years 1864, 1865, 1866 and 1867, in the superior court of the city of New York, as follows: 1864, 6,540; 1865, 3,274; 1866, 6,588; 1867, 10,814. I also produce the application for naturalization of Maximilian Beck, and the affidavit of the witnesses, dated the 12th day of October, 1868, for the inspection of the committee.

DAVID CROWLEY recalled.

By the CHAIRMAN:

2430. Q. Did you take any steps to ascertain the number of persons who resided at 288 Hudson street; and if so, when?

A. About three or four weeks ago I was up there, 288 Hudson street, at the Palace liquor store, and I inquired of the bar-tender and he told me there was only one man in the place and that was James Moran, the man who kept the place. I asked him if there were any boarders or any men who lodged there, and he said no, only this James Moran; also inquired next door, but they new nothing more about it.

NEW YORK, *December 29, 1868.*

JOHN A. FOSTER recalled.

By the CHAIRMAN:

2431. Q. State what you know of the place 288 Hudson street.

A. I know what the dimensions of it are as appears from the official records of our tax office. The lot known at 288 Hudson street is 18 feet by 30. I am not positive, but I think the lot is 51 feet deep.

2431½. Q. That is the outside dimensions?

A. Yes; that is, from party line to party line, as appears from the tax map.

2432. Q. How many stories high is the building upon the lot?

A. It does not appear from the map.

2432½. Q. State what lists are made of persons who are supposed to be voters in the several districts of this city.

A. The city is divided into wards and the board of common council of the city divides those wards into election districts. The intention being and the law requiring that they shall be convenient districts, sufficiently small to allow the voters to easily vote during the election. There are 22 wards in the city divided into 340 districts. The larger wards into a large number of districts and the smaller wards into a small number. One of the wards having only two districts and one of them 27 districts.

2433. Q. What lists of voters are made by the registers of election?

A. There are in each of these election districts appointed four registers. These registers meet in the large districts polling 400 votes and upwards, two days on the first meeting, and in the smaller one day; but they all meet two days after that, making at least three days for registering, and in the large districts four days. They are by law each required to make a list of all who appear and prove themselves entitled to vote and register their names. These four lists are left in the hands of the registers and on the day of election they become inspectors of election. They receive the votes and at the close of the poll they pass them over to two canvassers who canvass the votes. These registries of election or lists are required to be used by them during the election day, and after that they are filed with the clerk of the county of New York, or if it is the December election, they are filed with the supervisors.

2433½. Q. State if there is a poll-list of the voters made.

A. There are two clerks who assist the registers or inspectors on the day of election, and they take the name of each person as he votes. That list is called the poll-list and is used by the board of canvassers in canvassing the votes after the poll is completed. These also are filed with the clerk of the county within 24 hours after the canvass is completed.

2434. Q. The poll-list regularly should not have on it the names of any persons except those who voted?

A. No; the poll-list can only contain the names of those who have voted and their residences. The registry contains the names of those who have registered and a voter must have registered on one of the four days prior to an election.

2434½. Q. Do the inspectors, in conducting an election, use the registry list?

A. It is their duty as they receive the votes to check upon the registry list the names of those on the list who have voted; consequently the registry will contain a check, usually on the margin, opposite the names of each man who has voted.

2435. Q. Is the check usually a "√?"

A. Yes; a mark similar to a "√."

By Mr. KERR:

2435½. Q. Is that check required by law?

A. No; the law does not say how it shall be done.

2436. Q. Does the law require that the names shall be checked off as the men vote?

A. No; I think an old law required it; it is common law; I don't think the present law requires it, but it is uniformly done.

2436½. Q. So far as you know?

A. I mean to say that it has habitually been done as I know, because I have had occasion to examine the whole poll-list in our office on several occasions.

2437. Q. Do you know, of your own knowledge, that this checking was done at one single precinct this year?

A. It was done at my own, where I stayed all day.

2437½. Q. How do you know it was done?

A. I saw it done.

2438. Q. By whom?

A. By the inspectors.

2438½. Q. Where were you standing?

A. I was standing on one side of the table and they were standing at the opposite side of the table.

NEW YORK, *December 29, 1868.*

JAMES F. HALL sworn and examined.

By the CHAIRMAN:

2439 Q. State anything you know of persons being registered as voters for the last presidential election; that is, of persons making application to be registered who were not entitled to be registered or to vote.

A. John Maloney, Michael Morrissey, John Farly, and James McDermott, at the first district in Philliptown, in Putnam county, offered to register on papers which afterwards proved to be bogus papers.

By Mr. KERR:

2440. Q. Were you an election officer?

A. I was not.

2441. Q. In what capacity were you about the polls?

A. As a voter.

2442. Q. With what party did you vote?

A. Voted the republican ticket.

2443. Q. You saw these men, John Maloney and others, attempt to vote on papers that proved to be bogus?

A. Yes, sir.

2444. Q. How do you know that?

A. From the examination to which they were subjected.

2445. Q. Who made that examination?

A. The officers of election.

2446. Q. Did you hear it made?

A. I did; the questions were suggested to some of them by me.

2447. Q. In what way did their invalidity appear; how did it come out?

A. That they were not present when the papers were issued by the court, but that the papers had been sent to them by some person.

2448. Q. Was that the case in each of the four instances?

A. In each of them; they testified that they had never been naturalized in court; that they had not received their papers in court.

2449. Q. Did they say that they had never been in a court to be sworn as citizens?

A. Yes, sir; they had not been there at the date of their naturalization papers, and they did not state when they had been there.

2450. Q. Did every one of them state that he had been naturalized at all?

A. I am under the impression that one of them claimed to have been naturalized, and to have lost his papers; the others did not claim it.

2451. Q. Can you state where these men live?

A. They live in the town of Philliptown, opposite West Point, at what is called Garrison Station.

NEW YORK, *December 29, 1868.*

WILLIAM H. HENDRICK sworn and examined.

By the CHAIRMAN:

2452. Question. State what you know of persons registering their names more than once in this city, just prior to the last presidential election, and of such persons voting more than once at the last election.

Answer. I wrote the paper which I now hold in my hand in order to save me trouble reciting the facts within my knowledge; I wrote it from memory.

2453. Q. Referring to that to refresh your memory, state what you know.

A. I was engaged by Peter Norton to join a gang of repeaters, and it was understood that I was to be registered as often as possible on the two last registry days previous to the presidential election on the 3d of November. Those two days of registry were October 30 and 31. On the night of the 30th of October I repaired to Peter Mitchell's liquor store, corner of Bleeker and Greene streets, and I saw there a congregation of repeaters, I should say at least 40 men. There I met Peter Norton, who had engaged me. He took me to task for not being with them during the day. I made some plausible excuse, when I was told to be with them without fail the next day; that is, I had missed the first day of the last two registry days, and was found fault with for not being on hand. I was told to be with them without fail the next day, the last

registry day, at 7 o'clock in the morning. The next day I consulted with Colonel Bliss, who said that Superintendent Kennedy suggested that I should go on with these men and register with them, keeping a memorandum of my proceedings. After I was engaged with this party, I went to Colonel Bliss and reported the affair to him. I told him that I would not go with them unless I had some sanction from him, because I felt that I might compromise myself, and I was not willing to get into any such company, and go through with this business that they proposed to me, without I had some authority and some pledge that I would be protected in it. On the morning of the 31st of October, 1868, I reported to Peter Mitchell, according to promise, and the only one of the gang I found there at that hour was David Somers, who claimed to be Peter Norton's right hand man. He asked me to take a drink, and said that Pete Norton had been up with the boys all night, and that he had gone home for a nap. Dave said, "You and I will go about and do a little work registering, and then go and wake up Pete." We then went to a drinking saloon and saw Peter Burns, corner of Elizabeth and Houston streets, (No. 69 East Houston.) Mr. Peter Burns furnished us with names and a residence. David Somers took his own name as a resident of 69 East Houston street, while he gave me a slip with the name of "Charles Walters, 69 East Houston street." From Burns's place we went around the corner to the place of registry of this district, when David Somers registered himself as a resident of 69 East Houston street. He was questioned sharply by one of the registry officers, and was challenged. He swore in his registry. I was then registered at the same place as a room-mate of David Somers, under the name of "Charles Walters," of 69 East Houston street. We then returned to Peter Burns's place, who inquired if it was all right, remarking that they had everything all snug in that district. Peter Burns then put the two names, as registered, on file to be voted on election day, and we (David Somers and myself) then went to the place of registry of the first district of the 14th ward, where I registered my correct name and residence, 604 Broadway. David Somers would not register here, because he said he was too well known; besides, he said that he had registered his own name the day before in a dozen places in different parts of the city. We then went over in the 8th ward and joined more of the gang. I do not know their names. About three joined Dave Somers and myself, and the party, five in number, were all registered at the two registries on Greene street, one near Prince and the other near Broome street. Of the names there registered, I only remember W. H. Travis, of 595 Broadway, and W. H. Travis, of 117 Spring street. When a second proposed to give his residence 117 Spring street, another member of the five remarked, "It won't do for any more to give 117 Spring street, as there is only room there for one man, and four of us have already given in that residence." Besides the above, others of the gang arrived, and asking if all was right, registered at the above places as residents of 84 Greene street, the residence of Peter Mitchell, who was the candidate of that district for the assembly; I think it was the 5th assembly district. Dave Somers and myself then went to the house of Peter Norton, 142 Sullivan street, who roused up from his nap. Peter Norton and the three of us joined the main body at Peter Mitchell's liquor store. There I saw slips served out for different districts by Alderman Norton and his brother, Peter Norton, and also by Peter Mitchell. Some 25 or 30 names were here given out with residences attached. I was told that it was understood by the women at the different houses how to answer all the questions that might be propounded to them by the police or by

detectives who might call to know who lived there, &c. The gang was then divided into parties of four, six, eight, and twelve, and went in different directions. The party I was with consisted of five, each one of whom made an extra registry at a polling place on Varick street. I have forgotten the names registered here. This was Alderman Norton's district. We then returned to Peter Mitchell's liquor store, which seemed to be a general rendezvous for at least 50 repeaters. Here I was told by Peter Norton to join a party of 12 bound for the 6th ward. The party were strangers, of whom I did not even know their names. I hesitated, but Dave Norton said it was all right. Dave Norton said, "It is all right; go along and do as the rest do, and I will make it all right." I joined them, and we walked rapidly together to Alderman Cuddy's place, 44 Bowery, and in five minutes time Alderman Cuddy in person produced a book that must have contained several hundred names and residences. Each of the 12 was furnished with a name and residence. One of James Welch, of 60 or 70 Mott street; another of George or William Bennett. I took James Darling, of 68 Mott street. Alderman Cuddy passed these cards over his counter. Each one got a card. I now present to the committee the card containing my name and address which I received.

<p>JONS DARLING</p> <p>60 Mott</p>	<p>44 Bowery Cuddy's Hotel</p>
--	------------------------------------

2454. Q. State how he gave you that card.

A. He was looking over his book, and I was looking over his left shoulder. He looked over the list and said: "Who will take John this, or John that?" He would call them off in that way. I felt that I must call for one name, and I waited until I heard a name that sounded like an American name. Most all the names were Irish—such as Sullivan or McCarthy. I felt that I could not present a name like that. Finally when he called the name of James Darling I said: "I will take this;" and that is the one he gave me.

2455. Q. State if he looked at you when he presented it to you, or whether he handed it in such a way that he could not see you when he gave it to you.

A. I do not think he saw me. I do not think he caught my eye during the whole time I was in there.

2456. Q. He handed it to you over his shoulder?

A. Yes. We then went around to the registry on Bayard street, near the Bowery, and the whole twelve were registered there. One or two were challenged, but they swore themselves on the registry. Numbers 66, 62, 68, and 70 Mott street occurred very often on Cuddy's book, which I saw by looking over his shoulder while he served our party with their names; also Nos. 62, 64, and 68, on Bayard street. The gang I accompanied then returned to Peter Mitchell's, and after a few hours' conversation we agreed to be on hand election day and vote; and with the directions of Peter Norton that I should call on him for my reward, I left the party for the day. I was told by one of the party that they had done more work the day before (the 30th) than the day on which I was with them, (the 31st.) In conversation with the chief men of this gang since the election I have heard several of them boast that they had

been registered and voted over twenty or twenty-five times, and some of them thirty times. It was invariably the rule, when challenged, to swear the vote or registry in. On receiving my instructions for the work on election day, and in reply to my remark, "But if I am challenged," the reply was, "You must swear it in; if you once weaken you are gone up; we will get you out, of course, but it will hinder the work."

2457. Q. I present to you four cards on which certain names appear. State what you know of them.

A. These are cards that I wrote myself. I stepped into a cigar store before I went to Peter Mitchell's, and got these four cards and put them into my pocket with the intention of putting on them a memorandum of what I did while with the party during the day. I had a lead pencil in my pocket, and after we had registered in Bayard street, I went back to Alderman Cuddy's and took a drink, and while the rest were talking and drinking I went down into the water closet and wrote these cards.

2458. Q. What did you write upon them?

A. Here is the name of James Goodwin, No. 70 Mott street; James Welsh, residence 142 Sullivan street. Here is another card with the name of Charles Walters, 69 Houston street, and David Simmers. Both received slips of paper from Pete Burns' porter-house, corner of Houston and Elizabeth streets. David Dummers is said to have registered in real name a dozen times. This is the first time I have seen these cards since I gave them. Here is another which has upon it "Gordon McKay, 595 Broadway." W. H. Travis registered twice—first from 117 Spring street, and 84 Greene street. "George Bennett, 62 Bayard street (it should have been William Bennett) registered Bayard street, near Bowery." Numerous registered from 142 Sullivan street.

2459. Q. Who is Peter Norton?

A. He is a brother of Alderman Michael Norton.

2460. Q. What is he politically?

A. He is a democrat—at least I don't know whether he has any politics personally, but he seemed to be interested in the success of the democratic ticket in that ward.

2461. Q. State if you know the politics of these repeaters with whom you are associated.

A. Well, the repeaters, most of them that I was with that day, I do not think have much politics one way or the other, but they seemed to have been keeping on good terms with certain parties in the locality.

By Mr. DICKEY:

2462. Q. Did you learn of which political party?

A. The democratic.

2463. Q. Norton was in the interest of that party?

A. Yes, sir.

2464. Q. And Burns?

A. He was a democrat.

2465. Q. For whose benefit were you making these registries; for the benefit of the democrats or the republicans?

A. The democrats.

By Mr. KERR:

2466. Q. Who employed you to engage in this business?

A. Peter Norton.

2467. Q. Anybody else?

A. No, sir; I do not think there was; I do not think any one else gave me direct encouragement.

2468. Q. How did you come to go to Peter Norton for such employment ?

A. I did not go to him for employment ; I met him with a party of sporting men at Florence's saloon.

2469. Q. What do you mean by "sporting men" ?

A. Men that keep faro banks, fast women, and fast horses.

2470. Q. What is your business ?

A. I have been in the army for the last seven years.

2471. Q. Are you in the army now ?

A. I was discharged on the 24th of June last.

2472. Q. What service were you in ?

A. The general service of the regular army.

2473. Q. What regiment were you in ?

A. In no regiment ; it is impossible for a man who is in the general service to be in any particular regiment ; the general service embraces those unassigned men in the army who have never been sent to any regiment.

2474. Q. Where were you on duty ?

A. At Governor's island, in the bay of New York.

2475. Q. Under whom ?

A. Under General Henry D. Wallen.

2476. Q. Were you known there by the same name under which you appear here ?

A. No, sir ; as William H. Travis.

2477. Q. Is that or is this your real name ?

A. William H. Hendrick is my real name.

2478. Q. When did you leave the service ?

A. On the 24th of June last ; I was honorably discharged, and I have my discharge in my pocket.

2479. Q. How many more names have you ?

A. That is all ; but I would like to have it appear in the record why I was on Governor's island under an assumed name.

2480. Q. When did you enter the service at Governor's island ?

A. On the 24th of June, 1865.

2481. Q. What duties did you perform there ?

A. I was clerk to General Wallen—Brigadier General Wallen.

2482. Q. When you left that service in June last, what did you do ?

A. I looked for a situation in New York ; I hoped to get a clerkship in a civilian department.

2483. Q. Did you find any such employment ?

A. No, sir ; I was for a while looking for a situation, and I got acquainted with these men in my idle moments.

2484. Q. You did not find any situation ?

A. No, sir.

2485. Q. Then you went around with these sporting gentlemen ?

A. Yes, sir.

2486. Q. And your business was visiting gambling houses and houses of ill-fame ?

A. I must decline to answer such questions as may reflect upon my character ; I can say, however, that I never was in a house of ill-fame ; but I will have to acknowledge that I have been addicted to going into faro banks.

2487. Q. During this time ?

A. During this time ; in fact for fifteen years. If I had not done so I should never have got in with these parties.

2488. Q. During this time were you part owner of a faro bank, or of a gambling house?

A. Never, sir.

2489. Q. Did you not keep a woman who was not your wife?

A. No, sir.

2490. Q. What was your business before 1865?

A. I was in the United States marine corps; I served my full four years as sergeant; I was first on duty at the Philadelphia navy yard.

2491. Q. Under whom?

A. Under Lieutenant Colonel Ward Marston, at that time commanding officer.

2492. Q. Where did you next do service?

A. I was only three weeks at the barracks in Philadelphia when I was sent to Washington among a squad of recruits.

2493. Q. By what name were you known in the service at Philadelphia?

A. My real name, William H. Hendricks. I also have my honorable discharge from that service.

2494. Q. What did you do when you went to Washington?

A. I was instructed in the drill; had six hours drill a day for six weeks; and was made a corporal right on the jump. I never did sentinell duty but once.

2495. Q. How long did you remain there?

A. I was in Washington acting in the capacity of corporal for three months.

2496. Q. Under whom?

A. Colonel John Harris was commandant of the marine corps.

2497. Q. What year was this?

A. I enlisted in the fall of 1860.

2498. Q. When did you go to Washington?

A. About the 4th of September in the same year, and I staid there about three months.

2499. Q. Where did you then go?

A. I was then drafted as one of the marine guard of the frigate *Macedonian*, then fitting out at the Portsmouth navy yard. We were taken in a body to Portsmouth, under command of Captain Macaulay. The ship went into commission about the 1st or 2d of January, 1861; and we made a cruise of 13 months. We went to Vera Cruz, St. Thomas, and around Cuba.

2500. Q. Who was commander of the ship?

A. Captain James Glynn, of the United States navy.

2501. Q. Under what name were you there?

A. William H. Hendricks.

2502. Q. What rank had you?

A. I was made what was called "lance sergeant," when we got on board ship.

2503. Q. Did you remain in that position all the time?

A. Yes, during the whole of the 13 months. My discharge gives the date of my promotion.

2504. Q. What did you do after that?

A. The ship returned to Boston harbor and went out of commission. I then had the privilege of a furlough of 10 days, and reporting for duty at any navy yard in the United States service. I took my furlough and reported for duty at the Portsmouth navy yard. This was about the last of February, 1862. I was two years on duty as sergeant at the Portsmouth navy yard.

2505. Q. Where did you go to from there?

A. After I had been there two years, I came to New York and visited my father, who was then living in New York.

2506. Q. Where does he live now?

A. At Norwalk, Connecticut.

2507. Q. What did you do there?

A. I was with him for several months, and then got a clerkship in Washington.

5508. Q. In what department?

A. In the Provost Marshal General's department.

2509. Q. At what date was that?

A. I do not remember the precise date. It was about in 1865.

2510. Q. What were you doing during the long space that intervened between your service at the Portsmouth navy yard and the commencement of your service in Washington?

A. I was in New York doing nothing.

2511. Q. How long did you remain in the Provost Marshal General's department at Washington?

A. Five months.

2512. Q. In what class were you as a clerk?

A. I was a third class clerk.

2513. Q. What was your compensation?

A. I received a hundred dollars a month.

2514. Q. On whose procurement were you appointed?

A. I had several recommendations; one from Paymaster Cunningham, of the Macedonian; one from Paymaster Bleecker, of the Portsmouth navy yard; another from Anthony J. Bleecker, of New York city.

2515. Q. What did you do when you left there?

A. I was discharged from there for visiting faro banks.

2516. Q. Where did you then go?

A. After I lost my situation I was very poor. I had a wife and child to support, and became very much reduced. I came to New York and found I could get detailed as clerk in Colonel Hayden's office, then commanding at Governor's island. I called on him and he advised me to enlist, and told me if I would do so he would appoint me clerk in his office, and that I would get a hundred dollars bounty, which would relieve my distresses. I enlisted and got the one hundred dollars bounty in advance, and two hundred dollars bounty which came afterwards. When I went to him I felt ashamed of the circumstances which had brought me to it.

2517. Q. After you left the service on Governor's island, you did not enter again into any kind of public service, and you have since had no business?

A. No, sir; I did not. I did not like to re-enlist there.

2518. Q. Since you have left that service what other business have you been engaged in excepting what you have stated?

A. In no business at all.

2519. Q. For how long a time have you been in this condition?

A. Since the 24th of June of this year I have had no regular business, although I have occasionally been employed.

2520. Q. Who employed you to go to Peter Norton's and get this kind of employment from him?

A. I was sitting in the reading room of the Fifth Avenue Hotel, when a gentleman I knew, by the name of Ray, who was chief clerk of the republican committee in session there, passed through the room and asked me what I was doing. He told me there was plenty of work to do in writing for the committee, and that I could get four or five dollars a

day, and might as well go there and write. I did so, and in the evening I went to this drinking saloon and there it was proposed that I should engage in this business of repeating.

2521. Q. Who first made you the proposition?

A. I was a stranger to Peter Norton, but there was a man I had seen about faro banks. In fact I had given him some money, and he came up to me and said, "You want to make a stake?" I said, "Certainly." "Well," said he, "here is Pete Norton, who wants to get people to work on election day."

2522. Q. Who was this man of whom you now speak?

A. A little fellow whom they call "Horse Jack;" he is a hanger-on about faro banks, and has spent most of his life as a jockey about New Orleans; I think his real name is Jack Hodge.

2523. Q. Do you know where he is now?

A. I understand that he has gone to New Orleans, but I am not sure; I have not seen him for some months.

2524. Q. Did or did not this republican committee which had quarters at the Fifth Avenue Hotel, or any person belonging to it, employ or seek to employ you through Mr. Norton?

A. No, sir; the proposition was made to me before they knew anything about it.

2525. Q. How did you come to make the acquaintance of Mr. Kennedy?

A. After this proposition was made to me I reported it to Colonel Bliss, and he told me to come next day. He seemed to wish to consult with somebody before he told me what to do. I called again, and he then told me that I could go with these men, and said he, "I spoke to Mr. Kennedy about it, and he says perhaps the best thing you can do is to go with them and take a memorandum of what you do."

2526. Q. What assurance did he give you of reward?

A. He told me he could not tell what I would receive, but he said my expenses would be paid.

2527. Q. How did you come to communicate to him the fact that you had made the acquaintance of these men?

A. Well, I am rather inclined to the side of order and good government. I am patriotic in my feelings, and I think that the only patriotic party in the last five years is the republican party; my sympathies are entirely with them.

2528. Q. Is that the only reason you had for seeking him and making this communication?

A. No, sir; that was not the only reason; the other reason was that I was obliged to find some means of getting employment, and I thought I might as well be employed in a virtuous cause.

2529. Q. And shift from a vicious one?

A. Yes, sir; I think it was a decided improvement.

2530. Q. Did you get out of the company of those bad men?

A. Yes, sir; I have kept out of their company since then. I have been afraid to go near them.

2531. Q. What have you detailed in this paper to which you have referred, about your association afterwards with these men?

A. I did not associate with them; but I met one or two of them at saloons casually, where I had no idea of meeting them.

2532. Q. After you entered this virtuous service then you ceased to have communication with the bad men named in this paper?

A. Yes, sir.

2533. Q. Then you did not do what Superintendent Kennedy advised you to do, cultivate their acquaintance and get all the information you could from them?

A. He did not advise me to do that. It was only on that day of the registry.

2534. Q. Who advised that?

A. Colonel Bliss.

2535. Q. Did you see Mr. Kennedy on the subject of this business?

A. I did not speak to him.

2536. Q. Did you never speak to him on this subject?

A. Colonel Bliss told me to meet him at police headquarters; but, although I saw Mr. Kennedy there, I never spoke to him.

2537. Q. Have you ever been indicted for any offence against the laws of the country?

A. No, sir.

2538. Q. Where did you first meet Peter Norton?

A. At Florence's saloon, at the corner of Houston street and Broadway.

2539. Q. Where does he live?

A. No. 145 Sullivan street.

2540. Q. What is his business?

A. I do not think he has any particular business; I never heard anything of his business; I always looked upon him as a sporting man, who lives by his wits.

2541. Q. How did you come to have this conversation with him about this business of repeating. Did you suggest it to him, or did he suggest it to you?

A. He never made any suggestion to me, except by implication. For instance, this Hodge that spoke to me about this matter introduced me to Norton, and said, "This is a friend of mine, and he will go into this thing."

2542. Q. What did Norton say then?

A. Norton said, "All right, let us take a drink."

2543. Q. Who drank with you?

A. This Hodge and Norton, and several others whose names I cannot remember.

2544. Q. What did you drink?

A. I think I took a Santa Cruz sour.

2545. Q. Who paid for it?

A. I didn't see who paid; there was a great crowd drinking at that time.

2546. Q. Were they all drinking on the same treat?

A. I do not think they were. I think there were two or three parties at the bar.

2547. Q. Is there a gambling table in that house?

A. Not to my knowledge.

2548. Q. What did Norton say on the subject of this business at that time?

A. Norton said, "We will give you something to do on election day and registry days." That is what he said, and I said, "All right, I will be there."

2549. Q. Did he ever talk with you much afterwards?

A. Not except on the day of registering. When we were coming back from one of the registering places he had a conversation with me.

2550. Q. What did he say then?

A. I will try to call to mind what he said. I was expressing some fear of being caught in this thing. I asked him what should be done in such a state of things. I don't remember now exactly what hypothesis I stated to him; but he stopped me and said, "Don't talk so loud, there is Captain Young of the detective force just passing us, and he may hear you."

I asked, "Suppose they challenge me when I go to get registered—what shall I do?" "You'll have to swear it in," he answered.

2551. Q. And all this time you were in the service of the republican party of New York?

A. No, sir, I can't say I was in their service.

2552. Q. Were you then in Mr. Norton's service?

A. No, sir; I was in no service.

2553. Q. You were serving no master just then?

A. None but myself.

2554. Q. Have you generally served all of your employers during the last eight years about as faithfully as you did your employer in this case?

A. I refer you to my written recommendations from all the commanding officers under whom I have served.

[Mr. Dickey objected to the question, but after discussion it was allowed.]

2555. Q. During the last eight years have you served all your employers with the same fidelity with which you have served Mr. Peter Norton on this occasion?

A. Yes, sir; and with much greater fidelity.

2556. Q. What other conversation had you with Mr. Peter Norton?

A. I do not think I had any more conversation with him at any time.

2557. Q. Where is Peter Mitchell's liquor store?

A. At the corner of Green and Bleeker streets.

2558. Q. What kind of a store is it?

A. A retail drinking store.

2559. Q. Is it a gambling house?

A. No, sir; not that I know of; I never was in any place, only in the bar-room, where they sell liquor.

2560. Q. Do you know Peter Mitchell?

A. I know him by sight, and was introduced to him.

2561. Q. Did you ever have any talk with him on this subject?

A. No, sir.

2562. Q. Did Norton or Mitchell ever pay you anything for your services?

A. No, sir.

2563. Q. Did you ever ask him for any pay?

A. No, sir.

2564. Q. You are sure of that?

A. Yes, sir. I only fulfilled half of my contract with him.

2565. Q. Did they pay any of your expenses?

A. They paid for drinks during the day; nothing more.

2566. Q. Where does David Somers live?

A. I don't know.

2567. Q. What does he do?

A. He is what they call a "rounder."

2568. Q. What is the business of a rounder?

A. It is a difficult word to define.

2569. Q. You have been acquainted with a good many in your life, have you not?

A. Yes, sir, I have met with one or two.

2570. Q. What did they do.

A. They were hangers-on at faro banks.

2571. Q. That, then, is the business of a rounder?

A. I believe it is.

2572. Q. Is that the only business such men have?

A. I believe they indulge in other luxuries besides that.

2573. Q. Do you know where David Somers is now?

A. I do not.

2574. Q. When did you see him last?

A. I passed him on Broadway one day since the registry, about two months ago, or less.

2575. Q. Did you speak with him?

A. No; I avoided his recognition.

2576. Q. How have you managed to get a living since then?

A. Since then I have been employed as a clerk in the office of the Union League, and am now in that service.

2577. Q. At what compensation?

A. I have been getting \$18 per week.

2578. Q. Was your right to registration questioned ever?

A. No, sir.

2579. Q. Did you ever swear it in?

A. No, sir.

2580. Q. Where were you registered?

A. I have already stated from the paper. I should have to have a map in order to tell you without referring to the paper.

2581. Q. In what part of the city?

A. From Pete Burns's we went from Elizabeth to Prince street, and a few doors above Elizabeth on Prince street we first registered; that is the place where Charles Walters and David Somers were registered. I was registered under the name of Charles Walters. We then went to the 8th ward, where the places of registry were both on Greene street—one near Spring and the other near Broome street.

2582. Q. When did you write out this statement from which you have testified?

A. About three weeks ago.

2583. Q. From what did you write it?

A. From memory.

2584. Q. You remember very distinctly all you have done during this time?

A. No, I am not quite certain that I remember everything that occurred, but I think I have it all down there.

2585. Q. Do you ever indulge in habits of intoxication?

A. No, sir; I drink occasionally, but in moderation, I hope.

2586. Q. You hope?

A. Well, I know.

2587. Q. Were you drunk during those days of registration and voting?

A. No, sir.

2588. Q. You say that on a certain day you reported to Peter Mitchell; did you ever have any conversation with Peter Mitchell on the subject of your business?

A. No, sir.

2589. Q. Did you ever tell him how often you had registered?

A. No, sir.

2590. Q. Did you ever tell Peter Norton how often you had been registered?

A. No, sir.

2591. Q. Did you ever tell Peter Norton you had been registered at all?

A. I think I may have given him to understand that I had, but I don't remember telling him positively that I had. I remember meeting him that day and telling him that I had done what I could, and he said,

“Well, you be on hand now on election day,” and I said, “Yes;” and he asked, “How did you make out to-day?” and I said, “I did all I could.” That is the only conversation I had with Peter Norton on the subject.

2592. Q. Have you seen Peter Norton lately?

A. No, sir.

2593. Q. You say that Peter Mitchell was a candidate for the assembly, and kept a saloon?

A. Yes, sir.

2594. Q. In what district was he running for the assembly?

A. I think it is called the fifth assembly district.

2595. Q. On what ticket was he running?

A. I suppose the democratic.

2596. Q. Was he elected?

A. I believe so.

2597. Q. Did you ever have any talk with him on politics?

A. No, sir.

2598. Q. Did he keep an eating house as well as a drinking saloon?

A. No, sir; only a drinking saloon.

2599. Q. Did you ever drink there on his expense, or at his invitation?

A. No, sir; I believe not.

2600. Q. Who is Peter Burns?

A. He is proprietor of a-liquor store on the corner of Houston and Elizabeth streets.

2601. Q. Was he one of the men whom you denominate the “gang?”

A. Well, I don't know, because I had never seen him before; I was only in his place about five minutes, and knew nothing about him.

2602. Q. Did you have any talk with him?

A. Yes; there was a little chaffing over the drinks at his bar, before we went around to the registry, and, when we came back, about the election, and how everything would be quiet in that district; that was about all.

2603. Q. Where did you go from Burns's place?

A. We went around to the corner of Elizabeth street, and up Prince street, about half a dozen doors above Elizabeth, towards Broadway.

2604. Q. You say David Somers registered there?

A. Yes, sir.

2605. Q. How did he secure his registration?

A. He was cross-examined by one of the registrars very sharply, and they insisted upon his swearing that he lived at 69 East Houston street; and as soon as he was sworn and was registered, he was rather overbearing to the republican registrar, asking him what right he had to ask him these questions, and talked in a manner that almost implied that he was going to pitch into him if he had anything more to say.

2606. Q. How did you know that Peter Mitchell was a democrat?

A. I saw his name upon the printed democratic ticket, which was posted all over the district.

2607. Q. How many men were there in this gang to which you belonged?

A. I could not tell; more than I could count during the excitement of the time.

2608. Q. By whom was this gang organized?

A. I do not know; I can form no idea.

2609. Q. So far as you know under whose direction was it acting?

A. That I cannot tell.

2610. Q. How many of the persons whose names you have given us, constituting the gang, do you know the residence of?

A. Only two, or rather but one only—Peter Norton; I am only sure

of his residence; I have looked in the directory and saw other residences there.

2611. Q. Can you tell from memory where the residences of the others are?

A. I think Alderman Norton lives on Varick street.

2612. Q. Do you remember the residence of any other one which you saw in the directory?

A. I saw Peter Norton's residence there at No. 142 Sullivan street, but I never saw the names of any of the others registered in the directory, nor do I think they are there.

2613. Q. Where is the residence of Alderman Michael Norton?

A. On Varick street, I do not remember the number.

2614. Q. Do you know Mr. Norton personally?

A. I know him by sight; I never spoke to him.

2615. Q. Where did you meet him?

A. I saw him at Peter Mitchell's liquor store during that day to which I have referred.

2616. Q. Where is his office as alderman?

A. I do not know.

2617. Q. Do you know when he was elected to that office?

A. No, sir.

2618. Q. How do you know he is an alderman?

A. I happened to read the proceedings of the board of aldermen in some of the public prints, and I saw he had made several motions; that is all that I know about his being an alderman.

2619. Q. What did you see him do at Peter Mitchell's?

A. When he came into Peter Mitchell's, he and Pete Norton, who is his brother, had their heads together and were handling slips of paper with names on them, and those slips were given to David Somers, who gave them to members of the gang who went to the sixth ward.

2620. Were you of that gang?

A. Yes, sir.

2621. Q. Did Peter Norton give them to you?

A. No, sir.

2622. Q. Did Michael Norton give out any?

A. I did not see him give out any individually. I saw his brother give them to Somers, and Somers distributing them.

2623. Q. Did you know what those papers were?

A. I didn't make a close examination; I had some of them in my hands afterwards during the day, and they had names and addresses on them.

2624. Q. How did you know they were the same papers?

A. It is merely a matter of guess; I came to that conclusion.

2625. Q. How many did you see Alderman Norton give to Peter Norton?

A. I do not know, nor can I guess.

2626. Q. Who was standing by and saw this done besides those you have named?

A. There were 20 or 30 persons.

2627. Q. Was it done in a public, open way, or was it done secretly?

A. Quite publicly; they were all leaning against the outside of the bar, and there were nearly 30 persons present; or at all events more than 20.

2628. Q. Were they all belonging to this gang?

A. Yes, sir; they must have been or they would not have taken the papers out publicly.



2629. Q. Was it at that point that the gang was divided up into smaller gangs ?

A. Yes, sir.

2630. Q. By whose direction was that done ?

A. I cannot say, but those three parties seemed to have the direction of it ; Peter Norton, Alderman Norton, and Peter Mitchell.

2631. Q. What did they do ?

A. I do not recollect.

2632. Q. Did you hear Peter Mitchell give any orders ?

A. No, sir.

2633. Q. Did you see him give any tickets ?

A. I did not see him distribute any tickets ; I saw him handling the tickets and talking ; I thought they were slips of paper, I do not know what was on them ; they might have been blank ; I do not know what they were. That was all I saw him do or knew of him to do.

2634. Q. How many persons did you ever see at Peter Mitchell's liquor store at any one time during that day ?

A. I think I saw 25 or 30, as near as I can guess.

2635. Q. What is Alderman Cuddy's business ?

A. He is a sporting man, I believe, and is interested in a faro bank.

2636. Q. Do you know where he does his sporting business ?

A. Only from hearsay ; I do not know the locality.

2637. Q. Do you know that he does any such business except from hearsay ?

A. No, sir ; I can't say that I do. He keeps a drinking saloon on the Bowery ; that is to say, he is the ostensible proprietor of a liquor saloon. I never saw him there except on this one day.

2638. Q. Is his name over it ?

A. It is called "Cuddy's Hotel," and is next door to the Bowery theatre ; his name is over the door in large letters ; it is only a drinking saloon, although there are three or four lodging rooms about it.

2639. Q. What intercourse did you have with him ?

A. None at all ; I never spoke a word to him in my life excepting when I said that I would take the name of James Darling.

2640. Q. What was he doing when you said that ?

A. He was holding out these cards.

2641. Q. How many were present when he was doing it ?

A. I am sure there was a dozen ; there might have been 14 at his bar.

2642. Q. Did he say anything about the repeating business at the time he was handing out the tickets ?

A. No, sir.

2643. Q. How many did he hand out ?

A. Twelve that I saw.

2644. Q. Did you count them at the time ?

A. No, sir, I did not ; but I knew there were twelve in our party and each got supplied.

2645. Q. What were their names ?

A. I do not know ; there was not one man among them that I knew by name.

2646. Q. Did you ask any of them their names ?

A. No, sir.

2647. Q. How did you address them when you talked to them ?

A. There was no particular way of addressing them ; the parties seemed to be quite fraternal and talked the same as a couple of brothers would do.

2648. Q. How did you talk to them ?

- A. I assumed the same style and manner that they did.
2649. Q. Did Mr. Cuddy give any directions to you, or in your hearing to the other men of the gang?
- A. I think he did, but I cannot say what he said.
2650. Q. Did he drink with you?
- A. No, sir.
2651. Q. Did he ask you to come up and drink with him?
- A. No, sir.
2652. Q. You never saw him but that one time?
- A. That is all.
2653. Q. Were you in the habit of frequenting that place before you saw him there?
- A. No, sir.
2654. Q. Have you ever met him since?
- A. Yes, sir; once, on Broadway.
2655. Q. Did you talk with him?
- A. No, sir; nor did I know him at the time the papers were served out; I had no idea who was serving them out; he was an entire stranger to me, although I may have seen the man before.
2656. Q. How, then, do you know him now?
- A. Because at the time I met him on Broadway, eight or ten days after the serving out of the papers, I followed him four or five blocks to find out who he was; and while I was cogitating how I should find out, I saw an elderly gentleman who spoke and bowed to him, and I ran after him half a block and asked him who the gentleman was to whom he bowed.
2657. Q. Will you have the kindness to give us the name of this gentleman whom you followed in that way?
- A. I have no idea what his name was; I never saw him before or since.
2658. Q. Is that the way you ascertained the names of the other parties?
- A. No; the other men I knew.
2659. Q. Did you know Peter Mitchell?
- A. Yes; Peter Norton introduced me to him at his saloon.
2660. Q. By what name did he introduce you?
- A. By my right name of Hendrick.
2661. Q. When was this?
- A. It was about three or four nights after I met him at Florence's saloon, several days before the registration, and before this business commenced.
2662. Q. At whose request did you write out this statement to which you have referred in your testimony?
- A. At no one's request; it was an impulse of my own.
2663. Q. What was the origin of that impulse?
- A. My object was to retain in my memory facts that I expected to testify to.
2664. Q. Where did you get that expectation from?
- A. I was told that there would probably be an investigation ordered, and that I would be called up as a witness.
2665. Q. By whom were you told that?
- A. Colonel Bliss.
2666. Q. Did he not tell you in that connection that he wanted you to write this out and fix it up?
- A. No, sir.
2667. Q. Did you never read it over to Colonel Bliss?
- A. No, sir.
2668. Q. Did you offer to vote yourself?
- A. Yes, I voted once.

2669. Q. Did you vote as a repeater?

A. No, sir; I was not with them at all on election day.

2670. Q. As what did you vote?

A. I voted in my own natural right.

2671. Q. Did you vote under the name you now bear?

A. Yes; William H. Hendrick.

2672. Q. Where?

A. In the 1st district of the 14th ward.

2673. Q. What ticket did you vote?

A. I went for Grant and Train.

2674. For whom did you vote for governor?

A. I think Mr. Griswold's name must have been on my ticket; I voted the general republican ticket.

2675. Q. Did you see any other of this gang vote there?

A. No, sir.

2676. Q. Do you know, of your own knowledge, that any of them did vote?

A. No, sir.

3677. Q. Did you see any of them on election day, at all?

A. I do not think I did, either in that district or in any other.

By the CHAIRMAN:

2678. Q. If you desire it you may state now why you were on Governor's island under an assumed name.

A. I should like to state it. When I lost my situation in Washington I was very much reduced, scarcely knew what to do; I came on to New York, and, although I had a father here who was keeping house, I felt ashamed at being in such a reduced situation and would not go near him. I was ashamed to enlist under my own name, and it was on the impulse of the moment, when I enlisted, that an assumed name came to my lips. I had no contemplation five minutes before about giving that assumed name. But after I got upon Governor's island I had a very good character, and the commanding officer took a fancy to me and took me as his clerk; and when I seemed to be getting into his confidence I never exposed what my real name was until I had been on there two years, and then I told General Wallen, and he said that as it had been going on so long I might as well let things remain as they were.

NEW YORK, *Wednesday, December 30, 1868.*

JOHN J. MULLIGAN sworn and examined, (at the instance of Mr. Ross.)

By Mr. ROSS:

2679. Question. Were you one of the election officers last fall?

Answer. Yes, sir; I was an inspector of election in the 12th district of the 13th ward. My colleagues were Thomas Flynn (democrat) and Messrs. Austin and Broas.

2680. Q. State to the board in what way you conducted the registration and the voting, and what means you took to prevent illegal votes being registered or polled.

A. All who came there to have their names registered were questioned as to their nativity, and if they were foreigners they were required to produce their naturalization papers. Then they were questioned as to how long they had lived in the State, county, and district.

2681. Q. Did you swear them?

A. Where we had any doubts or thought that they were not legal voters we swore them.

2682. Q. Was the examination pretty thorough and full ?

A. Yes, sir.

2683. Q. Was any objection made by any of the other inspectors to challenging or examining applicants ?

A. No, sir ; not in receiving their names.

2684. Q. Do you know whether any illegal votes were registered or polled in your district ?

A. No, sir.

2685. Q. Do you recollect anything about a voter having made a mistake in the number of his residence ?

A. Yes, sir ; a man came to register giving his residence at 26 Goerck, and when he came to vote we found that his residence was at 29 Goerck street. Objection was made to his voting on the ground of his having given a wrong number. But I went myself to see whether he actually did live in No. 29, and I found that he did, and that he was a legal voter.

2686. Q. Was there any disposition evinced by any member of the board to have illegal voters put on the registry or admitted to vote ?

A. Not that I am aware of.

2687. Q. Do you know of any illegal votes having been registered or given in your precinct ?

A. No, sir ; I think they were all legal votes.

By Mr. DICKEY :

2688. Q. How many voters were sworn ?

A. About a half a dozen.

2689. Q. How many voted in your precinct at the presidential election ?

A. I think 437.

2690. Q. How many voters were you personally acquainted with ?

A. Perhaps not over 50.

2691. Q. What proportion voted on naturalization papers ?

A. I should think the majority of the voters were adopted citizens. Most of them produced their papers.

2692. Q. What proportion of them had been naturalized this year ?

A. Very few ; not over 15 or 20 ; I do not think there were so many.

2693. Q. In the case of this man who voted from 29 Goerck street, had not his name been scratched off the registry book ?

A. It was not scratched off my book. Mr. Broas, I think, had scratched it off his, and Mr. Austin had marked on the margin that he did not live at 26 Goerck street. We had no power to erase anything from the registry book, only to mark on the margin whether the vote should be challenged. That is the way I marked mine—"Challenge." Immediately when a man came to vote we challenged him.

To Mr. HOPKINS :

We did not find out where he lived until election day, and on that day the police officer, who was stationed at the polls, said he knew the man ; that he lived at 29 Goerck street, and that he was an old resident of the ward. I took his vote on the ground that he lived there. Then in the charter election the other inspectors went and ascertained that the man did live there and had lived there for 18 months.

NEW YORK, *December 30, 1868.*

MORRIS LIVINGSTONE sworn and examined.

By the CHAIRMAN :

2695. Question. I present to you four papers purporting to be certificates

of naturalization from the supreme court of the State of New York, each dated the 20th of October, 1868, one to Henry Beaum, one to August Betzel, one to James Brown, and one to William Honig; state what you know of these papers.

Answer. I went on the 20th of October last to the office No. 6 Centre street, which was at the time an office for naturalization of citizens. I saw there a man named Rosenberg and asked him whether he could furnish me with four papers for four different parties who wanted to become citizens of the United States. He told me he could. I asked him what he wanted for the papers, and he demanded first eight dollars, but I made a bargain with him for seven dollars. He told me to call for the papers by and by, which I did; and after having seen him several times I came to the office again, and he nodded to me that the papers were ready for me, and I went with him into an adjoining room, where he handed the papers to me and I paid him seven dollars. After I got the papers I gave them to the United States marshal. These are the same papers; I recognize them by my signature written on the back of each of them.

2696. Q. How long after you asked Rosenberg for the papers was it before you got them?

A. I went into the office in the morning and he told me to come about 12 o'clock. I came then and he told me that there were no blanks at that time, but that he would have them in a very short time, when he would give me the papers. It was about 4 o'clock in the afternoon of the same day when he handed me the papers.

2697. Q. State whether the names in the certificates were real or fictitious.

A. They are fictitious names which I got out of my own head just as they entered my head.

By Mr. KERR:

2698. Q. You had no talk with anybody else but Rosenberg?

A. Only with Rosenberg.

2699. Q. And aside, so that none of the others could hear you?

A. We spoke in a low voice, and he cautioned me to do so.

2700. Q. Who asked you to go there?

A. I was introduced to Marshal Murray.

2701. Q. Did he employ you to go there?

A. No, sir.

2702. Q. Did he furnish you with the money to pay for them?

A. No; but Mr. Kronberg did.

2703. Q. What party do you act with?

A. I act with no party. I am no partisan at all. My sympathies are with the republicans.

NEW YORK, *Wednesday, December 30, 1868.*

THOMAS FLYNN sworn and examined, (at the instance of Mr. Ross.)

By Mr. ROSS:

2704. Question. What office did you hold at the last election?

Answer. I was one of the election officers in the 19th district of the 13th ward.

2705. Q. State to the committee whether you used precautions, and if so, to what extent, to prevent persons registering who were not entitled to do so.

A. We exercised all the caution that our judgment led us to. If we thought there was reason for rejecting an applicant, we rejected him; if not, we registered him.

2706. Q. What proportion of the naturalized citizens were sworn?

A. Very few were sworn in the registry. The inspectors living so long in the neighborhood generally recognized the persons coming.

2707. Q. Were those who were registered without swearing, known to some member or members of the board?

A. Yes, sir.

2708. Q. In cases where they were not known to any member of the board were they then sworn?

A. They were then sworn.

2709. Q. In reference to the voting, was much swearing done there?

A. There was more swearing done there.

2710. Q. Did the board challenge, or permit anybody else to challenge?

A. Yes, sir, any citizen was at liberty to challenge, but he would have to show the ground on which he challenged.

2711. Q. Whenever an applicant for voting was challenged he was then sworn and examined?

A. Yes, sir; unless the challenge was withdrawn; if the challenger insisted, we were forced to swear the man, notwithstanding we might have the opinion that he was entitled to vote.

2712. Q. Do you know of any persons who were registered or who voted without being entitled to?

A. I do not. There was one individual named Kelley who gave us a wrong number, and there was some trouble about that. When he came to vote he was challenged and he had to qualify as to his residence before he could vote.

2713. Q. Did you satisfy yourself that he was entitled to vote?

A. Yes, sir.

2714. Q. Then you do not know of any illegal vote being given there?

A. I do not.

To Mr. DICKEY:

2714½. There were 500 names registered in our district and 470 or 480 votes polled. Not one-half of these were on naturalization papers. Very few were sworn at the registry. The inspectors were generally satisfied with the papers, or recognized the men and knew them to be voters. I did not live in the election district, but a few blocks from it. I used to live in the district until last May. I suppose I must have known from 30 to 35 of those who voted on naturalization papers. The other inspectors knew more voters than I did. They were Mr. Mulligan and Mr. Broas. It appeared to me that they knew a good many of them.

2715. Q. Did you hold that when a man presented a certificate of naturalization that entitled him to register?

A. I did.

To Mr. HOPKINS:

2715½. We did not strike from the registry the name of this man Kelley, who resided at No. 29 Goerck street; we did not strike his name off, but we put a note upon the margin to challenge him, and when he came to vote he had to swear in his residence.

2716. Q. Did not one or two members of the board protest against his vote being received?

A. Yes, sir.

2717. Q. And you and your democratic colleague insisted on receiving his vote?

A. Yes, sir, when he swore to his residence. The two republican inspectors made objection at first; but when Mr. Mulligan explained it

to them, they did not seem to persist. The man had given a wrong number. He actually lived in the district and was a legal voter.

NEW YORK, *Wednesday, December 30, 1868.*

CHARLES E. LOEW recalled and examination continued.

By Mr. KERR:

2718. Question. Have you had an opportunity of consulting with the judges of the supreme court on the question which you submitted to them?

Answer. The day before yesterday, I copied the communication delivered to me by the chairman of this committee for submission to the judges. I had a copy thereof sent to each of the judges. The general term of the court does not meet until Monday; therefore it is not possible to get their answer until that time; yet if the committee insist upon an answer from me at this time, I shall have to give it.

2719. Q. State what you propose to do.

A. I am now, as I have been from the commencement, ready and willing to allow the committee to make any examination of papers and records in my office, although it is contrary to State laws. And while I deem it disrespectful to the court, in advance of its answer and its decision, for the committee to ask this thing, still, to show my entire willingness to submit those records, to show that I desire a proper examination to be made, I will, under protest, permit the committee to send a person or persons to my office, or to go there themselves, and make such examination as they desire, and I will furnish them with all the facilities which they require for making such examination—such examination to be made, of course, (if made by others than the committee,) under the supervision of some deputies of my own.

2720. Q. State whether your papers are now so accessible as that such a person sent there can have access to them now.

A. At any time.

2721. Q. From this time until the examination is done?

A. At any time.

By the CHAIRMAN:

2722. Q. With permission to make a list of the names of persons naturalized and their residences, and of their witnesses and residences?

A. That is embraced in your proposition.

By Mr. KERR:

2723. Q. State whether you know a young man who has been acting as messenger for this committee in the service of process, named T. J. Gillmore?

A. I do not know any such person by name.

2724. Q. State to the committee where you were on the evening of the day before yesterday, from 4 o'clock in the afternoon until 10 o'clock at night.

A. I left my office at about a quarter to 5, in company with W. W. Cook. I proceeded up Broadway as far as Phalon's barber shop in the St. Nicholas Hotel, went through the tonsorial business there, had my hair cut, brushed up, and shampooed, and was there until a quarter past 6. From there I proceeded to Taylor's saloon, in Broadway, in company with Mr. Cook, who had not left me, to get some tea. I left there about 10 minutes past 7, with Mr. Cook, and went to Delmonico's, at the corner of Fourteenth street and Fifth avenue, to meet some friends; when I left there it was about a quarter to 8. I jumped into a

Fifth-avenue stage, Mr. Cook being still with me, and went to the corner of Fifth avenue and Thirteenth street, and from there to Wood's Museum. I remained in the museum, in company with Mr. Cook and some other friends, until a quarter to 11.

2725. Q. Do you know a man by the name of John Dellinger?

A. No, sir.

2726. Q. Did you see, on that evening, any one serving or attempting to serve a subpoena issued by this committee?

A. No, sir; nothing of the kind.

2727. Q. Did you hear any conversation between any one professing to be serving the subpoenas of this committee and any one else?

A. No, sir.

2728. Q. Were you ever at a barber saloon in Avenue C?

A. I was, some ten years ago, at No. 7.

2729. Q. Were you there the day before yesterday?

A. No, sir.

Subsequently the witness, T. J. Gillmore, was confronted with the witness, Charles E. Loew, and examined as follows:

By Mr. KERR:

2730. Question. Do you see that gentleman?

Answer. Yes, sir.

2731. Q. Is he the gentleman whom you testified to yesterday, as having interfered with you in the service of a subpoena?

A. He is the gentleman, or else he looks very much like him.

2732. Q. Do you say that he is or that he is not the party?

A. I do not think he is.

NEW YORK, *Wednesday, December 30, 1866.*

SAMUEL J. TILDEN sworn and examined, (at the instance of Mr. Kerr.)

By Mr. KERR:

2733. Question. State to the committee what relations you bore during the last political campaign to the political parties in this State.

Answer. I was chairman of the democratic State committee.

2734. Q. Look at this circular annexed to the testimony of John T. Hoffman, purporting to be issued by you, and state to the committee whether you were the author of it or not.

A. I was not.

2735. Q. Do you know personally who was the author of it?

A. I do not.

2736. Q. State whether you, as chairman of the democratic State central committee, distributed this circular by the mails, yourself, or procured it to be distributed.

A. I did not. I did not know of its being done, and I did not authorize it to be done.

2737. Q. Do you know anybody who did it?

A. I do not, except as a matter of mere surmise.

2738. Q. Do know whether Mr. Tweed did it or not?

A. I do not. I will state what I do know of it. The principal committee room of the democratic State committee was at 37 Park Row, where Colonel Samuel North was in official charge. There was also for a short time prior to the election a room taken in the Metropolitan Hotel by Mr. Sweeny, a member of the committee, who advised me afterwards that he had taken it, and I assented to it. I went in there occasionally, generally as I went up town on my return from my office. I at no time

authorized any one at either committee room, or anywhere else, to issue circulars signed with my name, because I have a prejudice generally for seeing what my name is signed to. I have a particular distaste for "confidential and strictly private" circulars, because I never knew of any printed circular that did not immediately become public. I have had too much experience in such things ever to mark circulars in that very pretentious way, unless I wanted to insure their being published without unnecessary delay. A day or two before the election, I was in the committee room at the Metropolitan Hotel, and I then understood that a circular had been issued asking for early election returns. It had been issued some time previously; by whom I do not know, but I understood its purport from somebody. I saw on a table or shelf some circulars signed with my name, but I did not read them, for I understood their contents. I presume they were the same circular. I never saw or read it until I read it in the public prints. Some gentleman, I think it was Mr. A. Oakey Hall, spoke of it as having been intended to prevent the holding back of the returns in the republican districts in the country until our vote should be ascertained, in order that the returns then might be manipulated, stating his belief that frauds of that description were practiced in 1866, when Mr. Hoffman first ran for governor.

Q. Practiced by whom?

A. Practiced in the republican districts in the country. I did not attach any importance to the statement, for the reason that I did not think it probable that that thing could be done either here in the city of New York or in the country districts. With the board of police republican, with a portion of the inspectors and canvassers republican, with a very active and vigilant party canvasser here, it would seem to be probable that a majority of the election officers, or half of them, might obstruct or delay the returns; but it never seemed to me at all probable that they could change the result without the certainty of instant detection. I did not believe Mr. Hall's suspicions any more than I believed that similar practices were performed here, and therefore I attached no consequence to them. When the republican newspapers called on me to say whether I knew about the circular, particularly my friends of the Evening Post, I did send an answer, as much because I was not pleased with the pretentious nature of the document to which my name had been subscribed, as for any other reason.

By the CHAIRMAN:

2739. Q. You stated that the police board is republican; do you not know that it is equally divided, one-half democratic and one-half republican?

A. Yes, sir, I believe it is.

2740. What was the size of the pile of circulars that you saw?

A. Perhaps an inch or an inch and a half thick. That was just before the election, and some of them had been used.

2741. Q. State if it was a matter of common notoriety at the democratic committee rooms, and among the leaders of the democratic party, that such circulars had been issued and generally distributed?

A. It was not.

2742. Q. Was the matter spoken of as a fact among some of those having charge of affairs at the committee rooms?

A. I never heard it spoken of in any other way except as I mentioned, up to the time of its publication in the newspapers. I ought to add, perhaps, that the night of the election I was in the Manhattan club, a democratic club; and that the answers to these circulars, some of them

addressed to me, some to Mr. Tweed, were read during the evening, to meetings at Tammany hall, and meetings at the club; and, so far as I know or can judge, the answers were made public as fast as they arrived.

2743. Q. From how many counties were answers received that evening?

A. I cannot say because they were opened generally without my seeing them; I should think not from most of the counties. They were generally received and opened in the public meeting, and were read publicly in the Manhattan club, and in the hall and parlor.

2744. Q. Were they received from nearly half the counties?

A. That would be but little more than guess-work on my part. I do not know that I opened any of them myself.

2745. Q. Have you the means of knowing to what extent answers were received next morning?

A. I have not. I do not think much attention was paid to answers after that evening, because the newspapers got ahead of them next morning.

By Mr. KERR :

2746. Q. You have stated your official connection with the party machinery during the last political campaign; I ask you whether you have heard through the public press, or otherwise, of certain prosecutions being instituted against one Benjamin B. Rosenberg, for the procurement and use of fraudulent naturalization papers?

A. Through the public press I became advised of there being such a prosecution; I did not read the testimony.

2747. Q. Do you know anything about the place, No. 6 Centre street, where Rosenberg did business?

A. I do not. I never heard of him until I read of him in the newspapers on that occasion.

2748. Q. Did you have any knowledge, personally or officially, that such a man existed there, or that there was such an office acting in the interest of the democratic party?

A. I did not.

By Mr. DICKEY :

2749. Q. You were chairman of the State central committee, and I suppose you knew but little of the details of the minor committees in this city?

A. I did not know very much of the details of the minor committees.

2750. Q. Do you know where the naturalization offices of your party were during the last campaign, and who had charge of them?

A. Only in a very general way. There was generally some officer about the City Hall who looked after all these matters; but I had nothing to do with naturalization at all.

2751. Q. You do not know where these committees had their offices for the purpose of assisting naturalization?

A. I do not.

2752. Q. Or the republican either?

A. No sir.

NEW YORK, *Wednesday, December 30, 1868.*

CLARENCE N. TELLER sworn and examined.

To the CHAIRMAN :

2753. I reside at Croton, Westchester county. I acted on the day of election as challenger; I was acquainted with parties who had not taken out their naturalization papers regularly, and I challenged their votes

when they offered to vote. On being questioned they stated that their papers were sent to them, and that they had not appeared in person to get them. Some of them swore in their votes and others did not. The number of naturalization papers in which registration was asked, was between 80 and 90. It was known by all the people there that many persons having these papers were strangers and were not entitled to vote, and we challenged them on the ground of their not being entitled to vote. Many of them admitted they had never been in any court. Some seventeen of them who offered their votes, had not the courage to swear them in, although they had their papers. I do not know any thing else about the election frauds.

To Mr. Ross :

2753. I was not one of the election officers; the election officers were G. W. Lownsberry, J. Sherwin and Cyrus Hillocher—two democrats and one republican. Lownsberry and Sherwin were democrats, and Hillocher, republican.

2754. Q. Do you know of any illegal votes having been given there?

A. I would have to refer to the list to get their names.

2755. Q. Do you know that the names on that list were those of illegal voters?

A. I think so, from questioning them.

2756. Q. Do you know any of these men whom you suspect of having voted improperly?

A. I think I know one; his name is Morris Cassidy. He admitted that he had not taken out his first paper or declared his intentions. He had lived in the place a long time and had never attempted to vote or get out his papers.

By Mr. KERE:

2757. Q. Did these men who presented naturalization papers say they had been in the country over five years?

A. Some of them would not answer any such question. In fact, the inspector would not allow them to answer questions.

2758. Q. Did any of them answer that question?

A. No, sir.

By Mr. Ross :

2759. Q. Is not your testimony all hearsay as to these men being illegal voters, except in that one case?

A. No, sir; I challenged them and they swore in their votes.

2760. Q. And you do not know whether they were legal voters or not except from the fact that they swore they were?

A. They swore their votes in, of course.

2761. Q. And you do not know but they were all legal voters with this one exception?

A. I do not.

2762. Q. State whether you knew these men personally, yourself, except in the one case to which you have referred?

A. I do not know that I can answer that in the affirmative. I do not know that I have a clear recollection of any of them.

2763. Q. Do you recollect them indistinctly? Do you know them at all?

A. I do not know whether I can mention their names and therefore I do not have the recollection which I ought to have.

2764. Q. How far is your voting precinct, where this transpired, from this city?

A. About 33 or 34 miles.

By Mr. DICKEY :

2765. Q. You say that the inspector refused to allow inquiry into the validity of naturalization papers ?

A. Yes, sir ; they would not allow inquiry. If they had done so not nearly so many would have been allowed to vote. They would not allow me to ask whether the men presenting naturalization papers had been before the courts or not. I would ask them sometimes if their papers had been sent to them, and they would say yes, and would thus commit themselves. The inspector could not very well register them after that. The inspectors soon got at the idea of not allowing men to answer.

2766. Q. They took the papers as conclusive of the right of a party to vote ?

A. Yes, sir.

By Mr. KERR :

2767. Q. Who did that ?

A. Mr. Lownsbury, who would hand the paper over to the other democratic inspector and ask him whether he thought that the paper was all right, and the other would answer that the paper looked to be all right. Then the reply was that they could not go back of the paper.

2768. Q. When were these papers dated ?

A. Most of them were dated on the 10th of October. Some 17 of them admitted that the papers had been sent to them. There was one man who, after they had taken his vote, wanted to withdraw it. He was somewhat afraid that there might be some proceeding against him. He therefore wanted his vote back again, but it was very quickly put in the ballot-box. Many of these persons with naturalization papers were employed in the brick-yards, and the reason why we watched them so closely and challenged them was that many of them had made full time on the day their papers were dated.

NEW YORK, *Wednesday, December 30, 1867.*

WILLIAM H. BRIDGMAN sworn and examined.

By the CHAIRMAN :

2769. Question. What office did you hold at the last presidential election ?

Answer. I was canvasser of the 4th district, 21st ward.

2770. Q. State what you know as to persons voting more than once on the same names as registered in that district.

A. The poll-list that was given to us at the close of the polls showed that there were ten persons who had voted twice on the same name. One or two of them had voted after I came there myself, and I saw them swear in their votes. They were informed that these names had already been voted on. We mixed up the votes as much as possible in the box and drew out ten ballots, so as to make them correspond with the poll-list. The names were entered only once on the poll-list.

NEW YORK, *Wednesday, December 30, 1868.*

BUTLER H. BIXBY sworn and examined.

By the CHAIRMAN :

2771. Question. What office did you hold at the last election ?

Answer. I was canvasser in the 4th district, 21st ward.

2772. Q. State what you know as to more than one vote being given on the same name.

A. I know that there was an excess of votes in our canvass ; an excess of 10 I think. It was said to have occurred by the same name being

voted on twice. The inspectors so stated. We did not examine the names on the list ourselves, but took the poll clerk's statement that there was an excess. We threw out ten votes from the ballot-box without knowing what tickets they were. We did not examine them. There were probably 300 democratic votes to 40 or 50 republican ones, so that there were perhaps five democratic votes to one republican. We took out these 10 votes without knowing what they were, and threw them away without examining them.

NEW YORK, *Wednesday, December 30, 1868.*

WILLIAM C. BARRETT sworn and examined.

By the CHAIRMAN :

2773. Question. State what you know of the modes in which naturalization was effected in Judge Barnard's part of the supreme court, last October.

Answer. I have been in Judge Barnard's court, I think, on three occasions when he was in the act of naturalizing persons. There was a great crowd of men in the room, and I saw nothing that I can say was actually wrong. Were I the judge, I should not have done business so quickly, but I saw nothing wrong on the part of the judge, or on the part of the officers of the court.

2774. Q. State whether the witnesses were examined orally, or were they simply sworn to their affidavits by them subscribed ?

A. That I cannot state; I have no recollection; I merely went casually into the court-room, and had great difficulty in making my way in.

2775. Q. Have you any knowledge of frauds in the last presidential election, or any knowledge of facts which would furnish evidence on this subject ?

A. None except in my capacity as counsel, and this I decline to speak of; I was counsel for Mr. Rosenberg.

2776. Q. Are you a democrat ?

A. I am.

By Mr. DICKEY :

2777. Q. Were these men naturalized as individuals or in a batch ?

A. Even of that I would not feel justified in speaking. There was a great crowd present before Judge Barnard, but whether they were sworn by ones or twos I have really no knowledge; I did not see the oath administered. When I saw the crowd I immediately left, as the room was so heated.

2778. Q. Was the process different in that court from other courts ?

A. The same particularity was not observed in that court as in another court.

NEW YORK, *Wednesday, December 30, 1868.*

JOHN D. PERRINE sworn and examined, (at the instance of Mr. Ross.)

To Mr. ROSS :

2779. I live in Forty-third street, between Second and Third avenues. I know nothing whatever about fraudulent naturalization papers. A paper was handed to me in the office for a man employed in our establishment by the name of Joseph Reinhardt, and I handed it to him; I do not know where it came from; I am almost positive that it was from Douglas Fyfe; he is employed in the establishment, but where he got it I do not know; he resides at 235 East Forty-second street. He left no other papers with me to be distributed.

NEW YORK, *Wednesday, December 30, 1868.*

JAMES J. NEELES sworn and examined, (at the instance of Mr. Ross.)

To Mr. ROSS:

2779½. I was an inspector and registrar in the 6th district, 6th ward. My colleagues were Messrs. Ogilvie, Carey, and Philips. We went according to the rules of the police department in preventing illegal registration and voting. We swore probably from 100 to 150 persons; some had naturalization papers, some had not. There were probably 20 or 25 rejected on account of illegality; they registered, but did not come to vote; they were marked to be sworn; the majority of them, so far as the inspector proved them, were legal voters. There were about three struck off the book; these were men who had brought their first papers, imagining that they were entitled to vote on them.

2780. Q. Were there any persons registered, so far as you know, who were not authorized to vote?

A. No, sir.

2781. Q. Were any illegal votes given that you know of?

A. None that I know of; I am a resident of that district for 21 years; I know a large proportion of the voters; I should think I know from 150 to 200 of them.

2782. Q. State whether those who voted were generally known by some member of the board.

A. They generally were, either as old voters, or as persons who had come to the right age to vote. Some one member of the board was acquainted with each man.

2783. Q. Do you know anything about repeaters voting at your polls?

A. No, sir; there was one man arrested for illegal voting, but I don't know whether he was a repeater or not. I judged at the time that he was an illegal voter, because I had never seen him in the district; but he insisted on voting, and one of the inspectors had him arrested.

2784. Q. State whether you noticed any disposition evinced by any portion of the board to get persons registered or to allow them to vote illegally?

A. No, sir, nothing of the kind; we were very strict in the examination of parties.

2785. Q. Did you see or know anything about men changing their hats or caps or clothing, and coming and voting under different names?

A. No, sir, I didn't see or know of anything of that kind.

2786. Q. What is your judgment now as to there having been illegal votes given at your precinct?

A. From what I have seen of the voting, I judge it to have been perfectly legal. I know a majority of the voters, and I think I could mention 200 of them by name. As far as I can judge, I should think they were all honest votes.

2787. Q. You knew of no effort on the part of any member of the board to get in illegal votes?

A. No, sir; the board was equally divided, and acted according to justice. Everything there was carried out correctly.

By Mr. HOPKINS:

2788. Q. You say that one man was arrested?

A. Yes, sir. When we took his name I examined the books, and the other inspectors said, "This man has voted before." I said to him, "You can't vote here; you have voted before." He said, "I have not." Said I, "You must have voted, for your name is checked." He insisted on

voting, and the inspector ordered him to be arrested. We did not allow him to vote.

2789. Q. Did you recognize him as a man who had voted before ?

A. I knew that he did not belong to the district.

2790. Q. Did you recollect whether he had voted under that name before ?

A. I did not.

2791. Q. Then it was possible for a man to offer his vote twice without your knowing it ?

A. Yes, sir; I knew that the man did not belong to the ward.

2792. Q. But you did not know whether he had voted before or not ?

A. No, sir.

2793. Q. Where did you hold your election ?

A. At 67 Baxter street, in the front room on the first floor.

2794. Q. In the front part of the room, or the back part ?

A. In the back part.

2795. Q. Was any other business carried on in that room ?

A. No, sir.

2796. Q. Is there a hall alongside of it ?

A. There is.

2797. Q. Is there a feed store in that neighborhood ?

A. No, sir.

2798. Q. What is your business ?

A. A carman—I drive a horse and cart.

2799. Q. What is the name of the man whom you did not recognize ?

A. Atkinson. He was arrested by the other inspector.

2800. Q. Did I understand you to say that that was the only attempt of a man trying to vote twice under different names at your place ?

A. That is the only one I found or knew of.

2801. Q. How many voters are there in that district ?

A. I believe there were from 700 to 750 registered, and I believe we polled somewhere in the neighborhood of 680 or 690. Out of that number I should recognize 150, or probably more, whom I know personally.

2802. Q. Do you say that either you or one of the other inspectors knew every man who voted there that day ?

A. I cannot say that; the other inspectors may have known the same men that I knew. They must have known them or they would not have put their names on the registry.

2803. Q. Did you not put on the registry the names of persons that you did not know ?

A. Not without the consent of the other members of the board.

2804. Q. Did I understand you to say that the board knew all the 750 men who voted there ?

A. I cannot say that they knew them all personally.

NEW YORK, *Wednesday, December 30, 1868.*

JOHN McMAHON sworn and examined.

To the CHAIRMAN:

2805. I was an inspector in the 1st district of the 11th ward of this city. I have made a memorandum of the parties applying for registration who were rejected. I will give them to the committee: Adam Birmer, 124 Ridge street; he was sworn and said that he never was at any court, and that he received his paper from some person to him unknown. Herman Harburger, 77 Ridge street; he made a like statement. Charles F. Blush, 317 Houston street; he said that a

soldier gave him his paper. Lawrence Bauman; his residence I have not got; he said that his naturalization paper was given him by some person unknown. Eleazar Kohn, 164 Attorney street; said he never was at any court. Isaac Firth, 151 Attorney street; he made the same statement. Herman Bauscher, 30 Clinton street; he made the same statement. Peter Schmidt, 165 Attorney street; he made the same statement. Philip Simmer, 24 Clinton street; he made the same statement. Abraham Croner, 117 Ridge street; he was sworn by us, and swore that he had never received even his first papers, and that he did not know his witness, whose name was to the naturalization paper presented to us. Charles Ollendorf, 196 Stanton street; he swore that he never was at the City Hall, did not know even where it was, and that a personal friend of his gave him the paper. Anthony Stultz, 196 Stanton street; he swore that he got his naturalization paper in avenue C, between Sixth and Seventh streets; that there was a notary there in an office, where there was also a lager-beer saloon, and that he swore before that notary; he swore that he never was at the City Hall. Joseph Wirtheimer, 125 Ridge street; he was sworn by us, and swore that he got his naturalization paper from Alderman Frederick Repper; that he was sworn in the office of Alderman Repper—that is to say, in his lager-beer saloon. This alderman keeps a lager-beer saloon. Wirtheimer made a statement, under oath, that he got the paper from Alderman Repper; that he was sworn at the office of Alderman Repper, and that he had never been to the City Hall in his life. This same person swore that a person by the name of Fulke left the naturalization paper at his house, 125 Ridge street. That is all that I know or that I have taken a memorandum of.

By Mr. Ross:

2806. Q. Did any of these men say anything about having lost their original papers?

A. No, sir; one man swore that he never had any original papers.

2807. Q. Did any of them speak of having been under age when they came to the country?

A. No, sir.

2808. Q. Did any of these men get registered?

A. No, sir; we would not register them and they did not vote.

By Mr. HOPKINS:

2809. Q. Did the board retain possession of these naturalization papers?

A. No, sir. Two men tore up their papers on the spot, as though they were a little surprised to think that a fraud had been practiced upon them. Most of them retained their papers; we did not feel authorized to retain them.

NEW YORK, *Wednesday, December 30, 1868.*

WILLIAM M. TWEED sworn and examined, (at the instance of Mr Kerr.)

By Mr KERR:

2810. Question. State your official position.

Answer. I am deputy street commissioner, member of the board of supervisors, and State senator.

2811. Q. State what relation you sustained to the democratic party during the last political campaign.

A. I was chairman of the general committee at Tammany Hall.

2812. Q. Do you know who composed the democratic naturalization committee?

A. I cannot tell you all the names. The chairman was Moses D. Gale.

2813. Q. Do you know where the office of that committee to facilitate the business of naturalization was held?

A. I really cannot say. I know it was somewhere in Centre street, but I was never in it.

2814. Q. Do you know anything of this room No. 6 Centre street?

A. No, sir; I do not.

2815. Q. Do you know whether that was the office of Moses D. Gale, or of his committee?

A. I am confident in my own mind it was not, but I am not willing to swear it was not.

2816. Q. Do you know anything of election frauds in the matter of naturalization during the last canvass having been practiced by either party?

A. I do not of my own knowledge.

2817. Q. Do you know anything of them except what you saw in the papers?

A. Nothing except that one of the assistant district attorneys informed me that an inspector in some ward had been indicted by the grand jury for stuffing the ballot-box; I do not recollect the inspector's name. Mr. Hutchings, the assistant district attorney, was my informant.

2818. Q. How long have you resided in the city of New York?

A. All my life.

2819. Q. Have you a large acquaintance through the city?

A. Nine men out of ten either know me or I know them; women and children you may include.

2820. Q. State whether you know, of your own knowledge, and as a result of your acquaintance and observation, that during the last eight years, except in the last presidential election, the business of naturalization fell off materially.

(Question objected to by Mr. Dickey as being capable of being proved by statistics; objection overruled.)

A. I know that during the time of the war the naturalization business, for which Tammany Hall paid, was very slight, and I know that within the last year it has been reported as very heavy; I know that during the presidential election preceding the last, it was almost impossible to coax an adopted citizen to be naturalized; they were afraid of the draft, and that they might be required to serve on juries and other matters affecting their personal interest or their personal comfort.

2821. Q. How do ordinary years compare in that matter with the year of the presidential election?

A. Presidential years generally exceed ordinary years at the rate of three to one; that is about the average.

2822. Q. State whether your identification with the party machinery is extensive or limited?

A. It is very extensive; I have that reputation, and I think it is pretty well deserved.

2823. Q. State to the committee whether you personally know that during the last campaign, or during any previous campaign, there were in the city of New York any number of men who were republicans, or who professed to be republicans, or who ostensibly co-operated with the republican party, but who were in fact in the employment of the democratic party, or held office in the municipal government, and whose business it was, by direction of the men who managed the party, to get them-

selves into places of trust, such as inspectors, judges, or canvassers of election, in order that they might in these relations and capacities serve the democratic party.

A. I know of none such, taking that question as a whole.

2824. Q. State if you know how these boards are constituted.

A. I do; they are appointed by the commissioners of police, and are generally supposed to contain two republicans and two democrats, as inspectors of registry, who also serve as inspectors of election. After the close of the polls the boxes are turned over to two canvassers, who are also similarly appointed by the police commissioners, and are also supposed to be one republican and one democrat. Both parties are always represented by one or more persons at any canvass of votes that I have seen, and the result is declared as the result is arrived at. For instance, on the half-dozen different tickets each vote as arrived at is openly announced by the chairman. At the last two elections, in November and December, slips were made as soon as the results were announced, and sent to the police stations of the various precincts and forwarded to headquarters, from which the official record was copied; I believe that the official record as filed at police headquarters about corresponds with the official result as declared by the county canvassers.

2825. Q. At what time is the transfer of the ballot-boxes made by the inspectors to the canvassers?

A. At sundown. In some districts they allow those to vote who are actually in the room at sundown. As soon as the sun is down, tape and sealing-wax and other matters of that kind are on the table, and the inspectors immediately seal up the boxes, and the canvassers are there to receive them, and they canvass them in the same room.

2826. Q. In the presence of the inspectors?

A. Yes, sir, if they have a mind to see it done. It is an open canvass, and is carried on in the presence of the policemen who are there; both sides are always represented; they are not only supposed to be represented in the canvassers, but also represented in the crowd that stands around. When the official result is announced it is entered in writing and figures on sheets of paper attached, and each sheet of paper is, by direction of the police commissioners, signed by the canvassers, so that one sheet cannot be taken off and another sheet substituted, except by the connivance of both canvassers. Each sheet of paper is a complete record, so far as it goes, of the result found by the canvassers. They are signed at the bottom as an attestation of their accuracy, and on the last page is a final and complete signing by the canvassers, in their official capacity as canvassers, and with the formal language which the courts deem necessary.

By the CHAIRMAN:

2827. Q. Have you stated all the offices you hold?

A. I believe I have.

2828. Q. You stated that Tammany Hall has paid for naturalization papers?

A. Yes, sir.

2829. Q. Can you state the number paid for in each year for several years past?

A. I cannot; the treasurer, Mr. Richard B. Connolly, takes care of these matters. Mr. Gale probably knows better than any other gentleman.

2830. Q. What officers, in connection with the street department, hold their appointments under you?

A. All under the street commissioner himself.

2831. Q. How many of them are there ?

A. The number of persons employed varies according to the work ; the number of officers is fifty or sixty, or may be seventy.

2832. Q. What is their compensation ?

A. It varies from \$3,500 a year to \$2 50 a day.

2833. Q. How much of the time are these officers receiving pay each year ?

A. These officers are designated by the common council and receive pay during the entire year ; they are salaried officers.

2834. Q. State if a portion of them perform but little service, if any.

A. Men differ as to what constitutes little services.

2835. Q. State the extent of time occupied by them in the actual duties connected with their offices.

A. From 9 o'clock in the morning till 4 o'clock in the afternoon.

2836. Q. Do you mean to say that all those officers have been thus employed ?

A. I mean to say that the ordinance provides that they shall be there from nine till four. I don't suppose that I have been through the building more than twice a year ; but I know that when I send for them during business hours, I generally find them.

2837. Q. Are you able to say, as a matter of fact, that all or a majority of these officers are engaged in any official duty during the hours you have named ?

A. I believe they all are.

2838. Q. Do you not know that some of them at least are mere sinecures ?

A. I do not know that.

2839. Q. State if any of them are republicans.

A. I think not ; yes, sir, I believe there is one man who is a republican.

2840. Q. State if any employment has been given to republicans during this year in the street commissioner's office.

A. There has been.

2841. Q. To what extent ?

A. To a very limited extent, of course ; probably five per cent.—not to exceed that.

2842. Q. Did the persons to whom employment or patronage was thus given hold any office in connection with the election ?

A. Not that I know of. I do not know of one instance of the kind ?

2843. Q. Did you know the fact that Rosenberg had a naturalization office prior to the election ?

A. I did not. I never saw him until after the election.

2844. Q. Can you state whether there was an office in each ward where naturalization papers were prepared ?

A. I think not.

2845. Q. Was there one in each assembly district ?

A. I think not. In my own ward, the seventh, which comprises an assembly district, I know there was none.

2846. Q. Do you know that there were such offices in the city ?

A. I understood there were ; they were not under the direction of the Tammany Hall general committee. They were offices supposed to be kept open by individuals who took an interest in the matter. It was nothing that our committee as an organization had any power over.

2847. Q. Did you learn that fraudulent naturalization papers were being procured prior to the last presidential election ?

A. I did not.

2848. Q. Did you hear any such rumor ?

A. O, I hear rumors on every subject ; but I do not consider that testimony that I can swear to.

2849. Q. Did you learn or were you informed of the fact that men were engaged as repeaters, to register their names or to vote at the last election ?

A. I did not know of any such fact. Everything you have asked me there have been rumors about, of course. I have heard them in the general rumble of city politics and city conversation.

By Mr. DICKEY :

2850. Q. I understand you to say that the ordinances of the city authorize the appointment of some 70 officers in the street department. How many employés are there in that department ?

A. That varies according to the amount of labor to be performed. At this time of the year there are only about that 70.

2851. Q. How was it about last October ?

A. We employed from 200 to 400 men.

2852. Q. And you say that five per cent. of the number were republicans ?

A. That is a large estimate.

2853. Q. Do you know whether any of these men acted as inspectors of election ?

A. I do not.

2854. Q. Or as canvassers ?

A. I do not.

By Mr. HOPKINS :

2855. Q. What induced you to appoint republicans ?

A. I was born in New York and have lived here all my life, and have as many friends among republicans as among democrats.

By Mr. DICKEY :

2856. Q. Were these men appointed on account of their personal relations with you ?

A. They were appointed because they were my personal friends ; some of them are persons with whom I was brought up.

By Mr. HOPKINS :

2857. Q. Is the patronage of your office used in the interest of the democratic party ?

A. It is used for the benefit of the city government.

By Mr. DICKEY :

2858. Q. I suppose that the patronage of the democratic party, like that of other parties, is given to democrats ?

A. Certainly it is.

By Mr. HOPKINS :

2859. Q. You are in the habit of employing republicans ?

A. Not as a general thing.

2860. Q. You would not like to employ a republican if you did not think you could use him for the benefit of the democratic party ?

A. If a republican were a personal friend of mine and desired employment, and if I had it to give him, I would give it to him as quickly as I would to a democrat.

2861. Q. Do you know what amount of money Tammany Hall expended this fall for election purposes ?

A. No; but I do know how much money we have got to expend before we pay our debts. We are \$12,000 behind. I cannot tell how much we raised.

2862. Q. How much did you contribute in aid of the democratic party this fall?

A. I think it would frighten me if I told. I do not know. It was a continued dribble—a hundred dollars, fifty dollars, five dollars, two dollars, and one dollar. Perhaps I contributed entirely about \$10,000.

2863. Q. May it not have been \$25,000?

A. No, sir; it was not \$25,000. I subscribed \$5,000 to the State committee, and the rest went out in driblets after that, and I do not know what I did give.

2864. Q. You do not know the aggregate amount that Tammany Hall raised?

A. I do not.

2865. Q. Were the officers in your department called upon to assist?

A. They all did assist.

2866. Q. By assessment or otherwise?

A. By voluntary contributions. I most certainly expected them to contribute to support the party; that is expected as a matter of course.

2867. Q. You state that the number of naturalizations had been less for several years?

A. So rumor says.

2868. Q. Do you know whether the number has increased gradually since 1864?

A. I do not know; but my impression is that it did gradually increase.

2869. Q. What is your impression as to the number of naturalization papers issued this fall?

A. I cannot say; I have no impression whatever on the subject.

By MR. DICKEY:

2870. Q. What, in your opinion, is the proportion between native and foreign-born voters in the city and county of New York?

A. I think the native vote is about, at the very extreme, not over one-third of the whole, although what we call the foreign vote is not really entirely a foreign vote, as it includes the sons of adopted citizens born here, but whose associations and affiliations are with those of their own nationality.

2871. Q. I want to know the proportion of those who would vote on naturalization papers, or those who had to go through the court to be made citizens?

A. Probably from one-half to three-fifths of the entire vote would be foreign.

By the CHAIRMAN:

2872. Q. Are you a director in the Erie Railroad Company?

A. I am.

2873. Q. How long have you been?

A. Since last August; I was elected to fill a vacancy.

2874. Q. Is Peter B. Sweeney also a director?

A. Yes, sir.

2875. Q. What position does he occupy in the city?

A. He is a member of the Tammany Hall democratic committee.

2876. Q. Are there any other directors of the Erie Railroad Company members of the Tammany Hall committee?

A. No, sir.

By Mr. KERR :

2877. Q. What are the other directors ?

A. They are a mixture from all sections of the State—a mixture of all politics.

By the CHAIRMAN :

2878. Q. How long has Sweeney been a director ?

A. I think since October or November last. He has never attended a meeting of the board of directors since he became a member.

2879. Q. Was he appointed receiver in any suit in which that road was interested ?

A. I do not know anything about it ; rumor says he was.

2880. Q. Do you know anything of the secret circular referred to in the testimony of John T. Hoffman ?

A. I have heard of it.

2881. Q. State from how many counties you received telegrams on the evening of the presidential election.

A. I did not receive a telegram of any description from any county, for I did not go to Tammany Hall. I understood there were quite a number of telegrams sent to my address.

2882. Q. State to what extent this circular was sent out from this city.

A. I do not know.

2883. Q. Have you any information ?

A. I have not.

2884. Q. Neither from your own knowledge nor from others ?

A. Neither.

By Mr. HOPKINS :

2885. Q. State how large a force you had employed in the street commissioner's department in October last ?

A. I guess from 500 to 600 men.

2886. Q. No more ?

A. No more.

2887. Q. That is about 200 more than the highest estimate you gave before.

A. We average from 200 to 400 men during the summer months—the working months of the year.

By Mr. DICKEY :

2888. Q. Speaking of republicans, personal friends, were there no employés in the street department, republicans, who were not personal friends of yours ?

A. I do not recollect of any, except this young man whom I spoke of, and who was there when I went into the office.

2889. Q. I speak of those whose names appear on the roll.

A. None that I know of. There may be some who have been employed by me at the solicitation of my personal friends. I do not recollect the names of the persons employed there ; there is a rush most of the time.

By Mr. HOPKINS :

2890. Q. Is it not true that there were a good many names appearing on the roll of the department, as employés, of persons who did little or no service, except now and then ?

A. That is not my impression.

2891. Q. Would you know it if it were so ?

A. I would be likely to know it, although it might be without my knowing it ; my duties are in-doors entirely.

2892. Q. Who has immediate charge of the working force of your department, and who would be likely to know it best?

A. Mr. Robert Clifford, our chief clerk, would know it best.

By Mr. KERR:

2893. Q. You have been inquired of on the subject of the amount of money which you contributed during the last campaign, and as to the aggregate amount contributed by your political friends in this city. I desire to ask you what you know about the amount contributed by persons of the republican party during that time?

A. I really do not know that; it is a matter even beyond my suspicion, much less knowledge.

2894. Q. What is the relative ability of democrats and republicans to contribute to such purposes?

A. It is generally supposed to be on the side of the republicans.

NEW YORK, *December 30, 1868.*

ABRAHAM DE VOORSNEY sworn and examined, (at the instance of Mr. Ross.)

To Mr. ROSS:

2895. I acted as inspector of election in the 9th election district, 6th ward, at the last presidential election. I acted two days as register and one day as inspector. The first two days of registration I did not act. I cannot positively swear that there was no illegal voter registered there. I thought I recognized on two or three different occasions a half a dozen different individuals voting more than once. I had the idea that they had disguised themselves in such a way as not to be known, but I was not positive. I was a republican inspector, and my associate was Mr. Beeny. When we challenged parties the other inspectors refused to swear them, and we remonstrated.

2895½. Q. So that there was a sort of conflict in the board?

A. Yes, sir. I picked up my books and left, and went up to the police headquarters, and my partner followed me. We told Superintendent Kennedy that it was no use to act there as inspectors, for we could not get anything like a legal vote, because the police and the parties about the polls were all against us. The names of the democratic inspectors were Mr. Threll and Edward M. Haggerty.

2896. Q. Did the election still go on after you and your colleague went to the police headquarters?

A. Yes, sir; and we knew nothing of what transpired while we were away. The superintendent ordered us back, and we got back as soon as possible.

By Mr. KERR:

2897. Q. Why did you go away?

A. We challenged some voters who came to vote, and the other inspectors would not administer the oath or permit us to do so. We were satisfied if we persisted there would be a general row, which would probably end in killing some of us. The democratic inspectors said that the names were registered there and that the men had a right to vote.

2898. Q. You yourself had registered them, had you not?

A. I did not serve on the first two days. The democratic inspectors said that for every name that was registered they would receive a vote. At that time there was a string of voters probably from thirty to forty in length, and Haggerty said he would advise any one to chuck us over the counter if we challenged another one of them.

2899. Q. Was Haggerty president of the board?

A. No; Mr. Threll was president. Some four or five names were voted on twice.

2900. Q. Do you know of any other frauds in the election there?

A. No; I do not know anything regarding the canvassing.

2901. Q. Or in the voting?

A. No, sir.

2902. Q. All you know is that four or five men voted twice?

A. I know that four or five different names were voted on twice, and that the only way we could get a legal vote there was to challenge these parties and then have them arrested. We challenged one party in the morning, and he was sworn in. We ordered the police to arrest him, but the other inspectors ordered them not to do so, and he was not arrested.

By Mr. KERR:

2903. Q. Were these police officers democratic or republican?

A. The captain is a democrat; his name is Jourdan. He was not there at the time. He sent some two or three men there. I do not know what their politics were.

By Mr. DICKEY:

2904. Q. You say that the democratic inspectors objected to swearing men whose votes were challenged?

A. They refused to administer the oath.

2905. Q. Did I understand you to say that, besides four or five persons who voted twice on the same names, there were other parties who you thought voted twice, in disguise?

A. I thought so.

2906. Q. Were they among the persons whom you proposed to challenge, and were prevented from challenging?

A. Yes, sir.

2907. Q. Were you appointed in the place of somebody else?

A. Yes, sir; I was appointed in the place of a party who had been sent there.

2908. Q. What proportion of those votes were given on naturalization papers?

A. Five hundred and eighty odd votes were cast in the district, and I should think that four to one were on naturalization papers.

2909. Q. In the registry or at the polls were any of these parties examined as to where they got their naturalization papers?

A. Yes, sir; and we rejected a good many at the registry.

2910-2911. Q. How many?

A. I should think we found as many as a dozen who had no right to register at all from not living in the district, or from some other cause. I do not know how many were rejected the first two days I was not there.

By Mr. HOPKINS:

2912. Q. This was a pretty good precinct for repeating?

A. It was supposed to be. I think it next to impossible for any man to go down and get a square vote at that precinct unless he had a regiment of soldiers with fixed bayonets. I think it is the next thing to impossible. That is my opinion, based on my experience as an inspector, and on my having served eight years in the police department.

NEW YORK, *December 30, 1868.*

LORENZO CAREY sworn and examined, (at the instance of Mr. Ross.)

By Mr. ROSS:

2913. Question. At what precinct were you acting as election officer at the last election?

Answer. At the 6th election district of the 6th ward.

2914. Q. Were you there during the time of the registry, and also of the election?

A. I was both times.

2915. Q. State what precautions, if any, were taken by the officers of the board to prevent illegal registry and voting?

A. I do not know that there were any special precautions taken.

2916. Q. Did you register illegal voters?

A. I dare say we did some.

2917. Q. How many do you think you registered?

A. It would be impossible to tell.

2918. Q. Why did you take illegal voters?

A. Well, because we could not help it; we did not know every man personally.

2919. Q. How was your board composed politically?

A. It was half and half.

2920. Q. Were you a republican or a democratic inspector?

A. I was one of the republican inspectors.

2921. Q. Who were your colleagues?

A. Mr. Ogilvie, Mr. Phillips, and Mr. Nealis.

2922. Q. Did you intentionally take any illegal votes?

A. Certainly not.

2923. Q. You tried to prevent it?

A. Of course we did.

2924. Q. But some illegal voters escaped your vigilance?

A. Yes, it was evident that we had illegal voters because we had some attempts of two or three men to vote under the same name.

2925. Q. Did any men vote twice on the same name?

A. They did not at this election; we adopted a rule that we would have no repeaters; I do not know positively that there were any illegal votes given, although I am morally certain that there were.

2926. Q. Who do you think voted illegally?

A. There were several attempts to do so.

2927. Q. Who did vote illegally?

A. I could not specify any case, for I do not know of any personally.

By Mr. DICKEY:

2928. Q. Did any parties register twice under different names?

A. I do not recollect of any case of that kind; such a thing could be done; we had six or seven hundred voters in the district, and it was impossible for us to know them all personally.

2929. Q. What proportion of the voters in your district voted on naturalization papers?

A. I suppose at least nine-tenths of them.

2930. Q. Did you examine them as to their papers under oath?

A. Certainly, we examined nearly all, except such as we were personally acquainted with; I do not think we have fifty native voters in that district; there was a set of naturalization papers sent to my store, and delivered to a young man in the store who never went to the court at all; they were sent to him filled out regularly, and apparently with the signature of the clerk of the court.

By Mr. Ross:

2931. Q. Do you know whether that party went to the court at all?

A. He did not.

2932. Q. How do you know?

A. I have his word for it, and he is with me all the time; there were several such cases in the neighborhood; the papers seemed perfectly correct.

A. OAKLEY HALL sworn and examined, (at the instance of Mr. Kerr.)

By Mr. KERR:

2933. Question. State to the committee your position at present and during the last year.

Answer. During the last year I was district attorney of the county of New York.

2934. Q. Have you been elected to any other official position?

A. Next Monday I expect to assume office as mayor of the city as the successor of Mr. Comins.

2935. Q. Look at the printed circular now handed to you, incorporated into the testimony of Governor Hoffman, and say if you recognize it?

A. I recognize it, and know all about it.

2936. Q. Tell the committee what you know about it, and why it was issued, and for what purpose.

A. I was, as I have been for several years past, secretary of the executive committee of the democratic State committee, and during the recent campaign I acted as such; our rooms were at the Metropolitan Hotel; this circular was prepared by me, and ordered to be printed by me, and Mr. Tilden's name was signed to it because it was the usage to sign the name of the chairman of the main committee; to a very great extent Colonel Samuel North, who was secretary of the main committee, and myself were the committee, and directed or supervised all its details; all the printed part of this circular is my composition; I recognize the letter as the handwriting of Mr. Rose, who was a deputy clerk of Colonel North's, and he interlined it at my request; there are added to the printed circular these words, "And give orders to watch carefully the count." To the best of my knowledge, and to my entire belief, Mr. Tilden knew nothing about it; nor any one else except Colonel North and his clerk, and our clerk at the Metropolitan, and my partner, Mr. Brown, who was a member of the Loyal League club, and to whom I read it in manuscript; this circular was printed by the regular printer of our committee; I forget his name, but his office is on Centre street, near the Tombs.

2937. Q. State now what was the purpose of that circular, why you wrote it, and what you did with it after you had it printed.

A. Mr. Brown, my partner, was a very exact writer, exceedingly so, and I often consulted him in digesting matters. The reason of my showing this paper to him was mainly to get a short, concise, digested circular, for I am myself rather a diffuse writer, having been an editor. This circular was sent to the chairman of every county democratic organization in the State through the post office, not under a frank, but with the postage honestly paid. The object of it was this: I state it as it cannot be any reflection now, but it was our supposition, and especially my supposition, that two years ago, when Mr. Hoffman was a candidate for governor, we found that no returns reached the city of New York from any part of the State of New York until between the hours of 11 and 12 at night—not so much as a private message. As an old writer and editor, and attendant upon the newspaper offices on the evening of election for nearly 20 years, it was the first time I had ever noticed such an

incident. We supposed, and I especially supposed that it was by preconcert and arrangement. I was given to understand, and believed, that in the meantime the vote of the city of New York had reached every other part of the State. There are, I think, 16,000 school districts in the State of New York, and the change of one vote in every school district would very seriously affect the result. A similar circular to this was issued the year before, not exactly in these words, but with the same idea, and this circular was issued by me for the purpose of using the only hour that could be obtained on the telegraph after the closing of the polls—the hour which usually elapses when the results are beginning to be known everywhere. The purpose was to get local estimates from our democratic friends with which to compare and to check the returns when they came in. In many parts of this State, as I suppose elsewhere in the rural districts, it is quite practicable to understand at the close of the polls, before the vote is counted, within a fraction how the poll stands, and hence the object was to get what would seem to be superficial guesswork, but which was really an approximate statement. In other words, the idea of this circular, whether well founded or illy founded, was simply not to perpetrate frauds, but to check frauds. The reason why the telegrams were sent to Mr. Tweed was that he was chairman of the democratic committee at Tammany Hall, and the wires were connected with our hall in the same way as the radical committee had them connected with the hall at the Cooper Institute. I was selected as a foil to Charley Spencer at the Cooper Institute; he announced the returns there and I announced them at Tammany Hall. He is a sort of a radical *ad captandum* talker and I am a sort of democratic *ad captandum* talker. We received telegrams to the number of more than 200. I kept custody of the telegrams; they were read as soon as received from the desk at Tammany Hall, and not until publicly read were they shown to any person. They were then taken to the Manhattan Club, where there was a very large meeting as at Tammany Hall, a very splendid congregation of mourners. The fact is that if the majority in the city of New York be kept at the figures of two years ago it carries the State for Seymour by a small majority, and certainly for Hoffman by as large a majority as Mr. Lincoln got in 1864. Another object of this circular was to induce gentlemen upon our side to apply in such numbers and so frequently to the telegraph offices of the State that the operators would know that returns of some kind were expected over the wires, for I believe that nine-tenths of the telegraph operators in this State are republicans.

By Mr. HOPKINS:

2938. Q. Is not that so throughout the country?

A. Let me be president of the telegraph company instead of Mr. Orton and nine-tenths of the operators will be democrats. We can get them in this city from among the policemen who work the telegraphs of this city.

To Mr. KERR:

There was, of course, an important object to be attained in the words written by me in the manuscript after the receipt of the circular, because I wanted to call particular attention of parties into whose hands this might fall through the post, and to make it emphatic. It is a very emphatic sentence. The reason why I gave special attention to it was that in the proof furnished to me the word "an" was printed "no," so as to read, "There is, of course, *no* important object to be attained," and that would have defeated the very object of my putting the sentence in, and would have made it still more obscure.

2939. Q. Do you mean that we shall infer from what you have said that one of your objects in sending out that circular was to direct the attention of the opposite political party to the fact that you had organized such means of getting information?

A. We did not want to attract particular attention to it; that was the reason why it was headed "strictly confidential."

2940. Q. But the moment you commenced receiving telegrams in response to that circular you then desired that they should know it?

A. Certainly.

2941. Q. You say that for the year past you have been district attorney of the county of New York; state whether in that position, in the discharge of the duties of that office, you ever caused any bench warrants to be issued for violations of the law which it is the duty of the police force of the city to execute, but which were not executed?

A. Not in the plural. A bench warrant was issued for the express purpose of testing whether Captain Mills, of the 8th precinct, would execute a warrant against Wesley Allen. Captain Mills had been deservedly the arrester of these men. He was a high-minded, incorruptible, splendid police captain. I do not know whether it is parliamentary to go into my motives, but I state the fact that I issued that bench warrant to test the power that is exercised by such an incorruptible, high-minded man. That bench warrant was out three weeks before the election and was never executed until after the election, although the man was in the city and I could have arrested him at any moment.

2942. Q. Was it his duty to have made the arrest immediately, under the law?

A. It was his duty to take that bench warrant to the superintendent of police and get his instructions.

2943. Q. Who was the superintendent of police during that time?

A. John A. Kennedy.

2944. Q. Do you know whether the delay was in pursuance of directions from the superintendent of police?

A. I know nothing about it; I only know that the arrest was not made.

2945. Q. State somewhat in detail the manner in which the election boards, both for the making of the registry and the receiving of the votes, were organized during this year.

A. The police board at the designated period, in anticipation of the November election, are charged with the duty of naming four inspectors of the registry and of election, the individuals being charged with the two duties in the 340 districts of this city; the persons so named execute both duties. They care for the registry and they take the votes. The police board are also charged with the duty of appointing, in time for the election, two poll-clerks at each election district, and two canvassers at each election district. The poll-clerks assist the inspectors in their duty, and also the canvassers. There is no law, that I am aware of, establishing that the four inspectors or the two canvassers shall be equally divided between the two political parties, but such has been the usage. It is made the duty, by the police act, of the superintendent to detail on election day at least one policeman at each poll in each election district. There is usually, however, one officer inside the poll and one outside.

2946. Q. How was it during the last general election?

A. All this machinery which I have described was in operation, so far as I know, and I visited during the election day more than 100 polling places personally.

2947. Q. Was this machinery so organized and constituted the only machinery for the protection of the election and of the poll against frauds or unlawful conduct of any kind?

A. It was the only legal machinery, but not the only practical machinery. The practical machinery consisted of each party furnishing at each poll a challenger, and each party more or less appointing a committee to conduct the poll and to take charge of the expected illegal voting. It was generally done by the local candidates, or supposed to be done by the local candidates or their friends.

2948. Q. Do you know of any interruption on the part of any officer of the legal force to which you have referred to the organization of that sort of voluntary force?

A. I do not, except what I have read in the public prints.

2949. Q. Do you know of any other force, lawful or unlawful, being organized for the purpose of protecting the polls on election day by anybody?

A. I have already stated that the two political parties had agents there.

2950. Q. State if you know as a fact that the marshal of this federal district appointed or created any such force.

A. Well, I saw several individuals at the polls whom I recognized as subordinates, or attachés in the marshal's office, but whether they were at the polls to vote or not I could not say.

2951. Q. State to the committee whether you are personally familiar by observation with the mode of conducting the business of naturalization in the courts of record in this State.

A. Only as a lawyer; I never saw a person naturalized, or knew personally of any one being naturalized except my own mother-in-law, whom I naturalized by applying for her papers in order that she might hold real estate.

2952. Q. Are you a member of the Tammany committee?

A. I am a member of the general committee of Tammany Hall.

2953. Q. Had you anything to do with the committee called in your Tammany organization the general naturalization committee?

A. No, sir; Judge Moses D. Gale was chairman of that committee.

2954. Q. Do you know of any organization for the purpose of facilitating naturalization that had an office at No. 6 Centre street, in a cellar under ground?

A. No, sir, I do not; you refer, of course, to what is known as the Rosenberg office; I only know of it from what I have read in the papers that there was an office where naturalization was said to be done, but I know of my own knowledge that was not the Tammany naturalization room, because I have been in the Tammany room.

2955. Q. Where was that?

A. It was on Tryon Row, sometimes called No. 1 Centre street.

2956. Q. Did you know anything about the persons who were engaged at No. 6 Centre street, or what they were carrying on there, or whether they were acting with the countenance and approval of the democratic organization of the city?

A. I can only give my belief as to the organization, and I can give my knowledge as to myself; I never heard of such a thing until I read the accounts of the charges made by Marshal Murray against Rosenberg in the newspapers.

Q. State, so far as your knowledge extends, whether the general committee had any such knowledge.

A. I can only say for the committee, *magna pars fui*, that if I do not know of it, it was not likely that anybody else would; I think it was three days before the election that the Rosenberg explosion, as it was called amongst editors, took place.

2957. Q. Between that time and the day of election did you make any

efforts to prevent the perpetration of frauds, or to punish such frauds if practiced ?

A. No, I did not ; it was not my duty to arrest or detect crimes or frauds ; that belongs to the police ; I have only to enforce the laws by prosecuting indictments ; I remember addressing a meeting of the democratic inspectors and canvassers in regard to this thing.

2958. Q. State for what purpose that meeting was held, and what was the legal effect of what you said ?

A. I can produce the circular which called the meeting, which will speak for itself.

[The further examination of this witness was postponed until Saturday next.]

JAMES MORAN sworn and examined.

By the CHAIRMAN :

2959. Question. Where is your residence ?

Answer. At 288 Hudson street.

2960. Q. State what persons resided at 288 Hudson street at the time of the registry of voters in this city for this year ?

A. I let out all the upper part of the house.

2961. Q. To whom ?

A. To George Thompson.

2962. Q. Did he reside there at the time ?

A. No, sir ; I let it out for political purposes ; they held meetings there.

2963. Q. Were there any lodging rooms in the upper part of the house ?

A. There were six rooms.

2964. Q. Who is George Thompson ?

A. He is a painter.

2965. Q. To what party does he belong ?

A. He is a democrat, and I let the rooms for political purposes.

2966. Q. Did any person reside there as a place of residence ?

A. Yes, sir ; a man by the name of Betts, to my knowledge.

2967. Q. Is he the only one that you know of who resided there ?

A. No ; there were a great many about there ; I let the upper part of the house for two months, which expired on the 15th of December ; I slept in the house myself.

2968. Q. Did you know of any person residing there at the time of the registration excepting Betts ?

A. Well, sir, there might have been, for aught I know, two or three hundred ; they made such a noise that I thought sometimes they would bring the house down ; I don't know where they slept.

By Mr. DICKEY :

2969. Q. Did you know the names of any of these parties ?

A. I did not ; I was attending to my own business.

2970. Q. What were the political purposes for which you let the rooms ?

A. To hold meetings ; I rented the rooms to Thompson ; he had got into business down town and did not come home then at all.

By the CHAIRMAN :

2971. Q. Did you occupy the lower rooms in the house ?

A. I did ; but there was nothing but a bar-room.

2972. Q. How high was the house ?

A. Three stories.

2973. Q. Was there any communication between that house and other houses ?

A. Yes ; there were two houses in the rear.

2974. Q. Were they on the same lot ?

A. No, sir.

2975. Q. Who occupied those houses ?

A. A man by the name of Brady; and there was a Frenchman there who kept a stand at the corner; there was another by the name of Gorkey, and another by the name of Cobb; I do not know how many male persons they had in the houses.

2976. Q. Do you know of any excepting those you have named ?

A. No; I only know of those who paid the rent.

By Mr. DICKEY :

2977. Q. Are those houses at the same number of the street ?

A. No, sir; the houses front on Dominick street, whilst my house was on Hudson street.

By the CHAIRMAN :

2978. Q. Are there two rooms in the lower story of the house and three in the attic ?

A. Yes, sir.

2979. Q. How deep is the house ?

A. I cannot tell; I suppose about 25 feet.

2980. Q. What is the width on the front ?

A. From 18 to 20 feet.

By Mr. HOPKINS :

2981. Q. What sort of political purposes was the house used for ?

A. They held caucuses there and meetings; it was what was called a headquarters.

2982. Q. Was it known as a rendezvous for what are called "repeaters" ?

A. No, sir.

2983. Q. Did you know what was done there ?

A. No, sir.

2984. Q. How did they enter the upper rooms ?

A. Through the front door.

2985. Q. How late did they hold their meetings ?

A. Sometimes they were there all night.

By Mr. DICKEY :

2986. Q. Did any club or organization meet there ?

A. That I cannot say. I am not certain that there was any organized political association, nor did I know the names of any of the persons who were in the habit of going there.

By Mr. HOPKINS :

2987. Q. Do you know of your own knowledge if any man lived in that house, excepting those you have named, at the time of the registration ?

A. There was this man Betts; he did not reside there, but he registered from there and voted.

2988. Q. You know of no one else who resided there at the time of the registration ?

A. No, sir.

By the CHAIRMAN :

2989. Q. Are you an active democratic politician ?

A. No, I am no politician.

2990. Q. What business is carried on in the lower room ?

A. I keep a liquor store; I sell whiskey.

2991. Q. Were you a member of any political organization in the ward ?

A. No, sir.

By Mr. Ross :

2992. Q. Might there not have been quite a number of persons living in that house without your knowing anything about it ?

A. Exactly, sir.

2993. Q. How many do you suppose might have been accommodated there ?

A. Well, I do not know ; I sometimes thought they got them pretty thick.

2994. Q. You did not go to see who was in the rooms ?

A. No, sir ; I rented them out.

2995. Q. Then there might have been 20 or 30 for aught you know ?

A. Yes, sir.

2996. Q. And for all you know they might have been voters ?

A. I know nothing about that.

By Mr. HOPKINS :

2997. Q. You did not let the upper rooms for the purpose of people sleeping there ?

A. Yes, sir, I did ; I let them do as they had a mind to with the rooms.

2998. Q. You knew what they were going to use the rooms for ?

A. No, sir, I did not.

By Mr. Ross :

2999. Q. Do you know whether any persons lived in the upper part of the house ?

A. They slept there and made such a noise that they kept me awake night after night until I was very glad to get rid of them.

NEW YORK, *Wednesday, December 30, 1868.*

JOSEPH E. PAINE sworn and examined.

By the CHAIRMAN :

3000. Question. What business are you engaged in ?

Answer. I am engaged in the counting-room of A. A. Low & Brothers of this city.

3001. Q. State if you have a knowledge, experience, and capacity that enable you to determine handwriting and whether signatures are feigned ?

A. I have had quite a large experience in that way, and I think that my judgment is very good in these matters. I have been called up in a good many cases.

3002. Q. State what your experience was in the Cisco case ?

A. I was waited upon by Mr. Coe, the president of the American Exchange Bank, in that case. Photographs of supposed forged checks were handed to me, and photographs of genuine ones, signed by John W. Hunter, and my opinion was requested as to which were genuine and which were false. I pointed out the false ones. Then Mr. Coe requested me to see if I could copy the signature of John J. Cisco, in a note which he had before him, "Yours very truly, J. J. Cisco," so that he would probably think that it was his own. I copied that signature or tracing, and the next day I believe it was presented in court, and Mr. Cisco said that it was his own signature ; that he had no doubt about it. He had previously sworn that nobody could, by any possibility, deceive him with reference to any signature with which he was familiar. I subsequently testified as to the difference between the genuine and the false checks in the same case. That was all my connection with that case.

3003. Q. I present to you a number of applications for naturalization, referred to in testimony taken before this committee, and ask you to examine the signatures to these various papers.

Witness retired to make the examination required.

NEW YORK, *December 31, 1868.*

JOSEPH E. PAINE recalled and examination continued.

By the CHAIRMAN :

3004. Question. Take up the several applications for naturalization in the superior court referred to in the testimony of Westlake and describe the handwriting in each ; the name of the applicant in each case being signed three times and that of the witness once.

Answer. In the application of William Malia, the filling up and all the signatures (except that of the clerk, James M. Sweeney) are in the same handwriting. In the application of Daniel Sullivan, the signatures of the applicant and of the witness (William Gould) are all in the same handwriting as the filling up. In the application of Maximilian Beck, the signatures of the applicant and witness are also in the same handwriting as the filling up. In the application of Joseph Rush I decline to state that any of the signatures were written by the same hand as did the filling up, though I have pretty strong reason to believe that they were all throughout written by the same hand. In the remaining three applications the signatures of the applicants and witnesses are made with a mark. There is no attempt to change in any respect the handwriting throughout those documents. In the applications of William Malia and James Montgomery the witness is the same person—Thos. McGovern, 221 First avenue. In the one case his name is signed, and in the other it is written with a mark—“Thos. Govern, his mark.” In each case it is in the same handwriting as the filling up of the body of the document. The signature of the clerk is not in the same handwriting in any of these papers as the signatures of the applicants and witnesses or as the filling in. In the three applications of Kerwin, Beck, and Montgomery, the signatures of the clerk are in the same handwriting. There are some variations, such as may be observed in any man's handwriting at different times; but the characteristics are essentially the same. There is nothing to lead me to question but that they have been written by the same hand. In the application of William Malia the clerk's signature appears to be in a different handwriting from those three; and in the application of John Wallace it is in still a different handwriting. Those in the applications of Daniel Sullivan and Joseph Rush are in still another handwriting—both alike.

3005. Q. I present to you the certificate of naturalization issued to Maximilian Beck, dated October 19, 1868, referred to in the testimony of Maximilian Beck: state how the signature of James M. Sweeney, clerk, compares with the signature of James M. Sweeney on the application about which you have testified.

A. It seems to me hardly possible that the signature of James M. Sweeney to the three applications of Montgomery, Kerwin, and Beck can have been written by any other hand than the hand which wrote the signature “James M. Sweeney” to this certificate of naturalization. The signatures of Sweeney in the other applications are in an entirely different handwriting from the handwriting of Sweeney to this certificate of naturalization. There are some resemblances, as if an attempt had been made to imitate the signature in two of them; but I should say they were not written by the same hand.

3006. Q. I now present to you 30 applications produced by Charles E. Loew, clerk, and referred to in his testimony: take them up in detail and describe the handwriting in them. (These applications have all three affidavits.)

In the application of Henry Stern, dated October 21, (Jacob Foerster, witness,) the signatures of applicant and witness are in the same handwriting as the filling up in the body of the paper—with an attempt at disguise.

In the application of Charles Fehling, dated October 16, (James McCabe, witness) the same statement applies. It is all in the same handwriting except the signature of the clerk.

In the application of Patrick Duffy, October 17, (Edward Gonnoud, witness,) the same statement applies.

In the application of James R. Smith, dated October 23, (Maurice Baker, witness,) the same statement applies.

In the case of Samuel Reynolds, dated October 23, (Maurice Baker, witness,) the same is true.

In the case of Patrick Rafferty, dated October 23, (Maurice Baker, witness,) the same is true. The signatures of Maurice Baker to each of these three applications are in the same handwriting, and so is the filling up.

In the application of August Langer, dated October 5, (Julius Bock, witness,) the signature of Langer is in the same handwriting as the filling up. I am not prepared to say that the signature of Bock is.

In the application of John Winkens, dated October 19, (George Hill, witness,) the signatures of Winkens and Hill are in the same handwriting as the filling up—with some attempt to disguise.

The signatures of Charles E. Loew, clerk, in the applications of Samuel Reynolds, James R. Smith, and Patrick Rafferty, are in the same handwriting.

In the applications of Charles Fehling, Henry Stern, and John Winkens, the signatures of the clerk are in the same handwriting, but in a different handwriting from the others.

In the application of August Langer the signature of the clerk is in a different handwriting from either of the preceding. Also in the application of Patrick Duffy.

In the application of Thomas Schmitt, dated October 19, (William Henry, witness,) the signatures of Schmitt and Henry are in the same handwriting as the filling up of the name "Thos. Schmitt" at the top of the application; but I have some doubt about the rest of the filling up being in the same handwriting. The signature of Schmitt is made with a mark; that of Henry in the regular way.

In the application of Henry Baum, dated October 20, (John King, witness,) the signatures of Baum and King (the latter signed with his mark) are in the same handwriting as the filling up.

In the application of Thos. Surr ridge, dated October 15, (Peter Burke, witness,) the signatures of Surr ridge and Burke (both signed with their marks) are in the same handwriting as the filling up.

In the application of John Lehman, dated October 21, (Jacob Diehl, witness,) the signatures of Lehman and Diehl (the former signed with his mark) are in the same handwriting as the filling up.

In the application of John Doolan, dated October 20, (Owen Garrison, witness,) the signatures of Doolan and Garrison (the former signed with his mark) are in the same handwriting as the filling up. There is no attempt to disguise.

In the application of Dan'l O'Donohue, dated October 8, (John Mack-

elson, witness,) the signatures of O'Donohue and Mackelson (the latter signed with his mark) are in the same handwriting as the filling up. There is an attempt to disguise in the signature of O'Donohue.

In the application of August Muller, dated October 19, (John G. Diercks, witness,) the signatures of Muller and Diercks (both signed with their marks) are in the same handwriting as the filling up.

In the applications of John Doolan, John Lehman, Thomas Surridge, Henry Baum, Thomas Schmitt, and August Muller, the signatures of Henry E. Loew, clerk, are in the same handwriting. In the case of Daniel O. Donohue the signature of the clerk is in a different handwriting, with some slight resemblance.

In the application of Frederick Henney, dated October 20, (Robert Blume, of 24 Clinton street, witness,) the signatures of Henney and Blume (the former signed with his mark) are in the same handwriting as the filling.

In the application of Joseph Herbert, dated October 20, (same witness,) the signatures of Herbert and Blume (the former signed with his mark) are in the same handwriting as the filling up.

In the application of James McCarty, dated October 20, (same witness, McCarty's name being signed with a mark,) the same statement is true.

In the application of Hugh Smith, dated October 20, (same witness,) the signatures of Smith and Blume (the former signed with his mark) are in the same handwriting as the filling up.

In the application of Michal Dunn, dated October 20, (same witness,) the signatures of Dunn and Blume (the former signed with his mark) are in the same handwriting as the filling up.

In one of these applications, where Robert Blume is witness, his name is signed with a mark; in the other four in the usual way.

The signatures and filling up in these last five papers are all in the same handwriting, except the signature of the clerk. In all the signatures of Blume there is a manifest attempt at disguise. They are all dated October 20.

In the case of James Brown, dated October 20, (John King, witness,) the signatures of Brown and King (the latter signed with a mark) are in the same handwriting as the filling up, but different from the handwriting in the five preceding papers.

In the application of William Honig, dated October 20, (same witness,) I cannot say the signature of Honig is in the same handwriting as the filling up and as the name of King, signed with his mark. It is written with a different pen and different ink, and bears the German characteristics.

In the application of August Betzel, dated October 20, (same witness,) the signatures of Betzel and King (the former spelled "Lenzel" and the latter signed with his mark) are in the same handwriting.

In the application of John Noelsch, dated October 20, (Carl Spoer, witness,) the signatures of Noelsch are in the same handwriting as the filling up. I decline to say that the signature of Spoer is by the same hand.

In the application of William Lukas, dated October 15, (John Wolf, witness,) the signatures of Lukas and Wolf are in the same handwriting as the filling up, though there is a very manifest and earnest attempt to disguise them.

In the application of Jacob Schafer, dated October 9, (Jacob Dahl, witness,) the signatures of Schafer and Dahl are in the same handwriting as the filling up, with a marked attempt to disguise them.

In the application of William Schmitt, dated October 19, (Jacob

Sterger, witness,) the signatures and filling up are in the same handwriting.

In the application of Charles Warnecke, dated October 19, (Charles Jules, witness,) the signatures and filling up are in the same handwriting, with marked attempts at disguise in both signatures.

It is the same thing in the application of Gottlieb Kaffenberger, dated October 22, (Rudolph Wotke, witness.) There is quite a marked attempt at disguise in both cases.

In the application of Sebastian Schneider, dated October 19, (Henry Wier, witness,) the signatures of Schneider and Wier are in the same handwriting as the upper filling of the paper. The filling up at the bottom of the paper is in a different handwriting.

The signatures of the clerk, Charles E. Loew, to the applications of William Honig, John Noelsch, August Betzel, Jacob Schafer, Gottlieb Kaffenberger, William Schmitt, and Sebastian Scheider appear to be in the same handwriting. The signature of the clerk to the application of William Lukas is in a different handwriting from the preceding; and the signature of the clerk to the application of Charles Warnecke is, I think, in an entirely different handwriting.

3007. Q. I now present to you papers purporting to be certificates of naturalization issued on those applications. Examine them and describe the handwriting.

A. The names of the parties naturalized, the signature of the clerk, and the date are in three different handwritings in the following certificates, to wit: John J. Mercer, Antonio Gomez, Alexander N. McCann, Adolph Stechelseine, William Honig, Henry Baum, August Betzel, James Brown, Hugh Smith, James McCarty, Michael Dunn, Joseph Herbert, Frederick Henney, Henry Stern, Charles Warnecke, William Lukas, and Gottlieb Kaffenberger. I decline to say that there are more than two handwritings in the certificate of Thomas Schmitt, Sebastian Schneider, August Muller, John Winkens, and Thomas Surridge. The signature of the clerk is in a different handwriting from the name of the party. As to the five certificates issued from the superior court, I think that in the certificate of Joseph Rush the name of Rush and the signature of the clerk are in the same handwriting, the filling in of the date being in a different handwriting. In the case of John Wallace, the name of the party, the signature of the clerk, and the date are all in the same handwriting. In the certificate of William Malia the name and the date are in the one handwriting, and the signature of the clerk, I think, in another. In the certificate of James Montgomery the name, the signature, and the date are all in the same handwriting.

By Mr. ROSS:

3008. Q. To what political party do you belong?

A. To the republican party.

NEW YORK, *December 31, 1868.*

S. C. HAWLEY sworn and examined.

By the CHAIRMAN:

3009. Question. State what office you hold in this city, and how long you have held it.

Answer. I have been chief clerk of the metropolitan police since July, 1860.

3010. Q. State what you know of a census being made for this city, when and by whom.

A. The last census of which I have any knowledge was undertaken and made some progress in, previous to the last election, as I understood, by the police department under the orders of Superintendent Kennedy.

3011. Q. How long before the last election?

A. I do not personally know when it commenced, but some time in October it came to my knowledge that the business was in progress.

3012. Q. Have you the original books of the census so taken of the 6th ward?

A. I have.

3013. Q. Who has charge of the police in the 6th ward?

A. Captain Jourdan is captain of the precinct.

3014. Q. State how this census was made out.

A. I do not know personally beyond the fact that these books were transmitted to my office.

3015. Q. You now produce those books for the inspection and use of the committee?

A. I do.

[Books presented.]

By Mr. KERR:

3016. Q. Do you know how these returns were taken?

A. I have no personal knowledge on the subject.

3017. Q. Do you know by whom they were taken?

A. Not in regard to each particular book.

3018. Q. Do you know why they were taken?

A. Only inferentially. I suppose they were taken for the purpose of collecting information to prevent frauds in registering and at the election.

3019. Q. In other words, this was a partisan census, taken for partisan purposes in the city of New York?

A. Quite otherwise; it was intended to prevent frauds in the election. It was for the purpose of performing the duty that was imposed on the board of police by law, of preventing crime of all kinds.

3020. Q. Do you mean to say that there is any law of the State of New York which made it the duty of the superintendent of police, prior to the last election, to take this census, or cause it to be taken?

A. There is no law that requires that he shall take a census; what I meant to say is that the law requires the police department to prevent all manner of crimes and frauds at election.

3021. Q. What are your political associations?

A. I would be ranked as a republican.

3022. Q. What are Mr. Kennedy's?

A. He would be ranked in the same way.

3023. Q. Have you looked over these returns yourself?

A. I have never looked into the books at all.

MARTIN B. AUSTIN sworn and examined, (at the instance of Mr. Ross.)

By Mr. ROSS:

3024. Question. Were you an election officer at the last election in this city?

Answer. I was one of the inspectors of the 12th district, 13th ward, of this city.

3025. Q. To what political party do you belong?

A. I have always voted the republican ticket.

By the CHAIRMAN:

3026. Q. Do you know how many voters there were registered in that district?

A. I know pretty nearly; at the first election there were about 473, and at the subsequent election there were some few names taken off and some few put on.

3027. Q. What proportion of the voters were sworn when they came to register?

A. Very few; I do not know that there were any sworn; we asked them all the questions. On the first day, however, we did not ask many questions because we were new hands at it.

3028. Q. How many were sworn when they voted?

A. Four or five.

3029. Q. What proportion were registered or voted on naturalization papers?

A. I should think at least three-fourths of them.

3030. Q. Did you personally know the men who voted?

A. I only knew one.

3031. Q. Did you live in that election district?

A. No, sir.

3032. Q. If, then, they were not sworn, and you did not personally know them, were you not liable to be imposed upon by persons presenting naturalization papers, and otherwise, who were not entitled to vote?

A. Yes, sir.

By Mr. DICKEY:

3033. Q. Who were the other inspectors of election for your district?

A. John J. Mulligan, Thomas Flynn, and Andrew J. Broas.

By Mr. KERR:

3034. Q. Were you president of the board?

A. No, sir. Mr. Mulligan was president of the board.

3035-3036. Q. Did you go along pleasantly with your colleagues in the transaction of your duties there?

A. Yes; we had very little trouble. There was one vote taken by my associates that I protested against, because I did not think the man was properly registered. Beyond that there was no very material difference of opinion among us.

3037. Q. Were any obstacles thrown in the way of a proper inquiry into the right of men to vote?

A. No; I do not think there were any.

3038. Q. Were you in attendance upon the board at the time of registration, as well as at the time of voting?

A. I was generally, with a few exceptions.

3039. Q. You knew of no illegal votes being cast except this one which you suspected of being illegal?

A. No, sir; and there was some question as to whether that was an illegal vote.

By Mr. DICKEY:

3040. Q. Was there any voting twice or any attempt to vote twice on the same names?

A. No, sir; not at the presidential election.

By Mr. HOPKINS:

3041. Q. In registering voters did you take a certificate of naturalization as conclusive proof of the right to vote?

A. Yes, sir. We sometimes asked questions as to where they got their papers, and who were their witnesses.

3042. Q. But you did not swear them?

A. No, sir.

PATRICK H. KEENAN sworn and examined.

By the CHAIRMAN:

3043. Question. Where do you reside?

Answer. At No. 169 Henry street.

3044. Q. What office do you hold?

A. I am one of the coroners of the city and county of New York.

3045. Q. With which party do you act?

A. The democratic party.

3046. Q. State who lives at your number on Henry street.

A. A family named Ryan, and my brother-in-law, Mr. O'Neil.

3047. Q. How many males over 21 years of age reside there?

A. Three—myself, James Ryan, and Dennis O'Neil.

3048. Q. Were there no others residing there in October?

A. No, sir.

3049. Q. Do you know men by the names of Henry Austin, George W. Baldwin, George Brown, Robert A. Jones, Louis Light, Henry Lawrence, Charles Meyer, William Murphy, John Landers, and John Reilly?

A. I do not.

By Mr. KERR:

3050. Q. What are your political associations?

A. Democratic. I have always voted the democratic ticket since I have had a vote.

HUGH F. DOLAN recalled.

By the CHAIRMAN:

3051. Q. State what names are on the registry list as registered in the sixth district of the seventh ward of this city, at the house of Patrick H. Keenan, 169 Henry street.

A. I give the following as the list of registered voters at that point: Henry Austin, (sworn in;) George W. Baldwin, (sworn in;) George Brown, Robert A. Jones, (sworn P. O. ;) Louis Light, (sworn in G. O. ;) Henry Lawrence, Charles Meyer, (sworn P. O. ;) William Murphy, (sworn P. O. ;) Dennis O. Neil, John Sanders, (G. O. ;) Patrick H. Keenan, James Ryan, John Reiley, (sworn.)

3052. Q. Will you now examine the poll list from that district and ward, and state how many of these names are on the poll-list?

A. Eight; I have George Brown, Louis Light, Charles Meyer, William Murphy, John Sanders, Patrick H. Keenan, and James Saunders.

3053. Q. State what names are registered in the 9th district of the 6th ward, as residing at 162 Bayard street.

A. In the 9th district of the 6th ward at that number, 162 Bayard street, I find the name of George Bennett; I also find his name upon the poll-list of the district. I find on the registry list the name of James Darling, 60 Mott street; I do not find his name on the poll-list of the district. I find on the registry books of the second district of the 14th ward, the name David Summers, 69 East Houston street; his name is on the poll-list.

MATTHEW O. HALLENBACK sworn and examined.

By the CHAIRMAN:

3054. Question. State if you have examined the registry list of voters for the last election for 1st district of the 8th ward of this city.

Answer. I have.

3055. Q. State what names are registered as at 116 Varick street.

A. The following names are registered there :

Registered.	Voted.
Samuel Bradway, October 30, 1868.	✓
Samuel Artley, October 31, 1868.	✓
Geo. Bowers, October 31, 1868.	✓
James Berry, October 31, 1868.	✓
Henry C. Conner, October 31, 1868.	✓
James Erline, October 30, 1868.	✓
Henry Fanton, October 30, 1868.	✓
Owen Farley, (steamer,) October 30, 1868.	✓
James Flowers, October 30, 1868.	✓
Owen Gannon, (steamer,) October 30, 1868.	✓ Arrested.
Thomas Graham, October 30, 1868.	✓
David Hall, October 31, 1868.	✓
Stephen Jones, October 30, 1868.	
Wm. Johnson, October 30, 1868.	
Geo. Jones, October 30, 1868.	
Ed. Jenkins, October 30, 1868.	✓
John Kane, October 30, 1868.	
John Martin, October 30, 1868.	
Jas. Myers, October 30, 1868.	
Wm. Ostrander, October 31, 1868.	
Thos. O'Donnell, October 30, 1868.	
Wm. B. Short, October 30, 1868.	
Samuel Steavens, October 30, 1868.	
Bernard Travis, October 30, 1868.	
James Garvey, October 30, 1868.	

By Mr. KERR :

3056. Q. What is your business ?

A. I am deputy clerk of the board of police.

3057. Q. How long have you been acting in that capacity ?

A. Five years next May.

3058. Q. With which party are you politically associated ?

A. The republican party.

3059. Q. Do you know anything about this house from which these names are registered ?

A. No, sir.

3060. Q. Do you know whose house it is ?

A. By reputation only.

3061. Q. Do you know any of these persons ?

A. No, sir ; excepting Michael Norton.

3062. Q. When did you make this examination ?

A. I made it to-day.

3063. Q. What does the word "steamer" after the name of Owen Farley mean ?

A. I do not know.

LEWIS C. PHILLIPS sworn and examined, (at the instance of Mr. Ross.)

By Mr. ROSS:

3064. Question. State whether you were one of the election officers at the election last fall.

Answer. I was, at No. 67 Baxter street.

3065. Q. Who were the other officers of the board ?

A. Mr. Carey, Mr. Ogilvie, and Mr. Nealis.

3066. Q. State what precautions, if any, were taken by the board to prevent illegal votes being registered and voted.

A. Well, we did not allow any persons to register their names on the day of registry if we knew them to be frauds, and upon the day of the presidential election I believe there was one man arrested for illegal voting.

3067. Q. State if you swore the men who registered or voted.

A. Yes, sir; we swore a great many of the men who registered. ~~Mr.~~ Ogilvie was chairman of the board, and I left it to him to swear every man that came in if he chose so to do; he was a republican, and he swore, I suppose, five out of six of the men.

3068. Q. Did you know of any illegal votes being given?

A. Only one, and in that instance the person was arrested by the direction of the inspectors.

3069. Q. Were any other illegal votes registered or given?

A. Not to my knowledge.

3070. Q. Was there harmonious action of the board with reference to protecting the polls against illegal voting or registry?

A. There was.

3071. Q. Do you know of any repeaters who voted more than once at your poll?

A. Only the one that we arrested.

3072. Q. State as a general thing if those who voted were personally known to some member of the board.

A. Yes, sir; generally most of the board knew them.

3073. Q. How long have you lived in that district?

A. Thirty-eight years I have lived in the ward; I was born in the Bowery; I have been there all my life.

3074. Q. You think, then, that if there had been illegal votes you would have known it?

A. I am pretty certain that if there had been any illegal votes cast I should have known it.

By the CHAIRMAN:

3075. Q. Were men sworn in at the time of registry or voting?

A. At the time of the registry we swore five out of six.

3076. Q. Did you swear any one the day of election?

A. Yes, sir; I think five or six.

3077. Q. How many voters registered in your district?

A. Some 800 odd.

3078. Q. And you say that upon the three days of registry you swore 700 men?

A. No, sir; I do not say any such thing; on some days five out of six were sworn by Mr. Ogilvie.

3079. Q. Do you say that there were 100 men sworn?

A. Yes, sir, I should think so, but I cannot state the exact number.

3080. Q. What proportion of them were foreigners?

A. Well, I guess they were pretty nearly all foreigners.

By Mr. HOPKINS:

3081. Q. How many were registered on new naturalization papers?

A. That I cannot tell exactly; there may have been about 10.

3082. Q. Were there not 200 new papers issued in the month of October, on which men registered at your polls?

A. No, sir.

3083. Q. Do you swear that positively?

A. I swear positively that there were not; I think to the best of my knowledge there were not over 10 new papers.

3084. Q. Are you sure there were not 100?

A. O, no; there were not; I am sure there were not 50.

3085. Q. What proportion of the voters of that precinct do you know personally?

A. Well, a good many; I know a couple of hundred.

3086. Q. Then you don't know 600 at all?

A. I might know them by sight from seeing them about the ward.

3087. Q. How do you know, then, that two or three hundred of those votes were not illegal?

A. I do not know, but to the best of my knowledge they were not.

3088. Q. Do you know anything about this repeating business?

A. I know that such things are going on, but I have never seen it myself excepting once or twice.

3089. Q. Was it not a matter of common notoriety here?

A. I read about it in the papers.

3090. Q. Have you not heard it talked about otherwise?

A. No, sir.

3091. Q. You never heard it suggested on the street?

A. No, sir.

3092. Q. How long did you say you have lived in New York?

A. Thirty-eight years; I was born in the Bowery.

3093. Q. And you never heard anything about repeating?

A. I had heard about it in the papers, and had heard it talked about the same as we talk about murders committed that they report in the public papers; we did not see the murders committed, but we heard of it. If anything of the kind was going on at our poll it was not likely that they would let me, one of the officers of the election, know anything about it; it is not likely that a thief would tell an officer if he had committed a theft or a burglary.

HUGH F. DOLAN recalled.

WITNESS. On the poll-books of the 2d district, 14th ward, I find on the registry-book the name of James Welsh, 142 Sullivan street; I also find his name on the poll-books of the same district in the ward. I find the name of William H. Travis, 84 Greene street, on the poll-list, and I find on the registry-book of the 8th ward, 3d district, the name of Gordon McKay, 595 Broadway; I do not find his name on the poll-list.

By Mr. KERR:

3094. Q. Where is the register for the district from which Travis comes?

A. I cannot find it in the office; I have made search for it, but suppose it was never filed there.

3095. Q. Who is the proper custodian of these books?

A. Mr. Edmund Plumb, a clerk in the county clerk's office.

3096. Q. Do you know where these registry books are kept, and who has charge of them between the time of registry and the voting?

A. I cannot answer for all of them; I have seen the clerks come in with them the next day after registry, and I have seen others come in two or three days after.

3097. Do you know anything about those books having been taken by the republican committee to the Fifth Avenue Hotel at any time last fall?

A. I do not.

By the CHAIRMAN:

3098. Q. State if you have examined the registry for this year at 197 Henry street, alleged to be William M. Tweed's, and of 167 Henry street, alleged to be the house of Edward J. Shandley, police justice; and if so, what names you find registered there?



A. I have examined the registry there at 197 Henry street, and I find the following names registered there :

Registered.	Voted.
Wm. M. Tweed.	✓
Wm. M. Tweed, jr.	✓
Florence F. Gerald. × P. O.	
Frank Thomas.	✓
Thos. Boyd, sworn P. O.	
Robt. Gainer. × P. O.	

From 167 Henry street, I find the following names registered :

Registered.	Voted.
John Bennett, sworn P. O.	✓ Sworn in.
Thos. Fitzgerald.	
George Morgan.	
Jas. Weaver.	
Geo. Williams.	✓ Arrested.
Chas. Edwards.	
Sam'l P. Spies.	✓
Ed. J. Shandley.	✓
John T. Spies.	✓

JOHN DUNNE sworn and examined.

By the CHAIRMAN :

3099. Question. What office have you held during this year in the city of New York ?

Answer. I am a police officer.

3100. Of what precinct, and who is your captain ?

A. The 6th precinct—Captain Jourdan.

3101. Q. With what political party does Captain Jourdan act ?

A. I cannot say.

3102. Q. State what you know of any census taken in the 6th ward, and what instructions were given for it ?

A. I got orders from my captain to go around and take the names of all the male residents in the 6th precinct.

3103. Q. Did you make such a list ?

A. I made a list of all the male occupants of each house in the 6th police precinct in the 6th ward of the city.

3104. Q. Can you produce to the committee the books in which you made that list ?

A. I now produce 11 books containing that list.

3105. Q. State how you made these lists, and how thorough and accurate they were.

A. Well, I commenced with the 1st district, and went to each apartment in each house, and asked for names. A great number of persons refused to give the names. I would knock at a door and ask for the names of all the male residents over 21 years of age. In a great many instances I had the door slammed in my face, and was told, "we have got no male residents." In one street I was followed by a man to each door, who said I was a radical spy, and told the people not to give me any names. There were few houses where there were not some names refused. There were many houses with which I was acquainted and where I knew there were more male residents than I was given the names of, and I would put down the names of those residents that I knew without their being given to me.

3106. Q. In those cases where the occupants of the houses refused to give you their names how did you get them ?

A. I made a memorandum in my book that the names were refused.

3107. Q. Did you take down the names of all you could learn ?

A. Yes, sir.

3108. Q. When there was a party residing at a house whose name you could not ascertain what did you do ?

A. I made a memorandum, "names refused."

3109. Q. Did you give the number of persons whose names were refused ?

A. No ; I could not state how many persons there were whose names were refused ; I could not tell how many occupants there might be. I can only make a rough estimate of how near I came to getting all the names, but to judge from the number refused I should hardly think I got more than half.

3110. Q. In those cases where you have taken the names and given the number of persons whose names you were unable to get at, to what extent would they all put together give a correct statement of the males in that ward ?

A. I cannot state exactly ; I have no knowledge of how many persons there were residing in the ward, but I know that there were as many parties who refused to give their names as there were who gave their names.

3111. Q. What does the memorandum in this book, "ten apartments where there were families," mean ?

A. It means that there were ten apartments in the house where there were families. I would ask how many male occupants over 21 years of age there were, and they would refuse to give me their names, and some of the women would say, "My husband left word I was not to give any names." In almost every case the women had been directed by their husbands not to give their names, because the papers came out and stated that the police had no right to get the names.

By Mr. DICKEY :

3112. Q. Then are we to understand that there was a systematic organization to prevent their giving the names ?

A. I do not know anything about that, but I know that names were refused.

3113. Q. What papers made that statement ?

A. I read an account of it in the Mercury ; they told the women to throw soapsuds on us.

3114. Q. Were those democratic or republican papers ?

A. That I cannot say, but I judge democratic.

3115. Q. You were prevented in that way from getting an accurate census of the ward ?

A. Yes, sir ; my attention was drawn to the papers by one of the police officers in the station-house, who told me to be careful or I would get some soapsuds on me.

By Mr. KERR :

3116. Q. State to the committee if you were directed to make this census by an order in writing.

A. No, sir ; I received my orders from my captain ; he told me to take these books and to collect the names.

3117. Q. Did you take an oath to perform the duty faithfully ?

A. No, sir ; only my oath of office.

3118. Q. Do you know of any law of the State of New York that requires a policeman to become a census-taker ?

A. I do not.

3119. Q. Is it not the fact that you were directed by the superintendent of police of this city to make this census in the interest of the republican party ?

A. The orders, so far as I could learn, came from the superintendent of police. Generally all the police captains act under the orders of the superintendent, and he is a republican.

3120. Q. Did any of the papers that were not democratic—did the Tribune and the Times advise the people not to give their names?

A. I have a faint recollection of their doing it.

3121. Q. State now to the committee if you do not know it to be a fact that this census, that you were able under the circumstances to take, is so absolutely imperfect as not to give any just indication of the number of voters who lived in that district.

A. I could not possibly make any estimate from the census I have collected.

Mr. KERR. By way of giving a specimen of this census I propose now to have copied upon the record the first ten pages of this book of the 11th district of the 6th ward.

(The following are the pages referred to:)

Names of all male persons living in the eleventh election district of the sixth ward, reported by Patrolman John Dunne.

- | | |
|--|---|
| George Litte, 73 Baxter street.
(3 parties in 73 Baxter st., refused names.) | Patrick Haggerty, 85 Baxter street.
(3 parties in front house, 85 Baxter street, refused names.) |
| Patrick McFaize, 73½ Baxter street. | (All the names in the rear house, 85 Baxter street, refused. There are 8 families in the house.) |
| Patrick Shannon, 73½ Baxter street.
(2 parties in 73½ Baxter st., refused names) | (All the names in the front house, 87 Baxter street, refused.) |
| William Nelson, 75 Baxter street.
(77 Baxter street, refused names.) | Patrick Madden, 87 Baxter street. |
| Michael Finn, 79 Baxter street. | John Madden, 87 Baxter street.
(3 parties in rear house, 87 Baxter street, refused names.) |
| William Divine, 79 Baxter street. | James White, 89 Baxter street. |
| James Connell, 79 Baxter street. | Patrick McLaughlin, 89 Baxter street. |
| Michael Hoy, 79 Baxter street. | Patrick Gillen, 89 Baxter street.
(3 parties in front house, 89 Baxter street, refused names.) |
| James Lenehan, 79 Baxter street. | John Dwirrin, 89 Baxter street.
(3 parties in rear house, 89 Baxter street, refused names.) |
| John O'Brien, 79 Baxter street. | James Cain, 91 Baxter street.
(All the names. Only one in 91 Baxter street has been refused.) |
| Michael Donnelly, 79 Baxter street.
(24 families in 79 Baxter street, of which 12 refused names.) | Thomas Kerns, 93 Baxter street. |
| Thomas Fay, 79 Baxter street. | Patrick Wilhern, 93 Baxter street.
(3 parties in front house, 93 Baxter street, refused names.) |
| Owon Tucker, 79 Baxter street. | John Welch, 93 Baxter street. |
| John Hoy, 79 Baxter street. | Eugene McCarthy, 93 Baxter street. |
| John Haskill, 79 Baxter street. | Patrick Mulaney, 93 Baxter street. |
| John McKeon, 79 Baxter street. | Daniel Donoho, 93 Baxter street. |
| John McCann, 79 Baxter street.
(5 parties in rear house 79 Baxter street, refused names.) | John Granahan, 93 Baxter street. |
| Michael O'Brien, 81 Baxter street. | John Dugan, 93 Baxter street. |
| Patrick Comedy, 81 Baxter street.
(4 parties in front house 81 Baxter street, refused names.) | Daniel Gilmartin, 93 Baxter street. |
| Thomas Lynch, 81 Baxter street, rear. | Patrick Murry, 93 Baxter street. |
| Matthew Logan, 81 Baxter street. | Daniel Campbell, 95 Baxter street.
(All the names in the upper portion of house, 95 Baxter street, refused.) |
| John Flynn, 81 Baxter street.
(6 parties in rear house 81 Baxter street, refused names.) | Peter McGowan, 97 Baxter street. |
| Michael Glancy, 83 Baxter street. | Patrick McGowan, 97 Baxter street. |
| Daniel Harrington, 83 Baxter street. | John H. Crew, 97 Baxter street. |
| John Brien, 83 Baxter street. | William Higgins, 97 Baxter street. |
| Dennis Sullivan, 83 Baxter street. | Peter Kevlin, 97 Baxter street. |
| Michael Moehan, 83 Baxter street.
(2 parties in rear house 83 Baxter street, refused names.) | John Higgins, 97 Baxter street. |
| John Fayhay, 83 Baxter street. | Patrick Brestlin, 97 Baxter street. |
| Patrick McLoughlin, 83 Baxter street. | John Monahan, 97 Baxter street. |
| Robert Magunigan, 83 Baxter street.
(4 parties in front house, 83 Baxter street, refused names.) | — O'Brien, 97 Baxter street. |
| Francis Early, 85 Baxter street. | Thomas O'Donnell, 97 Baxter street. |
| Dennis Shea, 85 Baxter street. | |
| Patrick Scally, 85 Baxter street. | |

By Mr. KERR:

3122. Q. What are your duties ordinarily as patrolman ?

A. I am what they call a "car detective" at the present time.

3123. Q. How long have you been in the service as a patrolman ?

A. For about four years.

3124. Q. What have been your duties generally during that time ?

A. My duty as a general thing was to patrol the streets and look after life and property.

3125. Q. State whether it was any part of your duty as a patrolman to make up partisan lists of voters for anybody.

A. I never knew it to be previous to getting this order; the rules and regulations of the police department did not call for it.

3126. Q. Did you receive any additional compensation for the discharge of this duty ?

A. No, sir.

3127. Q. State whether, while performing this duty, you were neglecting your ordinary duty of protecting the life and property of the people of the city.

A. Yes, sir; I could not attend to my duties as a police officer while attending to this business.

3128. Q. Did you ever have any interview with Mr. Superintendent Kennedy while you were performing this duty ?

A. I did not.

3129. Q. How long were you performing it ?

A. Eight or ten days immediately preceding the election.

3130. Q. Is it true, or is it not, that your experience in this business is a fair specimen of the experience of all the patrolmen engaged in the same business in this city, so far as you know ?

A. Yes; I have had conversations with several of them, and they all say that they had considerable difficulty about the same things.

3131. Q. Did you use the same care to get these names that you would have done if you had been acting as a census-taker under a separate appointment for that duty ?

A. Yes, sir; I went into every house just the same as if I had been a regular census taker.

By Mr. DICKEY:

3132. Q. Do you say that you went into every house where people could live in that ward ?

A. Yes, sir; every house that I knew.

3133. Q. From your experience in that way, is it within the power of the police of the city of New York, under existing regulations, to ascertain the number of male voters in any ward of the city ?

A. Well, I never had any of that duty to perform except at this time.

3134. Q. Did you ever know a man who refused to give his name for any honest purpose ?

A. Not that I know of; the women were instructed by their husbands to refuse to give the names.

NEW YORK, *December 31, 1868.*

LOUIS J. MOTTEL sworn and examined.

By the CHAIRMAN:

3135. Question. Of what country are you a native ?

Answer. Germany.

3136. Q. Have you a certificate of naturalization ?

A. I have, and now produce it to the committee. It is signed "James M. Sweeny, clerk of the superior court of the city of New York," and dated the 8th of October, 1868, under the seal of the court.

3137. Q. From whom did you obtain it, and where?

A. I obtained the certificate in this manner at the court: I took a witness with me, but he had not much time to wait. They told me it would take some time to go through with the matter. I am a republican, but I thought that by going to the Tammany Association I could get put through much sooner than in any other way. I went there and told my intention, but I did not understand the ropes. They said, "It is all right; we will get you your papers in about five minutes." They then sent a man with me and said, "You go along with him and he will see you right through." I asked the man if he would have to take an oath, and he said it was not likely, that it was all right, and that as I had been in the country long enough there would be no trouble about it; but in place of that as soon as I came into the court—I think it was Judge Barnard's—they called upon this man and asked him, "Do you solemnly swear that you know the applicant?" and he said "I do." I thought the man did it out of kindness, but I had a feeling that I would like to commit him at once, but under the circumstances could not do it. Just there I supposed that it would not have done any good to denounce him, as he belonged to Tammany. I took my papers and went away, but I subsequently told a gentleman interested in politics about it, and said that if my evidence would do any good I should be very willing to appear.

3138. Q. Where did this take place? was it in the superior court or in the supreme court?

A. I do not know which court; it was in the Rotunda. I got my papers first at the court in the City Hall, but I took them at the Rotunda—that is to say, the brown stone building in the park facing on Chambers street. I am pretty sure Judge Barnard was the judge.

3139. Q. Were you sworn?

A. I was sworn in the court.

3140. Q. How long had your witness known you?

A. He never knew me, although he swore he had known me since I was 12 years of age.

3141. Q. Do you know who he was?

A. I do not.

3142. Q. Do you know where he is now?

A. I do not.

By Mr. DICKEY:

3143. Q. Where did you meet with him?

A. At the headquarters of the Tammany Association, where they gave out intention papers.

By Mr. KERR:

3144. Q. What is your age?

A. I was 21 on the 1st of June, 1868.

3145. Q. What do you mean by the "Tammany Association?"

A. Well, the ring, I suppose. I mean by the Tammany Association those who were hired by the Tammany party to make citizens.

3146. Q. Who were the Tammany party?

A. Well, they are a fraud, I suppose, but I do not know exactly who they are; you ask me a question that I cannot answer. There are two parties in this city—the Tammany party and the republican party.

3147. Q. Whom do you mean by the Tammany party?

A. If I remember right the heading of the paper on which I signed my intention was "Tammany Association."

3148. Q. Then you call it the Tammany party because the paper upon which you made your declaration was headed "Tammany Association?"

A. Yes, sir.

3149. Q. Were there any other words there to indicate the political character of the paper besides those words "Tammany Association?"

A. I do not remember any.

3150. Q. You are sure you remember those words?

A. Yes, sir; words to that effect.

3151. Q. Were they printed or written?

A. Printed at the head of the paper.

3152. That is all you know about the Tammany Association?

A. That is all.

3153. Q. Did you ever hear of such a thing in the city of New York as a democratic party?

A. Yes, sir.

3154. Q. When you said just now that something was a fraud did you mean that the democratic party was a fraud?

A. I mean that so far as my transaction was concerned it was a clear fraud.

3155. Q. And you were a party to that fraud, were you not?

A. I was, but I was not one of their party.

3156. Q. You said awhile ago that you went to the Tammany Association because you knew that you could get through quicker; where did you go?

A. There were two distinct places on Centre street, one for the republicans and one for the democrats, and I went to the latter. It was an underground office at the corner of Centre street, on the square. It was a grog shop.

3157. Q. Was that the same place you have since heard of as the Rosenberg headquarters?

A. I didn't take any notice of the name.

3158. Q. Do you remember the number of the place?

A. I do not.

3159. Q. Do you know where No. 6 on Centre street is?

A. I do not.

3160. Q. Did you know any of the persons whom you met there?

A. No, sir.

3161. Did you pay anything for what was done for you?

A. I paid \$2 to the man who swore for me; he wanted \$10.

3162. Q. Did you ask him his name?

A. No, sir.

3163. Q. Was he a young man or middle-aged.

A. Middle-aged.

3164. Q. Was he a German or an American?

A. I should judge he was an Irishman. I should judge so from his speech.

3165. Q. You think you know Judge Barnard?

A. Yes, sir.

3166. Q. And was it by him you were sworn?

A. Yes, sir.

3167. Q. Do you know the clerk of either of the courts of record here—the superior or the supreme court?

A. No, sir.

3168. Q. Do you live in the city?

A. Yes; at 177 Tenth avenue; I have lived there since the 1st of May.

3169. Q. What is your business?

A. I am a dry-goods commission salesman.

3170. Q. When you first went to the court whom did you take with you as your witness?

A. I took with me Albert Moses, who had been a schoolmate of mine.

3171. Q. How long did you remain in the court-room before you went over to this place which you call the Tammany headquarters?

A. I first went to the City Hall to the naturalization office, and there I was informed that I should have to go to the Rotunda with my application paper, and they told me there were two places, one for the republican party and the other for the democratic; I went to the democratic because I was told that I could get through quicker there than at the other place.

3172. Q. You went over there because you thought that you could expedite your business by so doing?

A. I had that idea, and it was a correct one.

3173. Q. What was the motive that prompted you to go to one place rather than the other?

A. Want of time.

3174. Q. State whether you went to the democratic office and not to the other place because you believed that you could be better enabled to perpetrate a fraud, or whether you did it to accomplish a lawful purpose.

A. I went there with the pure intention of accomplishing a lawful purpose; I wished to get my papers through, and I had my witness with me.

3175. Q. Can you describe the man who offered to serve you as witness?

A. Yes; he was a person about my own size, and with sandy whiskers and moustache.

3176. Q. Did he seem to be what is ordinarily called a raw Irishman, a man lately come to this country?

A. No, sir; he appeared to be a man who understood his business pretty well.

3177. Q. Did you have any conversation with him about his name and where he lived?

A. I did not; I think he said his name was Jeremiah Connerly.

3178. Q. Did you vote?

A. I did. I voted the republican ticket.

3179. Q. Did you vote on that paper?

A. I did, and was registered upon it.

3180. Q. Were you challenged either in registering or in voting?

A. I was not.

3181. Q. Where did you vote?

A. On Twenty-second street, just below Tenth avenue.

3182. Q. To whom did you first communicate the fact that you had obtained your papers in the way you have stated?

A. I cannot say.

3183. Q. To whom did you at any time communicate it?

A. I communicated it to Mr. Lemuel H. Marvin, of the firm of Sprague, Colburn & Co., commission merchants.

3184. Q. Did you see the proprietor of the grog-shop where you went for those papers?

A. I cannot say; there were several men behind the counter. I could not see who was the owner of the place.

3185. Q. Did you see stuck up above the saloon into which you went to get your papers anything indicating the character of the place, or what was to be obtained there, on canvas, or painted upon a board, or anything of that sort?

A. No, sir.

3186. Q. Do you speak or read the German language?

A. I do.

By Mr. DICKEY:

3187. Q. Did they furnish you with any other ticket at that place?

A. Yes, sir.

3188. Q. What was on it?

A. A number.

3189. Q. Was there anything else on it besides the number?

A. Yes, "Tammany."

3190. Q. What was the color of the ticket?

A. Red.

3191. Q. You were entitled to get your naturalization papers?

A. O, yes; I have been in the country long enough.

3192. Q. Then the only fraud was in your witness?

A. Yes, sir; I felt strongly inclined to convict that person at the time.

By Mr. HOPKINS:

3193. Q. Do you think you could identify the man who acted as your witness?

A. I am a little doubtful about that.

By Mr. ROSS:

3194. Q. When you made your application did you say to which political party you belonged?

A. No, sir; not a word was said about that.

NEW YORK, *December 31, 1868.*

FRANCIS DONNELLEY sworn and examined.

By the CHAIRMAN:

3195. Question. State what office, if any, you held in this city in connection with the election during the present year?

Answer. I was a register at 118 Pitt street, 3d district, 11th ward.

3196. Q. State what you know of the mode of conducting the last presidential election.

A. I was checking off the names of the voters that come in; I was standing at one end of the counter, and there was a young man standing at the other end; I said to him he must not say anything to the voters, but must step back; I saw that he was taking the names of men; before they gave their name in he would say "All right;" when the men came up to vote I would say, "Hold on, I have not got their names yet," and Mr. Ferguson, one of the inspectors on the other side, would say, "We cannot wait for you, it would take us all day;" I then ordered this young man to step back, and told the men who were to vote to come up to the clerk and hand their names to that person and nobody else; he continued in the same way; when a voter would come up he would say "All right," and I would say "Hold on, I have not got that name yet." After a while I went out to vote myself, and this young man was standing by the window, and I told him he had got to stop that, he had no business there; Mr. Ferguson said he has a right to stay here to help us, and there were some others there who said the same thing; I cannot recollect who now.

3197. Q. Who was this young man?

A. I understood that his name was David McKnight, a son of the deputy sheriff, Peter McKnight.

3198. Q. Was he a voter ?

A. No, sir.

3199. Q. Did he have possession of the official registry list ?

A. No, sir; he had no business with it at all.

3200. Q. Was he engaged in checking off the names ?

A. He was engaged by Mr. Ferguson's orders.

3201. Q. On what book did he check off the names ?

A. On Mr. Ferguson the inspector's book.

3202. Q. That was the official register ?

A. Yes, sir.

3203. Q. He had possession of that to check off the names ?

A. Yes, sir.

3204. Q. Was he an officer of election ?

A. No, sir; he had no business there at all; he was a young man under age.

3205. Q. State if sufficient time was given, after a vote would be taken, by Mr. Ferguson, to enable you to ascertain whether the name of the proposed voter was on the register.

A. Yes, sir; they gave me sufficient time at times, though at other times they did not; this young man would say "All right," and drop the vote in the ballot-box before I could find the names.

3206. Q. What proportion of the votes were put in in that way ?

A. Well, I suppose about 25 or 30; there may have been more.

3207. Q. About what number of persons registered in your district ?

A. Somewhere about 400; I think 409.

3208. Q. What proportion of them were foreigners ?

A. They were nearly all foreigners; over two-thirds.

3209. Q. Were any of them sworn when they were registered ?

A. Yes, about a dozen or so.

3210. Q. Did you or the other members of the board, so far as you know personally, know a considerable proportion of the men registered ?

A. I cannot say; I did not know many persons.

3211. Q. How many men who were registered as voters did you personally know ?

A. I could not say; they were all strangers to me.

3212. Q. Did you live in that district ?

A. I did not.

3213. Q. Did the other registering officers, so far as you know, have any personal knowledge of a considerable number of the voters ?

A. I believe that Mr. Ferguson knew a great proportion of them, and Mr. Brown knew some of them.

3214. Q. Who were the democratic inspectors ?

A. Mr. Ferguson and Martin Stump, I think his name was, a German.

3215. Q. Who was the other republican inspector ?

A. Mr. Brown; I do not know his first name.

3216. Q. Did he live in the district ?

A. No, sir; he lived in the adjoining district; but a great many of the voters knew him.

3217. Q. Were any voters sworn on the day of election ?

A. Yes, sir; three or four.

3218. Q. In that great number of persons registering on naturalization papers and voting on them, state if you were liable to receive voters who were not entitled to vote, and who had fraudulent naturalization papers.

A. I objected to those papers that I supposed were not proper, though signed by Mr. Loew.

3219. Q. How many of the naturalization papers presented were this year's papers signed by Mr. Loew ?

A. I cannot say certainly; there might have been 30 or 50.

3220. Q. State if the two democratic members of the board claimed that when a man presented naturalization papers he was entitled to be registered.

A. Yes, sir.

3221. Q. How long did this young man, McKnight, continue to check names ?

A. He was there all day.

By Mr. Ross:

3222. Q. What was Mr. Ferguson's given name ?

A. I think it was Hiram.

3223. Q. Did Mr. Ferguson keep the books and check the names ?

A. He was receiving the votes.

3224. Q. What were you doing ?

A. I was checking the names off as they were called.

3225. Q. You were checking the voters; and did Mr. Ferguson have a book also ?

A. No, sir; he stood up and received the votes.

3226. Q. What did your other colleagues do ?

A. Mr. Brown helped Mr. Ferguson, so did Mr. Stump.

3227. Q. What did McKnight do ?

A. He had no business there at all; he was inside the counter with us.

3228. Q. Was he in there as a challenger ?

A. No, sir.

3229. Q. Was anybody else there beside him ?

A. No other person beside the two clerks.

3230. Q. What was he doing ?

A. He was checking off the names on Mr. Ferguson's book; he would say "all right," and then the vote would be received.

3231. Q. Did he check off the name of any person that should not have voted ?

A. I took him to do it.

3232. Q. Did you check the names off at the same time ?

A. I did not. I told him that that would not do, but they dropped votes into the ballot-boxes, and told me that it would be too late if they did not go ahead.

3233. Q. Did he check off any names you could not find on your book ?

A. He did.

3234. Q. What names were they ?

A. I cannot tell.

3235. Q. Then there were some men who voted who were not on your book ?

A. Yes, sir; I found some of them afterwards.

3236. Q. Do you know any person who voted there, whose name was not on your book ?

A. I could not say that there was any person.

3237. Did not your book and Mr. Ferguson's agree ?

A. Yes, sir.

3238. Q. Did not McKnight check off on Ferguson's book ?

A. I think he called off the wrong names.

3239. Q. Then you were afraid that he did not call the right names ?

A. That is all.

3240. Q. There could not be any frauds in that way, could there ?

A. Oh, yes, there might have been frauds in that way; because, they

checked off names and put votes in when I could not find the names of the voters. There was one instance I remember, in which I said, "That man voted before," and Mr. Ferguson said, "If you find that that is so have him arrested for voting twice."

3241. Q. Did you find that he had voted twice?

A. I did.

3242. Q. Did you have him arrested?

A. No. I could not find him after he went out of the polling-place.

3242. Q. What was his name?

A. I could not tell the name; they were all Germans, and it would be very hard to recollect any of their names.

3243. Q. Were there any votes put in there that were objected to?

A. When I could not find the names I objected to the votes.

3244. Q. Could any vote be put in the ballot-box without three of the board agreed to it?

A. I don't know.

3245. Q. Did not the three inspectors agree as to the votes that were received?

A. They all appeared to agree.

3246. Q. The only reason you did not agree with them was that you could not keep up with them in checking the names on your book?

A. I could not, they hurried the voting so.

3247. Q. And you wanted to delay it?

A. No, sir; but I could not find the names as fast as they could. Mr. Ferguson found the names much faster than I could; they were German names.

3248. Q. Was it by agreement of the balance of the board that McKnight was checking the names there?

A. No, sir; I objected to it, but Mr. Ferguson said that he wanted him to stay there to help him.

3249. Q. Do you know of any fraudulent votes being put in there?

A. I could not say for certain; there may have been, because names were called out which I could not find at the moment.

3250. Q. How did your voting list compare with the register after you got through; did you have as many voters or more voters than there were registered?

A. We did not have more; I do not think all those who were registered voted.

3251. Q. How much did the poll-list fall short of the registry-list?

A. Well, I suppose about 75.

3252. Q. Then there were 75 men registered who did not vote?

A. There were a good many who did not vote. The voting went on until sundown, and some had not time to vote.

3253. Q. Then there was some necessity to hurry?

A. At times there was a great hurry, while at other times we would be waiting for voters to come in. I suppose there were about half a dozen at the polls waiting to vote when the polls closed.

3254. Q. Do you think that all who were registered were legal voters?

A. I think they were legal voters.

3255. Q. Did you use considerable precaution in making your registry to have none but legal voters upon it?

A. I was very particular about that.

3256. Q. Were a great many sworn by your board?

A. Some were sworn; we did all we could to keep out illegal votes from the registry.

3257. Q. What was the party vote of your precinct?

Well, I suppose at the general election there were about 90 republican votes, and there were 350 votes in all, but I cannot state for certain.

NEW YORK, *December 31, 1868.*

ABRAHAM BAKER sworn and examined.

By the CHAIRMAN:

3258. Question. Where do you reside?

Answer. At 134 Lewis street.

3259. Q. State how you were engaged on the day of the last presidential election in your election district.

A. I was appointed challenger for my district.

3260. Q. State what you observed during the time.

A. Well, I took my position in the morning at the end of the desk at the polling place. I had no legal authority to act as inspector, but I was to take observations and if any illegal voters came there it was my duty to challenge them. I noticed a great deal of informality going on, as I had been an inspector of election previously myself. I noticed, for instance, that they had an extra inspector appointed. There are only four inspectors allowed by law, and there was an extra one in there with a book of the voters, and as they would come up the chairman would ask their names and this young man would say, "All right," in a moment, and down would go the vote into the box, and the voter would go out as quick as possible; in fact they would shove him out. Well, about 10 o'clock they voted one man, whose name, I think, was George Hughs, and one of the inspectors, Mr. Donnolly, who had a check-book, said, "Stop, stop, this will not do; I cannot find these names at all." But in the meantime the man had voted, and they had shoved him out of the room. Mr. Donnolly kept hunting for the name, and he said, "That name is not registered at all;" and in fact it was not registered at all. I said to the inspectors "I think this thing has gone on long enough. I am stationed here to see that things are done right, and you have voted men who were not registered." I think the chairman of the board called for a police officer to put me out. I then stated my authority to act, and the police officer on duty sent up to the station-house and word came back from the captain of police that I should be allowed to remain there as challenger.

3261. Q. Did you challenge the illegal voters that you refer to?

A. Yes, sir; but they got the ballots in the box, and shoved the man right out of the door, and said it was too late, without considering my challenge at all.

3262. Q. Who was this young man who had a registry book checking the names?

A. His name is McKnight, a son of Peter McKnight, who was alderman of that ward, and one of the deputy sheriffs of the city; he is a young man of about 18 years of age.

3263. Q. How many voters were sworn that day?

A. Not one.

3264. Q. Did you make any challenges or ask that any voter should be sworn?

A. No further than that I made objections of the kind I have stated. I was told that if I should attempt to challenge my life was forfeited. There were men there threatening me all the time.

3265. Q. When you made challenges were they considered by the inspectors?

A. I made no direct challenges.

3266. Q. When you made objections, what was said or done about those objections; were they considered?

A. They were considered no more than that I was told that I must keep my mouth shut; and they wanted a police officer to put me out, and the crowd outside were clamorous that I should be put out.

3267. Q. State if anybody received votes except the four inspectors who were election officers.

A. Yes, sir; this young man, McKnight, acted as inspector a portion of the time, and received votes.

3268. Q. Did he put them in the boxes?

A. Yes, sir.

3269. Q. State if he exhibited the registry-book or list of names to any outside parties, and if so, to whom.

A. Yes, sir; behind the counter there was a window looking out upon the street, and this young man would stand by the window and hold up the book, and persons outside who would have pencil and paper would take off the names of those who had not voted. The young man went out five or six times. I kept my eye on him, and when he went out I would follow him. He would go round the next corner to a sort of rendezvous there, a low crib, into which, of course, I would not be admitted. In a few minutes after you would see a little squad come out of it and go round and vote, and the inspector, Mr. Donnolly, on several occasions found that the names had all been voted on. The attention of the chairman was called to it by the inspector. "Well," said he, "we don't care anything about it; it is a mistake." I do not know how many such cases there were, but I can testify positively to five names. About 4 o'clock in the afternoon the crowd got around me and threatened my life, so that I was advised I had better leave, and did so, as I did not want to be killed.

By Mr. Ross:

3270. Q. Who were the officers of the board?

A. Mr. Ferguson was chairman of the board of inspectors; Mr. Joshua Brown, Mr. Donnolly, and another man whose name I have forgotten, were the other inspectors. Mr. Brown was a republican.

3271. Q. Did you act as challenger of the republican party?

A. I was the only one.

3272. Q. Whom did the democratic party have as their challenger?

A. Well, I do not know; there were a good many of them; there did not seem to be any one in particular.

3273. Q. Do you not know whether they had a challenger there or not?

A. I had no means of knowing whether they had or not.

3274. Q. You had no doubt of your having a right to be there?

A. No, sir; I was appointed challenger by the republican State committee.

3275. Q. Why did you think that McKnight had no right there?

A. Because he was acting as inspector. The law only calls for four inspectors, and he was acting as an extra inspector, in checking votes; and they took in votes which he said were all right. He had no authority to act there; he was not above 17 or 18 years old.

3276. Q. Who was it who threatened your life?

A. There were some 40 or 50 men around the door there.

3277. Q. Can you give us the names of 15 or 20 of them?

A. I did not know their names, and I would not like to know them; they were the greatest set of cut-throats I ever saw.

3278. Q. Did they cut anybody's throat that day?

A. I did not see it.

3279. Q. Did you see them attempt to cut anybody's throat ?

A. No, sir.

3280. Q. Did you see them attempt to strike anybody or to do violence on anybody ?

A. I saw two or three little rows.

3281. Q. Did any one attempt to strike you ?

A. Nobody raised their hands at me.

3282. Q. You cannot recollect the name of anybody who threatened you ?

A. I cannot ; I did not know their names ; I was a stranger in the district. My friends told me that I had better not challenge anybody ; and it was said in my hearing that if I challenged anybody, the son of a bitch's life should pay for it ; my friends advised me to stay there and take observations. I have not the least doubt that if I had challenged personal violence would have been inflicted upon me. I was told the day after that I got out of it very lucky.

3283. Q. Did all the legal voters get to the polls to vote ?

A. I do not know.

3284. Q. Was there a crowd there at the close of the polls who had not voted ?

A. I cannot tell ; I was not there at the closing of the polls ; I left 15 or 20 minutes before the polls closed ; I was advised to go away by two or three of my friends ; for if there is any fighting to be done, it is generally done very soon after the close of the polls ; I had been picked out as a victim, and so I thought I had better go away.

3285. Q. Had you been active as a republican politician during the year ?

A. Well, I was a pretty good stout Grant man. I am a disabled soldier and went Grant pretty strong. I worked for the republican party so far as my influence was concerned.

3286. Q. Who were the men connected with you in the repeating business, in voting the republican ticket at different times in different precincts ?

A. I never heard of any such thing as that.

3287. Q. Were you not engaged in it ?

A. No, sir.

3288. Q. Do you not know of repeating having been done at the polls ?

A. No, sir.

3289. Q. Do you not know that the republicans repeated here in this city ?

A. I never heard of their doing it. It has been charged by the other side, but I could not swear that I know of anybody's doing it.

ROBERT MURRAY, United States marshal, recalled.

By the CHAIRMAN :

3290. Q. State if you appointed any deputy marshals prior to the last presidential election, for the purpose of being present at the election, or of discharging any duties in connection therewith.

A. I did not.

By Mr. DICKEY :

3291. Q. Did you ever contemplate appointing any ?

A. I never did.

3292. Q. Did you ever state to any one that you intended to appoint any ?

A. I never did.

3293. Q. What do you know of deputy sheriffs being appointed prior to election?

A. I know nothing excepting what I read in the newspapers.

NEW YORK, *December 31, 1868.*

JOHN PHYFE sworn and examined.

By the CHAIRMAN:

3294. Question. I present you a paper purporting to be a certificate of naturalization to Joseph Reinhart, dated 20th of October, 1868, from the supreme court of this State, held in the city of New York; state what you know of that paper.

Answer. I think I saw this paper before during the election time, or a paper similar to it.

3295. Q. Was it in your possession?

A. It was in my possession so far as taking it off the stand and passing it to other parties.

3296. Q. Did you hand this paper to Mr. Perrinne, the bookkeeper of your establishment?

A. I might have; I cannot remember.

3297. Q. Did you give this paper to Mr. Perrinne to hand to Reinhart?

A. I might have taken up this paper and said, "Here is a paper for Reinhart," as we do when any letters or newspapers are brought to the shop.

3298. Q. Who brought this paper to your shop?

A. That I cannot tell.

3299. Q. Did it come by mail?

A. I don't know. I will tell you all I know about Reinhart. There were several men came to the shop and inquired if there were any men in the shop who were entitled to naturalization papers and had not got them. They asked me if I had any such men under me, and I told him I did not know, and inquired and found there were some men who said they had been in the country for so many years and had no papers, and their names probably were given.

3300. Q. Was Reinhart among them?

A. I don't know; it may have been. He does not work for me.

3301. Q. Did you give names to these parties?

A. I did.

3302. Q. Did papers come in those names?

A. I don't know. I only saw this paper afterwards.

3303. Q. Did you see any other papers?

A. I saw papers there—election notices and papers of one kind and another—every day.

3304. Q. Did you see any naturalization papers?

A. I don't remember anything about it more than that.

3305. Q. You did not give out other papers that were left there—other than these Reinhart papers?

A. The only thing I had to do with them was looking at them. Mr. Perrinne told me yesterday that he gave this paper to Reinhart; and he said I handed it to him at the office.

3306. Q. Did you hand any others besides this?

A. I do not recollect. I recollect seeing papers there. They passed through a dozen hands, probably, and we did not know anything about whether they were legal or illegal.

3307. Q. Where did they come from?

A. I know nothing about it, except that men came there and asked questions, and got the names and took out papers.

3308. Q. Can you tell the name of any one from whom you got naturalization papers?

A. I could not, except this one that came into the office.

3309. Q. Was it brought in by some person?

A. It may have been.

3310. Q. Do you know how it came in the office?

A. I suppose how it got in, but I cannot say certainly; there were other men who, no doubt, got papers there on the other side; there were some difficulties about this man's voting; he was a republican, and he came to me, knowing that I was republican, and asked me what he had better do; he said there were other persons who had got their papers without any trouble, and he had been two days in getting his; I do not know how the paper came there at all.

3311. Q. Have you any knowledge that would enable you or us to find out how it came there?

A. I could possibly find out who got his name and trace it up in that way.

NEW YORK, *December 31, 1868.*

SIMEON E. BELMONT sworn and examined.

By the CHAIRMAN:

3312. Question. What office did you hold at the last presidential election?

Answer. I was a registrar and inspector in the 12th district of the 8th ward.

3313. Q. State what you know of fraudulent naturalization papers being presented.

A. I doubted a great many papers morally; I think they were not right; that is all I can say.

By Mr. DICKEY:

3314. Q. Did you examine men with such papers under oath?

A. Yes, sir; I swore them and challenged them, and the democratic chairman registered them.

3315. Q. Did they swear they had been in court and had got their papers legally?

A. Yes, sir.

By the CHAIRMAN:

3316. Q. Do you know of any persons voting more than once at your voting place?

A. Yes, sir; I kept my book on which seven names are marked; about a dozen voted seven times; I objected to it and was overruled by the other inspectors.

3317. Q. Who were they?

A. Mathew Jordan and Mr. Lutrell; I was overruled by two inspectors, and the law says it must be three.

3318. Q. Were they democrats?

A. Yes, sir; I told them that I saw these voters coming in, one three times, and another four times, and told them my proof was positive that I saw them, but they overruled me and swore them in.

3319. Q. Where was your republican associate on the board?

A. He was either in a porter house or drunk.

3320. Q. What was his name?

A. George McPherson; the first day of registry Mr. Sellscock was my republican associate, and he was nominated as chairman, but that was

almost two weeks before the last days of registry, and in the mean time Mr. Sellscock resigned because his business called him out of the city; and then George McPherson came in his place, but he was only there a very short time; he came at 2 o'clock and was there for about an hour and a half, and then he went away and did not come back until about 9 in the evening, when he was under the influence of liquor.

By Mr. ROSS:

3321. Q. How many votes were given at your voting place?

A. I believe in the presidential election we polled 425.

3322. Q. How many did you have registered?

A. We had more registered. We polled less than there were registered.

3323. Q. How many?

A. I believe about 50.

3324. Q. What became of the other men who were registered?

A. You must ask them that; I do not know.

By Mr. KERR:

3325. Q. Do you say that you saw one man vote four times?

A. Yes, sir. I saw some vote four times and some three times.

3326. Q. Was this associate inspector of yours in the habit of getting drunk?

A. I don't know anything about that. It was the first time I ever saw him, and I hope it will be the last.

3327. Q. Was he there on election day?

A. Yes, sir; just enough to swear by. He came and asked me not to say how little he had attended, so that he might draw his fee, and I told him I did not care whether he got it or not, as the city was rich enough to pay.

3328. Q. Do you know the names of any of these fellows that voted so often?

A. I know that one of them was named McCabe.

(Hugh F. Dolan here came before the committee and presented the registry-list of the 2d district of the 14th ward, stating that he found upon it the name of Charles Walters, registered from 68 Hudson street.)

NEW YORK, *December 31, 1868.*

THOMAS BREWSTER sworn and examined.

To the CHAIRMAN:

I was a poll clerk at the last presidential election. I present to the committee a poll-list with a caption, as follows:

Names of voters.	Residence.	Electors.	State.	Congress.	Assembly.	City and county.	Judiciary.	Supervisors.
		No. 1.	No. 2.	No. 3.	No. 5.	No. 6.	No. 8.	
1. A. B.	255 Elizabeth st	1	1	1	1	1	1	1
2. C. D.	216 Elizabeth st	1	1	1	1	1	1	1
3. Walters, Chas..	69 East Houston st..							

Q. What do these marks (1 1 1, &c.) indicate ?

A. They indicate that the voter has voted for electors of President in one box, for State officers in another box, for Congress in another box ; and so on.

Q. So that there are seven ballot-boxes ?

A. Yes.

Q. On the poll-list that you have presented there, is the name "Walters, Charles," residence 69 East Houston street, with no marks under the title of the offices to be filled ; what does that indicate ?

A. It indicates that the person came there to vote, and that his name was taken down, and that, for some reason or other, he did not vote. Such things happen very frequently.

3329. Q. What do the numbers preceding the name indicate ?

A. The number of voters.

NEW YORK, SATURDAY, *January 2, 1869.*

MOSES D. GALE sworn and examined, (called at the instance of Mr. Kerr.)

By Mr. KERR :

3329. Question. State your political relations.

Answer. I am, and always have been, a democrat.

3330. Q. What position did you hold in the organization of the party in this city last fall ?

A. I was a member of the Tammany Hall general committee for 1868.

3331. Q. Did you act as chairman of any subordinate committee ?

A. I think about the 25th of September the chairman of the general committee, Mr. Tweed, announced the standing committees, and I was appointed a member and chairman of the committee on naturalization, one of the standing committees of the organization. I had been so for some years previously.

3332. Q. What did that committee do ?

A. Immediately after the announcement of the standing committees I called the members of it together and made arrangements to proceed at once with the usual business devolving on the naturalization committee.

3333. Q. Who were its members ?

A. Myself, Moses D. Gale, chairman, P. H. Keenan, 7th ward, S. McGrane, 20th ward, Alexander Ward, 22d ward, Anthony Miller, 13th ward, and Hugh O'Brien, 14th ward. I asked those gentlemen if they had any persons whom they wished to be employed by the committee, and they said they would send down the names of some parties. That is all the meeting that the committee ever had.

3334. Q. Did you have an office ?

A. We had. I would state that the business of the naturalization committee at Tammany Hall has always devolved upon the chairman, as persons are not very anxious to devote their whole time to a business when they do not have compensation. We had an office at the corner of Center street and Tryon Row, in the basement. It was in a lager-beer saloon kept by a man named Pfeffe at No. 1 Center street. I found great difficulty in getting a place.

3335. Q. Who were in the management and control of the business of that office ?

A. I employed the men to set the machinery at work. I employed a Mr. Mulligan ; I cannot give his first name. Most of the others were strangers to me, employed on the recommendation of members of the general committee. There was a branch office established at Tammany Hall.

3336. Q. How many persons were employed at this particular office, No. 1 Center street?

A. I think in the neighborhood of twenty.

3337. Q. When you employed those persons what orders did you give them, and what did you employ them for?

A. I employed them as they had always been employed before, to be in attendance there to fill up naturalization blanks for parties who desired to procure their naturalization papers under the auspices of Tammany Hall—in other words, to facilitate the naturalization of all persons who were entitled to get out their papers and whose design and intention it was to support the democratic candidates at the approaching election.

3338. Q. State as specifically as you can in what mode it was that that aid was to be given.

A. As chairman of the committee, I supplied the committee with all the blank naturalization papers and had them all arranged. I stationed the men at the desks. The duty of those who were employed as clerks to do the writing was, when a party came and stated that he wanted to get out his papers, to fill out the blanks all ready for the party to appear before the court with his witness. He would give the name of his witness, state what description of paper he wanted to get, whether as a minor or his second paper. The clerk would fill out the application with the name of the applicant and the witness, and then send a messenger over with a man to the court to facilitate them in getting through.

3339. Q. How was the cost paid—the cost of court fees?

A. The practice always has been to furnish an order in the shape of a ticket upon the clerk of the court, who usually charged it against the naturalization committee of Tammany Hall. The usual practice has been for the clerks to make up their statements and send them to me, and I would then make a draft upon the chairman of the finance committee for so much money in payment.

3340. Q. Did you have the naturalization blanks printed yourself?

A. I had them printed myself with the exception of a small supply which I obtained on the first day the committee transacted business, from the clerk of one of the courts. I could not get them in time.

3341. Q. Where did you have them printed?

A. By Pickford & Co., in Nassau street.

3342. Q. State whether during the progress of this business of facilitating naturalization under your supervision, you know of any fraud having been practiced, either in the selling of fraudulent certificates of naturalization, or in the procurement of them from the court by fraud in the testimony of witnesses, or by persons falsely personating men who desired to be naturalized?

A. I do not. I would state that after I made this arrangement of clerks already given in the room, I left it to Mr. Mulligan to pick out those best qualified to do the writing, in other words, those who were the readiest penmen, to fill out the blanks. Others were directed to be in attendance at the rooms, and to give any information which parties might require, to go with them to the court, and to put them in line and show them where they had to stand and what they had to do. My personal attention to the business of the committee was very limited. My official duties required the greater portion of my time. I had managed this naturalization business for some years before, and had always pursued that course. The business was left in charge of other individuals during my absence. I told them what their business was; that they had nothing to do with any outside arrangements, but were simply to

fill up papers and to discharge their duties properly; that I was responsible to Tammany Hall for what was done. The great object that I had in view was to prevent any fraud being practiced on Tammany Hall; in other words to see to it that the Tammany organization did not have to pay for the naturalization of parties who did not intend to support the democratic candidates. I know of no instance of any fraud having been committed. I know of no instance in which a false or fraudulent paper has been taken out. I never have been approached on that subject in the whole course of my life, or while I was connected with the naturalization committee, except in one instance, and that was last year, when a man tried to convince me that he knew me personally in the year 1841. I told him he was undoubtedly mistaken, because in that year I was not a resident of the city of New York, but of Orleans county, in this State. I heard of nothing of the kind in the last election, except what I heard of the Rosenberg affair through the newspapers.

3343. Q. State what you know of the place where Rosenberg carried on his business.

A. It is a place in Centre street, above where the Tammany Hall office was. Mr. Rosenberg had nothing to do with our office. I did not employ him, but if he came in at any time asking for a few blanks, as I believe he did on one or two occasions, he got them.

3344. Q. After the Rosenberg case, did you use any further efforts or give any directions to avoid the frauds with which he was charged, in connection with any committee over which you had control?

A. As soon as I heard of that Rosenberg affair I went to the rooms and called Mr. Mulligan and the other men and said, "Boys, has there been anything going on here contrary to the directions I have given?" They said, "No, sir; nothing of the kind." I said, "My design has been to conduct this thing so as to have it entirely satisfactory to Tammany Hall, and to do my duty as a member of the committee. You know what my instructions were. If any of you have done wrong, or know of anything wrong, let me know and I will stop it at once."

3345. Q. How long have you lived in the city of New York?

A. I was born in the city of New York, and have only remained out of it 10 years during my life. I returned to it from the west in 1844 or 1845.

3346. Q. Have you been all that time identified with the democratic party?

A. I have been.

3347. Q. Has your connection with it been active or otherwise?

A. I have always taken an active part in politics, to my extreme regret now.

3348. Q. Have you had good opportunities by observation to judge of the number of persons of foreign birth who were seeking naturalization in different years from time to time?

A. I have.

3349. Q. State whether it is true or not that in years of a presidential election there is a much greater ratio of men of foreign birth naturalized than there is in any other year.

A. There is; there is more excitement and more interest taken in the presidential election always.

3350. Q. Is it true or not that during the war an unusual proportion of the foreign population failed to be naturalized through fear of being put into the military service?

A. I should answer that question in the affirmative. It was my observation that there was not so much desire to become naturalized during that time on account of liability to military duty, and that subsequently to

that there was a great rush to be naturalized. In the year 1867 there was a great number of naturalizations, more than I had any idea there would be.

By the CHAIRMAN :

3351. Q. Do you know that there were various offices over the city for the purpose of filling up blanks and procuring naturalization papers of Tammany Hall ?

A. I do.

3352. Q. How many such offices were there ?

A. One was established at Tammany Hall under my direction. I put a member of the general committee in charge there, for the convenience of parties in that portion of the city. After the committee had got fairly to work, a branch office was established there by a member of the organization in the 17th ward. I also established a branch office in my own ward, the 10th ward, under the direction of Mr. A. C. H. Bogert. Very little was done there, however. It is a German neighborhood, and my impression was that it would divide the crowd. Mr. Bogert attended there and filled out the blanks when there was any application.

3353. Q. Were there any other offices ?

A. I think not.

3354. Q. Did you have printed naturalization blanks in all these places ?

A. I did.

3355. Q. Were they procured by the committee ?

A. Yes, sir. There were no blanks got from the clerks' office, except the first day as a matter of accommodation.

3356. Q. Did you furnish blanks also to Rosenberg's office ?

A. I think that on one or two occasions they came from his office to get some blanks.

3357. Q. The tickets that were used to be delivered to the clerks of the courts to pay for naturalization were red tickets ?

A. They were red, printed tickets, with my name stamped upon them.

3358. Q. Were the red tickets that were used in Rosenberg's office paid for by the money of the organization ?

A. I do not know that.

By Mr. DICKEY :

3359. Q. Did you furnish the German naturalization committee with tickets ?

A. I furnished them on the application of any party, provided I was satisfied that they would be used for the purpose of naturalizing persons who desired to vote the democratic ticket; and what I had to guard against was that Tammany Hall should not be saddled with naturalizing persons who would not vote with the party. An attempt was made to commit a fraud on Tammany Hall by getting these tickets through the democratic agency and furnishing them to the republican organization. But, to the credit of the gentleman who conducted that organization, (Mr. Peter Cook,) he refused to have anything to do with it, and informed me at once that such an attempt was being made.

By the CHAIRMAN :

3360. Q. Did you furnish to the German naturalization committee those red tickets ?

A. I presume they were furnished; I did not refuse any one the tickets; they were valueless until they got into the hands of the clerks of the courts; and then they became a charge against the committee.

3361. Q. Do you know how many tickets were paid for by the Tammany organization ?

A. My impression is that there were over 40,000 tickets furnished to the committee. How many were left I do not know. There were a great many used that amounted to nothing. A man would come, pretending he was going to get 100 men naturalized. I would cut him down and give him 25 tickets, and probably he would get one man naturalized.

3362. Q. How many sets of naturalization blanks did you procure and furnish ?

A. That I cannot say; I certified Mr. Pickford's bill and referred it to the finance committee. Blanks were ordered as they were wanted. I should think there were several thousand of them. I was not able to give any personal attention to the business, as I had my official duties to attend to.

By Mr. KERR :

3363. Q. What were your official duties ?

A. I am one of the judges of a district court in this city.

By the CHAIRMEN :

3364. Q. Do you know G. W. Herman ?

A. Yes, sir; he is one of the supervisors of the city and county of New York, and a member of the Tammany national committee.

3365. Q. Do you know that he was also chairman of the German naturalization committee ?

A. I have heard it said so; I have no personal knowledge of the fact.

3366. Q. Do you know Patrick H. Keenan ?

A. I do.

3367. Q. Does he live at 169 Henry street ?

A. I do not know.

3368. Q. He was one of your national committee ?

A. He was.

3369. Q. He was one of the coroners of the city and county of New York ?

A. Yes, sir.

3370. Q. Do you know anything of the number of persons registered as voters from 169 Henry street ?

A. No, sir.

By Mr. DICKEY :

3371. Q. How many tickets did Tammany Hall redeem from the various offices of the clerks ?

A. I do not know; I have not yet settled with the clerks of the courts.

By Mr. HOPKINS :

3372. Q. You said that a large number was naturalized in 1867—can you state about how many ?

A. My impression is that there were 10,000 naturalized in this city.

3373. Q. How many were naturalized this year ?

A. I cannot tell you until I receive vouchers from the clerks' offices.

3374. Q. Have you any way of making a calculation ?

A. I merely kept an account of tickets which I delivered. My plan was to furnish tickets only on the order of members of the general committee, and hold them responsible if the tickets were misapplied.

3375. Q. Can you form any estimate of the number of naturalizations this year ?

A. No, sir; I cannot.

By Mr. DICKEY :

3376. Q. You furnished tickets to the members of the general committee at large ?

A. Yes, sir; the fact of their being members of the organization was sufficient protection to me in my delivering the tickets.

3377. Q. And they were furnished to the number of 40,000 ?

A. Yes, sir, in the neighborhood of 40,000, or over; probably one-third or one-half of them were wasted.

3378. Q. Was there any organization that furnished tickets, except the republican organization and Tammany Hall, at the last election ?

A. No, sir; the general committee of Tammany Hall has been always liberal enough to furnish any outside democratic organization with facilities to get their naturalizations. I have heard of other offices being started, but I suppose they were on individual account. I had a man make application to me recently to pay him \$60 or \$70 on account of a person who said he was authorized to open a naturalization office, and who had come to this man's place and borrowed money of him, and ran up a bill of \$60 or \$70.

By Mr. HOPKINS :

3379. Q. What proportion of the men naturalized went there with tickets, either from your organization or from the republican ?

A. I cannot form any estimate; I paid no attention to it.

3380. Q. Were you ever present in court during the time that naturalization was going on ?

A. I was on one occasion before Judge McCunn, in the superior court; it was in the latter part of October; there were some six or eight men in the court-room being naturalized; I have a distinct recollection of it because I sat on the bench with Judge McCunn; there could not have been a dozen in the room at the time; this was after 1 o'clock in the day.

3381. Q. Did you see him put a batch through ?

A. I saw him go through the usual forms of naturalization, asking witness Jones if he knew applicant Smith, and how long he had known him.

3382. Q. How long would it take the judge to examine and put through an applicant when you saw him ?

A. A couple of minutes, I suppose.

3383. Q. At the rate he put these men through do you think he could put through a thousand in a day ?

A. I do not know what a man may do if he is hurried; I should think he might do it by going there early and staying late.

NEW YORK, *Saturday, January 2, 1869.*

DAVID CROWLEY re-called and examined.

By the CHAIRMAN :

3384. Question. Do you know William H. Hendricks, who was a witness here ?

Answer. Yes, sir.

3385. State whether you have made inquiry for persons who he alleged in his testimony were registered as voters on fictitious names.

A. Yes, sir; I made inquiry for the following persons at the following places: James Darling, No. 60 Mott street; George Bennett, No. 62 Bayard street; James Goodwin, No. 70 Mott street; James Walsh, No. 142 Sullivan street; Charles Waters, No. 679 Houston street; David Summers, No. 679 Houston street; Wm. H. Travis, Nos. 117 Spring

street, and 84 Greene street; Gordon McKay, No. 595 Broadway. The only person whom I could find anything about was this man from 595 Broadway; I learned that there had been such a man there; I made inquiry at all of the other places, but I could not find or hear anything of such persons; No. 117 Spring street is, I believe, the house of Mitchell, who ran for assembly on the democratic ticket at the last election.

NEW YORK, *Saturday, January 2, 1869.*

WILLIAM H. GREENE sworn and examined.

To the CHAIRMAN:

3386. I am patrolman in the 7th precinct; I am a member of the metropolitan police, and have resided in this city since 1852; shortly before the State election I was transferred to the 6th precinct, and was again sent back to the 7th.

3386½. Q. State what you know of persons registering as voters prior to the last election from the houses of William M. Tweed, Police Justice Shandley, and Coroner Keenan.

A. On the first or second day of the meeting of the board of registration in the 6th district of the 7th ward, I was stationed at the place of registry from 8 o'clock in the morning until 1 in the afternoon; during that time a gang came there from the Bowery; I knew several of them personally by name; I knew that they did not live in the ward, much less in the district; there were some twenty or twenty-one of them; the following were registered from 169 Henry street, (Coroner Keenan's house:) Henry Austin, George W. Baldwin, George Brown, Robert A. Jones, Lewis Leight, H. J. Lawrence, Charles Meyer, William Murphy, Dennis O'Neil, John Reilley, John Saunders.

The following names are registered from No. 167 Henry street, (the house of Police Justice Shandley:) George Bennett, Thomas Fitzgerald, George Morgan, James Weaver, George Williams.

The following were registered from 197 Henry street, (the house of William M. Tweed,) Robert Gardner, Florence S. Gerald, Thomas Greene, Franklin Thomas, Thomas Boyd.

I knew the best portion of these men. There are several of them who have got several *aliases*. None of them live in the district where they were registered. Here is a photograph of one of them who gave the name of Henry Lawrence. He has an *alias* of Charles Williams, and an *alias* of "Nipsey." He was the leader of the gang. I got this picture at the station-house, where they have got pictures of all of these celebrated men who live by their wits.

3387. Q. State how this picture was taken.

A. "Nipsey" objected to having his likeness taken and made all kinds of faces, and two men had to hold him, so as to get his likeness as accurate as possible. He registered from 169 Henry street, Coroner Keenan's house. He is a celebrated pickpocket. He has stolen fortunes, and has been arrested several times, but somehow or other he always slips through and is never prosecuted.

3388. Q. Do you know what political party he acts with?

A. Yes, sir, the democratic.

By Mr. HOPKINS:

3389. Q. Did the board ask these men, when they came to register, any questions?

A. Yes, sir.

3390. Q. Did they swear them?

A. That man Lawrence was not sworn. The registrars did not know these men at all, until I pointed them out. The thing went so far that I said to the registrars, "Now this thing is played out. Here, by George, are thieves from the Bowery coming to register from houses where they do not live and I think you ought to put a stop to it." One of the registrars spoke up and said, "We'll lay for them on election day." There is always a proclamation issued by the mayor, offering \$100 for the apprehension of illegal voters, and the registrars thought they would "lay" for these men until election day.

3391. Q. Did any of this gang swear in?

A. One or two of them were sworn; Meyer, and Baldwin and Murphy and Gardner were sworn, I think; but this man Lawrence was not sworn, because he was supposed to be a native. I think he is an Englishman, but he passes for a native. Gardner also registered in the 4th district of the same ward, I think at No. 2 Pike street. Another pickpocket who was with these men goes under the name of "John Reilly;" his name is Patsey Nolan. He lives in Oxford street, and is now under arrest for stealing a diamond pin.

3392. Q. These men were known as repeaters?

A. Yes, sir.

3393. Q. Repeaters are generally of that class?

A. Yes, sir; they are of the lower order, and they are generally men who have no character, and who would as soon take a false oath as not. I spoke to this man Lawrence after he registered, and said to him, "I did not know you lived up here." "O, yes," said he, "I have lived here for two years." One of the men has no permanent residence, and hangs out at the New England Hotel, and at a place in East Broadway, north of Catharine street, No. 20, I think; in fact he lives all over.

3394. Q. Did any of these men have their lodging or residence in the house from where they registered?

A. No, sir; Henry A. Jones goes to Keenan's house a good deal, but he does not live there. He is a hatter by trade, and a pretty honorable kind of a man. A few days after that I was notified to go down into the sixth ward to do duty. I did not know what I had done to be changed; I had done nothing wrong, but the thought struck me that it was for being a little efficient about the registry.

3395. Q. Do you know whether you were transferred at the instance of Police Justice Shandley?

A. I do know that perfectly well, because I was told so by Commissioner Acton and by Shandley himself. Shandley came down and said he would get me off the police, and would kick my damned head off, calling me a damned big bull-head.

By Mr. DICKEY:

3296. Q. Was that because you reported these cases?

A. No; I asked him what it was for, and he said, "I know you of old."

By Mr. KERR:

3397. Q. You state that the officers of the board of registration did not know these persons to be thieves and "runners"?

A. No, sir; they did not until I told them.

3398. Q. And you did not tell them until after the men were registered?

A. After they were registered.

3399. Q. And then the registrars said they would look out for them when they came to vote?

A. Yes, sir, on election day. One of the democratic registers said, "Well, that is no great credit to Mr. Keenan to have a thief register from his house.

3400. Q. Do you know that these men voted ?

A. One of them voted and was arrested by one of my associates ; his name is George Williams.

By Mr. HOPKINS :

3401. Q. Were you transferred between the time of registration and the day of election ?

A. Yes, sir.

3402. Q. On the complaint of Police Justice E. J. Shandley ?

A. Yes, sir. A few days after the election I was transferred back again.

By Mr. KERR :

3403. Q. What ticket did you vote at the last election ?

A. I did not have a chance to vote. I am a republican, but I did not have a chance to vote. I was at the 6th-ward station-house, and my polling place was up at the 7th ward.

NEW YORK, *Saturday, January 2, 1869.*

JOSEPH MEEKS sworn and examined, (called at the instance of Mr. Kerr.)

Messrs. Lawrence, Dickey, and Hopkins protest against the examination of Meeks and other officers of the court, because their examination will, under recent acts of Congress, relieve them from prosecution ; but they will not now interfere with the discretion of Mr. Kerr in calling witnesses. This memorandum was ordered to be inserted in the proceedings.

To Mr. KERR :

3404. I am a deputy clerk of the superior court in this city. I have acted in that capacity since the first of July, 1862. The clerk is Mr. James M. Sweeney.

3404½. Q. During the month of October last what duties did you perform in the business of naturalization ?

A. I signed the name of James M. Sweeney, clerk, to the certificates of naturalization ; I have the power under the statute to sign his name without saying that it is done by me as deputy.

3405. Q. Did any other clerk or deputy in your office undertake to discharge any of these duties during the same time ?

A. Not that I know of.

3406. Q. Look at the applications for naturalization made by Maximilian Beck, William Malia, John Wallace, Joseph Rush, Daniel Sullivan, James Montgomery, and Michael Kerwin, and state by whom the name of the clerk is signed to those applications ?

A. In the application of Daniel Sullivan and of Joseph Rush the name of the clerk is signed by Mr. Westlake ; in the application of John Wallace and William Malia the name of the clerk is signed by Mr. Thompson ; in the application of Maximilian Beck and Michael Kerwin the name of the clerk is signed by Mr. Earley ; In the application of James Montgomery the clerk's name is signed by Mr. Gillespie. All of these gentlemen are clerks employed in our office. Mr. Thompson is naturalization clerk ; Mr. Gillespie is assistant naturalization clerk ; Mr. Earley is a general clerk in the office without any special duties, and Mr. West-

lake is general term clerk, and he assists during naturalization in the up-stairs office.

3407. Q. By whose direction was it that most of this business was done by you?

A. By the direction of Mr. Sweeney, clerk of the court.

3408. Q. What reason did he assign for imposing that duty on you specifically?

A. I have had general charge of the office, and the clerical duties connected with the office, ever since I have been deputy clerk of the court. I suggested to Mr. Sweeney that there should be a uniform signature to these naturalization certificates, and that, as he might be called upon to attend to other duties, I should act in his place and sign all the certificates, so that there might be one uniform signature to them.

3409. Q. Tell to the committee in your own way, and fully, the manner in which this business of naturalization was conducted in the superior court so far as you have observed the process, first stating what opportunities you had for observation.

A. I had the entire charge of the issuing of certificates, and all the clerks engaged in that business were under my supervision. Owing to the smallness of the office of the superior court clerks, and not being willing to let naturalization interfere with the general business of the office, we procured vacant rooms in the City Hall—rooms that had lately been occupied by the sheriff. They consisted of three rooms. The middle one was used as the clerk's office proper. I had a desk constructed on one side of the room, behind which we placed five clerks; and behind that I had another desk at which we placed two clerks. I had a desk at one end of the room overlooking the entire office. At my left hand was placed the seal of the court, fastened to the window-sill. There were two officers of the court stationed to preserve order, and three police officers to keep the lines straight, and to preserve order generally. As the applicants appeared, coming from the court, they were formed in line, and one of the officers of our court took from them the papers and handed them to the five clerks stationed at the desk. I supplied the clerks with certificates of naturalization as they needed them, and the clerks would fill them up. Then they were handed to the clerk in charge of the seal, who would seal them and hand them to the applicants. This was in the City Hall, in the old sheriff's office down stairs on the first floor. The two clerks employed at the desk were engaged in filling up the dates, so as to facilitate the issuing of certificates. The court where the judges sat was not, as a general thing, in the City Hall. The court did sit one night in the aldermen's chamber. One night towards the close of the business two courts sat—one in the aldermen's chamber and one in the councilmen's chamber. The superior court business is divided up into a half a dozen places, as it has had no proper accommodations. The court has held sessions in the room over the engine-house, and in several rooms in the brown stone building.

By the CHAIRMAN:

3410. Q. Was the court ever held in the aldermen's room for any other purpose than for naturalization during 1868?

A. No, sir; but before that it has been held there for the trial of causes.

To Mr. KERR:

3411. A. After the parties came in the officers would collect their papers and hand them to the clerks, and they would fill in the certificates as signed by me, and then the officer would hand them over to the clerk

who sealed them. The clerk would then fill up their names and hand them to the parties.

3411½. Q. By whom were these applications brought, from the place where the judges sat, to that office?

A. They were brought by the parties themselves. I was there the first day, I believe, and there were some brought over by some other parties, but I stopped that. I believe Mr. Cook brought over some. I do not know but that some were brought by others. I issued an order, however, the next morning, that the papers must be brought by the parties themselves, and after that the thing was stopped.

3412. Q. State where you kept the blank certificates of naturalization before anything was done with them.

A. In the naturalization office.

3413. Q. Did you ever suffer any blank certificates of naturalization to go out of your office to be used in naturalization offices about the city for any purpose?

A. All the blank certificates of naturalization were under my charge and control, and no person ever received any blank certificates of naturalization for any purpose whatever. I never signed any ahead, and I never kept any over when the naturalization was through. If I should have signed any ahead, I destroyed them.

3414. Q. Look at the certificate of naturalization contained in the testimony of Maximilian Beck, and state in whose handwriting the written portion of it is.

A. The figures, "19," are written by John A. Thompson; the letters, "sixty-eight," by Mr. Gillespie; the name, "Maximilian Beck," and the figures, "19," by Mr. Thompson, and the words, "October, sixty-eight," and "ninety-third." This is not the usual form of certificate issued by the court. The usual certificate is a smaller paper than this. The clerks charge a little extra for this form. Mr. Gillespie, who has charge of these forms, filled up the blanks with "sixty-eight" and "October, sixty-eight," so as to answer for that month. On the 19th the paper was handed to Mr. Thompson, and he wrote in the figures "19" and the man's name. It was then sent to me and signed. That is my signature of Mr. Sweeney's name.

3415. Q. State whether you did, at any time, under any circumstances, or whether you suffered any of your deputies to, issue any certificates of naturalization to any person without first having received the order of the court therefor.

A. Never, under any circumstances.

3416. Q. State to what extent you had an opportunity to observe the manner in which this business was done in the court by the court.

A. I had little or none, because I was engaged all day in the clerk's office.

3417. Q. Did you ever know or observe the manner in which business was transacted by the court, in these naturalization matters?

A. Only such knowledge as I obtained when I took a recess for a little while and I went into the court-room for a few minutes. What I saw of it was this: the men would be admitted into the room and form into line, an officer would collect the applications from the parties and place them on the judge's desk; the judge would then call the applicant and his witness before him and examine them as to the matters contained in the affidavit; if satisfactory to him, he would sign the order for naturalization; the parties as they were brought up before the judge would be sworn to testify the truth as to all questions put to them touching the application for naturalization; after they passed the judge the applicants

would then have the oath of allegiance administered to them; then the parties would bring over the applications signed by the judge's initials to the clerk's office.

3418. Q. State how the judge indicated his approval of the application.

A. If the application was admitted, the judge would put his initials upon it, or if the application was refused, the judge would destroy the paper.

3419. Q. To what extent did he do the latter?

A. That I cannot tell. I remember that one night he did a wholesale tearing up, but as a general thing I did not know anything about it. The applications of Maximilian Beck and Michael Kerwin and Daniel Sullivan are signed by the initials of Judge McCunn. The orders in the applications of James Montgomery and Joseph Rush are signed by the initials of Samuel B. Garvin. The orders in the application of John Wallace and William Malia are signed by the initials of John M. Barbour. Messrs. McCunn, Barbour, and Garvin are judges of the superior court.

3420. Q. State as nearly as possible what proportion of this business was performed by the several judges of that court?

A. Judge McCunn did the greatest part of it; Judge Garvin the next. These two judges were naturalizing; Judge Jones and Judge Barbour assisted. They were holding term, and when they got out of court they came over to assist; but the bulk of it was done by Judges Garvin and McCunn. Judge Barbour did some, but not much. Judge Morrell did none. He was in Europe from June until the 3d of November.

3421. Q. Look at the certificates of naturalization attached to the testimony of Andrew B. Leuchtner and state by whom the writing part of it was executed?

A. The figures and words written in the application of A. B. Seigner, with the exception of the clerk's signature, were written by Edward B. Heath, one of the clerks in the superior court employed in naturalization in the room which I have designated. The signature of the clerk was written by me.

By Mr. DICKEY:

3422. Q. Are there any other clerks but you authorized by statute to write the name James W. Sweeney to these certificates?

A. The signing the name of Mr. Sweeney to these applications is a mere clerical matter. It is not a certificate; it is merely an application.

Mr. DICKEY. It is a certificate that the witness has been sworn?

WITNESS. It is required as a mere court paper, which any clerk can sign. My construction has been that all certificates must be signed by the clerk or the deputy; but I never looked upon these applications as certificates, but merely as court papers.

3423. Q. The clerks who signed these were employed in the clerk's office?

A. Yes, sir.

3424. Q. They were not in court when the process of naturalization was going on?

A. No, sir.

3425. Q. Then how came they to certify that the persons were sworn in open court?

A. Because they had the certificate of the judge to that effect.

3426. Q. Then the clerk's signature was not to the papers at the time the party took the oath?

A. No, sir.

3427. Q. But was subsequently signed in another room ?

A. Yes, sir.

3428. Q. You have said how the middle room of these three rooms was occupied; what was done in the other two rooms ?

A. The other two rooms were used as passage rooms for ingress and egress.

3429. Q. Were there any desks in these rooms ?

A. No, sir.

3430. Q. Was there any writing done there ?

A. No, sir.

3431. Q. What was the basement room used for ?

A. That used to be the room for the sheriff's deputies. It was not used last October except as a lounging room.

3432. Q. These applications were not signed by you until they came from the court ?

A. Some were; some were not; some were made out in the office.

3433. Q. By your clerks ?

A. Yes, sir.

3434. Q. None of those papers that you have examined were made out by your clerks ?

A. I cannot say that they were.

3435. Q. Then the first that any of your clerks were able to see of these applications not made out in your office was when they were brought by the parties with the initials of the judge, and then you attested them in your office ?

A. Yes, sir.

3436. Q. And that was done by any of the five clerks who happened to be there ?

A. Yes, sir; it was done by the clerks in the office.

3437. Q. And the same parties who signed Mr. Sweeney's name to them filled up the certificates, did they ?

A. Yes, sir.

3438. Q. Then none of them were actually attested in open court ?

A. They were not attested in open court any more than any other certificate issued from the clerk's office is. It simply attests that the man was *sworn* in open court.

3439. Q. How many of these papers did you issue on any one day last October ?

A. We averaged some days 300, and some days 500; and one day, when we had the entire force of judges on, we had about 2,000.

3440. Q. Did you naturalize 25,000 in 30 days ?

A. No, sir.

3441. Q. How many did you naturalize in the 30 days preceding the last day ?

A. To the best of my knowledge we naturalized about 18,000 during the month of October. We commenced on the first and closed on the 2d. I counted them, and to the best of my knowledge I make the number about 18,000 for that month.

By Mr. HOPKINS:

3442. Q. I understood you to say that there were not 25,000.

A. I do not think there were.

3443. Q. I understood you to swear positively that there were not 25,000.

A. I would not swear that there was not that number.

By Mr. DICKEY:

3444. Q. You said that they averaged 300 a day.

A. I believe that they averaged from 300 to 500 a day, and sometimes more.

3445. Q. After the first of October did you issue less than 580 a day?

A. There may have been days when we did not do as many as that. (The figures contained in Westlake's testimony were here shown to the witness.) I do not know what figures they are. I cannot swear positively as to the work done by each court.

3446. Q. All the certificates were signed by you I suppose?

A. Yes, sir; but I took no memorandum; I have been giving my estimate, and I should not suppose there were any more than 18,000 for the month of October.

3447. Q. This paper shows that there were 26,000 certificates issued in October.

A. I do not swear that the paper is not right.

3448. Q. How many hours during the day did this court sit?

A. It opened at 10 o'clock in the morning and adjourned about 6 o'clock; then met again at 7 and sat until 9 or 10 o'clock.

3449. Q. How many night sessions were held in that court?

A. We did not have many night sessions.

3450. Q. Then the court did not really sit after 7 o'clock?

A. Not as a general thing.

3451. Q. Did these judges hold separate and distinct courts?

A. Judge McCunn had the lower room and Judge Garvin had the room above.

3452. Q. How many days did both judges sit?

A. That I cannot tell; I know the fact only that they sat at these times.

3453. Q. Were there any means taken to identify the party who brought the application, as being the party who appeared in court? was he brought over in charge of an officer, or did he bring his own paper?

A. He brought his own paper.

3454. Q. Then you do not know that the party who presented the paper to you was the same that appeared in court?

A. No, sir; we had no means of knowing that.

3455. Q. How many of these applications were presented by one and the same man?

A. I do not know of any, except as I said the first day, when parties brought over two or three and that was stopped.

3456. Q. Did you look to see whether the same man was not duplicating himself?

A. Yes, sir.

3457. Q. How do you account for the excess between the 18,000 in your estimate and the 26,000 as appears by Mr. Westlake's testimony?

A. My own is a mere estimate, and the other is an actual count.

3458. Q. Were the witnesses ever present in your office?

A. They used to come at first, and we used to drive them out.

3459. Q. Then the certificates that the witness was examined in open court was only derived from the initials of the judge; you never saw the witnesses?

A. We did see them when they came in, but we had nothing to do with them after they had passed the judge.

By the CHAIRMAN:

3460. Q. Do you know a man by the name of Patrick Gough?

A. No, sir.

3461. Q. Do you know John Caffrey ?

A. No, sir.

By Mr. HOPKINS :

3462. Q. Did you examine these applications as they came in approved by the judge ?

A. Yes, sir.

3463. Q. Did you notice the fact that one man was a witness on a part of a number of them ?

A. I did not.

3464. Q. Would it have escaped your notice if it were so ?

A. It might. What I was most particular about was the signature of the court.

By Mr. DICKEY :

3465. Q. Did you examine to see whether the papers were all signed ?

A. Yes, sir ; and if any papers were imperfect I threw them out.

3466. Q. Are there not in your office papers with the affidavits blank ?

A. I do not know. I took it as the ground of my action that the clerk could not go behind the act of the judge ; that the clerk's duties are merely clerical, and that when a judge directs the clerk to issue a certificate of naturalization he is bound to do it.

3467. Q. Suppose parties neglect to sign the affidavit ?

A. In that case we kept the papers and sent them back.

3468. Q. Did you do so ?

A. We did so in several instances.

3469. Q. Are there not cases in the office where that was not done ?

A. I do not know.

By Mr. HOPKINS :

3470. Q. Did you scrutinize any of the other signatures at all ?

A. No, sir.

3471. Q. Look at this application of Daniel Sullivan, and state whether the signature and the filling up are not all in the same handwriting.

A. I do not think they are in the same handwriting ; I am not an expert in handwriting.

By Mr. KERR :

3472. Q. Were you always in the office while this business of naturalization was being transacted ?

A. Yes, sir ; I was there from 10 in the morning until evening.

3473. Q. Have you the means of knowing how late the courts sat each night ?

A. I have the means of knowing, because I sat until the court adjourned ; but as to what particular days the court sat in the evening, and what particular days it adjourned at 6 o'clock, I cannot now state. It sat quite a number of times in the evening, but it was not a habitual thing. There were not constant night sessions as there were daily sessions.

By the CHAIRMAN :

3474. Q. You have said that you have sometimes returned applications that had the initials of the judge endorsed on them, when they were not signed by the witnesses ?

A. I destroyed them.

3475. Q. Was there any order of the judge about naturalization except the mere fact of his initials on the paper ?

A. No, sir.

3476. Q. Where were the names of the applicant and the witnesses signed to the application and the affidavit?

A. They were signed outside before they went into the court.

3477. Q. They were not signed in court?

A. No, sir.

3478. Q. Nor in the room occupied by you?

A. No, sir.

3479. Q. Then the name of the applicant and the name of the witness, as a general thing, were not signed in the court-room nor in the clerk's room occupied by you, but in outside places in the city having no connection with the court?

A. Yes, sir; the larger portion of them were so signed.

3480. The name "James M. Sweeney, clerk," was not signed in the court-room, but after the papers came back from the court-room into the room occupied by you, and was signed by the different clerks there?

A. Yes, sir.

3481. Q. Will you produce to the committee the law which authorizes the deputy clerk to sign the name of the clerk to papers?

A. I will.

3482. Q. How many seals were there in the court?

A. Two.

3483. Q. Where were they kept?

A. Both of them in my safe.

3484. Q. Where was the seal affixed to the certificates of naturalization?

A. In the room down stairs. I had entire charge of the seals, and locked them up myself at night. I unlocked the safe in the morning, and was the only person who had access to the seals. We had two seals, one for the naturalization office and one for the general office.

By Mr. DICKEY:

3485. Q. How many distinctive branches of the superior court sat in one day for the naturalization of parties?

A. Four; there were four judges of the same court sitting in different rooms at the same time.

By Mr. ROSS:

3486. Q. Did you ever leave your seals when you went out of the office so that others could have access to them?

A. No, sir.

3487. Q. No one could have access to them without your knowledge?

A. No, sir.

By the CHAIRMAN:

3488. Q. When you or other clerks signed the name of James M. Sweeney to the affidavits, on the application for naturalization, you did not see the witnesses?

A. No, sir.

3489. Q. The witnesses did not appear in court?

A. O, yes, they did; but we were not in the court-room.

NEW YORK, *Saturday, January 2, 1869.*

A. OAKLEY HALL recalled and examination continued.

By Mr. KERR:

3490. Question. When we adjourned on Thursday we were talking about that meeting of democratic inspectors.

Answer. That meeting assembled in pursuance to a circular, which I now present; the circular is as follows:

SIR: As one of the registrars and inspectors, you are respectfully notified of the following resolution:

"TAMMANY HALL GENERAL COMMITTEE,
" October 19, 1868.

"At the regular meeting, of this date, it was unanimously resolved that a committee of three be appointed by the chair to call a meeting of the democratic registrars and inspectors, for consultation, &c., &c., &c., with said committee and each other.

"The chair appointed Messrs. Fox, Purser, and Hall, such committee.

"WM. M. TWEED, *Chairman.*

"WM. HITCHMAN,
"JOHN HOUGHTALIN,
" *Secretaries.*"

In pursuance of said resolution, the committee respectfully and urgently request of you to attend for the above purpose, in the main hall of Tammany Hall, on the afternoon of Sunday, the 25th instant, at 3 o'clock punctually, and to bring this invitation with you as your voucher of admission.

JOHN FOX,
GEO. H. PURSER,
A. OAKEY HALL,

Committee.



3491. Q. Did the inspectors meet on that call?

A. The inspectors met on that afternoon, and not only the inspectors but a good number of citizens.

3492. Q. State in substance what transpired there.

A. The principal object of the meeting on that occasion was to have a clear understanding in regard to the effect of naturalization certificates. The October elections in Philadelphia had developed the fact that a question had been raised as to how far naturalization certificates were *prima facie* or conclusive proof with the inspectors. I stated to the inspectors, among other things, that I had the day before addressed a letter to Judge Davies, ex-judge of the court of appeals, and who was a very prominent republican politician, and that whatever response I would receive, it would be submitted to, and I would recommend them to be guided by it. An answer was received from Judge Davies. I hand to the committee a copy of the correspondence which was sent by mail or by private hands to each inspector.

The correspondence is as follows:

REGISTRATION LAW.

Interesting correspondence between the district attorney and Hon. Henry E. Davies, ex-judge of the court of appeals.

OPINION OF JUDGE DAVIES.

CITY AND COUNTY OF NEW YORK.

District Attorney's Office, October 24, 1868.

MY DEAR SIR: My official opinion has been asked upon the following question, (as it is repeated in the opinion it is here omitted.)

I prefer, as I have been an active partisan during the canvass, to be guided by the professional opinion of one who, like yourself, is aloof from politics, and whose calm judgment ought not to be questioned. Please furnish me with it.

With great respect, your obedient servant,

A. OAKEY HALL.

Hon. HENRY E. DAVIES.

NEW YORK, *October 28, 1868,*
149 Broadway.

Hon. A. OAKEY HALL:

DEAR SIR: Your note of yesterday requests my opinion upon the following question, viz.: "If a naturalized citizen, who claims before a board of registry the rights of an elector under chapters 740 of laws of 1865, and 812 of laws of 1866, produces before said board a

certificate of naturalization from a court of competent jurisdiction, and makes proof, to the satisfaction of the board, that he is the identical person named in said certificate, what, in such case, will be the legal effect upon said board of said certificate, and what legal rights do such production and proof confer upon said elector respecting his right to have his name inscribed upon the registry, assuming also that all other legal rights to said inscription exist?"

Before proceeding to the consideration of the question, it is needful to refer to the existing provisions of the acts referred to.

Section 1, of the act of 1865, declares that the board, after its organization, "shall then proceed to make a list of all persons qualified and entitled to vote at the ensuing election in the election district of which they are inspectors."

Section 4 of the same act also declares that "any person not born in the United States, on applying to have his name placed on the registry, shall prove that he is a citizen of the United States by producing a certificate of naturalization from a court of competent jurisdiction; nor shall any proof of his being a citizen be received unless he shall first show to the satisfaction of the board of registry that he is unable to produce such certificate."

The act of 1866 is amendatory and supplementary to that of 1865.

Section 2 of this act declares "that no person shall be placed on such register if he shall be objected to by one of the inspectors or by a qualified voter of the city within which the election district is situated, unless he shall be known, or proved to the satisfaction of such inspectors, to be at the time a qualified voter of such election district; nor shall the name of any person be placed or retained on such register without the concurrence of three of the four inspectors, nor except in case of compliance with section 7 hereof."

No person born out of the United States shall be placed on such register, unless he shall, to the personal knowledge of three of the inspectors, have been duly naturalized, or shall prove his naturalization, as provided in the act hereby amended. [Such provisions are found in section 4 of the act of 1865, as follows: "And any person not born in the United States, on applying to have his name placed on the registry, shall prove that he is a citizen of the United States by producing a certificate of naturalization from a court of competent jurisdiction; nor shall any other proof of his being a citizen be received, unless he shall first show, to the satisfaction of the board of registry, that he is unable to produce such certificate."]

When the question is raised upon the naturalization of a person, proof shall be made to the satisfaction of the inspectors, by his own oath or otherwise, that the person claiming to be placed on the register is the identical person named in the certificate he produces.

Section 7 of the act of 1866 declares that "in the cities of New York and Brooklyn the name of no person shall be placed upon said register, unless he shall appear in person before the said inspectors, and prove to their satisfaction his right to vote at the next election, in the election district in which he claims the right to vote."

OPINION.

First. If three inspectors have personal knowledge that the applicant has been duly naturalized, it is their clear and imperative duty to register his name, if he possesses the other requisite qualifications.

Second. If they have not such knowledge, then the right of the applicant to be registered is to be established in the following manner:

1. By the production of a certificate of naturalization issued to the applicant by a court of competent jurisdiction, and all courts of record are such courts.

2. If he is unable to produce such certificate, then the board are to be satisfied by other proof (and the oath of the applicant should be taken as *prima facie* sufficient evidence) that the applicant has been duly naturalized by a court of competent jurisdiction.

Third. The production of the record of the court, being an exemplification thereof under the seal of the court, and generally known as a certificate of naturalization, is conclusive evidence of the facts therein stated; and also conclusive evidence that all the preliminaries required by law to establish a right to naturalization have been complied with. This was adjudged by the court of appeals in this State, in the case of McCaury *vs.* Marsh, 1 Seldon, 263; and in Stark *vs.* Chesapeake Insurance Company, 7 Cranch, 420; Ritche *vs.* Putnam, 13 Wend., 524; Spratt *vs.* Spratt, 4 Peters, 393.

Fourth. It follows that where the applicant produces the record of the court establishing the fact of his naturalization, the only inquiries open and remaining for the board to make, and upon which they are to be satisfied, are:

1st. Is the record produced the actual record issued to the applicant by a court of competent jurisdiction? and

2d. Is the applicant the real person described in the record or certificate, and upon whose right to citizenship the court has adjudicated?

If these facts are established to the satisfaction of the inspectors, they have no legal right to refuse to register the name of the applicant, assuming he has the other requisite qualifications.

Three inspectors are competent and necessary to decide all questions.

HENRY E. DAVIES.

WITNESS continued: I have no doubt, and so answered them, that when a man applied to be registered and produced a naturalization certificate, and when there was no doubt of its being the original seal of the court and signature of the clerk, it was conclusive, and that the inspector could not go behind that. I selected Judge Davies to get an opinion from because he had been and was a very prominent republican, and because his opinion would be of more service than my own, for I was a politician as well as a lawyer, and he was a lawyer without being a politician, except in his natural affinities towards the party with which he acted. He gave an opinion, which I furnish to the committee, and it is to the effect that the certificate of naturalization was conclusive upon the inspector.

3493. Q. I understood you to say that you addressed a meeting assembled at Tammany Hall under that call.

A. Yes, sir; and I also answered more than a hundred questions, I should think, that were asked by different inspectors about the carrying out of the peculiar and rather blind expressions of our registration and election law. There were a good many republicans present. The intention of the meeting was to have it private, but I recognized several gentlemen there, one of them from the United States marshal's office, and I very politely told them that it was a private meeting, and that if they wished to go they could, and that if they wished to stay they could. The main object of the meeting was to consult as to the effect of naturalization certificates. The meeting occupied, I should think, about an hour. Another reason of the meeting was to say that instructions would be prepared for the inspectors and sent to them. The year before a pamphlet instructing them as to their duties was distributed by the board of police to each inspector and canvasser, by order of the board, and was prepared by one of the commissioners, one of the clerks, and myself, who am counsel to the police board. This year the board, in its discretion, agreed not to distribute them. The republican party reprinted the same thing in substance, with some amendments taking different views on some matters, and we reprinted it exactly without changing it, and with a preface. We thought to have got it in time to have distributed it at that meeting, but it was not ready and had to be sent through the post office.

3494. Q. Was it sent to the inspectors and canvassers before the day of election?

A. O, yes; and before the registration was completed.

3495. Q. State whether it is practicable, considering the organization of the election boards and boards of canvassers, and police force, and of vigilance committees, to practice frauds on the ballot-box, in the counting or by manipulating ballots.

A. I do not think it is possible where there are only two tickets, but where there are three tickets it is very possible and very probable—that is to say, that if two persons are running for the office of governor, it is wholly impossible to cheat; but if three persons are running for the assembly, or if six are running, as is sometimes the case here, it is very easy, by collusion among all the canvassers and the poll clerks, to present one of the two candidates between whom the fight lies with the portion of the vote which has been really cast for one of the minor ones, who could not be elected.

3496. Q. That can be done by tampering with the ballots and transferring them from one box to another.

A. No, sir; they would have to do it after the ballots have been destroyed, and would have to alter the tallies. For instance, if A. B. had 100 votes, B. C. had 90 votes, another 30, another 20, it would be very easy to diminish the votes of the lowest two by five or ten and add

them to the vote of one of the others; but there would have to be a sort of consent or collusion with the candidate himself.

By Mr. DICKEY:

3497. Q. In a ward where one candidate gets 500 votes and another candidate gets 350, what is to prevent the transfer of votes from one candidate to the other?

A. I do not think that could be done, because men are always present watching. The canvass is very public and well watched. And an alteration would show in the general result; that is to say, it would look very odd for Horatio Seymour to get 100 votes on the electoral ticket and a man on the same ticket to get only 80, because in this city the machinery runs pretty regularly.

3498. Q. Just that sort of discrepancy arose in this city last year, did it not?

A. I have known such instances, but they are very few?

By Mr. HOPKINS:

3499. Q. By whom are the ballots destroyed?

A. The canvassers for the precinct; the statute obliges them to destroy them. The reason for the statute arises from the fact, that it had been shown several years ago that the ballots when removed had been tampered with.

3500. Where are the returns of the registers required by law to be kept between the time of registration and the time of voting?

A. There are certainly three meetings of the registers in this city, and perhaps four. "One copy of the list made at the first meeting is to be kept by each of the inspectors, and carefully preserved by him for use on the other days of their meeting for revision and correction." One copy is to be filed with the police commissioners. This disposes of five copies. "The sixth copy of the list is, immediately after its completion, to be posted in some conspicuous place in the room in which the meeting is held, so as to be accessible to any elector who may desire to examine it or make copies thereof; and the seventh copy is to be filed in the bureau of elections. Upon the final adjournment each of the inspectors keeps a copy of the registry, now fully completed, and files a fifth with the county clerk, a sixth in the bureau of elections, in the office of the chief clerk of the metropolitan police."

3501. Q. Do you know of any irregularity in the keeping or use of these returns prior to the last election?

A. I do not know of any irregularity, except from the affidavits which I have obtained by official inquiry.

3502. Q. What was that?

A. Such as taking the lists to political committees at headquarters.

3503. Q. Could those lists have been in any way manipulated to the injury of the election by the committee to which they may have been delivered?

A. It might have been done, but would have been very difficult. The most that could have been done would have been to manipulate them, if all the poll registers had been in collusion. Such a thing as that is pretty difficult.

By Mr. ROSS:

3504. Q. Was it to the democratic organization that these lists were taken?

A. I only know of their being taken to the Fifth Avenue committee. We did not want them.

By Mr. HOPKINS :

3505. Q. You only know this from what you heard ?

A. I heard two men testify to it.

By Mr. DICKEY :

3506. They were taken there to be canvassed, I suppose ?

A. I do not know what the object was. It is sufficient to say that it is just as susceptible of an innocent implication as of a guilty; and is as susceptible of a guilty one as of an innocent one.

By Mr. KERR :

3507. Q. Referring back to your testimony on Thursday, in reference to these circulars, I understood you to say that circulars were signed without the knowledge of the parties with whose names they were signed ?

A. Yes, sir; I have brought one or two other circulars to which Mr. Tweed's name was signed and which I believe he never saw.

3508. Q. Do you know a judge of the supreme court in this State named James ?

A. Very well.

3509. Q. Where is his district ?

A. It is one of the northeastern districts. Oswego is in his district, and so is St. Lawrence.

3510. Q. Is it remote from the city of New York ?

A. It could not very well be more remote; it is geographically, and morally, and politically remote.

3511. Q. Do you know of Judge James being here on the day of election, and if so, for what purpose ?

A. Judge James was here on the day of election, and I believe the day before. He held a court at the Metropolitan Hotel. I had official notice of the fact given me by the police authorities that he would be here to issue orders of arrest and to issue writs of *habeas corpus*.

3512. Q. In pursuance of what law of the State of New York did he come here to hold court in this city ?

A. There is no law allowing him to do so, and there is no law forbidding it. It is probably constitutional, because a judge of the supreme court in this State has jurisdiction everywhere in the State; but the practice has always been until the feuds between the Central railroad and the Erie road, and the last election, for a judge never to execute an order out of his own district, or to hold court out of his own district, except on the request of the judges of the district into which he goes. It was regarded, as it was undoubtedly, a precautionary selection on the part of the minority party of this city. They only possessed one magistrate in the whole city, Justice Kelly; all the rest were democrats. Justice Kelly had power to issue orders of arrest, but not writs of *habeas corpus*. Judge James did issue several orders of arrest, of which I afterwards had official notice, and the papers which he forwarded to me I sent to the court of special sessions for action, where they belonged. He issued one writ of *habeas corpus*, and under that discharged an inspector of election. No notice of it was given to the attorney for the people, and consequently the people were not represented. I am the man to whom notice should have been given. The notice should be preliminary to the hearing, and it is a misdemeanor for a judge to hear a writ without notice to the party interested. In that case I had no such notice before the hearing.

2513. Q. State whether there exists in the laws of the State of New York, either general or relating to this county, any law that makes it the duty of the superintendent of the police to cause to be made a census of the qualified electors of this city prior to an election ?

A. There is no such law.

3514. Q. Do you know of any attempt being made by the superintendent of police, prior to the last election, to have such a census taken?

A. There was an order issued some time ago, when the board consisted of three republicans to one democrat, that the superintendent should take a census for the coming election. The board was equally divided at the last election, and the two democrats forbade the superintendent taking the census on the ground that it took a large number of policemen from their duty, but he claimed to act under the prior order, which was not rescinded, and he was understood to have taken such a census.

3515. Q. Do you know whether that order for the census was regarded as having legal validity?

A. Judge Bosworth and Mr. Brennan, the two democratic commissioners, thought that a prior order relating to one election could not be understood as applying to another election, without new action; Mr. Acton and Mr. Mannerie thought it did, and the superintendent went under his old order.

3516. Q. You have stated that there is no law giving the board authority to order such a census?

A. No, sir.

3517. Q. Do you know as a matter of fact how that census was attempted to be taken?

A. Yes, sir. I have two books in my office and they have all the rest up there. One or more policemen were detailed to map out each election district, and to go from house to house and ask at the door, who lived in the house over 21 years of age? The supposition was that an answer would be given. If given, it was taken down, and if refused, that was stated. The object of it was to compare it with the register's book as a check. The avowed object was to prevent, and if carried out as avowed it would decidedly prevent, fraud. But whoever could get sight of these books could perpetrate very extensive frauds by giving assumed names of men absent from the city, or non-voters, and use their name and residence to vote on illegally.

3518. Q. Who had the custody of these books after they were made?

A. Practically, this year the superintendent of police had control of them, because the board did not treat them as records.

3519. Q. From your knowledge of politics in this city for the last ten years, and from the habits of persons of foreign birth in procuring naturalization, I ask you to state whether it is a fact or not, that during the years of the war such persons, in a greater proportion than hitherto, declined or failed to become citizens of the United States?

A. I know that fact as a citizen and as an official, and as a member of committees to raise troops in this city. I know that both parties complained, especially the democratic party, of the abstaining of Germans and Irishmen, and other foreigners, from naturalizing, lest they should be subject to the draft, and of persons destroying their naturalization certificates on the same ground. The records of the courts will show that during the years 1862, 1863, 1864, 1865, naturalizations were comparatively few, while the arrivals at this port in the few years previously had been very great.

By the CHAIRMAN:

3520. Q. You say that the democratic members of the police board refused to make an order to require the superintendent of the police to cause the census to be made in the year 1868?

A. Yes, sir.

3521. Q. If a faithful census had been made by competent officers, would it not have furnished the means of detecting fraudulent voting ?

A. To a great extent it would ; and yet it would be also liable to perversion.

3522. Q. If it was kept in the hands of proper officers ?

A. Of non-partisan officers.

By Mr. DICKEY :

3523. Q. Or of honest partisan officers ?

A. That would be a very singular phrase in this city to be applied to either party.

By Mr. KERR :

3524. Q. Using that phrase in that very peculiar form, is it possible for there to be an honest partisan officer ?

A. I mean in reference to keeping the custody of these records. I do not mean to say that there cannot be absolutely such a thing as an honest partisan officer, but I mean that such a phrase as that in reference to such custody would be very queer indeed. It would be a queer phrase to use in relation to the custody of such papers, to expect any very beneficial result from it.

By the CHAIRMAN :

3525. Q. You say that a census would furnish the means of fraudulent voting by enabling repeaters to vote on real names, or *aliases*, or others not entitled to vote. Would not a registration containing real names of *bona fide* residents enable repeaters to vote upon the names of persons entitled to vote, but who did not in fact vote, especially towards the close of the polls ?

A. Yes, sir. It is proper for me to add, that the obtaining such a registration in the city of New York can only be partial, exceedingly partial ; because the answer is not obligatory, and persons would refuse to answer. With all these immense tenement houses, where there are perhaps a hundred voters living, and where removals within a few days before the election are very numerous, such a registration must be partial.

3526. Q. Would not the same difficulty apply to the registry laws ?

A. No, sir ; because when persons come to register at their new residence they are obliged first to take their names from the registry at their old residence.

3527. Q. How many police officers are there in this city ?

A. I think about 2,000.

3528. Q. Is that a competent force to preserve peace and order ?

A. No, sir, it ought to be double ; this city ought to have 4,000 policemen.

3529. Q. Are not police officers charged by law with the duty of preventing the violation of the election laws ?

A. That is one of their general duties.

3530. Q. Are they not authorized by law, as a necessary incident of that power, to adopt any means that conduces to that end ?

A. No, sir, except statutory means.

3531. Q. Do you say, as a lawyer, that when power is conferred upon officers, they cannot adopt the necessary means conducing to that end ?

A. I say that where general powers are conferred upon an officer in such general terms as "to prevent frauds at elections," they can only do it by following the directions or implication of some statute.

3532. Q. In the case of such a statute, is it not an implication that the officer may adopt the necessary means to enable him to accomplish the purpose which he is authorized to accomplish ?

A. Yes, sir, in particular cases coming under his personal supervision. But the point I was getting at is, that the police department can only, under the orders to prevent fraud, employ legislative means of preventing fraud.

3533. Q. Do you not know that the democratic newspapers and some leading democratic politicians publicly, and otherwise, advised the people, and especially democrats, not to furnish the names of persons to the police force engaged in taking the census prior to the last election?

A. I can answer that very pertinently, by saying that, as a democratic editor and a democratic politician, I, myself, gave such advice for the reason that I deemed such action by the police a dangerous precedent.

3534. Q. Was not such census taken a year ago under the order of the police board?

A. Yes, sir, when the board was composed of three republicans to one democrat; and the same advice was given then. The advice was also given for the reason that we considered that the less the police department had to do with political machinery of any kind or description the better; and as a party we had deprecated the placing of the election machinery of the city in the hands of the police board, and taking it away from the people.

3535. Q. Do you know the reputation of Henry E. Davies, John K. Porter, Henry Hilton, James Emott, and William Fullerton, as lawyers and men of integrity?

A. Yes, sir; in my judgment there are no better lawyers, or men of more integrity in the city of New York than those gentlemen.

3536. Q. State if they gave an opinion as to the duty of an inspector of registry and election?

A. Yes, sir. I am one of the regular counsel to the board of police, and Mr. Kennedy expressly declined to refer the matters embraced in the opinion to myself or my partner, Mr. Vanderpoel, because we were democrats. He said he would take the opinion of lawyers who were republican.

3537. Q. Will you produce the opinion these gentlemen gave?

A. Yes, sir. The opinion is as follows:

Attention is called to the following opinion, signed by Henry E. Davies, late chief justice of the court of appeals, John K. Porter, late judge of the court of appeals, Henry Hilton, late judge of the court of common pleas, and William Fullerton and James Emott, late justices of the supreme court.

NEW YORK, October 23, 1868.

DEAR SIR: We have examined the law as to registry and elections, and have arrived at the following conclusions:

First. We are of the opinion that the inspectors of registry, commonly called the registers, must be "satisfied" that any person claiming to be registered is a legal voter in the district where he claims to be registered, and in seeking to satisfy themselves they may gather evidence from the statements of the applicant, and from other sources. If, either from an examination of a person who presents to them a paper purporting to be a certificate of naturalization, or from other evidence, they are not satisfied that the applicant is the person to whom the certificate was issued, or are not satisfied that he is entitled to its possession, in any such case it is the duty of the inspectors to refuse to register such persons.

Second. As the inspectors must be "satisfied" of the right of the applicant to be registered, his mere claim to be so registered, apart from his oath or from other evidence, does not in any way establish his right. Inspectors in receiving or rejecting names act quasi judicially, and must act fairly upon evidence satisfactory to their own minds.

Third. We are of the opinion that the oath of an applicant for registry is not conclusive as to his right to be registered, and that consequently, even if an applicant offers to take, and does take, the legal oaths, the inspectors should still refuse to register him if from evidence they are satisfied that he is not a legal voter within the election district.

Fourth. We are of the opinion that no *mandamus* can be legally issued to compel an inspector to act in a particular manner indicated by a court or judge. Inspectors act judi-

cially in passing upon the right of persons to be registered and to vote. If one is issued, the inspectors are entitled to an opportunity to consult counsel before taking any action, as it is to be presumed that it has been improvidently issued by the court, and that on the attention of the court being directed to the facts it will be recalled. Writs of peremptory *mandamus* cannot lawfully be issued or granted *ex parte*, if there is no alternative writ in the first instance, the party is entitled to a notice or order to show cause, and to be heard on such notice. If any order were granted against a register, on such application, it would be appealable and should be carried at once to the highest court. A writ of peremptory *mandamus* granted without notice and without an opportunity to oppose it is entirely void; the writ must be founded on proofs and allegations of fact made under oath, and then may be denied and disproved under oath. Inspectors should, therefore, when one is served upon them, continue to perform their duties and send for counsel to advise them. We should, however, add that, in our opinion, no paper which shall interrupt the proceedings of the board can, if issued, be legally served while the inspectors are engaged in the performance of their duties, and that if any attempt is made to break up the board, or to interrupt its proceedings, it is competent for the board, with the concurrence of three of the inspectors, to order the police to arrest the person so interrupting, and the police are bound to obey such order.

Fifth. We are of the opinion that no name can be placed upon the registry unless three of the inspectors are present and all three concur in placing it there.

Sixth. We are of the opinion that no register who in good faith observes the provisions of the law can incur any responsibility, either civil or criminal, even though he may honestly er in weighing the evidence upon any application for registration.

Seventh. It is clear that registers must meet at 8 o'clock a. m. of Friday and Saturday, October 30 and October 31, and must adjourn at 9 o'clock p. m. on each day. They cannot sit beyond that hour on either day.

Your obedient servants,

HENRY E. DAVIES,
JOHN K. PORTER,
HENRY HILTON,
WILLIAM FULLERTON,
JAMES EMOTT.

JOHN A. KENNEDY, Esq., *Superintendent*.

3538. Q. Who is Samuel North?

A. Samuel North is a citizen of Chenango county, secretary of our democratic State committee; I do not think he holds any office.

3539. Q. State if he was arrested by the military authorities during the war; and if so, for what, and how long he was held in custody?

A. He is the Samuel North who was arrested during the progress of the presidential election of 1864, but why arrested I do not know.

3540. Q. Was it by the military authorities?

A. That is a nice question. I believe the colonel himself claims to profess not to know who arrested him, why he was arrested, or anything about it.

3541. Q. How long was he held in custody?

A. I do not know, but my impression is that it was several months; and my impression also is that he was finally discharged without trial.

3542. Q. You have stated that a bench warrant was issued for the arrest of Wesley Allen. Do you know, as a matter of fact, whether that warrant ever reached the hands of the police officer?

A. I know, as a matter of fact, that the party to whom I gave the warrant stated to me that it had been left at the station-house at which Captain Miles commands, with his name written on it; and after the election Captain Miles arrested the man.

3543. Q. Do you know whether it reached the hands of Captain Miles until the day before the arrest was made?

A. I only know it was left at the station-house some two weeks before the election, directed to him.

3544. Q. Did you ever call the attention of the superintendent of police, Kennedy, to the fact that this warrant had been issued?

A. I do not know.

3545. Q. Do you not know that some law or regulation requires that

all such warrants shall first pass through the hands of the superintendent of police ?

A. No, sir; there is no such regulation, and there could be no such regulation. The law of the State is that any police officer shall execute a warrant, and the practice of my office for seven years, unchallenged by any instructions to me to the contrary, has been to send them to the station-houses, addressed to private patrolmen, sergeants, and captains; and I understand the discipline of the force requires that each person shall take it, unless there is some objection, to the superintendent, to get his orders.

3546. Q. Did you cause the attention of the superintendent of police to be called to the fact that this warrant had been issued ?

A. It was issued in the ordinary way, as we issue all warrants directed to special officers who take an interest in cases.

3547. Q. At this meeting of the democratic inspectors of election, did you advise that when a person had a certificate of naturalization, it was satisfactory evidence of his right to be registered as a voter ?

A. As conclusive, if they had no doubt it had the seal of the court and the signature of the court.

By Mr. HOPKINS:

3548. Q. What did you consider the necessity of giving such advice just at that particular time ?

A. Because, at previous elections, so much trouble and difficulty had arisen from the fact that it required the concurrence of three inspectors to put a man's name on the registry; and, therefore, if the board were to vote two and two, it did not go on; and the board is divided two and two, politically. We understood instructions were given to the republican inspectors to object to all naturalization papers.

3549. Q. At what date was this meeting held ?

A. On the Sunday afternoon prior to the election.

3550. Q. Before that time, had there not been a great deal of excitement in the city in reference to naturalization papers being scattered round; and had not several men been arrested for delivering papers charged to have been fraudulently obtained ?

A. There had been two arrests made by the United States marshal. I know of no others.

3551. Q. Was Rosenberg one of them ?

A. Yes; I heard he was one of them.

3552. Q. This meeting, you say, had no connection with the excitement in regard to those cases at all ?

A. Not the slightest. I do not think the subject was referred to, except, I believe, a reference was made to it by some of the crowd, and something was said by me about the marshal putting up a stool-pigeon game to frighten naturalized citizens. I think I used that expression.

By Mr. DICKEY:

3553. Q. Was there a meeting also of the democratic canvassers ?

A. Yes, sir. I produce to the committee the circular calling that meeting, and the ticket of admission to it.

The circular and ticket produced by the witness are as follows:

ROOMS OF TAMMANY HALL GENERAL COMMITTEE,
New York, October 28, 1868.

SIR: As one of the democratic canvassers, you are respectfully and urgently invited to meet with the committee appointed by the Tammany Hall general committee, for conference

as to legal rights, in the main hall of Tammany Hall, on Sunday next, the first day of November, at three o'clock p. m.

The enclosed ticket must be presented at the door, as without it you cannot enter.

Very truly yours,

JOHN FOX,
GEORGE H. PURSER,
A. OAKLEY HALL,
Committee.

[Card, with "Tammany Hall" on one side, and "Admit the bearer; November 1, 1868—3 p. m.," on the other.]

3554. Q. At what date was that meeting?

A. The canvassers are not appointed until very shortly before the election, and this meeting was held on the Sunday afternoon before the election.

3555. Q. At that meeting what instructions did you give to the democratic canvassers as to counting the votes?

A. I read them the statute directing that, in case of the electoral ticket for President and Vice-President, each name on the ticket must be canvassed, and the tickets not counted as a whole. One of my objects in calling attention to that fact was to prolong the count as far as possible, so that the interior could not hear from the city of New York as early as they had done at former elections.

3556. Q. So that the result should be announced as late as possible?

A. Yes, sir.

3557. Q. Your object, then, was to get the returns from the country before they got the returns from New York?

A. No; our object was to prevent their getting the New York vote; it was nothing to us to get their vote, except as we opened the wires and made them send their vote.

3558. Q. The effect of it, then, was that you would get the vote from the country before they could get the vote from the city?

A. That would be one effect.

3559. Q. Was there a change in that respect from the practice of former years?

A. No, sir; no change in the practice, except to some extent. I have been an inspector myself; and a great many inspectors would always canvass each name on the electoral ticket. Some would do so because there are always bets as to who shall run highest on the ticket, and who shall run the lowest. We had another object in this, and that was we thought the vote would be rather close, and that we might elect some of our electors and might not elect others. The tickets are not always correctly printed. It often happens that two or three names are left off the ticket, and it would not do, therefore, to count each ticket as having upon it 33 names, when it might only have 30 or 31.

3560. Q. As soon as the result from the country began to be announced in the city, did they not then stop canvassing separate names on the ticket, and count them as a whole?

A. No, sir, I think not. As I understand it, the superintendent of police arbitrarily interfered with the sworn canvassers in the discharge of their duties, and directed them to hurry up their count.

3561. Q. How much later was it before you returned the result in this city this year than it was at the last presidential election?

A. It was about three hours later than usual.

3562. Q. At what time was the result announced in the city?

A. I think about half-past eight.

3563. How much of the State had you heard from at that time?

A. We had heard, I guess, from about one-third of it.

By the CHAIRMAN :

3564. Q. When you say that you advised the democratic canvassers to canvass all the names of electors, in the electoral vote for President and Vice-President, you mean that the name of each elector on every ticket was to be read over ?

A. Yes, sir, agreeably to the schedule furnished them, on which schedule was the name of every elector.

3565. Q. Does the law prescribe which ballot-box shall be opened first and counted ?

A. Yes, sir; the presidential ballot-boxes.

By Mr. DICKEY :

3566. Q. Do you mean to say that by half-past eight you had ascertained the vote of the several wards ?

A. Yes, sir, I think the full result was in; the substantial result was in by that time, and the polls closed at six minutes before five o'clock.

By the CHAIRMAN :

3567. Q. Do you not know that the practice at former presidential elections in canvassing the electoral vote was simply to count each ticket as a whole without reading the names of each elector ?

A. Yes, sir; it had been. My attention was first called to this matter in 1864, when the result was very close. I wish to disavow the remotest intention on our part of in any way advising the canvassers in the city of New York as to the state of the country polls; and as a matter of fact I state that no one single canvasser in the city of New York knew what was the country poll, excepting as he may have heard it was announced at Tammany Hall or Cooper Institute. Allow me also to state that these meetings of inspectors and canvassers are not unusual. It so happens that I addressed a meeting of inspectors, of the first republican party too, of which I was a member.

3568. Q. Will you produce to the committee the law as to the canvassing of the electoral votes ?

A. The law of 1855, chapter 513, provides for the canvass in the State of New York, and the order in which they shall be canvassed; amended in 1856 by chapter 79. The law in relation to electors is in First Revised Statutes, page 435. It is as follows :

And the result, being found, the inspectors shall surely attach to a statement of such canvass one ballot of each kind, found to have been given for the officers to be chosen at such election, any or either of them, except those given for electors of President or Vice-President.

When the electors of President and Vice-President shall be chosen at any election, the inspectors shall make a separate canvass and statement of the votes given, and for electors in the order prescribed in the last preceding section.

Will you allow me to add also that at the meeting of inspectors I submitted to them the opinion of the attorney general of the State, which I now present to the committee.

The following is the paper presented :

Opinion of the attorney general on the duties of boards of registry and inspection.

The attorney general of this State having been interrogated as to the duty of boards of registry and inspection, answers under date of October 19, as follows :

STATE OF NEW YORK, ATTORNEY GENERAL'S OFFICE,
Albany, October 19, 1868.

GENTLEMEN : Absence from the city has prevented me from answering the inquiries contained in your letter of September 30 until the present moment.

The law does not require a naturalized citizen in any case to present his certificate of naturalization to the board of inspectors on offering his vote on election day. Such board has

no legal authority to require it. On offering his vote, if challenged, he is only required to take, first, the preliminary oath, and answer all questions authorized to be put to him under that oath. It is immaterial as to his ultimate right to vote, how he answers such questions, if he does not refuse to answer such. He is, although the challenge be not withdrawn, still entitled to vote, if he will take, second, the general oath, which must be administered; and his vote cannot, on taking such oath, for any cause be rejected.

The object of the preliminary oath is to elicit facts upon which the person offering his vote may be advised as to his rights. But such advice is not controlling. The right is with the elector, to judge of his own qualifications as a voter; and if he is willing to take the general oath his vote must be received by the board.

The board, when met to make registration of voters, have a right to require the production of the naturalization papers of a naturalized citizen offering himself for registry. You ask "if the inspectors have the right arbitrarily to reject the voter because of a mere suspicion that the papers were wrong?" If the papers are in form and have the signature of the clerk and the seal of the court impressed, I am of opinion that the board has no legal power to disregard them.

If they should assume that the papers were spurious in any case and reject them, and refuse to register the name, they would do so at their peril and render themselves liable, if the person rejected was a legal voter.

It is very difficult to imagine a case in which it would be a prudent or a proper exercise of official duty to do so.

The principle is fundamental, as applied to all judicial proceedings, that the seal of the court from which the record emanates implies the absolute verity of the record and makes it conclusive.

A certificate of naturalization under the seal of a court of competent jurisdiction I do not believe can be disregarded at the mere caprice of the board; and it would be an arbitrary and illegal exercise of power to assume that the seal so impressed was forged or surreptitiously affixed.

Respectfully, yours,

M. B. CHAMPLAIN,
Attorney General.

Messrs. NORTON and MONTAGE.

NEW YORK, *January 2, 1869.*

JOHN H. McCUNN sworn and examined, (at the instance of Mr. Kerr.)

By Mr. KERR:

3569. Question. What is your official position?

Answer. I am at present one of the judges of the superior court of this city.

3570. Q. Were you one of the judges of the court during the year of 1868?

A. Yes; I have been one of its judges for the last five years.

3571. Q. Who were your associates during the year?

A. Chief Justice Robertson, now deceased, Judge Garvin, Judge Morell, Judge Barber, and Judge Jones.

3572. Q. Is your court a court of record, that has power to naturalize persons of foreign birth?

A. Yes, sir.

3573. Q. It has appeared in evidence here that during the month of October last, from the 1st to the 23d, inclusive, a number of persons were naturalized in the superior court of the city and county of New York. I hand you a statement of the numbers naturalized upon each day during that month, as furnished by the clerk of that court, and I ask you to detail to the committee, in your own way, somewhat specifically, the manner in which this naturalization was conducted in your court, and, so far as you know, in the court when held by any one of your associates.

A. Judge Garvin and myself were the principal judges engaged in naturalization. I always took my seat at 12 o'clock, and sometimes before 12, and we pursued the ordinary course pursued in the court from the time that I first knew it. Judge Garvin sat from the time the court was opened in the morning, about 10 o'clock, until 12 o'clock, and I

would then relieve him. I sat one night until 11 or 12 o'clock. It was a night when we were very much pressed, and I desired to afford every facility to those who were clamoring for their papers.

3574. Q. Begin at the time when an applicant came into your court-room, and state how you transacted this business, step by step.

A. Well, the paper was made out by the clerk of the court, or by some one. The applicant himself, with his paper already made out, came in and presented it to the court, and the applicant for the right of citizenship and his witness were both sworn together, and then they passed along to the clerk who administered the oath of citizenship to the man claiming the boon of citizenship.

3575. Q. The oath of citizenship was not administered by the court?

A. O, yes; in the presence of the court.

3576. Q. Then you did not know the origin of the applications?

A. We did not as a rule. They can come in almost any form; they have printed forms, the only forms in fact that we have ever acted upon, but they can bring the application in a written form.

3577. Q. State with what particularity and care, during those hurried days, you were in the habit of examining parties and their witnesses.

A. O, we were very careful; I was very careful, and so was Judge Garvin.

3578. Q. What was the usual course?

A. The applicant and his witness were brought up before me and sworn. First I would put the ordinary questions to the person applying for his papers, to see whether he was a proper and fit subject for receiving the rights of citizenship. After examining the applicant himself, I would then examine the witness, to know how long he had known the man in this country. That was done very speedily, of course. When we have our Park filled with persons who are endeavoring to get a chance to exercise the right to vote upon such an occasion as a presidential election, of course, it cannot be expected we would take that time that would be taken if there were only two or three applicants a day. Very few applications for citizenship had been made in our court from the time the war began until the present time, comparatively speaking.

3579. Q. In the course of your administration of this duty, did you confer the right of citizenship upon nearly all who applied for it?

A. No, sir; a large proportion of these I rejected.

3580. Q. What did you do when you rejected a man?

A. I would tear up the papers, so that the papers could not again get before another judge, and throw the pieces at my feet.

3581. Q. Did you dispose in that way of any considerable number?

A. I may have rejected, (and I am quite sure that Judge Garvin did, for I was on the bench with him when he was naturalizing; before his hour was up,) at the lowest calculation, from five to ten per cent.

3582. Q. State to the committee whether, in the time you were giving to that business, you had an opportunity of detecting the fact that A B, for instance, was coming in there as a witness for half a dozen persons or for a dozen.

A. Yes, sir, I saw many such, and when I caught a man at that once I never would receive his application again. I can retain faces in my memory as long as any other person of my age. I quickly detected these persons, and not only that, but I put them under arrest when I found them coming back a second time.

3583. Q. Where did you hold your court during the time you were doing this business?

A. Principally in the superior court room. There were two or three evenings when there was a great press, and when four judges were sitting, that I held court in the board of councilmen room; at other times I sat in the superior court room.

3584. Q. During all this time where was the clerk's office, with reference to the place where you sat and did business?

A. Immediately upon my right.

3585. Q. Where were Mr. Meeks and Mr. Sweeney?

A. Their offices were in the old City Hall, and our court-rooms are in the brown stone building on Chambers street.

3586. Q. How many clerks did you generally have in the court-room?

A. Two, one upon each side of me.

3587. Q. What were their duties?

A. One was to swear the applicants and their witnesses, and to help me in detecting frauds that might be attempted to be perpetrated. I never administered the oath unless the principal and the witness were together, and my positive instructions to the clerks were not to deliver any papers to a human being but the person applying for the right to be a citizen.

3588. Q. Did you ever administer the oath of citizenship to any persons in squads or singly who were outside of your court-room?

A. Never in my life, nor to squads in the court-room. I would be a foolish man, when we have such splendid honest material there to make citizens out of, and who deemed it an honor to become such, to resort to anything that was tricky or mean or contemptible.

3589. Q. Do you believe, from your knowledge of the circumstances and the surroundings of those rooms, it to have been possible that at any time any number of persons could have come into your court-room, and could there, under any pretext or by any trick or device, have gone through the process of naturalization without themselves having been personally present before you?

A. I should think not. They could not do it a second time before me, and I do not think they could the first time. Two strangers might come in with their papers made out, and might swear to them, and might go through all the examination, but they would have to be very skilled men to do it.

3590. Q. Suppose that ten men should come up here now and swear that they had each been naturalized in the superior court presided over by Judge McCunn, in the city and county of New York, without themselves having been inside his court-room?

A. They would be liars of the first water, or perhaps I had better modify that, and say that it would be impossible, unless they were more than human.

3591. Q. You made it a rule, then, absolutely to have or to suppose that you had, all persons applying for naturalization in their own proper person before you with their witnesses?

A. Yes, sir, in every instance.

3592. Q. How did you indicate to the clerks whose duty it was to hand to the applicants their final certificates the fact that you had passed upon their applications?

A. I signed my initials to the application and handed it to an officer, and the officer passed it to the clerk, and the clerk swore in the applicant and directed him to go to the clerk's office and get his certificate of citizenship.

3593. Q. Look at the application of Daniel Sullivan and state whether the order for the certificate to issue in that case was signed by you, and if so, how.

A. It was signed by me ; these are my genuine initials ; that is the way in which I have been in the habit of making the order since I have been upon the bench, and I believe it is the way in which all my associates do it.

3594. Q. Are you aware of a similar practice prevailing in the other courts of record here ?

A. I do not know. I know that when I was naturalized myself, twenty-three years since, that was the rule.

3595. Q. Look at the application of Michael Kerwin, and state if that is your signature upon it.

A. Yes, sir ; I remember that man, Kerwin ; and I remember Sullivan also.

3596. Q. Look at the application of Maximilian Beck, and state if your signature to that is genuine.

A. I think it is.

3597. Q. Examine the paper and state whether, in your judgment, these several names (not yours and the clerk's, but the other names) are not all executed by the same hand.

A. They appear to be all the same, but in such a case I would subject all the parties to a severe cross-examination. When I found papers like these in the same handwriting, I would ask the applicant for citizenship, and his witness if the signatures were theirs, and if they said they were, I took it for granted that it was true. The initials upon this paper of Maximilian Beck do not look like my signature, but they may have been signed by me with a new pen.

3598. Q. It appears that on the 14th day of October there were naturalized in the superior court 2,109 persons ; can you tell about how long you and your associates, who sat at all on that day, were in session ?

A. Yes ; I can tell you all about that day. Judge Garvin came down that morning early and opened his branch of the court. He stated to me the night before that there was a very great pressure of people to get their papers, and that I had better come down early and open another branch of the court. I came down the next morning about 10 o'clock and opened another branch of the court on the same floor. The court-room was crowded to suffocation, and my doing so did not seem to relieve the court at all. Judge Barber was up stairs holding another branch of the court in the general term room, and Judge Jones was also holding court in the little special term room, so that upon that day we had four judges naturalizing. I sat that night later than on any other night ; I felt it my duty to do so ; I look upon the boon of citizenship as a very great boon ; and I have no doubt that those applying for it look upon it in the same light.

3599. Q. How late did you sit that night ?

A. I think till after 11 o'clock.

3600. Q. Do you know how long the other judges sat ?

A. I think I can tell you. Judge Garvin was worn out, I think, about 1 o'clock in the day. He had come down there very early. Judge Jones I think sat till about 2 o'clock, and Judge Barber until about the same hour, until they broke the pressure. I remained in session until 11 at night.

3601. Q. Do you recollect the date of the institution of the proceedings against Rosenberg ?

A. I do not. I recollect that I refused men coming from there as witnesses repeatedly—men who I supposed were connected with that office.

3602. Q. From the 5th to the 13th of October, inclusive, there were

from 1,425 to 1,868 persons naturalized in a day—state whether you have any distinct recollection of the number of judges who co-operated in the business of naturalization upon those days.

A. No; I cannot tell; one day we had five judges sitting, and I believe I forgot to mention that Chief Justice Robertson naturalized some persons on the 14th; as a general thing he did not do much of that work. He was an old man and we tried to keep the rough work of the profession away from him.

3603. Q. Did you at any time during this business exclude the public from the room in which you were doing it?

A. Never. On the contrary, when a reporter for the press came in, I always offered him every facility in the world. We were doing this naturalization honestly and properly, and we did not care for the world seeing us. When I saw it charged in the papers that we had excluded some reporters, I felt very indignant indeed.

3604. Q. Do you know anything about a visit made to New York by Judge James, a non-resident judge of the supreme court of this State?

A. I will state all I know about it. Since I have had the honor to be a judge of the superior court I have refrained from interfering actively in elections, and I have remained at home after voting. This year I voted early, and then returned to my home and stayed there. While at home I was called for by some of my servants, stating that some men wanted to see me. I called them up in my library, and they told me that a man by the name of McLoughlin—I may be mistaken in the name, but he was an Irishman—had been arrested, and they stated the facts attending his arrest in a very concise way. They said that a certain judge was staying at the Metropolitan Hotel, and that this man had been taken there and was about to be sent somewhere else. I said I knew Judge James and knew him to be a good-hearted man, who would not perpetrate any wrong against even the humblest citizen, and that I would go and see him. I went down to the Metropolitan Hotel and inquired for Judge James, and they told me he was up-stairs, I think in room No. 101. I went up-stairs to that room and knocked at the door, and some person opened the door and saw who was there, because I am as well known here as the town pump. He announced the fact inside, and I suppose Judge James permitted me to enter. I did so, and represented to Judge James what I supposed was the correct theory of this arrest. This man McLoughlin, if that was his name, had moved from the district in which he lived into another district, or his district had been divided and he was uncertain in which district he ought to vote. He inquired of the inspectors in which district he should vote, and they told him in such and such a district. He voted in that district and left the polling booth to go elsewhere, and he was arrested and brought down for voting in an improper district. The man had not voted before, and had only voted once and in that district. I stated these facts to Judge James, and he said at once that the man must be liberated, and he did liberate him. While I was there one of my constituents, no doubt, was brought in, and he said, "Judge, I am not guilty in this matter at all."

3605. Q. Was he an Irishman?

A. No, sir; he was a native and "to the manor born," but he knew me very well. He said, "I am not guilty, and if his honor will send a police officer with me I will convince him that I am not guilty." I repeated what he had said to me to Judge James, and Judge James felt inclined to send an officer with him, but Mr. Jay was there and Mr. Bliss and Judge Hilton, and others (as Charles Lamb would say) "who did not belong to us," and the judge finally said that he could not afford time for

a police officer to go with the man. I then said, "I shall feel it incumbent upon me, if application is made to me, to issue a writ for this man to get him out," and I left; and I think Judge James left immediately after. That night or the next morning I issued a writ to bring up all Judge James's prisoners before me, and, after notifying him at the place where he had been and ascertaining that he had left for parts unknown, I discharged the squad arrested by him that day—and that ended the matter. I would say, in explanation, that I know Judge James to be a pure and high-minded man.

By the CHAIRMAN:

3606. Q. You have spoken of a squad having been arrested by him; do you mean that he arrested or ordered many men to be arrested?

A. They were arrested under his warrants as a magistrate.

3607. Q. Was he authorized to issue such warrants?

A. O, yes; we are all magistrates.

3608. Q. Were you present when Judge James released an election officer named S. S. Urmy?

A. I was there when some man was released. Some application was made while I was there, but I paid no attention to it; I was chatting with Mr. Jay and Judge Hilton.

3609. Q. From what you heard and saw, was the release properly made?

A. Well, I cannot speak of the release at all.

3610. Q. Has a judge power to discharge upon a *habeas corpus*?

A. He has power to inquire and discharge for proper reasons.

3611. Q. When an application is made in proper form, does a judge have power to discharge upon *habeas corpus* without giving notice to the district attorney?

A. Yes, I think he is bound by law to give notice to the district attorney of his county; the statute requires it.

3612. Q. Suppose the district attorney is not to be found, is the man to be kept in custody?

A. No; but the statute provides for the means of serving the notice; it declares explicitly that there shall be written notice served upon the district attorney, and the service of the paper is regulated by the statute.

3613. Q. Is the man to be kept in custody two days before he can have a hearing?

A. I think not. I have always been inclined to stretch the rule against that law, and I am one of the magistrates of this city who have done that. Sometimes, when I find a man really in distress and an innocent man, I stretch the law and let him go. I think the rule of law not imperative on the judge.

3614. Q. Do you recollect naturalizing in your court, on the 7th of October, 1868, Daniel Sullivan?

A. I think I do. I see my initials to his paper, and I have no doubt at all that he underwent a strict cross-examination. I think I remember the instance.

3615. Q. Do you remember naturalizing Maximilian Beck in your court on the 12th of October?

A. I remember a man by the name of Beck, whom I refused to naturalize, but I am inclined to think I naturalized this man; I think these are my initials upon his paper, although the signature is not my ordinary one.

3616. Q. Do you remember naturalizing Michael Kerwin on the 16th of October?

A. I think I do. In every case where I found the parties had not

signed the papers themselves, but had made their crosses or marks, I paid particular attention to a strict examination.

3617. Q. Do you remember naturalizing in your court, on the 8th of October, Joseph Rush?

A. Not without looking at the paper.

3618. Q. Do you remember naturalizing in your court, on the 25th of October, James Montgomery and John Wallace?

A. The names are familiar, but I do not know without looking at the papers.

3619. Q. Are you personally acquainted with a man by the name of Daniel Sullivan?

A. O, yes, and half a dozen of them.

3620. Q. Where does he live?

A. Well, I cannot tell you.

3621. Q. How long have you known him?

A. I have known one Sullivan for 27 years.

3622. Q. Are you personally acquainted with Michael Kerwin?

A. I do not remember. I know plenty of Kerwins; one of them is a reporter and a friend of mine. I remember naturalizing a man by the name of Kerwin, from the reason that I have known a man who is a newspaper reporter by the name of Kerwin.

3623. Q. Of what country are you a native?

A. I am an Irishman from the ends of my hair to my toe-nails.

3624. Q. How long have you been in the United States?

A. Since 1843.

3625. Q. Do you know Maximilian Beck personally?

A. The name is familiar to me. I rejected a man by the name of Beck, and that has stamped the name on my mind. Whether this Maximilian Beck is the one I rejected, or not, I cannot tell. I am inclined to think that I naturalized this man, from my signature to the paper.

3626. Q. Do you say that you rejected from 5 to 10 per cent. of the applications made?

A. At least that.

3627. Q. Were from 5 to 10 per cent. of the applications made by persons who, from evidence you had before you, were not entitled to naturalization?

A. They were made by persons who supposed themselves entitled to naturalization and were not. I will tell you how it was. Witnesses would come up for the purpose of testifying they had known applicants for two or three years before the application was made, but it would turn out in the cross-examination that they did not know the parties long enough. They supposed, being ignorant persons, that they had known them long enough, but upon close examination it would turn out that they had not, and the principal part of the refusals and of the papers being rejected was on that account. The man applying for the papers might have been long enough in the country, still the witness would not have known him long enough, and I would get out of patience and tear their papers up and tell them to pass along, because they were consuming time that was valuable.

3628. Q. What proportion of the persons naturalized did you know personally?

A. O, a great many; I have a wonderful recollection of faces, and I am pretty well known here among my own people and among the Germans, and we naturalized a great many Germans.

3629. Q. Were a great many naturalized whom you did not know?

A. Of course, a vast number; but I knew a great many.

2630. Was it the case that, if you did not know them, when they came up presenting themselves as applicants by given names, you took it for granted they were the men they represented themselves to be?

A. No, I did not; I gave them a very close cross-examination. When I saw that a man was honest and that the application was an honest one, perhaps I would pass them with a very ordinary examination.

3631. Q. You say that the applicant and witnesses were all sworn at one time?

A. No; not all at one time, but the applicant and witness alone. I never swore a batch. I administered the oath individually in every instance to the applicant and the witness.

3632. Q. In what form did you swear the parties?

A. To my invariable question, "Have you read the affidavit?" the answer would be, "Yes, sir." "Do you understand the contents thereof?" "Yes, sir." Then, if the witness swore with uplifted hands, I would administer this oath: "You do solemnly swear, in the presence of the ever-living God, that these affidavits you have subscribed are true;" or, if the witness swore on the book, "You solemnly swear that the affidavits you have subscribed are true." That was the end of the formula, and then the cross-examination would begin: "How long have you known this man in this country?" "So many years." "Do you know that he came here under the age of 18?" Well, if a man hesitated for a moment, I would tear up the papers and tell him to pass along; but, if the answer was, "I have known him from his boyhood," or "from when he was 16 years old in this country," I would then ask, "Do you know him to be a man of good moral character and attached to the Constitution of the United States of America?" If he said, "Yes," I would then turn to the applicant himself and ask him, "How long have you been in this country?" and, if I doubted the man, from his answer, I would ask him what ship he came over in, and from which port, for I have knowledge of almost all the steamships and packets, and if I found that the man prevaricated, then I would destroy the application.

3633. Q. Suppose it was not the application of a minor, but of an adult, what would be the process of naturalization?

A. He has his first certificate then, and it is only a question whether he has been in this country all the time since; or, if he has been abroad, whether it was with the intention of residing abroad. The applicant and his witness, in such a case, would be sworn in the same way that I have already stated. I would ask then: "Have you read the affidavits?" and if they said they had not, I would go on and read the affidavits; if they said "yes," I would swear them to the truth of the affidavits. After that I would ask the witness "How long have you known this man in this country?" and "Is he a man of good moral character?" &c. That was all.

3634. Q. You put the inquiry whether they had read the papers, before you administered the oath?

A. I did.

3635. Q. And then you swore them that the affidavits were true?

A. Yes, sir, I did; I never missed that.

3637. Q. The blank applications were filled up before the applicants and witnesses came into the court?

A. O, yes.

3638. Q. Did the applicants or the witnesses, or either of them, sign the papers in court?

A. Sometimes they would, but as a general rule they did not.

3639. Q. You have said that you arrested some parties; for what did you arrest them?

A. Some for testifying or attempting to testify to the identity of men they had not known long enough. I did it for the purpose of deterring those in my presence from attempting to perpetrate frauds.

3640. Q. How many did you arrest ?

A. Over 50.

3641. Can you name some of them ?

A. I cannot at this moment.

3642. Q. How long were they detained in custody ?

A. All day, and then I would let them go.

By Mr. DICKEY :

3643. Q. Did you not often find that persons attempted to be naturalized under the minor form who were not entitled to be ?

A. Plenty of them. I found men attempting to be naturalized who had been born here ; for what purpose I cannot tell you. I could detect them from their conversation, and I arrested many such men.

3644. Q. Were they trying to be naturalized under other names than their own ?

A. Undoubtedly. Some of them would say : " They will not allow me to vote," and I would answer " I cannot help that ; you cannot be naturalized, for you were born here."

3645. Q. Then you may have naturalized " natives to the manor born " under assumed names ?

A. Very few. I do not suppose there is another judge in town who knows so many of the class of persons that you are speaking of as I do. That class of young men you speak of are nearly all politicians, and they make it their business to know every man in the ward and his whereabouts and business, and are consummate politicians. These are the men who come in to be witnesses, and honestly witnesses. Sometimes I would stop them and say : " You cannot be a witness in this case," and they would ask " Why not ? I have known this man for 20 years." Well, perhaps the man would say it in such a way as would convince me at once that it was true.

3646. Q. Did you examine the handwriting of the subscribing witnesses ?

A. Sometimes I did, and would make them sign their names in my presence.

3647. Q. How often did you do that ?

A. Frequently.

3648. Q. Did you detect any of them ?

A. No, sir ; I did not.

3649. Q. From an examination of the papers there seem to be some signed by the same parties ; did you detect anything of that kind ?

A. I did once in a while, and then, for the purpose of relieving the court, I would say, " Is this your signature ?" Sometimes the man would say, " It is not my signature ;" but, if the man acknowledges it to be his signature, whether he signed it or not, it is his signature in law.

3650. Q. Then the court did not inquire whether he had really written it ?

A. Yes, sir ; I usually did. When I detected the fact that the signatures were all in one handwriting, I would ask, " Did you authorize this man to sign the paper ?" and he would say " Yes."

3651. Q. From the number of persons you naturalized, must not your cross-examinations have been exceedingly brief ?

A. A man can cross-examine a great many witnesses between 9 in the morning and 11 at night. I can examine two a minute.

3652. Q. And naturalize them ?

A. Yes, sir ; and do it as honestly as you can, or any other man living. A man with a quick, keen eye, and who understands human nature, cannot be cheated if he gets half a minute at a corrupt and bad witness.

By the CHAIRMAN :

3653. Q. Did any one witness appear before your court in a great number of cases ?

A. Yes, I think there were one or two who undertook to appear ; I stopped them.

3654. Q. Who were they ?

A. I think a man by the name of Murphy, and a man by the name of McCaffrey.

3655. Q. Do you know Patrick Goff ?

A. Yes ; I stopped him.

3656. Q. Do you know John McCaffrey ?

A. Yes, sir ; I stopped him after the name got familiar to my ear.

3657. Q. He was a deputy sheriff, was he not ?

A. I do not know.

3658. Q. Do you know how many persons had been naturalized on his testimony before you stopped him ?

A. I do not.

3659. Q. Do you know for how many he had been a witness before you stopped him ?

A. He cannot have been for many with me.

3660. Q. When you stopped him was anything done with the certificates that had been granted previously upon his testimony ?

A. I cannot tell that ; I had signed my name to some of them.

3661. Q. Did the court take any steps to revoke those previously signed upon his testimony ?

A. I do not know but that I may have sent over to the clerk to stop such papers.

3662. Q. Where the papers had been already delivered, did you take any steps to have them cancelled ?

A. I think I did upon several occasions.

3663. Q. How were they cancelled ?

A. After the clerk got them ; of course, not after the certificates were granted.

3664. Q. Has not the court power to set aside certificates of naturalization procured by fraud ?

A. Yes ; I have done it.

3665. Q. Cannot you make an order annulling a certificate of naturalization without having possession of the certificate ?

A. I suppose we can ; we can grant an order declaring that the persons naturalized shall not vote ; but they go to the registry and are registered and vote, and that is an end of the story.

3666. Q. You have stated that you released certain persons arrested on election day by Judge James. How were they released ?

A. Upon *habeas corpus*.

3667. Q. Were they released the same day ?

A. O, no ; I granted the writ the same day, but did not release them until I found out that Judge James did not intend to do anything more in the matter.

By Mr. HOPKINS :

3668. Q. About how many persons had McCaffrey sworn to as witness before you stopped him ?

A. I really cannot tell.

3669. Q. Six, eight, or ten ?

A. O, more than that, a great many more than that. McCaffrey was one of those ward politicians who had been born in the ward and resided in it. He knows everybody in the ward, and every foreigner who comes into the ward, and such a man is capable of testifying to any number of them if he knows the fact.

3670. Q. Then why did you stop him ?

A. He was carrying the thing to extremes—he had gone beyond reasonable bounds.

By Mr. ROSS :

3671. Q. How could certificates of naturalization be procured by persons who had not been before the court ?

A. By forgery only.

3672. Q. Suppose men testify that they have got papers that were sent to them in a different way ?

A. They must have been represented in court by some one else ; it is impossible for the court always to guard against that.

NEW YORK, *January 2, 1869.*

GEORGE W. WALLING, sworn and examined.

By the CHAIRMAN :

3673. Question. State what office you hold in the city of New York.

Answer. I am one of the inspectors of the metropolitan police force.

3674. Q. Name some of the duties of inspectors.

A. It is my duty, at the proper time, to be at the police headquarters, and for the balance of the time to supervise certain districts and visit them.

3675. Q. State what you know in relation to "repeaters," as they are called, or fraudulent voting, at the last presidential election in this city; and whether you arrested any parties or seized any papers in connection therewith ?

A. On the Friday night previous to the election, the night of the 30th of October, Superintendent Kennedy sent for me to meet him at the Fifth Avenue Hotel. I met him there, and he introduced me to a young man, whose name I do not know, and told me that this young man knew something about parties who were registering for the purpose of "repeating." I talked with him and directed him to meet me the next morning at 8 o'clock—Saturday, the 31st of October. I left him then, and went to the station-house to get six men from Captain Campbell, captain of the 18th precinct, in citizen's dress. I met the young man the next morning, and he then stated to me that a man by the name of William Varley, *alias* Reddy, the blacksmith, had charge of a company of "repeaters," who had been registering from Catharine street, and he believed they were going the next day to 29 East Broadway to register. I went near that vicinity, and from time to time I sent these officers that were now with me to watch number 29 East Broadway. They came back and reported several times that they saw no one, until about dinner time, between 12 and 1 o'clock, when we separated, and I directed them to meet me again after dinner. We got back probably near 2 o'clock. I sent them around again, and they came back and reported that they had seen several men come out from 29 East Broadway, and go to a place of registry, and go into a place of registry. Of course, the officers did not follow them in, for they might have suspected something. They followed the men; I saw them, after coming out of

the registry, go back to 29 East Broadway again, and then leave 29 East Broadway and go to another district, and go in there, and then come back again.

3676. Q. What was the first district they went to ?

A. I think it was the 1st district of the 7th ward. The officers came back and reported to me, "It is all right; they are now registering." We then separated. Some went up East Broadway and some down. One of the officers told me that he had seen a man standing on the stoop of the house who appeared to be on the look-out. Well, we rushed into the house, No. 29 East Broadway, and as we rushed in the man who was standing at the step rushed in also. There were seven persons there beside him; he made the eighth. I directed the officers to seize all the books. We seized a book that was on a table, at which a young man was sitting, and we took the eight persons whom we found there, with the book, to the police headquarters. The book is here, and I now produce it. I think it is marked "1st, 3d, and 6th districts of the 7th ward."

By Mr. KERR:

3677. Q. Who were those men who had charge of the book ?

A. The man watching on the stoop was a deputy sheriff; I do not recollect his name now. All the names are entered at our headquarters. One of the parties arrested there was a party whom I knew very well by reputation as a pickpocket. I do not know the name he gave at headquarters.

3678. Q. Were the persons you arrested there officers of election ?

A. No, sir; they did not claim to be. They stated that it was the roll of a club; that was the statement of the parties.

3679. Q. Did they tell you what the club was organized to do ?

A. No; they did not say.

3680. Q. What was the business of the fellows you arrested ?

A. I knew but one of them positively. He is a pickpocket, or has that reputation. The deputy was on the stoop. He went in as they rushed in.

3681. Q. Do you know that he had anything to do with it ?

A. I cannot say anything about that. He was on the stoop and the officers reported to me that he had been on the stoop for some time, watching.

3682. Q. Did you arrest him with the others ?

A. I did.

3683. What did he say when he was arrested ?

A. Well, he denied being connected with the party.

3684. Q. Did you take him to headquarters ?

A. Yes, we took the whole eight.

3685. Q. What was done with them ?

A. They were discharged that night on *habeas corpus*.

By Mr. DICKEY:

3686. Q. Who granted the *habeas corpus* ?

A. Well, I can only inform you from what I learned. I will state the circumstances. We took the men to police headquarters. I wished to find Reddy, the blacksmith, whom I knew well and wanted to go to his place to arrest him, or to look for any books that I might find there. As I was going out I met Counsellor Howe, and he requested me to take the prisoners before the police court. It was near 4 o'clock and the court had not closed. I said there was another party I wished to get, and I immediately left the building and went down to Reddy the blacksmith's place. I did not find him, but I searched his place, and at

his place I got the book and the papers which I now produce. When I returned to police headquarters it was after court hour. Counsellor Howe had stated that unless I took the prisoners immediately before the police court he would *habeas* them.

By the CHAIRMAN:

3687. Q. You say the parties arrested were released on *habeas corpus* the same night?

A. I found them released on *habeas corpus* the next morning.

3688. Q. Were they held to bail or discharged?

A. They were discharged.

3689. Q. By whom?

A. Judge Barnard.

3690. Q. Were they kept in custody two days?

A. No, sir; I went to the police headquarters the next morning to take them before the police court, and then I learned they had been discharged over night. The book which I took from 29 East Broadway, and which I have produced, is a four-quire book, in a board cover, leather binding, and of the usual size of foolscap paper. I delivered it the same night to the superintendent. At the first part of the book several leaves have been torn out, and also several leaves have been torn out towards the last part of the book. There are pages on which names and numbers of streets are left. The book is in the same condition now that it was when I took possession of it.

By Mr. KERR:

3691. Q. Where has this book been since you captured it?

A. I presume in the custody of John A. Kennedy, superintendent of police. I have seen it in his custody at different times. I saw it in his office the night before last.

3692. Q. When you first got the book did you make a critical examination of it and its contents?

A. I think I examined the list of names, and noticed the districts, &c., and numbers.

3693. Q. How many pages of names were there at the time you got it?

A. I cannot say; I made no memorandum.

3694. Q. How many districts did they contain?

A. Three, I think.

3695. Q. Which districts were they?

A. I recollect the first and sixth distinctly, and I think the third, but I am not positive whether it was the second or third.

3696. Q. Do you know how many names were in the book?

A. I believe one hundred and twenty-six; I am not positive.

3697. Q. Was the book when you got it exactly as it is now? Were the numbers of streets carried out as they are here?

A. Yes, sir. I have no doubt about that at all.

3698. Q. Did you make any particular memorandum of the number of names or the names themselves at the time?

A. No, sir. I delivered it over to Superintendent Kennedy. I casually ran over the names and I think I counted them, but I am not positive about it.

3699. Q. How long have you been connected with the police of this city?

A. Twenty-one years on the 24th of last month; I have been a patrolman and captain of police, and part of the time I was captain of the detective force at police headquarters.



3700. Q. How many of these persons whose names are on the book did you know personally ?

A. I did not look over them with a view to ascertain.

3701. Q. Did you have any distinct recollection that you knew any of them ?

A. No, sir. I did not recollect particularly that I knew any of the names.

3702. Q. Are the names of the parties you arrested on the book ?

A. I do not know.

3703. Q. What became of the part of the book that has been torn out ?

A. I do not know ; it was torn before I got it.

To the CHAIRMAN :

WITNESS. The book which I have produced, and which I got at Reddy the blacksmith's, is similar in size and binding to the first book which I produced, and has also a number of leaves torn out of it from the front part of the book. The paper is different from that of the other book, in this, that the other book is white paper, ledger form, with top ruling and ruling at the sides, while this is blue paper with only cross-ruling. The first two leaves which are left in this book not torn out have names written on them and numbers of streets, and slips have been cut out so that the first leaf is nearly all cut away. Out of the second leaf two slips have been cut. The next page has fifteen names with numbers of streets on it, headed "Sixth Ward, Ninth District." Then after a few pages there is another page with names and numbers of streets on it, with part of the top and bottom of the leaf cut off. Then follows a page nearly all cut out. In the book are seventeen slips of white paper with marginal endings, similar to the first book. Some of the slips have names only on them, while others have names and numbers of streets ; most of them names only. I present a specimen of each sort of slip. These slips have evidently been cut out of the book first produced, or one like it. The slips presented are as follows :

"Georg Nolan,
"44 Market street."

"Edward Reardin."

WITNESS. In this latter book there are also upon separate slips of paper other names and numbers, and some papers of no importance.

By Mr. KERR :

3704. Q. State whether at the time you got this second book you carefully examined it and made any memorandum of its contents with a view to identify it hereafter, or whether you just handed it, after a general examination, to Superintendent Kennedy ?

A. I handed it to Superintendent Kennedy after a cursory examination.

3705. Q. Since then you have had no custody of either of the books ?

A. No, sir ; I have seen them.

3706. Q. Do you know the number of names in this last book ?

A. I do not.

3707. Q. Do you know the persons whose names are in it ?

A. I know William Varley.

3708. Q. Do you find the following entries in the book ? "Grand Army of the Republic. Many men of many ——." "Early and Often Association will hold their third annual ball."

A. Yes, sir.

By Mr. DICKEY :

3709. Q. What became of Varley ?

A. He was not arrested; he was not in either place. Varley kept a drinking saloon.

NEW YORK, *January 2, 1869.*

HOWARD T. MARSTON sworn and examined.

By the CHAIRMAN :

3710. Question. State if you prepared certain statistical tables from official sources and otherwise; and if so, what they are.

Answer. Yes, sir, I have; and I now present them to the committee.

3711. Q. Make such a statement as will enable the committee to understand what the tables are, and the results that they establish.

A. I made an abstract of the total number of men enrolled in the city and county of New York for 1863-'64, and noted the exceptions; which exhibit I have marked "A."

3712. I then made an abstract from the census of 1865, showing the total population by counties; also the total number of votes in the State—the native and naturalized in separate columns; also the number of aliens. I then added four per cent. per year for three years, to find the whole number of estimated voters in the State. I then gave the republican and democratic and total vote of the State for 1868, as published in the daily journals; then the per cent. of votes to voters, and the per cent. of voters to total population; and the per cent. of aliens to total population; which exhibit is marked "B."

3713. I then made an abstract of the actual number of votes polled from 1865 to 1868—the vote for secretary of state, president, governor, &c., in their order; that is, the vote for President when it occurred, and then for governor; otherwise, for secretary of state. And also the per cent. of increase for three presidential terms, commencing with 1856 and ending with 1868; which exhibit is marked "C."

3714. I then made an abstract of the male population of New York city by wards, showing the whites and colored in separate columns; which exhibit is marked "D."

3715. I then made an abstract of the comparative population of the city of New York from 1790 to 1865 inclusive, by wards, showing the actual increase of numbers, the time of formation of the different wards, and from what taken; all of which is official, and from the State census; which exhibit is marked "E."

3716. I then made and examined personally an abstract of the total population of the State of New York, by counties, from the censuses for the years 1845-'50-'55-'60, and 1865; which exhibit is marked "F."

3717. I then had made and examined personally an abstract of the number and nativity of the male population of New York city; which exhibit is marked "G."

3718. I then made an abstract showing the number of votes polled in excess of the registry of the different wards and districts of the city of New York; which exhibit is marked "K."

3719. I then had made and personally examined an abstract showing the total male population of the 6th ward—census of 1860 and 1865; which exhibit is marked "L."

3720. I then had made and personally examined an abstract showing the total number of votes polled by wards and districts in the city of New York, at the November election of 1868; which exhibit is marked "M."

3721. I then had made and personally examined an abstract showing the total number of votes registered, and by wards and districts, in the city of New York, for the November election of 1868; which exhibit is marked "N."

3722. I then made an abstract from the census of 1865, showing the number of votes; then added four per cent. per year for three years; I then gave the actual vote of 1868; I then added four and a half per cent. per year since, to the census of 1865; which exhibit is marked "H."

3723. I then made an abstract showing the number of voters in the State of New York, by counties, for the years 1835-'45-'55, and 1865, taken from the State censuses for those years; which is shown in columns, numbers 1, 2, 3 and 4 of Exhibit O.

3724. From these columns I computed the rate of increase per year for the last 10 years and the last 30 years. These are given in numbers 7, 8, 9, 10, 11 and 12 of the same exhibit.

3725. I then took the annual rate of increase for 30 years, and computed the number of voters in each county in 1868 at such rate of increase for each county; that is shown in number 5 of the same exhibit.

3726. I then made the same computation, using the annual rate of increase for each county, as shown in the last ten years; that is shown in number 6 of the same exhibit.

3727. I copied from the census the percentage of voters to the total population, as given in the last four State censuses; which is shown in numbers 13, 14, 15 and 16 of the same exhibit.

3728. I then made an estimate of the number of voters in the State, by counties, using as my basis the annual rate of increase for that particular decade, as shown by these tables; this is shown in numbers 17, 18, 19 and 20 of the same exhibit.

3729. I then took from the Tribune Almanacs the total number of votes actually polled during the same years; which is shown in numbers 21, 22, 23 and 24 of the same exhibit.

3730. Q. State if these tables are correct.

A. They are correct, to the best of my knowledge and belief, as I computed them carefully, and have compared them and looked them over.

By Mr. KERR:

3731. Q. How long have you lived in the city of New York?

A. I came here last April or May.

3732. Q. Where did you live before?

A. In New Hampshire.

3733. Q. What is your business here?

A. I am a lawyer by profession.

3734. What are your politics?

A. I am a democrat.

3735. For whom did you vote at the last election?

A. I did not vote at all; I had not been in the city long enough.

3736. With whom did you co-operate in the last presidential election?

A. With the democratic party.

3737. Upon whose procurement did you make these various tables?

A. I was employed to do it by the Union League committee.

3738. How did you get at the number of persons enrolled in 1863-'64?

A. I took it, I think, although I cannot swear positively, from the enrolment as published in the "Transcript" at the Astor library.

By the CHAIRMAN :

3739. Q. Did you make any political speeches during the recent presidential canvass ?

A. I did.

3740. Q. Where.

A. Some in this city; some in other parts of the State; and some in the first district of Maine, just before the congressional election in the fall. Shaw and Lynch were the candidates for Congress.

3741. Q. For which party did you make those speeches ?

A. For the democratic party.

A.—*The number of men enrolled in the city of New York, 1863-'64.*

Wards.	Number enrolled.	Wards.	Number enrolled.
First	3,049	Thirteenth	5,621
Second	1,210	Fourteenth	5,724
Third	1,700	Fifteenth	5,706
Fourth	4,803	Sixteenth	8,522
Fifth	5,516	Seventeenth	15,811
Sixth	4,096	Eighteenth	9,331
Seventh	7,608	Nineteenth	7,104
Eighth	7,719	Twentieth	10,819
Ninth	8,425	Twenty-first	7,534
Tenth	7,510	Twenty-second	8,497
Eleventh	10,835		
Twelfth	3,912	Total	151,052

The following are the recognized causes of exemption from enrolment :

1. Being over 45 years of age.
2. Being under 20 years of age.
3. Being an alien, and never having voted or declared his intention to become a citizen.
4. Having furnished a substitute in anticipation of the draft.
5. Having been drafted and paid commutation.
6. Having been drafted and furnished a substitute.
7. Having been drafted and received a certificate of permanent physical disability.
8. Being permanently physically disqualified.
9. Having served two years in the army or navy, during the present war, and been honorably discharged.

B.—Comparison of the vote of New York of 1865-'68.

Counties.	Total population.	Votes in the State in 1865.			Aliens.	Twelve per cent. added to the total voters in the State in 1865.	Republican vote of 1868.	Democratic vote of 1868.	Total vote of 1868.	Per cent. of votes to voters.	Per cent. of voters.	Per cent. of aliens to total population.
		Native.	Naturalized.	Total.								
Albany.....	115,504	15,097	9,626	24,723	10,422	27,690	12,137	14,080	26,217	95	21.40	9
Allegany.....	40,285	9,054	1,034	10,088	916	11,298	6,555	2,823	9,378	81	25.01	2
Broome.....	37,933	8,784	778	9,562	1,134	10,709	5,727	3,885	9,612	87	25.26	3
Cattaraugus.....	43,158	8,828	1,506	10,334	1,817	11,574	6,153	3,868	10,021	87	23.44	4
Cayuga.....	55,730	11,689	1,901	13,590	3,210	15,221	8,261	4,880	13,141	86	24.38	6
Chautauqua.....	58,499	12,235	1,993	14,228	3,506	15,935	9,387	4,441	13,828	86	24.32	6
Chemung.....	31,923	6,540	910	7,450	2,015	18,344	3,709	3,707	4,416	88	23.33	6
Chenango.....	38,360	9,799	537	10,336	514	11,576	5,875	4,093	9,968	85	26.94	1
Clinton.....	45,713	5,287	2,765	8,052	6,094	9,018	4,213	3,709	7,922	88	17.61	13
Columbia.....	44,905	9,311	1,324	10,635	2,009	11,911	5,354	5,661	11,015	92	23.68	4
Cortland.....	24,815	6,136	456	6,592	533	7,383	4,082	2,109	6,191	86	26.57	7
Delaware.....	41,638	9,528	1,054	10,582	770	11,852	5,621	4,288	9,909	84	25.41	2
Dutchess.....	65,192	12,534	2,585	15,119	4,806	16,933	8,201	7,490	15,691	92	23.19	7
Erie.....	155,773	14,098	15,343	29,441	20,838	32,974	15,822	14,454	30,276	91	18.89	13
Essex.....	28,644	5,014	1,107	6,121	2,339	6,856	3,606	2,150	5,756	79	21.36	8
Franklin.....	28,145	4,031	1,474	5,505	2,832	6,166	3,403	2,264	5,667	90	19.55	10
Fulton.....	24,512	5,192	703	5,895	563	6,602	*3,662	*3,150	6,812	91	24.04	2
Genesee.....	31,219	5,960	1,505	7,465	2,327	8,361	4,254	2,847	7,101	84	23.91	7
Greene.....	31,710	7,089	656	7,745	721	8,674	3,447	3,954	7,401	84	24.42	2
Hamilton.....	2,653	573	84	657	38	736					24.76	1
Herkimer.....	39,154	8,054	1,666	9,720	2,027	10,886	5,346	4,109	9,455	85	22.27	5
Jefferson.....	66,448	13,579	1,947	15,526	4,865	17,389	8,421	5,883	14,304	80	23.36	7
Kings.....	311,090	29,950	28,274	58,224	53,435	65,211	27,707	39,838	67,545	102	18.72	17
Lewis.....	27,840	4,834	1,843	6,677	1,397	7,478	3,412	3,238	6,650	82	23.98	5
Livingston.....	37,555	7,422	1,633	9,055	2,244	10,142	4,823	3,465	8,288	81	24.11	6
Madison.....	42,506	9,984	1,176	11,160	1,574	12,499	6,266	3,968	10,234	78	26.25	4
Monroe.....	104,235	13,312	8,465	21,777	11,488	24,390	11,682	10,019	21,701	85	20.89	11
Montgomery.....	31,447	6,572	1,122	7,694	972	8,617	3,981	3,810	7,791	88	24.46	3
New York.....	726,396	51,500	77,475	128,975	151,838	144,452	47,738	108,316	156,154	108	17.75	20
Niagara.....	49,283	7,090	3,132	10,222	5,710	11,449	5,118	4,695	9,813	83	20.74	12
Oneida.....	102,713	16,234	8,255	24,489	6,045	27,428	12,593	11,276	23,869	80	23.84	6
Onondaga.....	92,972	15,552	5,857	21,409	6,995	23,978	12,320	9,023	21,343	87	23.02	8
Ontario.....	43,316	8,785	1,702	10,487	2,715	11,746	5,782	4,163	9,945	82	24.21	6
Orange.....	70,165	12,244	2,733	14,977	6,046	16,774	8,129	7,879	16,008	96	21.10	9
Orleans.....	28,603	5,850	1,106	6,956	1,999	7,791	3,904	2,446	6,350	84	24.32	7
Oswego.....	76,200	14,001	3,660	17,061	5,601	19,108	9,563	6,108	15,671	82	22.38	9
Otsego.....	48,616	12,222	732	12,954	1,088	14,509	6,568	6,075	12,643	80	26.64	2
Putnam.....	14,845	3,106	339	3,445	1,185	3,859	1,537	1,728	3,285	82	23.21	8

Queens.....	57,997	8,171	3,630	11,801	5,506	13,217	4,973	6,388	11,361	85	20.34	10
Rensselaer.....	88,210	13,034	6,064	19,098	8,290	21,390	10,551	10,381	20,932	98	21.65	9
Richmond.....	28,209	3,213	2,414	5,627	3,956	6,302	2,221	3,019	5,240	78	19.94	14
Rockland.....	20,788	3,549	770	4,319	1,938	4,837	1,866	2,762	4,628	96	20.77	9
St. Lawrence.....	80,994	13,269	3,495	16,764	8,310	18,776	11,888	3,941	15,829	80	20.69	10
Saratoga.....	49,892	9,959	1,823	11,782	2,828	13,196	6,436	5,266	11,702	88	23.61	6
Schenectady.....	20,888	3,621	1,249	4,870	944	5,454	2,473	2,333	4,806	88	23.31	4
Schoharie.....	33,353	7,763	320	8,083	343	9,053	3,284	4,736	8,620	88	24.23	2
Schuyler.....	18,441	4,535	339	4,874	292	5,459	2,771	2,040	4,871	88	26.43	2
Seneca.....	27,653	5,536	1,107	6,643	1,201	7,440	2,807	3,287	6,094	80	25.34	1
Stenben.....	66,192	14,004	1,762	15,766	2,232	17,658	8,647	6,461	15,108	84	23.66	3
Suffolk.....	42,869	9,058	903	9,961	1,533	11,156	4,589	4,185	8,774	76	23.23	4
Sullivan.....	32,741	5,597	1,876	7,473	1,251	8,370	3,287	3,662	6,949	80	22.51	4
Tioga.....	28,163	6,812	402	7,214	447	8,080	4,323	3,191	7,514	94	25.61	2
Tompkins.....	30,696	7,556	443	7,999	509	8,959	4,646	3,100	7,746	86	26.06	2
Ulster.....	75,609	13,009	3,215	16,224	4,563	18,171	8,044	8,524	16,568	96	21.44	6
Warren.....	21,128	4,100	640	4,740	950	5,309	2,711	2,239	4,950	92	22.43	4
Washington.....	46,244	9,153	1,614	10,767	3,364	12,059	6,662	4,063	10,725	88	23.28	7
Wayne.....	47,498	9,539	1,917	11,456	2,163	12,831	6,322	4,405	10,727	81	24.11	5
Westchester.....	101,197	14,290	6,189	20,479	12,395	22,937	9,641	11,667	21,308	92	20.23	12
Wyoming.....	30,033	6,143	1,390	7,533	1,217	8,437	4,226	2,591	6,817	80	21.75	4
Yates.....	19,338	4,630	452	5,082	513	5,692	3,136	1,750	4,886	84	26.27	2
Total.....	3,827,818	583,611	239,873	823,484	399,463	922,302	419,883	429,883	849,766	92	21.51	10.43

* And Hamilton.

C.—Whole number of votes polled from 1855 to 1868, inclusive, showing the rate per cent. of increase for three presidential terms.

Counties.	Secretary of state.	President.	Secretary of state.	Governor.	Secretary of state.	President.	Secretary of state.	Governor.	Secretary of state.	President.	Secretary of state.	Governor.	Secretary of state.	President.	Secretary of state.	President.	Per cent. of increase from 1856 to 1860.	Per cent. of increase from 1860 to 1864.	Per cent. of increase from 1864 to 1868.
	1855.	1856.	1857.	1858.	1859.	1860.	1861.	1862.	1863.	1864.	1865.	1866.	1867.	1868.					
Albany	14,731	18,068	15,540	18,257	16,469	20,980	16,571	19,238	19,971	23,140	19,681	22,854	22,778	26,217	16	10	13		
Allegany	6,199	9,041	5,928	7,329	6,904	8,973	6,190	8,289	7,807	8,801	6,537	8,951	8,376	9,378	—	2	7		
Broome	5,176	7,194	5,623	6,524	6,406	7,430	5,324	7,018	7,050	8,142	6,332	8,548	8,330	9,612	3	9	18		
Cattaraugus	5,814	7,917	6,061	7,717	6,873	9,364	6,135	8,064	8,076	9,081	6,470	9,146	8,389	10,021	18	3	10		
Cayuga	8,215	10,776	7,603	9,653	9,721	11,876	8,060	10,513	10,984	11,942	9,618	11,798	11,169	13,141	10	6	10		
Chautauqua	8,128	10,901	7,157	9,170	8,801	12,154	8,881	10,890	10,933	12,692	8,812	12,564	11,667	13,828	11	4	9		
Chemung	3,790	5,219	4,309	5,079	4,866	5,427	4,797	5,210	5,531	6,401	5,715	6,849	6,679	7,416	4	13	16		
Chemango	6,939	8,934	7,181	8,479	8,096	9,371	7,757	8,819	8,869	9,585	7,743	9,551	9,182	9,968	5	2	4		
Columbia	6,785	8,819	7,003	8,077	8,069	9,830	8,329	8,823	9,220	10,116	9,009	10,038	9,862	11,015	12	3	9		
Cortland	4,366	5,405	3,692	4,867	5,102	5,605	3,857	5,365	5,608	6,046	4,707	5,902	5,572	6,191	4	8	2		
Clinton	4,187	6,104	4,166	5,660	6,436	7,231	4,364	6,057	6,196	7,017	5,292	7,288	6,633	7,922	18	3	13		
Delaware	5,965	8,483	5,899	7,940	7,084	8,213	7,131	8,404	8,661	9,546	7,317	9,316	9,113	9,909	—	3	16	4	
Dutchess	8,987	11,564	8,818	11,330	10,307	12,834	10,112	10,424	11,914	13,844	11,478	13,362	13,527	15,691	11	8	13		
Erie	15,393	19,957	13,821	20,216	16,882	23,315	18,712	21,425	22,902	26,431	22,498	25,660	25,304	30,276	17	13	15		
Essex	3,727	5,033	3,840	4,516	3,914	5,247	3,705	4,447	4,523	5,388	4,003	4,992	4,863	5,756	4	3	6		
Franklin	3,391	4,214	3,353	4,600	4,586	4,505	4,285	4,575	4,769	4,676	3,373	4,811	4,816	5,667	7	4	21		
Fulton	3,692	5,001	3,410	4,312	5,115	*6,008	*4,851	*5,355	4,796	*5,859	*5,304	*5,952	*6,021	*5,812	9	—	3	16	
Genesee	4,339	6,134	4,289	4,856	5,351	6,920	4,433	6,050	6,244	6,802	5,501	6,413	6,074	7,101	12	2	4		
Greene	4,854	6,043	4,326	5,724	5,753	6,671	6,474	6,316	6,432	6,084	5,604	6,742	6,526	7,401	12	5	6		
Hamilton	(t)	516	496	514	609				564										
Herkimer	6,226	7,954	5,796	7,699	7,699	8,664	6,701	7,989	8,500	9,294	7,424	9,013	8,647	9,455	9	7	2		
Jefferson	8,852	12,803	10,620	12,245	11,864	14,327	10,399	12,409	12,615	14,434	11,243	13,461	12,802	14,394	12	7	1		
Kings	20,661	30,667	21,571	24,770	21,013	36,466	21,931	32,476	30,586	46,564	39,335	48,800	50,178	67,545	19	28	45		
Lewis	3,403	4,656	3,417	4,602	4,277	5,531	4,134	5,130	5,050	5,989	4,269	5,852	5,663	6,650	18	8	11		
Livingston	5,727	7,228	5,190	6,235	5,891	8,439	5,762	7,463	7,373	8,133	6,519	7,673	7,225	8,288	17	4	2		
Madison	6,431	9,038	6,447	8,167	7,481	9,505	7,036	8,870	8,893	9,930	7,458	9,442	9,105	10,234	5	4	13		
Monroe	11,501	15,337	10,978	13,816	11,858	18,099	10,633	15,694	16,206	19,310	14,892	18,233	17,259	21,701	18	6	12		
Montgomery	5,248	6,274	4,894	5,991	5,759	6,781	6,209	6,543	6,678	7,427	6,489	7,234	7,118	7,791	8	9	5		
New York	56,047	79,606	59,670	69,699	56,734	95,583	57,328	76,848	66,896	110,390	81,868	114,169	111,862	156,054	20	15	41		
Niagara	5,845	7,755	5,836	6,871	6,991	8,733	5,558	8,058	8,212	9,126	7,718	8,705	8,486	9,813	13	4	7		
Oneida	13,936	19,159	14,721	19,457	17,594	21,519	15,554	19,805	19,670	22,964	17,893	23,552	21,713	23,863	12	7	4		
Onondaga	11,374	16,022	12,209	15,493	14,915	18,465	13,592	17,089	17,962	19,709	14,125	19,594	18,724	21,343	15	7	8		
Orange	7,596	10,394	7,545	9,044	11,909	9,460	11,155	11,388	13,417	13,368	13,417	10,923	13,483	16,098	15	3	18		
Ontario	6,306	8,382	5,820	7,598	6,675	9,398	6,938	8,200	8,245	9,398	7,348	9,043	8,625	9,945	12	0	6		
Orleans	4,140	5,552	4,433	4,794	4,105	3,778	5,315	5,652	6,213	4,942	5,691	5,435	6,350	9	2	2			
Oswego	8,421	13,104	9,068	12,059	11,854	14,490	8,391	12,318	13,114	15,031	11,140	13,848	13,168	15,674	10	4	4		
Otsego	7,903	11,197	9,276	10,349	10,381	11,604	10,074	11,198	11,530	12,198	9,895	12,132	11,593	12,643	4	5	4		
Putnam	1,771	2,538	1,756	2,275	2,228	2,568	2,152	2,595	2,582	3,061	2,160	2,759	2,781	3,285	1	19	7		

Queens	4,501	0,801	4,905	5,032	4,833	8,141	6,125	7,360	6,423	0,694	6,040	8,185	7,930	11,361	10	10	15
Rensselaer	10,892	14,110	11,051	13,820	12,835	10,865	13,097	14,841	15,434	18,330	15,191	17,084	18,267	20,833	20	13	13
Richmond	2,926	3,237	2,720	2,949	3,317	3,778	3,511	3,530	3,494	4,438	3,103	3,978	3,027	5,340	17	18	18
Rockland	2,067	3,131	2,088	2,498	3,500	3,779	3,159	3,379	3,005	3,739	2,708	3,532	3,293	4,028	21	1	24
Saratoga	7,593	9,551	7,741	9,180	8,769	10,452	9,022	9,725	9,629	10,624	6,977	10,289	10,431	11,702	9	2	5
Schenectady	3,037	3,714	3,084	3,659	3,559	4,148	3,869	4,029	4,129	4,572	4,375	4,467	4,405	4,806	11	10	5
Schuyler	2,847	3,984	3,193	3,744	3,705	4,259	4,023	4,003	4,049	4,469	3,708	4,480	4,165	4,871	7	5	9
Schoharie	5,567	6,843	5,281	6,274	6,108	7,492	6,617	7,143	7,338	7,680	6,611	7,734	6,945	8,020	9	3	4
Seneca	3,530	5,053	3,818	4,788	4,268	6,015	4,894	5,223	5,330	5,947	5,179	5,881	5,547	6,094	19	—	2
St. Lawrence	8,609	12,980	8,027	10,962	11,183	15,331	8,718	13,391	13,045	14,912	9,566	13,794	13,250	15,829	18	—	6
Suffolk	3,816	6,418	3,621	4,849	4,326	7,275	5,439	6,708	6,614	8,332	5,765	7,656	7,129	8,774	13	14	5
Sullivan	4,452	5,310	3,671	4,828	4,772	6,114	5,220	5,739	5,996	6,508	5,218	6,508	6,116	6,040	15	6	7
Stenben	8,419	12,521	8,189	11,426	10,609	13,273	11,109	12,373	12,149	13,912	10,292	13,528	12,818	15,106	6	4	9
Tioga	4,299	5,920	4,465	5,711	5,603	6,503	4,996	6,092	6,400	6,798	5,217	6,738	6,631	7,514	9	5	10
Tompkins	4,766	6,919	5,302	6,183	5,794	7,374	5,228	6,632	6,985	7,514	6,058	7,408	6,861	7,746	6	3	3
Ulster	9,119	11,665	8,592	10,940	9,630	13,027	11,422	12,339	12,044	14,666	10,929	13,919	13,529	16,568	12	12	13
Warren	3,130	3,943	3,102	3,797	3,866	4,689	4,067	4,104	4,333	4,568	3,844	4,466	4,734	4,950	10	2	6
Washington	7,019	8,654	6,298	8,289	7,709	9,655	6,929	8,274	8,291	9,863	7,419	9,007	9,003	10,725	12	2	9
Wayne	7,368	9,223	6,929	8,379	7,868	10,606	7,475	9,338	9,452	10,514	8,309	10,047	9,065	10,727	15	—	2
Wyoming	4,740	6,548	4,048	5,571	4,940	6,888	3,811	6,074	6,066	6,691	5,127	6,403	5,860	6,817	5	—	2
Westchester	8,443	12,691	8,626	11,150	10,873	14,852	10,418	13,421	12,715	16,962	11,591	15,812	15,581	21,308	17	14	26
Yates	3,524	4,260	2,890	3,915	3,444	4,480	3,493	4,111	4,235	4,729	3,635	4,354	4,886	5	10	3	
Total	435,950	596,486	439,866	544,780	503,730	675,156	487,139	602,510	599,289	730,732	570,067	718,841	698,110	849,826	13.2	8.2	16.3
	—(6)	+(3)	—(77)	+(36)	—(2)		+(5)	+(36)		—(11)		+(16)	—(60)				

*And Hamilton. † With Fulton. ‡ Soldiers' vote of 1,236 not included, and an error of 2,950, making a difference of 4,166 between this total and the total of the Tribune Almanac.

Average increase for three presidential terms, 12.5.

— shows loss.

D.—Male population of New York city—From the census of 1860.

Wards.	Males, white.	Males, colored.	Wards.	Males, white.	Males, colored.
First	9, 155	58	Fifteenth	12, 429	332
Second	1, 437	47	Sixteenth	20, 748	239
Third	1, 970	22	Seventeenth	35, 055	127
Fourth	12, 152	48	Eighteenth	25, 244	128
Fifth	10, 815	652	Nineteenth	13, 793	236
Sixth	13, 319	146	Twentieth	31, 687	623
Seventh	19, 720	59	Twenty-first	22, 155	155
Eighth	17, 713	1, 261	Twenty-second	31, 812	70
Ninth	20, 664	168			
Tenth	14, 411	85	Total	386, 908	5, 391
Eleventh	29, 165	92	Includes	4, 614	77
Twelfth	14, 319	135			
Thirteenth	16, 189	267	Under 20 years	175, 278	.....
Fourteenth	12, 956	441	Over 20 years	216, 243	.....

E.—Comparative population of the city of New York from 1790 to 1855.*

Wards.	When formed.	From what taken.	1790.	1800.	1810.	1814.	1820.	1825.	1830.	1835.	1840.	1845.	1850.	1855.	1860.	1865.
First				4,320	7,941	7,630	12,085	9,929	11,331	10,380	10,629	12,230	19,754	13,486	18,148	9,652
Second				5,167	8,493	7,439	8,214	9,315	8,203	7,549	6,394	6,962	6,665	3,249	2,506	1,194
Third				6,449	7,426	7,495	9,201	10,801	9,599	10,884	11,581	11,900	10,355	7,909	3,757	3,367
Fourth				6,935	10,226	9,856	10,736	12,240	12,705	11,439	15,770	21,000	23,250	22,895	21,994	17,352
Fifth				9,148	14,744	14,523	12,421	15,093	17,722	18,495	19,159	20,362	22,686	21,617	22,337	18,205
Sixth				13,076	11,286	11,821	13,309	20,061	13,570	14,827	17,188	19,343	24,698	25,562	26,696	19,754
Seventh	1791			15,394	12,120	10,886	13,006	14,192	15,873	21,481	22,982	25,556	32,690	34,422	39,982	36,962
Eighth	1803				9,128	10,702	13,766	24,285	20,729	28,570	29,073	30,960	34,612	34,052	39,406	30,098
Ninth	1803				4,719	4,343	11,162	10,956	17,333	20,618	24,795	30,967	40,657	39,982	44,385	38,504
Tenth	1808	7th ward			10,290	10,824	17,806	23,932	16,438	20,928	29,026	20,993	23,316	26,378	29,004	31,537
Eleventh	1825							7,344	14,915	26,845	17,653	27,259	43,758	52,979	59,571	58,953
Twelfth	1825							7,938	11,808	24,437	11,652	13,378	10,451	17,656	30,651	28,259
Thirteenth	1827	10th ward							12,598	17,130	18,517	22,411	28,246	26,597	32,917	26,388
Fourteenth	1827	6th and 8th wards							14,288	17,306	20,235	21,103	25,196	24,754	28,080	23,382
Fifteenth	1832	9th ward								13,202	17,755	19,422	22,564	24,046	27,587	25,572
Sixteenth	1836	12th ward									22,723	40,350	52,882	39,823	45,176	41,972
Seventeenth	1837	11th ward									18,619	27,147	43,766	59,548	72,953	79,563
Eighteenth	1846	16th ward											31,546	39,415	57,462	47,613
Nineteenth	1850	12th ward												18,465	17,866	32,795
Twentieth	1851	16th ward													47,055	67,519
Twenty-first	1853	18th ward													27,914	49,017
Twenty-second	1853	19th ward													22,605	61,725
Total			33,131	60,489	96,373	95,519	123,706	166,068	197,112	268,089	312,710	371,223	515,547	629,810	813,669	726,386

* New York city was divided into six wards in 1683.

F.—Population of New York city from 1845 to 1865.

Wards.	When formed.	From what taken.	1845.	1850.	1855.	1860.	1865.
First	1791		12,230	19,754	13,486	18,148	9,859
Second	1791		6,962	6,665	3,249	2,506	1,194
Third	1791		11,900	10,355	7,909	3,757	3,367
Fourth	1791		21,000	23,250	22,895	21,944	17,351
Fifth	1791		20,362	22,686	21,617	22,337	18,205
Sixth	1791		19,343	24,698	25,562	26,696	19,754
Seventh	1791		25,356	32,690	34,422	39,982	36,962
Eighth	1803		30,900	34,612	34,052	39,406	30,028
Ninth	1803		30,907	40,657	39,982	44,385	38,504
Tenth	1808		20,993	23,316	26,378	29,004	31,537
Eleventh	1825		27,259	43,758	52,979	59,571	58,933
Twelfth	1825		13,378	10,451	17,656	30,651	28,259
Thirteenth	1827		22,411	28,246	26,597	32,917	26,388
Fourteenth	1827		21,103	25,196	24,754	28,080	23,382
Fifteenth	1832		19,422	22,564	24,046	27,587	25,372
Sixteenth	1836		40,350	52,882	39,822	45,176	41,973
Seventeenth	1837		27,147	43,766	59,548	72,953	79,563
Eighteenth	1846	16th ward		31,546	39,415	57,462	47,613
Nineteenth	1850	12th ward		18,465	17,866	32,795	39,945
Twentieth	1851	16th ward			47,055	67,519	61,884
Twenty-first	1853	18th ward			-27,914	49,017	38,669
Twenty-second	1853	19th ward			22,605	61,725	47,361
Total population			371,223	515,547	629,810	813,669	726,386

G.—Number and nativity of male population of New York city—Census of 1860.

NATIVE.

Males, white	209,014
Males, colored	5,237
	<u>214,251</u>

FOREIGN.

Males, white	182,462
Males, colored	228
	<u>182,690</u>

Total males..... 396,941

NATIVITY OF FOREIGN WHITE MALES.

Germany	63,811	France	4,172
Ireland	86,580	All others	8,845
England	14,113		
Scotland	4,941	Total	<u><u>182,462</u></u>

H.—*Census of 1865 estimated at four per centum increase for three years compared with the actual vote of November, 1868.*

Wards.	Census.	Census of 1865 increased at the rate of 4 per cent. for three years.	Actual vote polled in November, 1868.	Census of 1865 increased at the rate of 4 per cent. for three years.
	1865.	1868.	1868.	1863.
First	1,906	2,135	3,206	2,163
Second	277	310	450	314
Third	744	833	1,072	844
Fourth	3,088	3,458	4,312	3,505
Fifth	3,295	3,690	3,583	3,740
Sixth	4,145	4,642	5,401	4,705
Seventh	6,150	6,868	8,211	6,991
Eighth	5,499	6,159	6,803	6,241
Ninth	9,999	8,959	9,379	9,079
Tenth	5,462	6,117	5,993	6,199
Eleventh	9,222	10,329	10,343	10,468
Twelfth	4,720	5,286	6,626	5,357
Thirteenth	4,799	5,375	5,759	5,447
Fourteenth	4,324	4,843	5,252	4,908
Fifteenth	5,313	5,951	5,097	6,030
Sixteenth	6,949	7,827	8,193	7,933
Seventeenth	13,301	14,897	14,823	15,097
Eighteenth	8,576	9,605	10,211	9,734
Nineteenth	7,286	8,160	9,582	8,280
Twentieth	10,643	11,920	11,851	12,080
Twenty-first	7,064	7,912	9,871	8,018
Twenty-second	8,113	9,087	10,037	9,208
Total	128,975	144,382	*156,060	146,341

* The actual vote of 1868 at the November election, as given in the transcript by wards severally, is 156,060. The recapitulation shows a total of 156,050, a mistake of 10 votes, as shown by the above footing.
156,060—144,382=11,678.

K.—*Excess of vote over registry—November election.*

District.	Ward.	Registered.	Vote.	Excess.
Sixth	Fifth	520	588	68
Eleventh	Sixth	863	864	1
Thirteenth	Eighteenth	513	517	4
Twenty-first	Nineteenth	180	190	10
Twenty-third	Nineteenth	179	227	48
Thirtieth	Nineteenth	285	305	20
First	Twenty-second	885	900	16
Total				167

L.—*Total male population, Sixth ward, census 1860 and 1865.*

1860.		1865.	
White	13,319	White	9,574
Colored	146	Colored	143
			9,717
Loss in male population, as shown by census	3,748		

M.—Vote of the city of New York, by districts and wards, at the November election, 1868.

Districts.	1st ward.	2d ward.	3d ward.	4th ward.	5th ward.	6th ward.	7th ward.	8th ward.	9th ward.	10th ward.	11th ward.	12th ward.	13th ward.	14th ward.	15th ward.	16th ward.	17th ward.	18th ward.	19th ward.	20th ward.	21st ward.	22d ward.	Grand total.
First.....	869	202	484	665	151	36	710	342	596	582	589	491	360	360	624	586	566	516	385	413	610	901	.....
Second.....	763	248	280	867	153	162	1,143	333	628	537	391	979	461	450	500	354	376	680	416	482	382	653	.....
Third.....	737	.....	216	682	501	543	665	222	561	381	817	826	465	379	473	347	423	771	259	293	409	632	.....
Fourth.....	418	.....	92	537	465	371	416	567	643	541	345	546	535	668	694	501	381	653	175	148	361	893	.....
Fifth.....	195	.....	.....	480	448	832	886	279	717	600	668	394	410	453	258	487	526	627	335	472	778	458	.....
Sixth.....	224	.....	.....	451	588	776	872	415	635	306	447	314	551	707	381	536	462	461	449	668	670	592	.....
Seventh.....	630	622	564	467	389	765	594	342	941	414	525	351	497	632	597	200	337	362	612	.....
Eighth.....	655	249	709	472	308	567	648	503	469	483	671	643	416	493	697	577	531	487	.....
Ninth.....	553	766	408	389	643	559	311	344	486	390	632	498	193	274	502	508	585	.....
Tenth.....	451	840	475	374	501	455	556	450	534	438	447	510	383	387	304	481	297	.....
Eleventh.....	864	737	566	538	461	307	765	313	207	317	410	573	275	179	403	236	589	.....
Twelfth.....	435	583	280	330	.....	437	.....	.....	729	413	339	372	329	346	405	.....
Thirteenth.....	309	391	.....	317	.....	179	.....	.....	445	460	517	477	241	433	790	.....
Fourteenth.....	268	666	.....	327	.....	380	.....	.....	403	470	531	600	280	581	585	.....
Fifteenth.....	443	616	.....	325	.....	.....	.....	.....	360	600	416	214	274	713	654	.....
Sixteenth.....	505	635	.....	562	.....	.....	.....	.....	480	333	252	389	411	655	570	.....
Seventeenth.....	375	334	.....	338	.....	.....	.....	.....	180	516	387	245	619	599	334	.....
Eighteenth.....	449	.....	.....	.....	.....	256	533	232	428	596	660	.....	.....
Nineteenth.....	542	.....	.....	.....	.....	.....	496	344	86	430	526	.....	.....
Twentieth.....	278	.....	.....	.....	.....	.....	217	353	573	488	.....	.....	.....
Twenty-first.....	160	.....	.....	.....	.....	.....	410	500	190	550	.....	.....	.....
Twenty-second.....	214	.....	.....	.....	.....	.....	381	226	183	487	.....	.....	.....
Twenty-third.....	429	.....	.....	.....	.....	.....	367	180	227	536	.....	.....	.....
Twenty-fourth.....	229	.....	.....	.....	.....	.....	281	285	174	444	.....	.....	.....
Twenty-fifth.....	275	.....	.....	.....	.....	.....	289	.....	282	326	.....	.....	.....
Twenty-sixth.....	277	.....	206	358	.....	.....	.....
Twenty-seventh.....	431	.....	419	293	.....	.....	.....
Twenty-eighth.....	299	.....	106	192	.....	.....	.....
Twenty-ninth.....	345	.....	280	398	.....	.....	.....
Thirtieth.....	388	.....	305	.....	.....	.....	.....
Thirty-first.....	374	.....	79	.....	.....	.....	.....
Thirty-second.....	333	.....	.....	.....	.....	.....	.....
Thirty-third.....	378	.....	.....	.....	.....	.....	.....
Thirty-fourth.....	388	.....	.....	.....	.....	.....	.....
Thirty-fifth.....	486	.....	.....	.....	.....	.....	.....
Total.....	3,306	450	1,072	4,312	3,583	5,401	8,211	6,803	9,879	5,993	10,343	6,626	5,759	5,252	5,097	8,193	14,828	10,211	9,582	11,851	9,871	10,037	156,060

N.—Registration of New York county, by districts and wards, November election, 1868.

District.	1st ward.	2d ward.	3d ward.	4th ward.	5th ward.	6th ward.	7th ward.	8th ward.	9th ward.	10th ward.	11th ward.	12th ward.	13th ward.	14th ward.	15th ward.	16th ward.	17th ward.	18th ward.	19th ward.	20th ward.	21st ward.	22d ward.
1....	945	227	524	766	158	39	803	385	693	637	645	513	390	413	691	637	612	568	420	440	660	885
2....	831	271	296	982	171	168	1,223	394	716	573	409	1,103	503	510	535	382	408	738	534	682	417	885
3....	742	.....	229	814	535	580	752	257	610	417	897	871	504	392	531	372	458	836	269	320	479	667
4....	463	.....	103	595	533	386	440	637	695	576	379	585	553	750	763	535	407	709	201	152	631	970
5....	205	.....	.....	538	483	873	932	304	800	641	720	428	441	489	283	524	562	696	369	504	903	487
6....	253	.....	.....	509	520	839	1,034	462	678	335	597	510	611	770	410	552	490	507	473	725	795	645
7....	724	673	594	507	432	828	634	378	1,031	439	597	449	531	683	682	217	363	411	652
8....	717	259	766	526	333	612	695	528	498	519	736	701	445	538	934	619	576	521
9....	582	836	432	411	714	594	323	365	532	432	691	547	206	291	541	594	628
10....	513	959	497	402	520	488	570	487	563	468	479	554	406	408	331	527	315
11....	863	793	589	571	469	328	800	339	240	330	434	613	292	182	432	262	657
12....	502	627	305	357	.....	480	.....	.....	675	437	360	454	355	372	425
13....	347	457	.....	334	.....	193	.....	.....	476	479	513	515	255	473	873
14....	283	739	.....	343	.....	397	.....	.....	436	502	572	654	297	628	640
15....	513	664	.....	345	.....	.....	.....	.....	370	629	459	221	288	849	707
16....	576	696	.....	.....	.....	.....	.....	.....	512	359	259	425	433	705	613
17....	402	362	.....	369	.....	.....	.....	.....	188	551	414	263	685	633	352
18....	463	.....	.....	.....	.....	265	568	251	472	638	674	.....
19....	577	.....	.....	.....	.....	.....	538	364	90	563	575	.....
20....	231	.....	.....	.....	.....	.....	231	389	620	.....	.....	.....
21....	176	.....	.....	.....	.....	.....	441	522	180	591	.....	.....
22....	228	.....	.....	.....	.....	.....	410	246	200	546	.....	.....
23....	462	.....	.....	.....	.....	.....	387	189	179	571	.....	.....
24....	245	.....	.....	.....	.....	.....	301	311	184	494	.....	.....
25....	245	.....	.....	.....	.....	.....	205	.....	297	354	.....	.....
26....	292	.....	.....	.....	.....	.....	.....	.....	212	381	.....	.....
27....	453	.....	.....	.....	.....	.....	.....	.....	452	305	.....	.....
28....	317	.....	.....	.....	.....	.....	.....	.....	116	205	.....	.....
29....	365	.....	.....	.....	.....	.....	.....	.....	302	438	.....	.....
30....	410	.....	.....	.....	.....	.....	.....	.....	285	.....	.....	.....
31....	385	.....	.....	.....	.....	.....	.....	.....	85	.....	.....	.....
32....	346	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
33....	403	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
34....	406	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
35....	542	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Total	3,539	498	1,152	4,928	3,790	5,686	9,035	7,538	10,282	6,433	11,219	7,262	6,200	5,775	5,628	8,760	15,836	11,027	10,504	13,044	11,164	10,922

RECAPITULATION BY WARDS.

1st ward.....	3,539	4th ward.....	4,928	7th ward.....	9,035	10th ward.....	6,433	13th ward.....	6,200	16th ward.....	8,760	19th ward.....	10,504	22d ward.....	10,922
2d ward.....	498	5th ward.....	3,790	8th ward.....	7,538	11th ward.....	11,219	14th ward.....	5,775	17th ward.....	15,836	20th ward.....	13,044		
3d ward.....	1,152	6th ward.....	5,686	9th ward.....	10,282	12th ward.....	7,262	15th ward.....	5,628	18th ward.....	11,027	21st ward.....	11,164	Total.....	170,222

O.—Actual and estimated number

Counties.	Actual number of voters—official.				Estimated number of voters according to No. 11, for 1868.	Estimated number of voters according to No. 12, for 1868.	Rate per cent. of increase from 1855 to '45.	Rate per cent. of increase from 1845 to '55.	Rate per cent. of increase from 1855 to '65.	Per cent. of increase for 30 years.	Average annual increase for past 30 years.	Average annual increase for past 10 years.
	1835.	1845.	1855.	1865.								
Albany.....	10,941	15,878	18,616	24,723	27,096	27,170	45.1	17.2	33.0	95.0	3.2	3.3
Allegany.....	7,013	8,754	9,884	10,088	10,481	10,693	25.0	13.0	09.0	40.0	1.3	0.2
Broome.....	4,102	5,814	8,282	9,562	10,599	9,992	42.0	42.0	15.0	99.0	3.3	1.5
Cattaraugus.....	5,030	6,588	8,651	10,334	11,171	10,954	31.0	31.0	21.0	82.0	2.7	2.0
Cayuga.....	10,058	11,140	11,526	13,590	13,997	14,323	11.0	03.0	18.0	32.0	1.0	1.8
Chautauqua.....	9,012	10,159	11,912	14,228	14,911	14,996	12.8	17.0	18.5	48.3	1.6	1.8
Cheunung.....	.....	5,191	5,859	7,450	*7,919	8,053	.....	12.9	27.0	*43.0	*2.1	2.7
Chemung.....	8,681	9,393	9,700	10,336	10,522	10,553	08.0	03.0	07.0	18.0	0.6	0.7
Columbia.....	3,304	3,304	5,306	6,374	8,052	8,922	8,680	61.0	26.0	407.4	3.6	2.6
Columbia.....	8,534	9,444	9,412	10,635	10,890	11,049	11.0	00.0	13.0	24.0	0.8	1.3
Cortland.....	5,057	5,741	5,902	6,592	6,770	6,839	13.5	03.0	12.0	28.5	0.9	1.2
Delaware.....	6,875	8,190	9,065	10,582	11,058	11,121	19.0	10.5	16.7	46.2	1.5	1.7
Dutchess.....	10,611	12,149	12,498	15,119	15,709	16,026	15.0	03.0	21.0	39.0	1.3	2.0
Eric.....	9,974	14,631	21,743	29,441	33,239	32,620	46.0	49.0	36.0	131.0	4.3	3.6
Essex.....	4,157	5,296	5,652	6,121	6,378	6,268	27.0	07.0	08.0	42.0	1.4	0.8
Franklin.....	2,083	3,356	4,462	5,505	6,149	5,284	61.0	33.0	23.4	117.4	3.9	2.3
Fulton.....	.....	4,203	5,066	5,895	*6,012	6,189	.....	20.5	16.3	*40.0	*2.0	1.6
Genesee.....	11,808	6,599	6,477	7,465	7,264	7,801	-45.0	60.0	15.2	-29.8	-0.9	1.5
Greene.....	6,257	6,884	6,952	7,745	7,908	8,090	10.0	01.0	11.0	22.0	0.7	1.1
Hamilton.....	.....	428	599	657	*708	674	.....	40.0	09.0	*53.0	*2.6	0.9
Herkimer.....	7,699	8,592	8,578	9,720	9,953	10,099	11.0	00.0	13.0	24.0	0.8	1.3
Jefferson.....	10,498	13,772	14,266	15,526	16,178	15,945	31.0	03.0	09.0	43.0	1.4	0.9
Kings.....	5,107	12,896	32,627	58,224	80,931	71,848	152.0	153.0	78.0	383.0	13.0	7.8
Lewis.....	3,161	4,287	5,284	6,677	7,238	7,197	36.0	23.0	26.0	85.0	2.8	2.6
Livingston.....	6,486	7,300	8,136	9,055	9,354	9,354	12.0	11.0	11.0	34.0	1.1	1.1
Madison.....	8,757	9,615	9,974	11,160	11,461	11,561	10.0	04.0	12.0	26.0	0.9	1.2
Monroe.....	11,151	14,231	17,272	21,777	23,410	23,475	27.6	21.4	26.0	75.0	2.5	2.6
Montgomery.....	9,932	6,592	6,786	7,694	8,248	7,694	-33.3	03.0	13.4	-7.2	2.4	1.3
New York.....	43,091	63,927	88,877	128,975	146,000	146,386	48.3	39.0	45.2	132.5	4.4	4.5
Niagara.....	5,000	6,784	8,257	10,222	11,049	10,957	35.7	22.0	24.0	81.7	2.7	2.4
Oneida.....	14,426	17,435	20,946	24,489	25,884	25,584	22.0	20.1	16.6	57.7	1.9	1.6
Onondaga.....	12,409	15,812	16,993	21,409	22,950	23,678	27.0	07.0	26.6	70.6	2.4	2.6
Ontario.....	8,334	9,405	9,147	10,487	10,738	10,937	13.0	-03.0	14.6	24.6	0.8	1.4
Orange.....	8,873	10,590	11,301	14,977	15,839	16,414	19.0	07.0	32.0	58.0	1.9	3.2
Orleans.....	4,696	5,759	5,704	6,956	7,269	7,415	23.5	00.0	22.0	44.5	1.5	2.2
Oswego.....	7,467	10,310	14,609	17,061	18,698	17,931	32.0	41.6	16.7	96.3	3.2	1.7
Otsego.....	10,434	11,745	12,177	12,954	13,226	13,197	12.5	04.0	06.0	22.5	0.7	0.6
Putnam.....	2,409	3,009	3,037	3,445	3,579	3,579	25.0	00.0	13.4	38.4	1.3	1.3
Queens.....	4,797	6,168	8,187	11,801	13,040	13,359	28.5	33.0	44.0	105.5	3.5	4.4
Rensselaer.....	11,019	13,437	14,933	19,098	20,244	20,644	22.0	11.0	27.3	60.3	2.0	2.7
Richmond.....	1,476	2,618	3,795	5,627	6,268	6,437	77.0	45.0	48.0	171.0	5.7	4.8
Rockland.....	2,076	2,772	3,580	4,319	4,669	4,578	33.0	29.0	20.6	82.6	2.7	2.0
St. Lawrence.....	7,234	11,885	13,984	16,764	18,474	17,719	64.5	18.0	19.8	102.0	3.4	1.9
Saratoga.....	8,011	9,582	10,377	11,782	12,241	12,241	12.0	08.0	13.0	40.0	1.3	1.3
Schenectady.....	3,290	3,365	3,790	4,870	5,074	5,272	02.0	03.0	28.0	43.0	1.4	2.8
Schoharie.....	5,781	7,053	7,376	8,083	8,374	8,311	22.0	04.5	09.0	35.5	1.2	0.9
Schuyler.....	.....	.....	4,377	4,874	5,034	.....	.....	.....	11.0	.....	.....	1.1
Soneca.....	4,690	5,459	5,395	6,643	6,902	7,101	16.5	-01.0	23.0	38.5	1.3	2.3
Stenben.....	8,177	11,212	14,151	15,766	16,948	16,286	37.0	26.2	11.4	75.0	2.5	1.1
Suffolk.....	6,034	7,767	7,939	9,961	10,499	10,678	28.7	02.0	24.0	54.7	1.8	2.4
Sullivan.....	2,903	4,019	5,727	7,473	8,302	8,145	38.0	42.5	39.0	110.5	3.7	3.0
Tioga.....	7,110	4,933	6,181	7,214	7,235	7,581	-42.0	25.0	16.7	0.3	0.1	1.7
Tompkins.....	7,809	8,668	7,456	7,999	8,239	8,166	11.0	-14.0	07.0	4.0	1.0	0.7
Ulster.....	8,313	10,546	13,097	16,224	17,440	17,392	27.0	24.0	24.0	75.0	2.5	2.4
Warren.....	2,544	3,373	4,165	4,740	5,110	4,939	31.0	23.0	13.7	89.0	2.6	1.4
Washington.....	8,181	9,203	9,355	10,767	11,658	11,251	12.0	01.6	14.5	28.0	0.9	1.5
Wayne.....	7,496	9,348	10,205	11,456	11,971	11,868	25.0	09.0	12.0	46.0	1.5	1.2
Westchester.....	7,772	9,858	14,245	20,479	22,813	23,182	27.0	44.0	43.7	115.0	3.8	4.4
Wyoming.....	.....	5,767	7,064	7,533	*7,871	7,691	.....	22.0	06.6	*30.0	*1.5	0.7
Yates.....	3,694	4,822	4,474	5,082	5,234	5,280	23.0	-07.2	13.6	29.0	1.0	1.3
Total.....	422,034	539,379	632,322	823,484	.....	.....	28.0	21.0	26.5	75.5	2.5	2.6

* Estimate for twenty years.

of votes and voters, &c.—1868.

13	14	15	16	17	18	19	20	21	22	23	24
Official per cent. of voters to total population.				Estimated number of voters for four presidential terms.				Tribune Almanac.—Actual number of votes polled for four presidential terms.			
1835.	1845.	1855.	1865.	1856.	1860.	1864.	1868.	1856.	1860.	1864.	1868.
18.30	20.55	17.95	21.40	19,230	21,687	23,908	27,170	18,068	20,980	23,140	26,217
25.89	27.87	23.04	25.01	9,903	9,982	10,693	10,693	9,011	8,973	8,801	9,378
20.31	22.53	22.59	25.26	8,406	8,903	9,132	9,992	7,194	7,430	8,142	9,612
20.42	21.43	21.85	23.94	8,809	9,300	9,714	10,954	7,917	9,364	9,081	10,021
20.44	22.43	21.56	24.38	11,733	12,563	13,346	14,323	10,776	11,876	11,942	13,141
20.07	21.86	22.31	24.32	12,126	12,984	13,972	14,996	10,901	12,154	12,692	13,828
.....	21.91	21.52	23.33	6,017	6,649	7,249	8,053	5,219	5,427	6,401	7,416
21.29	23.54	24.30	26.94	9,768	10,233	10,119	10,553	8,934	9,371	9,585	9,968
15.92	16.96	19.57	17.61	6,539	7,202	7,843	8,680	6,104	7,231	7,017	7,922
20.94	22.49	21.19	23.68	9,534	10,013	10,497	11,049	8,819	9,630	10,116	11,015
20.92	22.89	24.50	26.57	5,972	6,256	6,513	6,829	5,405	5,605	6,046	6,191
20.18	22.14	22.80	25.41	9,219	9,835	10,403	11,121	8,483	8,213	9,546	9,909
20.93	22.04	20.60	23.19	12,747	13,747	14,817	16,026	11,564	12,834	13,844	15,691
17.31	18.66	16.42	18.89	22,525	25,656	28,482	32,620	19,957	23,315	26,431	30,276
20.02	21.06	19.79	21.36	5,697	5,878	6,073	6,268	5,033	5,247	5,388	5,556
16.65	17.95	17.50	19.55	4,564	4,975	5,379	5,884	4,214	4,505	4,676	5,667
.....	22.62	21.96	24.04	5,147	5,471	5,801	6,180	5,001	*6,008	*5,859	*6,812
20.15	22.55	20.87	23.91	6,574	6,962	7,354	7,801	6,134	6,920	6,802	7,101
20.73	21.54	22.32	24.42	7,028	7,334	7,660	8,000	6,043	6,671	6,984	7,401
.....	22.74	23.11	24.76	604	625	652	674	516	.....	.....	.....
21.28	22.85	22.23	22.27	8,689	9,135	9,594	10,099	7,954	8,664	9,294	9,455
19.77	21.19	21.71	23.36	14,333	14,845	15,387	15,945	12,803	14,327	14,434	14,304
15.93	16.39	15.07	18.72	35,171	45,351	53,683	71,848	30,667	36,466	46,564	67,545
19.64	21.20	20.94	23.98	5,431	5,970	6,504	7,197	4,656	5,331	5,989	6,650
20.86	21.99	21.44	24.11	8,235	8,583	8,956	9,354	7,228	8,439	8,133	8,288
20.98	23.46	22.82	26.25	10,093	10,572	11,027	11,561	9,038	9,505	9,930	10,234
20.19	20.67	17.92	20.89	17,721	19,517	21,211	23,475	15,337	18,099	19,310	21,701
20.53	22.23	21.99	24.46	6,874	7,227	7,594	7,994	6,274	6,781	7,427	7,791
15.95	17.22	14.11	17.75	92,876	108,574	123,172	146,386	79,676	93,583	110,390	156,054
18.87	19.63	16.95	20.74	8,455	9,247	9,977	10,957	7,755	8,733	9,126	9,813
18.60	20.56	19.43	23.84	21,281	22,621	24,098	25,564	19,159	21,519	22,964	23,669
20.37	22.53	19.56	23.02	17,370	19,134	20,853	23,078	16,022	18,465	19,709	21,343
20.39	22.07	21.43	24.21	9,275	9,787	10,341	10,927	8,382	9,398	9,398	9,945
19.67	20.25	18.57	21.10	11,662	13,109	14,498	16,414	10,194	11,909	13,417	16,008
20.51	22.24	20.10	24.32	5,829	6,331	6,803	7,415	5,552	6,105	6,213	6,350
19.53	21.28	21.09	22.38	14,857	15,851	16,771	17,931	13,104	14,490	15,031	15,671
20.09	23.25	24.48	26.64	12,350	12,542	12,877	13,197	11,197	11,604	12,198	12,643
21.72	22.69	21.80	23.21	3,076	3,234	3,401	3,579	2,538	2,568	3,061	3,265
19.88	19.37	17.68	20.54	8,547	9,988	11,282	13,259	6,891	8,141	9,684	11,361
19.85	21.55	18.85	21.65	15,336	16,948	18,583	20,644	14,116	16,885	18,536	20,932
19.19	19.08	17.74	19.94	3,977	4,705	5,357	6,437	3,232	3,778	4,438	5,240
21.41	20.17	18.34	20.77	3,651	3,938	4,233	4,578	3,131	3,779	3,732	4,628
17.24	18.07	18.65	20.69	14,249	15,312	16,446	17,719	12,980	15,331	14,912	15,829
21.07	23.34	21.02	23.61	10,512	11,051	11,629	12,241	9,551	10,452	10,624	11,702
20.37	21.85	19.36	23.31	3,896	4,320	4,734	5,279	3,714	4,148	4,572	4,806
20.28	21.71	22.00	24.23	7,425	7,701	8,011	8,301	6,843	7,492	7,680	8,291
.....	23.30	20.40	26.43	4,425	4,617	4,821	5,034	3,984	4,259	4,469	4,870
20.73	21.86	21.27	25.34	4,519	4,015	4,491	4,701	5,053	6,015	5,947	6,094
19.73	21.69	22.47	24.66	14,516	14,929	15,503	16,286	12,522	13,273	13,912	15,108
21.34	22.47	18.40	21.23	8,129	8,588	9,122	10,678	6,418	7,275	8,332	8,774
21.14	21.46	19.43	22.51	5,898	6,586	7,249	8,145	5,310	6,114	6,508	6,949
20.44	21.97	22.92	25.61	6,886	6,706	7,092	7,581	5,920	6,503	6,798	7,514
20.54	22.80	23.63	26.06	7,508	7,716	7,944	8,166	6,919	7,374	7,514	7,746
20.80	21.13	18.68	21.44	13,111	14,668	15,835	17,392	11,655	13,027	14,066	16,568
21.14	22.62	21.17	22.43	4,223	4,456	4,674	4,939	3,943	4,689	4,568	4,850
20.80	22.69	21.06	23.28	9,495	9,786	10,606	11,251	8,654	9,655	9,863	10,725
19.83	21.98	21.81	24.11	10,327	10,817	11,319	11,868	9,223	10,606	10,514	10,727
20.04	20.07	17.65	20.23	14,871	17,378	19,578	22,182	12,691	14,852	16,962	21,308
.....	21.42	21.96	21.75	7,113	7,311	7,481	7,691	6,548	6,888	6,691	6,817
19.61	23.21	21.57	26.27	4,532	5,029	5,016	5,280	4,260	4,489	4,729	4,886
.....
19.77	20.71	19.18	21.51	.....	.....	.....	.....	596,486	675,156	730,732	849,826

* With Hamilton.

NEW YORK, *January 4, 1869.*

HENRY DONOVAN sworn and examined.

To the CHAIRMAN :

3742. I was chairman of the board of inspectors of the 13th precinct, 22d ward, city of New York, at the last State election. On election day Michael Connolly, one of the police justices of the city and candidate at that election for register of the county of New York, came in the polling place and in a very overbearing and officious manner said I was not conducting the election properly; that I was delaying it, and he tried in various ways to intimidate me. I told him he was disturbing the peace and interfering with the election, and was amenable to arrest, even if he was police justice. He left then, and in about 20 minutes afterwards he returned, and going into the room where the inspectors were, and reaching his hand over to the desk of Mr. Evans, the democratic inspector, he took his polling-book containing the names of persons registered and entitled to vote. I remonstrated with him; told him nobody was allowed to have that book but the inspector. He kept the book, however, and commenced reading off, in a loud voice and looking towards the crowd standing outside, the names of the persons who had not voted, and saying to the crowd, "What have you fellows been about; this chap (meaning me) has been scaring away a good many," &c. Among the names he called out was William D. Conover. After a while Connolly left, and a little while afterwards and about 10 minutes before the closing of the polls a man came up and presented a ballot and gave the name of William D. Conover. I knew he was not the man. I was about to swear him, when the crowd cried out, "Johnny, don't swear; don't swear to spite him." He then refused to swear and went away.

To Mr. KERR :

The man didn't vote. I know William D. Conover, and know the man who offered to vote in his name was not Conover. I am a republican. Judge Connolly is a democrat; has recently been elected register on the democratic ticket; he lives in the same district that I do.

NEW YORK, *January 4, 1869.*

NATHANIEL R. MILLS sworn and examined.

To the CHAIRMAN :

3743. I held the office of captain of the 8th precinct metropolitan police, in this city, during the year 1868. In the latter part of October, 1868, Assistant District Attorney Hutchins sent for me and said he had a bench warrant for the arrest of the notorious thief Wesley Allen which he wanted me to enforce, but that he wanted it kept strictly private, and he enjoined me to tell nobody that I had it. I had arrested Allen some time before on a charge of larceny, for stealing some \$300 from a woman in Canal street, but the jury not agreeing, he was released on his own recognizance. So soon as I received the warrant I kept a strict look-out for Allen; saying to nobody that I had the warrant; not even reporting it to the superintendent, as perhaps I should have done. I made a vigorous search for Allen everywhere, going over to Brooklyn, where his mother lived, and to other places where he frequented. It was not till the 16th of November that I saw him. He was standing on the corner of Prince and Mercer streets with a number of other notorious thieves. I went over and arrested him; he seemed somewhat surprised, and told me that the matter had been fixed up in the district attorney's office. I told him I had heard nothing about it, and took him to the station-house,

and the next day to the district attorney's office. He had bail waiting for him there, but no bail was received, and he was sent to the Tombs. He was there, I understand, nearly a month, when he was set at liberty, and is now at large. He has been to State's prison twice; the second time for stealing a watch from a gentleman by the name of Williams. He was pardoned out for this offence. He was pardoned by Governor Fenton; the alleged reason for issuing the pardon was some informality in the trial.

To Mr. DICKEY:

3744. I did not communicate the fact of my having the warrant for Allen's arrest to a single human being. I exercised the greatest care to let no one know of it. About a week before I arrested Allen, my sergeant called my attention to a paragraph in the Police Gazette, stating that I had a warrant for Allen's arrest. I was astonished, for I had not told a living soul of it.

To Mr. KERR:

A little while after Allen had been pardoned out I met him on the street and asked him how it was he was there; how he got out of prison. He said he had been pardoned out and intended to act on the "square" hereafter. Some time afterwards I met Mr. Hall and I asked him how it was Wesley Allen had been pardoned. He said he was satisfied that Allen was not the man who robbed Williams; that he had united with others in asking his pardon. This occurred about two and a half or three years ago. I vote generally with the republican party, but I exercise my judgment and vote for any ticket I like.

NEW YORK, *January 4, 1869.*

JOHN B. MCKEAN sworn and examined.

By Mr. KERR:

3745. Question. What has been your business for the half dozen years last past?

Answer. I have been a clerk in the supreme court, circuit part first.

3746. Q. Who has been the chief clerk?

A. Charles E. Loew.

3747. Q. What were your special duties, if you had any assigned you, during the month of October last in connection with the business of naturalization?

A. The only thing connected with naturalization that I had was to sign Mr. Loew's name to the certificates of naturalization issued by the supreme court.

3748. Q. Did you do that duty?

A. I did.

3749. Q. So far as you know did any other deputy perform any material part in that duty during that month?

A. No person but me signed the name of Mr. Loew to these papers.

3750. Q. Who had charge during this time and was employed in making the impression upon the certificates of naturalization of the official seal of the court?

A. I did that.

3751. Q. Then you both executed the name of the clerk and impressed the official seal on the certificates?

A. Yes, sir.

3752. Q. Tell the committee whether that official seal was out of your custody at any time; and if so, for how long during the month of October.

A. There are two seals of the court; one of them is in the county clerk's office, and the other was in my possession during the time the naturalization certificates were issued; I had it for the purpose of placing the seal upon the certificates, and every evening when I left I locked it up in the safe.

3753. Q. During the time that this business was transacting were you much in the court in the presence of the judge by whom these certificates were issued?

A. Yes, sir, most of the time.

3754. Q. Where was it that you attached the impression of this seal and signed the name of C. E. Loew to these papers?

A. At my desk in the court-room.

3755. Q. How many clerks, or deputy clerks, were there in the court-room during the time the court was sitting in the discharge of this duty of naturalization?

A. I could not say exactly; Mr. Heyman was always with me, and Mr. Koch was there frequently.

3756. Q. What did these other clerks do when the court ordered a certificate of naturalization to be issued?

A. Mr. Heyman would fill in the name of the applicant in the certificate and then hand the certificate and the order of the court to me, and I signed Mr. Loew's name to it; in the morning when we commenced business we impressed the seal upon the certificates.

3757. Q. You then sometimes attached the impression of the seal on these certificates in advance of their being filled in with the names?

A. Yes, sir; they were impressed in blank.

3758. Q. Did you ever attach the signature of C. E. Loew to any of them before the name was filled in?

A. Never; I never signed Mr. Loew's name to those certificates until the name was filled in and the order of the court was issued.

3759. Q. What were the duties of the other deputy clerks in this room?

A. The officers of the court would collect the applications from all the applicants in the court-room and hand them to the judges, or rather to the clerk, Mr. Loew or one of his deputies, sometimes Mr. Koch and sometimes Mr. Kent, and they would call off the names of the applicants and the judge would examine them and swear them in and then issue his order; no person had anything to do with the certificates outside the court-room except filling in the dates, which was done in the county clerk's office.

3760. Q. How often would an officer collect the applications?

A. Generally as soon as the court-room was filled.

3761. Q. What number of persons would this court-room hold?

A. I presume there has been in the room about one hundred, I do not know exactly how many, but I should judge about this number.

3762. Q. State how many were permitted at any one time to come before the judge to be passed upon.

A. The usual number, I presume, was six or eight, sometimes three or four; it would depend very much upon the applications whether they were correct or not; after the officer would collect the applications they would be handed to the clerk, who would examine them, and probably out of a batch of twenty or thirty no more than four or five would be correct and in legal form; I do not suppose more than four or five would be sworn in at any one time.

3763. Q. State whether the applicants were always, or only sometimes, accompanied by their witnesses.

A. Very frequently the witnesses would be absent and the application would be thrown aside until the witnesses came.

3764. Q. Did the court ever pass upon and order a naturalization in the absence of the witness as well as the applicant ?

A. No, sir.

3765. Q. State whether you know of any persons having been called up and naturalized without the witness being present in open court.

A. No, sir, no one that I know of.

3766. Q. State if you know, or have had reason to believe, that persons were naturalized, or were declared to be naturalized, who were never themselves before the court.

A. No, sir; I never had reason to suppose that such was the case.

3767. Q. Was it not so charged at the time this naturalization was going on that such improper conduct was being practiced ?

A. Yes, sir; a good deal was said in the papers about it.

3768. Q. Did you ever have your attention called to it ?

A. Yes, sir.

3769. Q. Were such practices ever done in the court to your knowledge ?

A. No such thing was ever done with my knowledge; I was in the court all the time, and all this business was done under my eyes.

3770. Q. How long have you been clerk of that court ?

A. About seven years.

3771. Q. How many times, if at all, within your knowledge did Judge Barnard order the court-room to be cleared of the public generally, and of the attorneys practicing in the court during the time this business was being done ?

A. That I could not say; I know he has ordered the room to be cleared several times.

3772. Q. Did you ever know of his ordering any person to be put under arrest ?

A. No, sir.

3773. Q. Have you ever seen anybody taken by violence or physical force out of the court-room ?

A. No, sir.

3774. Q. Did you know an attorney in this city by the name of Lever-son ?

A. I believe there is such an attorney; I do not know him personally.

3775. Q. Did you as clerk or as deputy, having special charge of the business to which you have referred, have knowledge or have reason to believe that frauds were being practiced upon the court, or upon the officers of the court, by outside parties procuring papers to be made up by persons to be naturalized who were not entitled to be naturalized at all ?

A. I did not have such knowledge.

3776. Q. Did you not hear of this pretended naturalization office at No. 6 Centre street ?

A. I did not know of it until I saw of the arrest of Mr. Rosenberg.

3777. Q. Did you, during the time all this naturalization business was being transacted, and with the observation you had in the discharge of the duties of your desk, not know that applications to the number of five or six at one time would be passed upon the testimony of one man as witness ?

A. No, sir; I have seen one man testify to the identity of two or more, perhaps.

3778. Q. Have you not seen that done to a considerable extent where

applications to the number of five, or six, or eight have been identified by one witness ?

A. No, sir ; I cannot state positively, because I paid very little attention to the calling off of the names as to who were the principals or witnesses, but with the cursory look I had of the papers I do not think such a thing occurred.

3779. Q. In passing upon those papers, so far as you had that duty to do, did you or did you not discover, or have reason to believe, that large numbers of these applications were filled both with reference to the dates and the names of witnesses to the applicants in one hand, so that neither the witness signed his own name nor the applicant his name, but some one person filled up the whole blank ?

A. No, sir.

3780. Q. What did the court in the naturalization of each person do ?

A. When they were called up and had answered to all their names, and their papers were all correct, the court would generally state to them what they were about to swear to ; sometimes he would swear them himself ; at other times he would direct the county clerk, or one of his deputies, to administer the oath ; he would often explain to them the nature of the oath, and cross-examine them on various points.

3781. Q. To what extent did he usually make any verbal examination of the applicant or witness ?

A. I have heard him very often examine them as to where they formerly lived, and other questions of like character, but I was engaged myself all day long, and paid but little attention to the cases until they came to my desk.

3782. Q. What is your impression as to the number who were naturalized during the month of October in that court ?

A. I could not say with any degree of accuracy ; the number, I think, has been very greatly exaggerated, however.

3783. Q. I hand you the applications of Henry Smith, Michael Dunn, James McCarty, Frederick Henney, Joseph Herbert, and James Grann, and ask you to look at the signatures of C. E. Loew to each of them and state, if you can, by whom it was executed ?

A. I cannot say positively ; I think it is Mr. Heyman's handwriting. I saw Heyman's handwriting so seldom that I would not like to swear positively that it is his handwriting.

3784. Q. Are you familiar with the signature in full, or by initials, of Judge Barnard ?

A. I am.

3785. Q. I ask you to look at the signature to the order of each of the same applications, and state by whom it was executed ?

A. By Judge Barnard.

3786. Q. By the initials G. C. B. ?

A. Yes, sir.

3787. Q. So far as you know, is that the manner in which the judges of that court indicate their orders ?

A. I think, with few exceptions, he signs his initials—always to naturalization orders, and generally to other orders.

3788. Q. I hand you now the applications of James R. Smith, Samuel Reynolds, John Winkens, Henry Sterne, Charles Fehling, August Langer, Patrick Duffy, and Patrick Rafferty, and ask you to state by whom the signature "C. E. Loew" to each of them, and by whom the initials "G. C. B." to each of the orders upon them, is executed ?

A. I recognize the signature of C. E. Loew to Mr. Duffy's application to be in Mr. Kent's handwriting, the other I should not be positive about.

I think they are made by Heyman. The initials on each of the orders on the applications are executed by Judge Barnard.

3789. Q. I hand you now the final certificates of naturalization issued by the supreme court to Patrick O'Brien, John J. Mercer, Antonio Gomez, Alexander Meekin, Adolph Slechelseine, referred to in the testimony of W. T. Simms, and ask you to examine and state by whom the signature of the clerk, C. E. Loew, to each of said certificates is executed ?

A. They are all written by me.

3790. Q. So far as you know, did you attach the impressions of the seal to these certificates ?

A. I am pretty sure I did so, but whether I attached the seal at the time I attached the signature, I could not say.

3791. Q. Was it the practice in your office for you or Mr. Loew or any other of the clerks to deliver these final certificates to any other person than the applicants themselves ?

A. No, sir; in all cases I delivered them to the applicants personally or to the officers of the court.

3792. Q. You cannot say whether the officer delivered it to the applicant or to some friend of his ?

A. No, sir, I could not. I presume he did his duty.

By Mr. DICKEY :

3793. Q. Did you deliver any papers to Mr. Walton ?

A. No, sir.

3794. Q. Did you know him ?

A. I did.

3795. Q. When did you commence using naturalization certificates ?

A. The 6th of October, I believe.

3796. Q. At what hour did your court begin ?

A. At 10 o'clock in the morning.

3797. Q. At what time did you meet for the purpose of naturalization ?

A. The judge commenced naturalizing at 6 o'clock in the evening, and would sit for that business exclusively until 10 or 11 o'clock at night; he would also naturalize during the day in the interim of other business.

3798. Q. You say he ordered the court-room to be cleared frequently ?

A. Yes, sir; after they commenced naturalizing in the evening, the room was crowded to such an extent that they broke the door and the entire railing in the court-room which separated the audience from the members of the bar and the officers, and the officers were instructed to allow no person in the court but applicants for naturalization and their witnesses.

3799. Q. How often was the room cleared in the course of the evening ?

A. Sometimes once or twice.

3800. Q. How many persons were naturalized in that court in one day ?

A. I could not state positively; I do not think it varied over four or five hundred, probably not that.

3801. Q. Do you know any of the witnesses that appeared there to identify applicants for naturalization ?

A. I believe I do, one or two.

3802. Q. Who are they ?

A. I do not know that I can recall their names just now.

3803. Do you know a man by the name of McCaffrey ?

A. Yes, sir.

3804. Q. How many times did you see him witnessing applications for naturalization ?

A. I could not say.

3805. Q. Some two or three hundred ?

A. No, sir.

3806. Q. You saw him there frequently ?

A. Yes, sir.

3807. Q. What is his business ?

A. I do not know; I think he was attached to the sheriff's office in some capacity.

3808. Q. Do you know a man by the name of Patrick Goff ?

A. I have known him since this naturalization business began; I did not know him before.

3809. Q. Was he a frequent witness there ?

A. He was there very frequently.

3810. Q. Was he a frequent witness ?

A. That I cannot say; I believe there are two brothers ?

3811. Q. Were they both there in connection with naturalization ?

A. I could not say.

3812. Q. You say that after the applications were examined the clerk administered the oath; was it administered to them separately or was it administered to them in groups ?

A. Usually in groups of three, four, or five.

3813. Q. How many Bibles were there in use to swear witnesses ?

A. There were three in the court-room.

3814. Q. Did the usher go out in the room and hand the Bible to the witnesses ?

A. Yes, sir.

3815. Q. What means had the judge of distinguishing the principal from the witness when they were all together ?

A. The principals were always sworn in first and the witnesses afterwards; but it is proper for me to state that sitting on my desk I did not usually pay much attention to what was going on in the court-room in regard to the swearing in. I presume I knew less about administering the oath than any other attaché of the court present at the time, simply from the fact that my duties engrossed my entire attention.

3816. Q. Did not the principals and witnesses be called up together and sworn in in a group ?

A. the names of the principals would be called first and the witnesses afterwards; they would put their hands on the Bible and be sworn in, the principals first and the witnesses afterwards.

3817. Q. What way had the judge, when both had hold of the book, of distinguishing the principal from the witness and the witness from the principal ?

A. From the simple fact that the principals retired after they had sworn and before the witnesses were sworn.

By MR. LAWRENCE:

3818. Q. When a witness and applicant were called up together did not Judge Barnard administer the oath to them substantially in this form: "You, the principal and witness, solemnly swear that the affidavit to which you have subscribed your name is true?"

A. No, sir.

3819. Q. How, then, was the form ?

A. The form of the oath is printed on the application, and the judge read it from that.

3820. And the principal and witness were sworn at the same time ?

A. Yes, sir.

3821. Q. And that was all the examination made of the witness and of the applicant—just administering the oath in that form?

A. No, sir; in many cases they were examined as to their residence, and almost invariably the nature of the oath was explained to them.

3822. Q. You signed all the certificates of naturalization of the supreme court?

A. Yes, sir.

3823. Q. In the court-room?

A. Yes, sir.

3824. Q. Judge Barnard was the only judge that granted certificates of naturalization in that court?

A. Yes, sir.

3825. Q. Did you receive red tickets in payment of naturalization fees?

A. Yes, sir.

3826. Q. In one case 300 red tickets were presented and an equal number of certificates of naturalization issued; will you state if the persons to whom they were delivered were the persons to be naturalized, or were they delivered to some other person to be distributed to them?

A. I do not recollect of ever receiving 300 tickets at that time; there was never such a thing occurred.

3827. Q. Could you or the judge know personally any considerable number of the applicants or of the witnesses?

A. I did not know a single applicant personally, and I do not suppose the judge did.

By Mr. KERR:

3828. Q. You say you received red tickets for cost of naturalization papers; did you receive nothing else?

A. Yes sir; I received white tickets.

3829. Q. Then you were paid by red or white tickets, and in a great many cases received no tickets?

A. Yes, sir.

3830. Q. Do you know how many white tickets were received and how many red tickets?

A. I don't. I think the number of white tickets was smaller than the rest of them; about one in three were white.

3831. Q. Did you sign any certificates of naturalization outside the court-room?

A. No, sir; never.

By Mr. DICKEY:

3832. Q. You say you impressed the seal upon the certificates of naturalization papers before they were filled out; who had custody of these papers?

A. Every morning a batch of blanks would be received from the county clerk's office with the dates filled in; I would then take a sufficient number which I thought would last us that day, attach the seals to them, and use them as I wanted.

3833. Q. What security had you that the seal was not used by any one except yourself?

A. No one could get at it.

3834. Q. Where did you keep it?

A. In the safe at night, and in my desk during the day.

3835. Q. Did you not leave the desk occasionally, so that the seal might be used by other parties?

A. I very seldom left the desk so that anybody could get to the seal except one of the other clerks.

3836. Q. Then it might be used by other clerks in the court-room?

A. I suppose when I went out to dinner it might be used, I was but very seldom out during the day.

By Mr. ROSS:

3837. Q. How did you manage when a large number of persons were naturalized at one time to furnish them with their final certificates—was that always done at the time or did they come back for them the following day?

A. It was done as far as possible at the time, but there were some cases where the certificates were not given them until the following morning.

3838. Q. Did you not sometimes give them to persons other than the applicants themselves?

A. No, sir; not to my knowledge.

By Mr. DICKEY:

3839. Q. Could you tell whether the person you gave them to was the same person that was naturalized or not?

A. I had no way of telling them except that they answered to their names and gave their proper residence.

By Mr. ROSS:

3840. Q. Was this filling of the dates all done by one clerk?

A. No, sir; I think not.

By Mr. LAWRENCE:

3841. Q. I hand you now five certificates about which you have already testified, namely, the certificates of Patrick O'Brien, John J. Mercer, Antonio Gomez, Alexander McCann, and Adolph Slechelseine; in whose handwriting is the name of the applicant?

A. Mr. Heyman's, I think; I am almost positive it is.

3842. Q. In whose handwriting are the dates?

A. I have no knowledge.

By Mr. HOPKINS:

3843. Q. Have those red and white tickets been redeemed?

A. I do not know; I sent them to the county clerk's office.

JAMES IRVING sworn and examined.

To Mr. LAWRENCE:

3844. I am one of the detective police attached to the metropolitan police headquarters, No. 300 Mulberry street. I am acquainted with the facts attendant the arrest by Inspector Walling of Daniel Hanna, James O. Hara, Samuel Fitzgerald, Thomas Wenhold, James Watson, and Thomas Seymour. They were arrested about 2 or 3 o'clock in the afternoon of the 31st of October on the charge of attempting to illegally register. They were confined at the police headquarters. I was in charge of these headquarters about 7 or 8 o'clock that night when Mr. Howe, attorney at law in this city, came in and asked for the superintendent. I told him he was not in, but that I was on duty and was in charge of the building. He then served on me a writ of *habeas corpus* to produce the bodies of these men before Judge Barnard of the supreme court, at his house, No. 23 West Thirty-third street. I took the prisoners up to the judge's house between 8 and 9 o'clock that evening. Detective Coyle accompanied me. He remained outside on the sidewalk with the prisoners, eight in number, and I went in the house. There I found Counsellor Howe; he took the writ from me and endorsed thereon: "These persons being charged with no offence on the annexed return, I order their discharge. Dated October 31st." He handed this to the servant girl, who took it up stairs to Judge Barnard's room, and she soon

came down again with the judge's signature attached to it. He then handed it to me and asked me if I was satisfied that that was the judge's signature. I said, "Yes." He then went out on the sidewalk and handed it to Detective Coyle, who released the prisoners.

To Mr. DICKEY :

3845. I made no return to the writ, as I had not time; I was required to bring the prisoners to Judge Barnard forthwith. They were discharged between 8 and 9 o'clock on the evening of the 31st of October. Neither I nor Officer Coyle saw Judge Barnard or had any communication with him. No notice was given the district attorney, as there was not time; we had to bring the bodies before Judge Barnard immediately. No steps were afterwards taken to my knowledge for the rearrest of these men. All judges of courts and police justices have power to issue warrants for the arrest of persons charged with crime and to hear accusations against persons charged with crime. If a policeman sees a crime committed he can arrest the offender without a warrant, otherwise he can do nothing unless he has a warrant.

To the CHAIRMAN :

3846. All the police justices in the city except Justice Kelly are democrats. The shield of deputy sheriff was taken from James O. Hara at the police headquarters, also some orders of arrest that were on his person.

To Mr. ROSS :

3847. The writ of *habeas corpus* was issued by Judge Barnard. I did not go into his room nor did Detective Coyle. I handed the writ to Counsellor Howe, who made the endorsement on it and handed it to the servant girl. She took it up stairs, and soon came down with it signed by Judge Barnard.

To the CHAIRMAN :

3848. Mr. Howe is a democrat.

To Mr. ROSS :

3849. I do not know whether there were any other officers or counsel in Judge Barnard's room at the time he signed the endorsement.



Annexed is a copy of the affidavit referred to :

The people of the State of New York to John A. Kennedy, superintendent of the metropolitan police of the city of New York, and to Inspector Walling of said police force, and to any person having the custody of below named relators—Greeting : L. S. We command you that you have the bodies of Alexander Morrison, Daniel Hanna, James O'Hara, Lawrence Fitzgerald, Thomas Weinhold, James Watson, William Edwards, and Thomas Seymour, by you imprisoned and detained, as it is said, together with the time and cause of such imprisonment and detention, by whatsoever name they shall be called or charged, before the honorable George G. Barnard, justice of our supreme court, at the office of said Justice Barnard, No. 23 West Twenty-first street, in the city of New York, this 31st day of October, 1868, at 7 o'clock in the evening, to do and receive what shall then and there be considered concerning them, and here you then there this writ.

Witness Honorable George G. Barnard, justice of our supreme court, the 31st day of October, one thousand eight hundred and sixty-eight.

WILLIAM J. HOWE,

Attorney, 138 Leonard street.

CHARLES. E. LOEW, Clerk.

On the back of this writ is the following in writing:

I hereby allow the within writ. October 31, 1868.

GEORGE G. BARNARD,
Justice of the Supreme Court.

The prisoners being charged with no offence on the annexed return, I order them discharged. October 31, 1868.

GEORGE G. BARNARD,
Justice of the Supreme Court.

JOHN COYLE sworn and examined.

3850. I am acquainted with the handwriting of Judge George C. Barnard, of the supreme court of this city. I identify his signature to the allowance of the writ of *habeas corpus* and the order for the discharge of Daniel Hanna, James O'Hara, Samuel Fitzgerald, Thomas Wenhold, James Watson, and Thomas Seymour. I am a detective of the metropolitan police department. I remained on the sidewalk with the prisoners while Detective Irving went in with the writ of *habeas corpus*. After he had been in a little while Counsellor Howe came out and produced the writ and asked me if I was satisfied that that was Judge Barnard's signature. I said, "Yes," and discharged the prisoners.

To Mr. ROSS:

3851. The men were arrested after registering themselves at different polling places, probably forty or fifty times.

ISAAC HEYMAN sworn and examined.

To Mr. KERR:

3852. I am recording clerk and copyist in the county clerk's office. I have been so since the 1st of January, 1868. Mr. Loew, the county clerk, sent me to the supreme court to assist Mr. McKean in filling in the names of applicants for naturalization in the certificates as we received the orders from the judge. I was present in the court-room every day while this naturalization was going on. I was there from 10 in the morning until the court closed in the evening. The court would generally sit until 11 or 12 o'clock at night. The court would generally transact its regular business until 12 or 1 o'clock; after that, until 4 or 5 o'clock, it would take up cases of naturalization, and then commencing again at 6, it would do nothing but attend to naturalization business until 12 o'clock. There was no adjournment during the day except for a few minutes. I could not state the number of persons naturalized definitely. My business was to fill in the name in the body of the certificate as I received the order from the judge. I sat to the right of the judge, a little below him, and to the right of me sat Mr. McKean. The applications would be handed first to the officers of the court. As soon as they had gathered a sufficient number they would call off the names, and the applicants would come in and the applications would be handed up to the bench. Mr. Koch or Mr. Kent, who sat on the bench next to Judge Barnard, would call off the names of the applicants and witnesses, when the judge would swear them in. He swore them in by reading to each of them the oath that is appended to the application. After the principal and witness were both sworn he would sign orders for the application so granted. The orders would come down to me and I would fill in the names of the applicant in the certificate of naturalization. Mr. Scudder would generally hand the orders of the judge to me. The judge would frequently cross-question

the principal and witness, asking them if they understood the nature of an oath, and such questions as that. He would often ask them how long they had resided in the country, how long the witness had known the principal, and similar questions. The court generally took its time in passing upon the applications. I could not state precisely how much time he devoted to each application, but I think he gave as much attention as to enable him to obtain an intelligent idea of the character of the principal and witness, and to ascertain whether they were entitled to certificates of naturalization. He would reject quite a number. Whenever an applicant did not come up to the requirements he would tear up the certificates and not issue the order. I could not form an idea of how many he would reject in a day, but it was very often done. I think he would reject one out of every batch of applications. I could not state how many applications were in a batch; it varied considerably, probably eight or ten; the highest I think was twelve applications. The judge sometimes administered the oath himself, and sometimes he directed Mr. Loew to administer it. Mr. Loew was present in the court nearly every evening all the evening, and sometimes during the day, but not so much. I am under the impression the judge would swear in the applications for naturalization singly and not in groups. He did so generally whenever I paid attention to it. I was engaged nearly all the time in filling out the certificates, and of course could not pay much attention to other proceedings in the court. As a general rule as fast as I filled out one batch of certificates and passed them over to Mr. McKean another batch would be ready for me to fill out, so that my time was completely occupied all the day. My opportunities for scrutinizing the papers were not very good. I do not recollect that the court was cleared of persons more than once. I have no recollection of any person being excluded by force. I am not acquainted with Mr. Levison. I never heard that the court made any order for the exclusion of persons not applicants for naturalization or their witnesses. I could not approximate to the number of the applications that they passed in one day.

To Mr. DICKEY :

3853. I did not mark these applications filed. I presume that each day's applications are kept separated, so that the number passed each day could be ascertained definitely by actual count.

To Mr. KERR :

3854. The applications were not filled up except in the signatures of the clerk by one of the clerks of the court. I do not know where they were gotten up; I had not time to scrutinize these applications or to examine them with any care to ascertain whether any fraud was being committed or anything of that kind.

To Mr. DICKEY :

3855. I know one Patrick McCaffrey; was an attaché of the sheriff's office. I think he is a special deputy sheriff. I have seen him wearing a deputy sheriff's seal, and have also seen him about the sheriff's office. I know him by sight. I recognize the signature of C. E. Loew to the applications for naturalization of Hugh Smith, J. McDunn, James McCarty, Fred. Hennessey, and Joseph Herbert, and James Brown, as my handwriting. I never signed any certificates of naturalization in blank unless it was by direct order of the court. I attached the name of C. E. Loew to these papers after the order for the naturalization of the appli-

cants was made. After the order was made I would often sign a batch of them at a time, but none were touched before the judge's order was made. I recognize the signature of C. E. Loew to the applications for naturalization of Thomas Schmidt, Henry Baum, Thomas Surridge, John Doolan, John Donnelly, and August Muller, as my handwriting. I recognize the signature of C. E. Loew to the applications of Sebastian Schneider, William Schmidt, Gotlieb Kaffenberger, Jacob Schaffer, August Betzler, John Noelsch, and William Malia, as my handwriting. I recognize the handwriting of the signature of C. E. Loew to the application of William Lukas as that of Joseph Koch. I recognize the handwriting of the signature of C. E. Loew to the application of Charles Warneck as that of C. H. Kent, and the signatures of C. E. Loew to the applications of John Winkens, Henry Sterne, and Charles Fehling, as my handwriting. The signature of C. E. Loew to the applications of August A. Lenninger is in Mr. Koch's handwriting. The signature of C. E. Loew to the application of Duffy is in Mr. Kent's handwriting. The signature of C. E. Loew to the application of Patrick Rafferty, James R. Smith, and Samuel Reynolds, is in the handwriting of Mr. Daniel Scudder, clerk of the supreme court, part third. Mr. McKean, Mr. Koch, Mr. Scudder, and myself, used to sign the name of Mr. Loew to the applications.

To Mr. KERR :

3856. I was not aware during the time this naturalization was going on that great frauds were being perpetrated upon the courts or upon the law by parties coming there under one device or another and obtaining these papers. My time was taken up so much that I had not even time to read the newspapers. I have paid very little attention to matters outside of my business. I had no personal knowledge directly or indirectly that frauds were being practiced either by Judge Barnard corruptly or by persons coming before him who were not entitled to naturalization, or by witnesses coming to testify to persons who were not entitled, in any other way. Considering the great haste and speed with this naturalization business was conducted, and the great pressure upon the court and the employés of the court, frauds might have been committed by outside parties without the knowledge of the attachés of the court or without their being aware of it.

To Mr. DICKEY :

3857. The orders for naturalization came down to me from the judge in batches of eight, ten, or twelve—sometimes even less.

To Mr. KERR :

3858. I could not from my desk see the judge attaching his signature to the orders. I could, however, hear the motion of his pen.

To Mr. DICKEY :

3859. The file-marks upon the applications were put upon them as soon as we could get leisure time; but it was not generally done before the certificate of naturalization was issued, but done after the party had gone away. The applications were put into a safe, and the endorsement was put on whenever the clerical force had leisure. It was not generally done on the same day the certificates were issued. I could not tell how long after, but just as soon after as we could get leisure to do it. The handwriting of the endorsement of the application handed to me I think is that of Mr. Morse, in the county clerk's office. Sometimes the endorsements were put on by the clerks of the court, and at other

times by clerks in the county clerk's office. I may have known some of the witnesses that appeared to identify applicants for naturalization, but I cannot recall any of their names now. I have seen McCaffrey there as a witness. I do not think I have seen him there more than twice. I am not acquainted with Patrick Goff. I never examined the applications to see whether the signatures of the principal and witness were all in the same handwriting; I had no time to do it. All the clerks in court were so much engrossed with their particular duties that they had no time to make any such examination. In the evening the doors would be thrown open to admit applicants and witnesses for naturalization, and when the room was filled the door would be closed until those in the room had gone through; the doors would then be opened and the room again filled. I suppose the room would be filled 10 or 12 times in the course of the evening. The court-room I suppose held from 150 to 200 persons.

To the CHAIRMAN:

3860. I was present in the court during all the time naturalization was going on.

To Mr. HOPKINS:

3861. I know Supervisor Hermann, who, I believe, had something to do with the so-called German democratic association, No. 6 Centre street; and I also know Counsellor Joachimsen. I do not know Rosenberg nor Goldstein. I think I saw Rosenberg in the court-room once or twice before he was arrested; and on one occasion he asked me for some blanks, and I referred him to the county clerk's office.

NEW YORK, *January 4, 1869.*

JAMES O'BRIEN sworn and examined, (called at the instance of Mr. Kerr.)

To Mr. KERR:

3862. I am sheriff of the city and county of New York, and have been so since the 1st of January, 1868. I know Patrick McCaffrey and I know John McCaffrey. The latter was appointed by Sheriff Kelly. Patrick McCaffrey was never deputy sheriff; he was a special deputy, serving summonses. John McCaffrey ceased to be sheriff on the 1st of July, 1868, and has not since been acting in that capacity, or in any other capacity under the sheriff—not a day. Patrick McCaffrey was a special deputy to serve summonses. I dismissed him about six months ago on the representations of some country lawyers, to whom he applied for \$5 for serving subpoenas. I have seen him hanging about the courts during the time that naturalization business was going on. I do not know what his business was.

To Mr. DICKEY:

3863. I appointed from 1,500 to 2,000 deputies on the election day last November. They were sworn in the day before. I feared there would be some trouble, and I thought it would be no harm to have these men as assistant police.

3864. Q. Were you requested to appoint them by any of the metropolitan police?

A. No, sir.

3865. Q. They did not call on you for any aid?

A. No, sir.

3866. Q. Where were they located?

A. All over the city. They came in voluntarily and asked to be appointed special deputy sheriffs. They said that policemen were going to prevent voters from voting, and they wanted to see that every citizen got his vote in. They were recommended by other parties—by such men as Congressman Fox.

3867. Q. Did you have personal knowledge of the men you swore in?

A. I know a good many of them, some eight or nine hundred.

3868. Q. How many of them came and asked to be sworn in as deputy sheriffs?

A. All of them.

3869. Q. What did they say was the object?

A. They thought there was going to be some disturbance, and that there was not sufficient force in the metropolitan police department to keep the peace. They volunteered their services to aid the police. I had the power to deputize men to keep the peace.

3870. Q. Was that done the year before?

A. No, sir.

3871. Q. Is it usual to do it?

A. It has been done heretofore.

3872. Q. Since the organization of the metropolitan police?

A. Yes, sir.

3873. Q. When?

A. I cannot recollect. I think that under Sheriff Kelly, the term before last, there were men organized.

3874. What do you mean by organized?

A. Men who volunteer their services to act as deputy sheriffs to keep the peace at the polls.

3875. Q. Was there any requisition from the mayor of the city for the appointment of these deputy sheriffs?

A. The mayor issued a proclamation something similar.

3876. Q. Did he call on the sheriff to appoint deputies?

A. It was talked of, but they did not think it was prudent for me to do it.

3877. Q. Then these appointments were made against the opinion of Mayor Hoffman?

A. Not against his opinion, he did not say anything about it.

3878. Q. You had no requisition from the mayor?

A. No, sir.

3879. Q. Nor from the governor?

A. No, sir.

3880. Q. Nor from the police authorities?

A. No, sir.

3881. Q. Did you have any requisition from any political organization?

A. No, sir.

3882. Q. What political position did Congressman Fox occupy?

A. None at all; only he thought that the United States marshal was going round to try to prevent legal voters from voting, and he wanted to prevent him from interfering with the votes. It was threatened that they were going to appoint a good many deputy marshals, and we thought that we would do the same thing.

3883. Q. Did the marshal appoint any deputy marshals?

A. I believe he did; I am not certain.

3884. Q. Did those officers of yours make any arrests?

A. Not that I know of. I did not order them to make any arrests, only that if they saw a quarrel they would try and prevent it.

3885. Q. Had they authority to make arrests for the disturbance of the peace?

A. Yes sir. I heard of one arrest that they made, but I do not know how it occurred.

3886. Q. There were no arrests reported to you?

A. No sir.

3887. Q. How were these men distributed over the city. Did you make any arrangements for distribution at any particular points?

A. No sir. There was one ward, the seventh, where it was thought that there would be great difficulty, and some 300 or 400 men were sent there. There were also some in the 1st ward.

3888. Q. What is the proportion of voters politically, in the 7th ward?

A. There about 4,000 or 5,000 democratic majority in that ward. I do not know that the republicans have got more than 800 or 1,000 voters there.

3889. Q. And you appointed 300 deputy sheriffs in that ward?

A. Yes, sir.

3890. Q. Did you apprehend that those 800 or 1,000 republicans were going to disturb the peace of the ward?

A. I did not expect they would; but I thought there might be some trouble from the United States marshal trying to prevent the large democratic vote being cast.

3891. Q. Then those deputy sheriffs were appointed to meet any possible deputies the United States marshal might appoint?

A. I ordered them to arrest any one who interfered with the voting.

3892. Q. What was the political complexion of these deputy sheriffs; were they all democrats?

A. Not that I know of; everybody that came along and asked to be appointed, I appointed.

3893. Q. Can you name any republican whom you appointed?

A. Yes, sir; I can name Charles S. Spencer. He asked to be one, and I told him yes; that I would appoint any respectable citizen.

3894. Q. Do you know that Charles S. Spencer was sworn in as a deputy sheriff?

A. I do not know it. He was in there that day and I told my under sheriff, who is a notary public, to swear them all in.

3895. Q. Were the men all paid by the city and county of New York?

A. None of them were.

3896. Q. They did this service for nothing?

A. Yes, sir.

By the CHAIRMAN:

3897. Q. You determined to appoint the deputies on the advice or after consultation with some of the leading democrats of the city?

A. I had no consultation at all with them.

3898. Q. And no advice from them?

A. No, sir.

3899. Q. Do you know of any republican being appointed deputy sheriff, except Mr. Spencer?

A. I do not know. Half of them may have been republicans for all I know.

3900. Q. Can you name any republican who was appointed except Mr. Spencer?

A. I cannot.

3901. Q. Was not the only object in appointing these men to see that men claiming the right to vote should be permitted to vote?

A. No, sir; but if there was any disturbance around the polls they were to quell it.

3902. Q. Did some of these deputies arrest Mr. Urmy, an election officer?

A. Yes, sir, that is the person who I understood was arrested.

3903. Q. Do you know anything of a Jackson club in this city?

A. Yes, sir; it is a democratic club at the corner of Thirty-second street and Second avenue. I have been a member of it since its organization last July.

3904. Q. How many deputy sheriffs did you appoint in the 6th and 8th wards?

A. I cannot recollect; I appointed some in both those wards. I appointed some on the recommendation of Senator Norton, who said he expected some disturbance around there. He is a senator in the State senate. I appointed all that he sent to me.

3905. Q. You say that some deputy sheriffs were appointed some years ago for election day. Was not that in 1864, during the war, when a riot was anticipated?

A. I cannot recollect.

3906. Q. Do you know of any deputies having been appointed at any other time?

A. I am not a very old politician; I do not recollect back. I have heard of them being appointed at other times. I do not know of it myself.

3907. Q. How long have you resided in this city?

A. About 20 years.

3908. Q. Did you reside in the city the year before you were elected sheriff?

A. Yes, sir.

3909. Q. And the year before that?

A. Yes, sir.

3910. Q. And for how many years before that?

A. I have been residing in the one ward about 20 years.

3911. Q. Have you resided out of it at any time?

A. No, sir, never.

3912. Q. Have you been out of it any considerable period during that time?

A. No, sir, excepting a month or so in the country during the summer. I have been alderman from that ward for two terms, from 1864 up to the present date. I was alderman when I was elected sheriff. My vacancy runs out now.

3913. Q. Has there been any period when you have been out of the ward for more than a month?

A. No, sir.

3914. Q. What ward is that?

A. The 21st ward.

3915. Q. Do you know of any person who has been convicted, except in a single instance, for any violation of the election laws in this city, or for any illegal voting, within the last five years?

A. I have heard of some being convicted.

3916. Q. Were any of the deputies whom you appointed men who had been imprisoned in the penitentiary?

A. I do not know.

3917. Q. Are you acquainted with any of the officers of the penitentiary?

A. I may know them if I saw them.

3918. Q. Where did you get acquainted with them?

A. I do not know.

3919. Q. Did you have at any time any personal acquaintance with them?

A. Not that I remember.

3920. Q. You have had no opportunity of getting acquainted with them ?

A. I may know them.

3921. Q. Where ?

A. By meeting them back and forward in the city.

3922. Q. You had no other opportunity ?

A. None that I know of.

3923. Q. Have you ever been sentenced for any offence yourself ?

A. I decline to answer. The books of record are over there and can be found.

3924. Q. You say that you have never been out of the ward in which you reside longer than one month any time within 20 years ?

A. Yes, sir ; not over one month any time in 20 years.

NEW YORK, *Monday, January 4, 1869.*

EDWIN R. KENT sworn and examined, (called at the instance of Mr. Kerr.)

To Mr. KERR :

3925. I am an attorney and counsellor at law and am clerk in equity in the supreme court of the State and county. I have been acting in that capacity over three years ; first under William C. Conner, and after Mr. Loew came into office he continued me.

3926. Q. During the days when the business of naturalization was carried on in the supreme court before Judge Barnard, in October last, what were your special duties in connection with that business ?

A. To attend as clerk in the court. One part of the time I was examining applications as they came up ; at other times I would call out the names of the applicant and the witness ; and at other times I assisted in blotting the papers when my throat was worn out by calling the names.

3927. Q. What proportion of the time were you in court while this business was being transacted ?

A. From beginning to end. As a general thing my position was at the left of the judge. I called off the name of the applicant, and then the name of the witness on the same paper, to see if they were present. If they answered the witness was placed on one side of the room and the applicant on another, preparatory to being sworn. Then the oath was administered, either by the judge or by the county clerk.

3928. Q. After the oath was administered to them, respectively, what was done ?

A. Sometimes they were examined, and then the applicant was required to step aside. The paper was then passed from the judge to one of the officers of the court, who handed it to Mr. Heyman, who filled in the name of the applicant in the certificate and then handed it to Mr. McKean, the only person authorized to sign the county clerk's name to such papers.

By Mr. Ross :

3929. Q. State whether the witness and the applicants were sworn separately or together.

A. Separately.

3930. Q. And were examined separately ?

A. Yes, sir.

3931. Q. How many were sworn at a time ?

A. I should judge from 8 to 10 applicants and the same number of witnesses. It may have been less or it may have been more. Not many of them could get at the Bible at one time.

3932. Q. State the degree of caution, if any, that was exercised by the court and its officers to prevent fraud.

A. At the beginning Mr. Loew told us that we would be held responsible for everything that was done. He said that most likely there would be attempts at fraud made, and he did not wish his name to be coupled with them in any respect. He said that if anything was done wrong he would discharge the clerk or persons in his employ who did it. It was by reason of that that Mr. McKean was the only person allowed to sign his name, Mr. Heyman the only person allowed to fill in the name of the applicant, and Edward Koch and myself called out the names of the parties. The papers as a general thing were either examined by one of the officers of the court or by one of the clerks, and if they were found not to be filled up as they should be they were torn up and destroyed.

3932½. Q. What proportion of applicants were refused and their papers destroyed?

A. I should think that over one-half of them were rejected.

3933. Q. What was done with the cases of rejected applications?

A. The papers were torn up and thrown away, and the parties were ordered to leave the court-room. I know that several times the clerks told men that it was understood that parties were trying to get papers through improperly, and that if they caught any of them at it they would "send them up," which means to Sing Sing.

3934. Q. State generally whether the court apparently tried to prevent fraud in procuring naturalization papers.

A. To the best of my knowledge there was all due diligence used.

3935. Q. And still, for all the diligence that was used, some persons might have got through papers who were not entitled to them?

A. Not to my knowledge; anything that could have been done in that respect would have been by persons coming there under false representations and committing perjury. It was not done to our knowledge, for if we had discovered it we would have used every endeavor to apprehend the parties. It certainly could have been done in that way. If a party came there and the witness swore that he knew him to be so-and-so, and the applicant swore that he was so-and-so, and had resided here so long, and had declared his intentions to become a citizen, there was no way to prevent fraud.

3936. Q. Were these questions asked?

A. These questions were asked every time.

3937. Q. Do you know any case in which the witnesses or the parties were not present and where naturalization was granted by the court?

A. No, sir, I know of no such case.

3938. Q. If there had been any number of this class of cases, were you so situated that you would have known it?

A. I should most decidedly have noticed it. I did my best to prevent anything wrong, expecting that the press would create a great hubbub about it.

3939. Q. Could persons be naturalized there without going into the court-room?

A. No, sir; the law requires it to be done in open court.

3940. Q. And there was no person naturalized otherwise to your knowledge?

A. Not to my knowledge.

3941. Q. If any fraudulent naturalization papers have got into circulation, what is your hypothesis in regard to how it could have been done?

A. The only way I can think that the thing could be done was, as I have

stated, by persons coming and committing deliberate perjury, pretending to be persons who they were not.

3942. Q. Do you think that that could have been carried on a long time without being noticed by yourself or by the judge ?

A. I do not think so.

3943. Q. Do you know of any instance in which the judge ordered the room cleared of bystanders or of attorneys ?

A. There were some instances like this: where the applicants and witnesses were called, and went inside the railing, and where the clerk informed the judge that there were no more applications in correct form, the judge would inform the parties outside the railing that they should leave the room as there were no more applications before the court. The object of that was because the crowd was so large, and in order that room might be made for other persons who were entitled to be naturalized.

3944. Q. Do you know anything of an attorney named Levison being in your court during the time of naturalization ?

A. I do not know such a person by name.

3945. Q. Do you know any instance of any attorney or reporter for the press being turned out ?

A. No, sir; there were reporters there, and they were given seats at the table in front of the desk, and given paper, pens, and ink.

3946. Q. State if ever fifty or a hundred persons were sworn in at the same time.

A. No, sir; not to my knowledge, and I was there from beginning to end. It would be impossible to get that number of men inside the railing. When I stated that eight or ten were sworn at a time, I think that that was the largest number.

By the CHAIRMAN:

3947. Q. The applicants and the witnesses did not sign the applications in court ?

A. The applications were signed before they were brought into court. There was a table inside the railing where quite a number of them were also signed; but when the papers were handed to us they were all signed.

3948. Q. Did Judge Barnard swear the applicants and the witnesses substantially in this form: "You swear that the affidavits to which you have subscribed your names are true?"

A. Never.

3949. Q. In what form did he swear them ?

A. There is a form attached to the application, where the applicant swears that he is over 21 years of age; that he has been a resident of the State so long; that it has been his *bona fide* intention to become a citizen; and that oath was read from the instrument, or words to the same effect.

3950. Q. I have before me the application of Hugh Smith, containing an affidavit in this form: "Hugh Smith, the above-named applicant, being duly sworn, says he resides at 318 East Thirty-first street, in this city; that he has arrived at the age of 21 years; that he has resided in the United States for three years next preceding his arrival at that age, and has continued to reside therein until the present time; that he has resided five years within the United States, including the three years of his minority, and one year immediately preceding his application within the State of New York; and that for three years next preceding this application it has been his *bona fide* intention to become a citizen of the United States." Did the judge administer that oath ?

A. Either the judge, or the clerk at his direction, administered it in those exact words—the entire thing.

3951. Q. Before the judge administered this oath to the applicant did he put any questions to him ?

A. In some instances he would ask him what his name was, and if it corresponded he asked him how he spelled it; and he generally put other questions to him. In a number of instances the applicant as well as the witness was examined before being sworn to attest the actual truth of their statement.

3952. Q. But as a general rule were they so examined ?

A. It was as general one way as the other.

3953. Q. State what proportion of the applicants and witnesses were examined before they were sworn.

A. That I cannot state.

3954. Q. Were one-fourth of the applicants examined before they were sworn ?

A. They may have or may not have been.

3955. Q. Were one-fourth of the witnesses examined before they were sworn ?

A. I cannot state.

3956. Q. Were one-tenth of the applicants examined before they were sworn ?

A. I cannot state.

3957. Q. Were one-tenth of the witnesses examined before they were sworn ?

A. O, yes, sir. There may have been one-half of them examined, or there may have been more, or there may have been less.

3958. Q. After the examination without being sworn, the oath was administered to them in the form in the printed blanks ?

A. Yes, sir.

3959. Q. Can you form any estimate of the number of persons that were naturalized each day in October last ?

A. I cannot.

3960. Q. You say that Mr. Loew cautioned you about fraudulent naturalizations ?

A. He cautioned us about any illegal or ungentlemanly acts, or anything that would bring his name into disrepute.

3961. Q. It was generally understood in court and by the officers that there was danger of illegal proceedings ?

A. No, sir; I do not suppose that it ever entered into his mind that there was any danger of it.

3962. Q. You say that certain reporters were furnished seats ?

A. Yes, sir; that I know.

3963. Q. Who were they ?

A. I cannot state; I was told they were reporters, and I saw them sitting there taking minutes. I cannot give any of their names, and cannot tell where they can be found. One was a man about 27 or 28 years of age, and sat there an entire evening. On the following evening there were two of them there. These were two instances that I am positive of.

3964. Q. Do you recollect any others ?

A. I do not. I heard that there were others, but I did not see any others. My attention was called to the fact that they were reporters.

3965. Q. Did you know that they were reporters for democratic newspapers ?

A. I did not.

3966. Q. Were there many persons naturalized that evening ?

A. The usual number.

3967. Q. What was the usual number?

A. That I do not know.

By Mr. Ross :

3968. Q. When an applicant came to be naturalized what was the first thing he did ?

A. He handed his paper to an officer of the court, who took it to one of the clerks sitting near the judge.

3969. Q. Probably to you ?

A. Probably to me. The clerk would examine the paper to see if it was filled out correctly. If it was not correct the paper was torn in two and thrown on the floor.

3970. Q. Did the clerks do that as well as the judge ?

A. Yes, sir.

3971. Q. While the clerk was making this examination, where was the applicant and witness ?

A. Outside the railing.

3972. Q. At what period did they come inside the railing ?

A. When their names were called and the application was handed to the judge. Then the judge examined them and marked his approval on the back of the application.

3973. Q. Were they sworn as soon as they came inside the railing ?

A. No, sir; as a general thing the judge asked them some questions before the oath was administered. The applicants were on one side and the witnesses on the other. The applicants were sworn first and then the witnesses. It was uniform that all the applicants should be on one side and all the witnesses on the other.

3974. Q. After the oath was administered did the judge ask any questions ?

A. Sometimes he did and sometimes he did not.

By Mr. HOPKINS :

3975. Q. What proportion of time was Mr. Loew in court during naturalization ?

A. All the time. He may have been absent once or twice, but not to my knowledge. To the best of my knowledge and belief he was present every evening while naturalization was going on.

3976. Q. He was present attending to his duties ?

A. Yes, sir.

By Mr. Ross :

3977. Q. Did he have his desk and seal in that room or in some other one ?

A. In that room.

By Mr. HOPKINS :

3978. Q. Did you notice that in many instances the same man was a witness for a great number of applicants ?

A. No, sir; I would have notified the court if I had noticed, and I think I should have noticed it, if it had occurred.

3979. Q. Then you are prepared to swear that was not the custom in your court ?

A. Not to my knowledge. Had I noticed it I would certainly have reported it to the court.

3980. Q. Whom have you counselled with in reference to your testimony before this committee ?

A. With no one.

3981. Q. Have you had any consultation with Mr. Loew ?

A. No, sir.

3982. Q. With any of the other clerks ?

A. No, sir; we may have spoken about the examination going on; but there has been nothing stated about the testimony either one way or another.

NEW YORK, *January 4, 1869.*

HENRY VANDERVOORT sworn and examined.

To the CHAIRMAN :

3983. I am clerk of the court of general sessions and oyer and terminer. I have been acting as deputy and clerk for nearly thirty-nine years. I am acquainted with James O'Brien, sheriff of this city and county.

3984. Q. State if he was ever sentenced for any offence in your court ?

A. I cannot say of my own personal knowledge that he was the person, but there was a James O'Brien convicted of misdemeanor some years ago.

3985. Q. Do you know whether Sheriff O'Brien is reputed to be the same person ?

A. I cannot speak of my own personal knowledge.

Witness produced a copy of the record in the case of the people of the State of New York against James O'Brien, which is annexed to his testimony as follows :

At a court of general sessions of the peace, holden in and for the city and county of New York, at the City Hall of the said city, on Monday, the 18th day of January, in the year of our Lord 1858.

Present, the honorable GEORGE G. BARNARD, recorder of the city of New York, justice of the sessions.

<p>THE PEOPLE OF THE STATE OF NEW YORK <i>vs.</i> JAMES O'BRIEN.</p>	}	<p>On conviction by verdict of riot and assault and battery on some person unknown, November 7, 1857.</p>
--	---	---

Whereupon it is ordered and adjudged by the court, that the said James O'Brien, for the misdemeanor aforesaid, whereof he is convicted, be imprisoned in the penitentiary of the city of New York for the term of six months.

(A true extract from the minutes.)

HENRY VANDERVOORT, *Clerk.*

New York general sessions of the peace. The people of the State of New York *vs.* James O'Brien. Copy of sentence. January 18, 1858. Penitentiary, six months.

NEW YORK, *Monday, January 4, 1869.*

DENNIS SHEA sworn and examined.

To the CHAIRMAN :

3986. I was an inspector of registry at the presidential election in the 4th district, 4th ward. We refused registration to some 40 persons, probably one-half of them being on the ground of illegal naturalization papers. About 20 of them stated that they had never gone to the court, had never declared their intention to become citizens, and had got their papers through outside parties. I knew a great number

of the persons who registered and voted in that district. I have lived in the district four years. It is a district composed in great part of sailor boarding-houses. And this year from these boarding-houses there were registered over double the number of any previous year. I judge that the greater proportion of the increase were men not entitled to vote, or that votes were given on the names of men who were registered and had gone to sea before election day.

Q. What proportion of men who voted were sworn ?

A. We probably swore 50. I had checked them on my registry-book and swore them all on election day, but they would swear pretty much anything.

Q. Do you know the political status of the men controlling these sailor boarding-houses ?

A. Yes, sir, I do pretty well. Jeremiah O'Brien is one of them. His mother keeps a sailors' boarding-house at No. 79 Oliver street. He was a councilman at that time. I think that about 15 votes were polled from that house, almost all sailors. Thomas Wilds keeps a sailors' boarding-house at No. 100½ Cherry street. The principal increase in this district came from sailor boarding-houses. Their politics are democratic. There were 28 republican votes polled in the district all told. There were registered 540 or 550, and the whole vote polled was 480.

Q. State whether any clerks in the courts of this city were interested in these boarding-houses.

A. I do not know whether they are clerks; but they are either court officers or clerks. Mr. Wilds is a court officer or clerk in one of the courts; Jeremiah O'Brien was a councilman; in fact, all the workers in the district were composed of the members of the Tammany general committee. Mr. Churchill keeps another sailors' boarding-house at No. 68 Oliver street. He is a democrat, but I do not know that he holds any position.

By Mr. Ross :

3987. Q. Is there any law here against democrats keeping boarding-houses ?

A. I do not suppose there is. There are republicans keeping boarding-houses in the district too; but I do not know any of them to colonize.

By Mr. HOPKINS :

3988. Q. What was the vote in that precinct a year ago ?

A. I am not positive; but it never ran up as high as 400.

By Mr. Ross :

3989. Q. How many republican votes were given in the precinct ?

A. Twenty-eight, I think.

3990. Q. Were you one of the 28 ?

A. No, sir.

3991. Q. You are a republican ?

A. Yes, sir.

3992. Q. Were there any persons who voted there who were not legal voters ?

A. Not to my positive knowledge. If I were aware of it they could not vote.

3993. Q. I think you said you challenged everybody whom you suspected ?

A. Everybody; and I made three or four arrests.

3994. Q. Did the rest of the board co-operate with you to prevent fraud ?

A. Yes, sir.

3995. Q. Sailors have a right to vote here under the laws?

A. Yes, sir.

3996. Q. And there is no law against their voting the democratic ticket?

A. I think not.

3997. Q. And they do generally vote the democratic ticket?

A. I have no personal knowledge what they vote.

3998. Q. You do not know of any illegal votes being given in that precinct?

A. I cannot swear to any.

By the CHAIRMAN:

3999. Q. Did any democrat make any challenge either at the time of registration or on the day of election?

A. No, sir; no democrat made any challenge. The republicans had a challenger there expressly for the purpose of challenging illegal voters; but some democrats in the morning made a fight with him, compelled him to go into the street, and beat him there. He did not receive the proper protection from the police, and we were compelled to do the challenging ourselves. His name is Francis Burns.

Q. Who were your democratic colleagues?

A. Julius Maloy and Bartholomew Cronin.

NEW YORK, *Monday, January 4, 1869.*

EDWARD B. HEATH sworn and examined, (called at the instance of Mr. Ross.)

To Mr. Ross:

4000. I am docket clerk in the office of the superior court. I was not in court during the naturalization business of last fall. I was in an office which is in a separate building from the court-room. I was assigned to assist the clerks in naturalization. We had a separate room in the City Hall—the old sheriff's office. As the parties who had passed the court came over there from the court-room, at the corner of Chambers and Centre street, we made out their certificates as each applicant came forward. My duty was to fill up the certificates. There were some four or five clerks employed in filling up certificates. As the applicant handed in his papers we examined them, and saw that they were correct, then filled up the certificate and had it signed and sealed and handed to him. Mr. Meeks signed the clerk's name to the certificate, and had charge of the seals. There was no opportunity for any one else to have access to the seal.

4001. Q. To whom were the certificates delivered after they were made out?

A. Each certificate was delivered to the party in person.

4002. Q. Did you see in the court or among the officers any disposition to get through fraudulent naturalization papers?

A. I never did; not in a single instance.

4003. Q. You do not know anything of the kind?

A. No, sir.

4004. Q. Were you ever in court during its session?

A. I was there once or twice for about half a year, when the naturalization business was being transacted before the court.

4005. Q. State the process which the court followed.

A. Each applicant brought his papers to the court, and I handed them to him. As he came into the court-room

then called the name of the applicant and swore him that he would give a correct statement to the judge. The applicant then passed before the judge and the witness was questioned by the judge as to how long he had known the applicant, as to his character, &c. If the judge was satisfied the applicant passed along to the clerk and took the oath of allegiance.

4006. Q. So far as you were able to observe were the applicant and witnesses always present in court and sworn ?

A. Yes, sir; they were both there, and were sworn every time so far as I was able to observe.

4007. Q. Were you ever in Judge McCunn's court ?

A. No, sir.

4008. Q. Have you any knowledge of any fraudulent naturalization papers having got out in any way ?

A. None whatever.

4009. Q. Is there anything further that you know in reference to the business of naturalization that would throw any light upon the subject before the committee ?

A. No, sir.

By Mr. DICKEY :

4010. Q. You examined the applications pretty closely to see if they were correct ?

A. To see that the signatures of the parties were attached to them and the initials of the judge. I know that we were always satisfied that the papers were correct.

4011. Q. In form or in substance ?

A. Correct in substance.

4012. Q. Look at the application of Maximilian Beck and see whether you think it is correct ?

A. I believe that paper to be correct.

4013. Q. Is it not all written by the same person ?

A. I cannot say.

4014. Q. Look at the application of William Malia and state whether it is not all in the same handwriting ?

A. I cannot tell.

4015. Q. Did you criticise the applications to see whether they were or were not signed by different parties ?

A. In almost every instance I questioned the parties closely as to how they got their papers.

4016. Q. How do you know that the parties who presented the papers to you were the same parties who appeared before the judge ?

A. I had no means of knowing that any more than asking the question of the party presenting it, whether it was his paper and whether he had been before the judge, and he would always answer the questions correctly.

4017. Q. The only evidence you had was the declaration of the party ?

A. I did not see him in court.

4018. Q. How did you know that he was the same party who had been in court ?

A. I was very well satisfied in my own mind he was, from the fact that the papers came directly from the court. The applicant brought them himself and in a great many instances the witness came with him.

4019. Q. Do you say that all the papers given out were given to the parties themselves ?

A. Yes, sir.

4020. Q. And not to other parties to deliver them?

A. No, sir; not in any instance that I know.

4021. Q. Do you know Henry Waltman, a member of the legislature?

A. I know him by sight.

4022. Q. Do you know of his getting any papers for other parties?

A. No, sir; I do not; he never got any from me. I never delivered any paper except to the party.

4023. Q. Was there any case where a paper was left by a party who could not wait for his certificate?

A. No, sir.

NEW YORK, *January 4, 1869.*

JOHN M. LAWRENCE sworn and examined.

By the CHAIRMAN:

4024. Question. State what you know of persons voting more than once at polling places in this city at the last presidential election.

WITNESS. Am I bound to criminate myself?

The CHAIRMAN. Anything you may state here will not be used against you.

WITNESS. At the time the board of registers met, I registered from my own residence, No. 132 Wooster street, and on my own name. I was called on by a friend of mine who is a friend of Senator Norton's, and was asked to register my own name at two or three different places, No. 531 Broome street and No. 54 Sullivan street, which I did. I did not vote at those two places, but I gave the address to those persons.

4025. Q. State if you received any slips.

A. I received a slip in Hudson street, between Dominick and Spring, at a place called "Moran's," which was the Tammany Hall headquarters of the 8th ward. A man gave me a card there with the name on and the address, on which I voted. I do not recollect the name. It was in the 12th district of the 8th ward, in Spring street, around the corner from Hudson. I tore up the card before I went in to vote it. That is all the slip I had.

4026. Q. State if any others were offered you.

A. I was wanted to take some more, but on account of my looks being so conspicuous, I refused.

4027. Q. What persons congregated at that place of Moran's just prior to the presidential election?

A. There were quite a number there, but I cannot mention their names.

4028. Q. Did you see any person residing in Moran's rooms, over the room where he sold whiskey?

A. I was never in the house more than once or twice to my knowledge. The front room was used for election purposes, as a room for folding ballots, &c., and in the back room there was a bed, but I do not know who used it.

4029. Q. State whether you voted the democratic or the republican ticket at the last presidential election.

A. I voted a split ticket. I voted for John A. Griswold for governor, and for Horatio Seymour for president. I chucked the Hoffman ballot out both times. The straight democratic ticket was given me, but I would not vote it.

To Mr. Ross:

4030. I have lived in this city ever since I was born. This was the first time I ever engaged in repeating. I voted twice at the last presi-

dential election, once on my own name and once on a fictitious name. I voted both times in the same ward, but at different election precincts. I was not sworn.

Q. Who was this man that spoke to you first on the subject?

A. His name is Wm. H. Dwyer.

Q. Where does he live?

A. I cannot tell; he lives all over. He stops principally at Taylor's Hotel at the foot of Desbrosses street. It was through his instigation that I registered twice illegally. It was not through his instigation that I voted illegally. He had nothing to do with that at all, he merely got me to register.

Q. What business are you engaged in?

A. I am not doing anything at present. I have been in a wholesale drug-house as shipping and receiving clerk. I got out of business last spring and went to California, and returned about September. I am not married.

Q. Have you been convicted of any criminal offence?

A. No, sir; I was never arrested in my life.

Q. To whom did you first communicate this illegal registering and voting?

A. Dwyer first knew about it. He was with me at the time I registered. When I voted illegally Senator Norton was at the polls. He may have seen me vote. He knew me by sight.

By Mr. DICKEY:

4031. Q. Do you know any others who voted illegal votes in that way?

A. Yes, sir; there are two whom I know voted illegally.

4032. Q. Repeaters with you?

A. They went along after I did.

By Mr. ROSS:

Q. You have not answered that question as to whom you first communicated the fact of your illegal registry or illegal voting.

A. I told it to a man named Michael Brady. He asked me what I was doing around there. I said I had registered at 531. He said, "You had better look out, you will get yourself into trouble." Then I told him I had registered in another place, but I said I was not going to vote; that I had simply put down my name and furnished slips giving the name and the address.

4033. Q. Whom did you next talk to in reference to it?

A. I cannot answer that question.

4034. Q. How was information of it brought to this committee?

A. By Brady, through the Union League.

4035. Q. Brady is a republican, is he?

A. Yes, sir; he is the man who furnished me with the Griswold tickets. I saw him before I had voted and he gave me a full republican ticket and wanted me to vote it, and I would not do that.

4036. Q. You told him then that you were not a legal voter?

A. He knew before that I had registered three times, once legally and twice illegally.

4037. Q. And it was after you told him that that he gave you the ticket?

A. It was on election day that he gave me the ticket early in the morning, and I had told him before that about my illegal registering. He gave me a full set of republican tickets and wanted me to vote for Grant and Colfax; I told him that I would not do that but that I would vote for Seymour and Blair. I had a democratic ticket and a republican

ticket. I took Hoffman's name out of the democratic ticket and put in Griswold's. I voted the republican State ticket with the exception of assemblyman and congressman. I voted for a democratic assemblyman and for a democratic congressman, John Fox.

4038. Q. And the balance was the republican ticket?

A. With the exception of the presidential ticket.

4039. Q. Did you talk with anybody in this room with reference to your testimony?

A. No, sir. Mr. Davenport, the clerk, asked my name, and I gave it to him.

4040. Q. Do you know who subpoenaed you to come here?

A. Michael Brady requested me to come here.

4041. Q. Did you ever have any talk with Mr. Norton on the subject?

A. No, sir.

4042. Q. He did not know about your illegal registering and voting?

A. I cannot say that he did.

By the CHAIRMAN:

4043. Q. When you were first requested to register illegally state the reason assigned for the request.

A. He said that he would do something for me afterwards; that he expected to obtain something by it and that after election he would do something for me. I told him if I registered I would not vote. He said, "you need not vote; go and register, and if they accept your name it is all that is necessary."

4044. Q. Did he state what he was to get?

A. He expected some position in some court I believe. I cannot say positively who he was to get it from.

4045. Q. Do you know Dwyer's relations to Senator Norton?

A. They were very friendly. I saw them talking very familiarly. His politics are republican. Brady lives in Dominick street between Varick and Clark.

By Mr. DICKEY:

4046. Q. You stated that you knew two others to have voted illegally; where did they get their tickets?

A. I do not know.

4047. Q. Did you see any cards given to any other person to vote on?

A. Yes, sir. I saw four or five cards given out, and I saw the same person with twenty or thirty in his hand still. I did not know the name of that party. Each card simply contained a name and an address.

By Mr. ROSS:

4048. Q. How large is Moran's house?

A. It is a two-story and attic house.

By the CHAIRMAN:

4049. Q. State the names of the two other persons who you think voted illegally.

A. Their names are Thomas Boyle and John Hadden. I had seen them at the club-room. Michael Norton the State senator, is the democratic leader in the eight ward. He was elected senator on the democratic ticket a year ago last fall.

4050. Q. Did you ever see Norton in the club-room?

A. Yes, sir, I have seen Michael Norton in the club-room and seen him in the reading-room; I also saw Peter Mitchel in the club-room.

4051. Q. Were they there at any time when these slips were being handed out?

A. They were there at the time the tickets were folded, but I did not see them there when the slips were handed out.

By Mr. HOPKINS:

4052. Q. Was this place of Moran's considered a sort of headquarters for repeaters?

A. I do not believe it was; it was considered the Tammany Hall headquarters of the eighth ward.

4053. Q. And repeaters went there pretty freely?

A. They go all over; they are principally found around liquor stores.

NEW YORK, *Monday, January 4, 1869.*

ARTHUR MCKENNA sworn and examined.

To the CHAIRMAN:

4054. I was an inspector in the 5th district of the 1st ward at the last presidential election. This bundle of cards now presented to me, contains the names of non-residents of the district who came and presented themselves for registration in the 9th election district of the 6th ward. The cards that are marked with an X indicate that the person lived there; those marked with an O indicate that the person did not live there; those that are not marked at all indicate that I could not ascertain correctly whether they lived there or not.

4055. Question. Can you furnish to the committee a list of persons who voted in that district and who did not reside there?

Answer. I present a list of names that were placed on the registry of persons who did not live in the district. It can be ascertained by referring to the poll-books, how many of them voted.

4056. Q. How did you ascertain whether those persons lived at the places designated or not?

A. I took these cards to the several houses indicated, and inquired in each house as to the persons who lived there.

4057. Q. State if you made any effort to ascertain the names of persons so registered in the Bowery.

A. I did; but I was threatened by James Barclay, who told me that if I carried this thing out he would send me home on the morning of election on a shutter.

4058. Q. State what you know of illegal registering in the election districts.

A. I know of illegal voting in the 6th district of the 6th ward. I know several persons who were deprived of their vote by the fact that others had voted on their names. I can mention the names of William Sheehan and William Conroy, of Mulberry street.

4659. Q. Do you know any instance in which any democratic inspector challenged a vote?

A. No, sir; none. In the 2d district of the 7th ward there was no check-book kept.

By Mr. Ross:

4060. Q. Who were your colleagues in the district where you were inspector?

A. I do not know their names at present; they were strangers to me. I was not there on registration day. I was appointed in the place of Mr. Colters.

4061. Q. How many voters were registered at that precinct?

A. Nine hundred.

4062. Q. How did they stand politically?

A. They were pretty well divided, the democratic vote was in the majority.

4063. Q. Did you swear any voters on election day ?

A. Yes, sir ; about 20.

4064. Q. How many were rejected when they were sworn ?

A. None ; they were all taken. Their oath was sufficient.

4065. Q. Did you agree to take their votes ?

A. Certainly.

4066. Q. Then all the persons who voted, the board unanimously agreed to accept as voters ?

A. Yes, sir.

4067. Q. Were there any illegal votes given at your precinct ?

A. There were two. One was given from 68 South street. I do not know the name of the person ; he was a non-resident. He did not live in the place he registered from. I was not present at the registration in the 9th district of the 5th ward.

4068. Q. This list, which you presented to the committee, did you make out ?

A. No, sir.

4069. Q. Who made it ?

A. The clerk of the Union League club ; I do not know his name. The list is a copy from these cards ; I was present when he made it out. I got these cards from the registry ; I got a copy and compared it with the registry afterwards. I did not do the writing on the cards ; that was done by the clerks in the Union League rooms. They took the names from the registry ; the registry was hung up in the 9th election district, 6th ward. I made out no list myself, but I compared it and found it correct.

4070. Q. You found all these names on the registry ?

A. Yes, sir.

4071. Q. And then you went round to hunt up the men ?

A. Yes, sir.

4072. Q. And you could not find any of them ?

A. O, yes ; I found a good many of them. I found those with the X on the card ; those with the O were non-residents who did not live in the building at all.

4073. Q. When did you do this ?

A. The day previous to the election, I went into each room in each building and asked who lived there. I found a good many men there.

4074. Q. Was there any refusal to give you the names ?

A. There was at one house. It took me about 10 hours to do this.

4075. Q. By whom were you employed to do it ?

A. By myself.

4076. Q. How much pay did you get for it ?

A. What was honest and just—stopping a gang of thieves.

4077. Q. When did you obtain these cards ?

A. Three days before the election.

4078. Q. Where have they been since ?

A. I had a copy of them made to give to the inspectors of election. I turned them over to Colonel Beeny, inspector of the district. I have not had possession of them since.

4079. Q. How long have these cards been out of your possession ?

A. Since the night before election. But I have a duplicate of the Os on the paper which I handed to the committee. The list is as follows:

CENTRAL CITY COMMITTEE,
ROOM 15, FIFTH AVENUE HOTEL, *New York*, 1868.*Mott street.*

56 Terance Mulligan.
58 Peter Murray.
60 Patrick Farrell.
60 William Lord.
64 George Ames.
64 Owen Hart.
65 James Hart.
66 Michael Cusick.
80 William Clay.

Canal street.

154 William Banty.
156 James Stewart.
156 William Bishop.
162 Philip Eurick.

Elizabeth street.

11 Thomas Ellis.
11 Morris Devy.

Bayard street.

50 George Burns.
50 Edward Haye.
50 Charles McKeon.
50 David Jones.
48 Lewis Light.
60 William Gray.
60 George McGennis.
60 John Simpson.
60 John Nugent.
64 Andrew Dempsey.
64 William Farrington.
64 William Howe.
64 Martin McGowen.
66 Aben Haley.
66 Harris Kaffman.
66 David Murphy.
66 Michael McCaffrey.
66 John Harris.
66 William S. Kelley.
70 Walter Brice.
70 Henry Rice.
70 John Rooney.
70 James Rounsine.
70 John Smith.
70 Henry Weheredtz.

Mott street.

70 George Lydan.
70 Lewis Tiebout.
70 Lazarus Cohn.
72 George Buckley.
72 Thomas Connolly.
72 James Mahon.
74 George Hill.
74 Henry Sammis.
76 George Nehrobes.
76 Philip Moebler.
76 Jacob Schneider.
78 Luke Giluatin.
78 Mike Lynch.

56 Michael Spencer.
56 Bernard Silverblatt.
58 Peter Brennan.
58 Henry Chadwick.
58 William Devoy.
58 John Hines.
58 John Warren.
66 Bryan Foley.
66 James Feely.
66 George Heauny.
68 Jos. Gray.
68 John James.
68 Patrick McGolduck.
68 James Burns.
68 John McHugh.
68 Andrew Rooney.
68 Philip Spellman.
70 John Gold.

Bowery.

44 George Cuddy.
44 Peter Banevan.
44 Edward Cuddy.
44 Andrew McIntyre.
44 John McCarty.

Bayard street.

62 George Bennett.
62 John Gauson.
62 Michael Kame.
62 William Stevenson.
40 William H. Cook.

Canal street.

168 George B. Davis.
168 Robert Callahan.
178 John Fevorer.
178 Luky Casey.
178 George Fleming.
178 Thomas Walsh.
Thomas Wallace.

Elizabeth street.

9 Peter Develin.
9 George Meade.

Mott street.

52 Patrick Loftus.
56 F. Cusley.
60 John Maas.
60 James Darling.
60 Morris Harris.
60 F. Rooney.
60 James Goodwin.
66 John Galliger.

Bayard street.

64 Patrick Flynn.
64 Daniel Wall.
66 John Murphy.
66 Charles O'Dine.
68 Peter Derin.
68 John Groomley.

Bayard street.

68 Adolph Hopstock.
 68 James McMahon.
 68 Edward Payne.
 68 Mike West.
 68 Hugh Downey.
 68 Thomas Darigan.
 68 John Franklin.
 68 James Lawler.
 68 James Smith.
 70 William Collins.
 70 William Smith.

Canal street.

178 John Stevens.

Elizabeth street.

18 Mike Flynn.
 18 Thomas Green.
 18 William Harvey.
 18 William Hennessy.
 18 James Harris.
 24 Patrick Duffy.
 24 James Duncan.
 24 James Fitzgerald.
 24 Jos Grauner.
 24 Max J. Sencke.
 24 William Mitchell.
 24 William Simpson.
 24 Thomas J. Sweeny.
 24 Samuel Thompson.
 27 Gutlieb Dorn.

NEW YORK, *January 5, 1869.*

JOHN LEE SWORN and examined.

To the CHAIRMAN:

4080. I reside in Hastings on the Hudson, Westchester county, New York; on the 26th of August last I went, in company with six or seven others, to White Plains, the county seat of Westchester, to obtain our citizen papers; we went into the court-house and saw the clerk of the court; he took down our names and said we might sign for one another; he pointed out where we should sign on the book and we put our names down; after this was done he told us we would have the papers in a few minutes; in about half an hour we got the papers; I took the oath of allegiance to the United States; that is all the oath that was administered that I remember of; I saw nobody there but the clerk of the court; there was no examination of any witnesses; the certificates of naturalization were delivered to us; I have not my certificate now; I burned mine up; the name of the clerk of the court is Malcolm Smith.

To Mr. DICKEY:

4081. The reason I burned my certificate up was because I understood that it was illegal; I have been in the United States for seventeen years; I think the others have been in this country for different periods—I could not state how long; I had known some two or three of them for over five years; others I had not known for more than three months; I do not know what political party Malcolm Smith belongs to; I act with the democratic party; the other parties who were with me voted, I believe, the democratic ticket.

To Mr. ROSS:

4082. I do not know whether the court was in session at that time or not; I had been in the country long enough to entitle me to naturalization; I had not my first papers out; I could not say whether I came here before I was eighteen or not; I could not say of my own knowledge whether any of the other parties voted or not; Hastings on the Hudson is about 20 miles from here; the names of the other parties that were with me were Hugh Ward, Barney Ward, John Carberry, William King, David Welsh and Patrick Hurley; that is all that I remember now; they all lived in Hastings; I do not know whether any of them had declared their intentions previously or not.

To Mr. HOPKINS:

4083. I do not know that anybody advised me to go to White Plains; Mr. Thomas Smith told me that I might go there to get papers; he is a democrat and squire of the town; he did not press me particularly to go and get my papers.

To Mr. ROSS:

4084. He said nothing to me about getting papers illegally, nor held out any such idea.

To the CHAIRMAN:

4085. Some of the other men were working for me; my horse was hired to go over to White Plains; Mr. Thomas Smith hired it; I did not pay anything for my papers; some of the others, I believe, paid for them; I promised Mr. Smith to pay for them, but have not.

To Mr. DICKEY:

4086. Mr. Smith met us at White Plains in the court-house.

NEW YORK, *January 5, 1869.*

JOHN RODGERS sworn and examined.

To the CHAIRMAN:

4087. I live in Hastings on the Hudson; I have been in the United States two years the 15th of next May; I went to White Plains and got a certificate of naturalization; I don't recollect taking any oath there; he told me to hold up my hand and said something; there was no judge present at the time—only the clerk; I cannot tell the day of the month or even the month; John Lee was with me at the time I got the certificate; it was in the year 1868 some time.

To Mr. HOPKINS:

4088. I cannot tell my age; I cannot say whether I am over 21 or not; I do not know who went witness for me.

To Mr. KERR:

4089. I cannot say what year I came to this country; I believe it was in May, 1867; I came from the county of Cork; I do not know how old I was when I came to this country; I have lived in Hastings on the Hudson for nine months; previously I lived at Dobbs's Ferry; I lived there six months; before that I lived in Dutchess county; that was the first place I came to after I left Ireland; I could not say what I did when I went into the court-room; I had never seen the clerk before; I do not know his name; there were several persons in the room at the time; I could not say positively whether he was clerk or judge; I do not know whether John Lee was a witness for me or not; John Lee did not come to this country with me; I do not know how long he has been here; I do not know what he swore to on the occasion; I do not know what I swore to; I didn't know what I swore to until after I came out; I have been told since that I swore allegiance to the United States and abjured all allegiance to all foreign powers, especially that of Great Britain; I do not know how far White Plains is from Hastings; I do not know how long it took me to go there; I voted at the last presidential election.

To the CHAIRMAN:

4090. I voted, I believe, for Seymour; I paid for my certificate of naturalization; I paid it to Thomas Smith; my certificate is at home now.

To Mr. DAWES:

4091. I do not know for what office Seymour was running; I could not say whether I voted for anybody else or not; Thomas Smith gave me the ticket, I think.

DAVID WELSH sworn and examined.

4092. I live in Hastings-on-the-Hudson. I have been six years in the United States; I do not know how old I am; I believe I was over 21 years of age when I came to this country; I think I am over 27 now. I got my citizen papers at White Plains; I think it was some time in the month of June last; I never got my first papers, and never declared my intention to become a citizen; there were six or seven altogether with me when I got my certificate of naturalization; John Lee was one, John Rodgers another, Barney Ward another, and John Carberry another; I paid \$1 for my papers; I paid it to Thomas Smith; I voted at the last presidential election; I voted for Seymour and Blair.

To Mr. HOPKINS:

4093. I got my papers at the same time that John Lee did.

To Mr. ROSS:

4094. I do not know what I paid \$1 to Thomas Smith for; I do not know whether it was for Smith or for the clerk; I thought I gave it to him; I supposed it was to pay the expenses of my naturalization.

NEW YORK, *January 5, 1869.*

MATTHEW FITZGERALD sworn and examined.

To the CHAIRMAN:

4096. I live in Hastings-on-the-Hudson; I have been in the United States going on four years; I am about 36 years of age; I have never declared my intention to become a citizen; I have got my full citizen papers; I got them in the City Hall in New York city last April; I paid 60 or 80 cents, I think, for them; I voted at the last presidential election, at Dobbs's Ferry; I voted the democratic ticket; I have not my naturalization papers with me; there was a witness with me when I got my papers; Thomas Smith, I believe, was the witness; he went up with me to swear allegiance to the United States; I took no other oath but that; I cannot say whether the witness was sworn or not.

To Mr. KERR:

4097. I did not live in this city at the time I got my papers; I lived in Hastings; I came down to the city on purpose to get them; it is about 22 miles from New York to Hastings.

To Mr. HOPKINS:

4098. Thomas Smith came with me to get the papers; I would not be positive whether he was the witness or not.

NEW YORK, *January 5, 1869.*

WILLIAM LAWLER sworn and examined.

To the CHAIRMAN:

4099. I live in Hastings-on-the-Hudson; have been 10 years in the United States; I have not declared my intention to become a citizen; I got my certificate of naturalization some time last August, I think the 26th; I got it at White Plains; I appeared before the clerk and took an oath of allegiance and obedience to the laws of the United States; that was the only oath I took; I voted for Seymour and Blair at the last presidential election; I paid \$1 to Mr. Thomas Smith for the papers; before I got my papers out Mr. Smith wanted to know if I was going to get my papers; I told him yes; John Lee was with me; we went to White Plains; we went witness for one another; there were others with us; I do not remember now for whom I was witness.

To Mr. KERR:

4100. I could not tell whether the court was in session when I got my papers or not; I went into the clerk's office in the court-house; I could not tell what I paid \$1 to Mr. Smith for; I believe it was for my application; the man who swore me was clerk of the court.

THOMAS SMITH sworn and examined.

To the CHAIRMAN:

4001. I live in Hastings-on-the-Hudson. I am one of the coroners of Westchester county, and also justice of the peace. I know nothing in particular of the issue of certificates of naturalization by the clerk of Westchester county. J. Malcolm Smith is clerk of the county. He is also clerk of the court. I brought some parties to White Plains to be naturalized. I did nothing more than to take them into the clerk's room and introduce them. I think Mr. John Lee was one of them, although there were several; I cannot recollect their names. I think Welsh was there. I do not know John Rodgers or Patrick Hurley. I think William Lawler was there. This was some time in October last; I am not certain, however. There were several certificates of naturalization issued to parties; I could not state their names; I took no notice of it. I went to White Plains in my own wagon. I may have, perhaps, introduced as many as thirty people. I do not know whether all got papers or not. I believe they all went into the same room. I saw an oath administered to them. The deputy clerk administered the oath. It was in the county clerk's office. The judge was sitting up stairs on the bench. The oath was not administered in the court-room. It was once, I believe, administered in the court-room while the court was not in session.

To Mr. DICKEY:

4102. The parties paid one dollar to me for expenses of wagon-hire, &c., and bringing them to White Plains. I do not know whether anything was paid for the papers themselves. I never paid anything for the papers to the clerk. At the time the oath was administered by the deputy clerk I never saw any other official in the office. I never used any tickets on which to procure certificates of naturalization.

To Mr. KERR:

4103. I think the expenses of naturalization were paid by each of the different clubs. Both democrats and republicans would come to me to get their papers. I never asked them their political opinions. I never saw any of the parties that went with me have any white or red tickets with them. I have never aided any person in procuring naturalization papers whom I knew was not entitled to be naturalized. I would not do such a thing. I was informed that there was one person who got his papers out fraudulently; that he had not been in the country long enough to entitle him to it. I went to him and told him that it was wrong; that he had better give up the papers. He refused to give me up the papers however. His name is Carberry. The distance from White Plains to Hastings is about eight miles. I did not lend any wagons to go to White Plains; I drove my own wagon. I frequently have occasion to go to White Plains on official business. When I was there at White Plains the persons to be naturalized would go into the clerk's room. The clerk would take down their names, administer the oath to them, and ask them questions. The name of the judge of the court is Robert Cochran.

To Mr. HOPKINS :

4104. I have come with parties to New York city. I do not know whether I came with Mr. Fitzgerald or not. I have not been a witness in many cases of naturalization. I have been to parties applying for naturalization in the courts of New York. I cannot say how many, but very few. I know Fitzgerald. He is a neighbor of mine. I am not certain whether I came to this city with him or not.

To the CHAIRMAN :

4105. Both Malcolm Smith and Judge Cochran act with the democratic party.

NEW YORK, *January 5, 1869.*

JOHN CARBERRY sworn and examined.

To the CHAIRMAN :

4106. I live in Hastings-on-the-Hudson. I have been in the United States two years next May. I guess I am about 21 years of age. I have procured a certificate of naturalization. I cannot exactly state the time. It was just about the beginning of the fall of 1868. Thomas Smith was with me at the time I obtained it, and others whom I did not know. I got the papers from Thomas Smith. I got them at White Plains. I went before the clerk. I did not go before any judge. I did not vote at the last presidential election. I paid one dollar to Thomas Smith.

To Mr. HOPKINS :

4107. I had no right to vote at the last election. I do not know whether I got my first papers or my citizen papers. I did not attempt to vote.

NEW YORK, *January 5, 1869.*

EDWARD J. SHANDLEY sworn and examined, (called at the instance of Mr. Kerr.)

To Mr. KERR :

4108. I reside at No. 167 Henry street. I have been a police magistrate during the last seven years, and was clerk of the court for some time previously. I voted at the last presidential election in the sixth district of the seventh ward. The polling place was at No. 19 New Canal street. I was about the polling place pretty much all election day. I do not know of any parties voting there not entitled to vote. I understood that some parties had registered from my residence. I went to the captain of police of my precinct and so informed him, and told the registrars if anybody came there and tried to vote as from my place of residence, other than the parties whose names I gave them, to arrest them. During the day there was a party came in and tried to vote from my house. I was outside the polling place at the time. As soon as I heard of it I went in and had him arrested and taken to the station-house. I don't know the name of this man. The board of inspectors seemed to do all they possibly could to prevent illegal voting, so far as I could see. I do not know whether the man who registered as living at my house voted or not. As soon as I heard that he attempted to vote, I directed the inspectors to have the man arrested and taken to the station-house. I had no hand in having this man register as from my house. I do not know of any other parties voting at that precinct who were not entitled to vote.

To Mr. KERR :

4109. My office of justice is not at my residence. I do not know how many persons attempted to vote as living at my house. There were only three voters at my residence, and they were John Spies, Samuel Spies, and myself.

To Mr. DICKEY :

4110. I do not know a man by the name of John Bennett, or Thomas Fitzgerald, or a man by the name of George Morrow, nor one by the name of James Weaver, nor one by the name of Charles Edwards. There is no other No. 167 Henry street. I saw the notice in the Tribune about a number of parties who had registered from my house. I took it at first as a joke, but after I had inquired about it and found out that they had actually registered, I informed the board of registrars and the captain of the police of it, and told them to arrest any person who attempted to vote as from my residence except those whose names I gave them.

To Mr. KERR :

4111. I never gave permission to anybody to register from my house. I do not think there has been a registrar or inspector in my district who did not know who lived in my house. I cannot account for the fact that these were registered.

To Mr. HOPKINS :

4112. I would not have known anything about it if I had not seen the notice of it in the papers.

To the CHAIRMAN :

4113. The name of the poll-clerk of the 6th ward was Ryan. I have forgotten his other name. My district in the 7th ward is a very large one and has a great many names on the registry list. When I went into the polling place on election day one of the inspectors was about to send out for a bottle of whiskey. At the time there was a line of about 200 voters waiting to deposit their ballots. I advised them not to send out for any whiskey, and told them that they had plenty of work to do that day and it would take all their time to receive the ballots, but that as soon as the polls closed I would give them a first-rate supper, a bottle of wine and \$5 apiece. After the polls closed they reminded me of the promise, and I gave them a dinner and \$5 apiece. The democratic inspectors refused to receive it. I gave about \$30 in all to the four poll clerks. There were about 75 republicans in that line waiting to vote, and it was as much of an accommodation to them as it was to anybody else. I was present most of the time when the canvass was going on. I remember noticing one of the canvasser's manner of doing business. I saw that it was pretty slow. I asked him if he had had much experience in that line. He explained to me how he was making out the canvass. He said he was going to canvass in that way if it took him all night. I told him that he was going the wrong way and that he had better do as the others were doing, but he said he had his instructions and would obey them. He had opened his ballots and put them in piles and was commencing to call them off by names when this controversy took place. I do not know what was the method of canvassing electoral tickets prior to 1868.

To Mr. HOPKINS :

4114. There were about 868 votes cast in my district. I think the democrats had about some 600 majority.

To Mr. KERR :

4115. The number of election districts in my ward had not been increased the same as they had been in other wards, so that they were considerably larger.

To Mr. HOPKINS :

4116. It is the duty of the board of supervisors or common council to regulate the number of election districts in a ward.

NEW YORK, *January 5, 1869.*

T. EASTON BENNETT sworn and examined.

To Mr. KERR :

4117. I am clerk of the superior court, special term; have been so for four years; have been connected with the superior court in one capacity or another for the last 16 or 17 years; James M. Sweeney is the chief clerk. During the time of naturalization my especial duty in connection with it was to swear the witnesses and the applicants. My position in the court was at a desk at the right-hand side of the judge, facing the witness and applicants, about six or seven feet from the judge, on a platform a little below that on which he sat. I attended upon all the judges during their term, but chiefly upon Judges Garvin and McCunn; they did most of the business of naturalization; the others acted occasionally in the early part of October. We generally commenced business about 10 o'clock in the morning and sat until half past 4 or 5 o'clock; as the business increased in the latter part of the month, we commenced the session at 9 o'clock and sat until half past 10 in the evening; I would not be there during the entire sitting, but would go out occasionally; I have been there often till near 12 o'clock at night. When the judge would arrive in the morning the room would be generally pretty well filled up with applicants and witnesses. An officer received from the applicant his papers. When the court was opened and the judge was ready the clerk would call off the names of applicants and witnesses; one of the deputy clerks usually called off the names; they were then brought up and sworn, and the judge examined them; he first examined the witness and then examined the applicant, and, if satisfactory, they were passed along to my desk; the judge would then sign the order and hand it down to me; I would then administer the oath, hand the applicant his paper, and direct him to go to No. 18 City Hall and get his certificate. The first oath administered to the applicant was one requiring him to make true answers to all questions put to him in regard to naturalization. The second oath was one to support the Constitution of the United States, and abjure all allegiance to foreign princes, potentates, or sovereignty, especially that of the country from which he came. The first question put to the witness by the judge would be, "Do you know the applicant?" (calling him by name;) "How long have you known him?" "Where does he reside?" "Where has he lived for the last year?" These questions being answered, the judge would then turn to the applicant and ask him if he had lived so many years in the United States, where he had resided for the past year, how long he had known the witness, and similar questions. I could not approximate as to how many applications were granted in a day. One day Judge Garvin was down at 9 o'clock, and Judge McCunn came down a little after ten; the general term adjourned immediately, and Judges Jones and Robertson held court until near 6 o'clock; we then adjourned to the aldermen's room in the City Hall, and held court there until a quarter

of 12. About 100 applications were rejected every day; there were parties whom we recognized as being witnesses for two or three different applicants; I do not know that I could name any of them at present; I have seen them there several times, and their faces have become familiar to me; I think the name of one of the witnesses was John Moran; he was born in this country, I think, of Irish parentage. There was also another man who was connected with some one in the mayor's office; I think he came there with white tickets two or three times. And there was another man by the name of McCaffrey; I do not know his first name; I cannot recollect any of the other names. These men did not come in consecutive days, but would come at intervals often enough for us to become familiar with their faces; my best recollection is that seven or eight times would be the outside which these persons would witness for different parties, possibly as many as ten. The judges used all diligence in detecting and preventing frauds, by asking the witnesses different questions as to their residence and intimacy with the applicant, and would cross-examine the applicant himself, to see whether the witness and principal contradicted each other. Judge McCunn detected, on two or three different times, parties who were witnesses for repeated applicants; one man he had put under arrest, and threatened to commit him, but, as there was no proof, he was discharged. Judge McCunn severely reprimanded him, and told him if he saw him in court again he would have him arrested; I think Judge McCunn ordered the commitment of two or three persons, but I do not think the order was carried out. The business of the court while I was there was done in a regular manner. No person to my knowledge was naturalized unless he was present with his witness, and I do not think it could possibly have been done without my knowledge. Mr. Sweeny gave me strict orders at the commencement of the naturalization business to keep a strict look out for frauds, and to give the papers to the applicants themselves and not to anybody else. The judges also gave me similar orders. Judge McCunn told me if I saw anything wrong to let him know about it.

To Mr. DICKEY:

4118. I could not tell which judge granted the applications most rapidly. There was very little difference between Judge Garvin and Judge McCunn. Judge Jones had rather a roundabout way of examining witnesses, which took him a longer time. I think 120 applications could be granted in an hour; that is my opinion. There are about six questions, all told, put to the witness and principal. I think the court could dispose of two a minute, besides those that were destroyed. I should judge there were about 300 applications every day rejected. These would be torn up. The judges would examine the witnesses and principals while I was preparing the papers.

To Mr. DAWES:

4119. I think the questions could be put to the parties in about 30 seconds.

To Mr. DICKEY:

4120. There were two parts of the court in session at the same time, one up stairs and one down stairs, while the pressure of naturalization was going on. When one judge could not transact the business so as to keep the room comparatively clear, another judge would go into another room and take off a part of the crowd and naturalize them. When the great rush came there was very little regular court business transacted.

To the CHAIRMAN:

4121. I had a fair opportunity to judge what was going on in the court-room. I had to administer to them the oath and to keep a lookout. I

think I could administer my oath quicker than the others could administer their oath, as it was a shorter one than the one administered by the judge. I think I could deliver mine in about five seconds.

4122. Q. If the judge should testify that any such oath was never administered, which would have the best means of knowing, you or the judge?

A. I can only answer for what I did as clerk.

4123. Q. I understand you to say that the judge administered an oath to the witness to the effect that the witness will well and truly answer all questions put to him touching the question of naturalization; now, if the judge should say that no such oath was administered at all, which would have the best opportunities of knowing, you or the judge?

A. As I administered the oath myself, I should consider that I had.

4124. Q. Do you say that such an oath was administered in Judge McCunn's court?

A. Yes, sir; I do. I should say here, however, that I more properly belong to Judge Garvin's court than to Judge McCunn's, because Judge Garvin was the judge who was generally down first, and I was the first clerk on duty. Judge Garvin remained until 1 o'clock, and I used to take a little recess then.

4125. Q. Has any man been indicted in any such court for perjury, or fraud in procuring naturalization papers, to your knowledge?

A. I do not know whether there has or not. A man was arrested, I believe, but I do not know whether he was indicted.

By Mr. DAWES:

4126. Q. In a single case how many oaths did you administer?

A. One, in the majority of cases, of the applicant. After he passes the judge I swear him in as a citizen of the United States. The clerk on the other side swears him to make true answer to all questions put to him; which makes two oaths altogether.

By Mr. KERR:

4127. I think there were as many certificates of naturalization granted during the Buchanan and Frémont campaign as there were at the last election. I think the process of naturalization was the same then as it was at the last election.

4128. Q. According to your observation, it was conducted in previous years the same as last fall.

A. Yes, sir; it was the same under Judge Duer, Judge Bosworth, and Judge Campbell. There was probably a greater rush this year.

To Mr. DICKEY:

4129. I made no examination of the applications to see whether the signatures of both principal and witness were in the same handwriting.

To Mr. KERR:

In regard to the alleged large increase of applicants for naturalization I desire to say that I do not think this increase is any more accounted for by natural causes. The war broke out in 1861, and from the time it commenced until its close there was a great emigration throughout the country of conscription. He who arrived here in 1856 and since that date has not been able to get his papers in 1861 and afterwards, postponed his application to avoid the draft. Those emigrants who were not drafted on refrained from becoming citizens, and those who were not enlisted without becoming citizens.

war closed of sufficient interest to bring out every vote until the last presidential election. I was much struck with the large number who applied for papers during last summer and fall who had come to this country in 1857, 1858, and since then, who were entitled to their papers three or four years ago, but did not apply for them in consequence of the war. Then the large number of aliens who had served in the army and were consequently entitled to become citizens without having been in the country the usual period, increased the number of applicants last year very much.

To Mr. DICKEY:

4130. I do not think there was a larger proportion of minors naturalized this year than in previous years. In speaking of naturalization I, of course, have knowledge only of what transpired in my court.

To the CHAIRMAN:

4131. I believe the number of emigrants diminished during the years of the war; many of those that did come over no doubt enlisted, and quite probably the foreign population in this city was reduced thereby to some extent. I do not know how many were naturalized by the court of common pleas. The reason why they did not naturalize so many this year arose, no doubt, from the fact that they had only one judge. We had some three or four.

NEW YORK, *Tuesday, January 5, 1869.*

MICHAEL COSTELLO sworn and examined.

To the CHAIRMAN:

4132. I held the office of register and inspector in the 3d district of the 4th ward in the last presidential election. I was appointed to this office by the police commissioners, upon the recommendation of a Mr. Leask. I went to the polling place of my precinct on the day of registry, and was instrumental in stopping a great many men from putting their names down who held fraudulent naturalization papers. I knew them to be professional repeaters. In consequence of my action I was repeatedly threatened by the crowd around the registry office. When the election came I went down and attended to my duties. I stopped a good many votes in the morning. Every person who offered to vote, of whom I had any doubt, I would challenge, and in most cases they would not swear they were qualified voters. Alderman Coman came into the polling place in the course of the afternoon and says to me, "When you are done there are 200 voters waiting outside, and I am one of them." I told him that I was doing my duty and intended to do it. When I left the polling place in the evening after the polls closed I had to be escorted by a squad of five policemen, to protect my life. The crowd outside were very threatening and used all sorts of vile language towards me. There was a republican challenger at the polls at the time they opened, but he was soon run out of it. The police put him out. Some one in the crowd remarked that he had no right there, and he was taken out. I remonstrated against it, and told the challenger that he had a perfect right to stay there. I acted as challenger myself during the day. I was chairman of the board of inspectors. I have been working in the Herald office for the last seven months. During the day a policeman handed me a letter which was given to me by one of the crowd outside. I opened the letter and found that it was signed "James G. Bennett, jr.," and was to the effect that if I did not use every exertion to help elect Gunning S. Bedford I would be dismissed from my place. I cannot recollect the exact

words of the note, but it was something to that effect. I took the letter and put it in my pocket, and after a while my father came down and said he heard I was going to be killed, and he asked me for God's sake to be a little more light. Mr. Leask came into the polling place in the afternoon, and I handed him the letter signed by Mr. Bennett. He took it to the Herald office and showed it to Mr. Bennett, and found it to be a forgery. The letter was handed to Detective Young to work up. I have not seen it since. Two or three days afterwards I called at the Herald office, and understood from some man there that I was to be discharged. I went up and asked Mr. Bennett about the letter. He said it was a forgery. I then walked away, and have not been back to the place since. During election day I left my polling place and went up to the 6th ward, where I live, to vote. I was challenged there, and swore in my vote. When I came out I found a crowd of 200 persons, who threatened me in every manner possible. Among them was ex-Congressman Jones. He came to me and said, "You won't be done with the police for three months to come," shaking his hand at me in a very threatening manner. I did not keep any account of the number I challenged on election day; I could not even approximate the number.

TO MR. KERR :

I was not struck by anybody at the 6th ward voting place. None of the crowd followed me after I left. I have been engaged in press printing for the last five years. For seven months previous to the election I worked in the Herald office. I was formerly a policeman in the old force, and was for a little while on the present force. I resigned my place. I am now one of the bell ringers of the city, appointed by the fire commissioners. I was not discharged from the Herald office; I merely went away. I do not know who sent me the letter signed J. G. Bennett, jr. I thought at the time that it was genuine. The other officers of the board of inspectors of my precinct were Dennis McLaughlin, a man by the name of Thurston, and another one whose name I forget now. My life was not threatened by any of my colleagues on the board, nor was I threatened in any way by them; nor did they deter me from challenging any voter. No obstacles were thrown in my way by them, and the board acted in perfect harmony. I do not know, of my own knowledge, of any illegal votes being cast by any person in my district. There was one man arrested for voting twice. I could not say how many I challenged during the day. I should think a good many; I could not state how many. There were 817 votes registered in that district. I should think there were 600 or 700 ballots cast that day. The democratic party was in the majority; I could not say how much. I do not think there are more than 50 republican voters in the district. I do not know whether there were many legal democratic votes that were not polled. I challenged without reference to party. Whenever a man came up, and I thought he was not a legal voter, I would challenge him. I had no list with me; did not receive any list from the Loyal League, or from any committee. I did not live in the precinct of which I was inspector; I am pretty well acquainted with the people in the district, however. The district was probably one of the largest in the city, and requires the inspectors to be very active and prompt to enable them to receive all the votes during the day. There was a crowd around the polls all day. Whether they were all trying to vote or not I cannot say. I could not see the line of voters from where I stood. I could see quite a crowd outside the door in front of me, and also one or two policemen. The crowd extended around the corner of the street, and I could not see them from

where I stood. The crowd outside did not threaten my republican colleague, McLaughlin; they seemed to vent all their spite against me. McLaughlin was known very well in the ward. In challenging votes I did not do so for the purpose of delaying elections and excluding voters. I challenged republicans as well as democrats, and made no distinction. I was challenged when I went to vote in my precinct, by a man named George Bowdell. I believe he is a democrat. He afterwards followed me out of the polling place and threatened to mash my nose. I cannot say whether at the time the polls closed there were many outside who did not vote during the day. There was a great crowd out there, but I cannot say whether they had been waiting to vote or not. I have not been troubled with the police since I was threatened by ex-Congressman Jones. They have not in any way disturbed me.

To the CHAIRMAN:

4134. I do not think I challenged more than 50 men that day. There was a democratic challenger at the polls. I do not think he challenged more than two or three persons during the day.

NEW YORK, *January 5, 1869.*

HENRY BEENEY recalled.

To the CHAIRMAN:

4135. I was one of the registers and inspectors of the 9th district of the 6th ward at the last presidential election. I would like to make an explanation in relation to the testimony I gave the other day. You asked me in relation to illegal voting, and in the course of the examination I said that of my own knowledge I had known of no person who had voted illegally, and you then handed me a little communication which I addressed to the committee having in charge the examination of illegal registration. It would be proper for me to say just now that I had no personal knowledge of what I stated in that note, but received the information from a person who said that he did know it. I took a very active part in the prevention of illegal registering, and a great many persons came to me with information on different points, which I sent to that committee. You also asked me in reference to the number of persons registered in that district and the number of votes cast. I stated that there were 381 votes polled. My opinion is that you cannot find to-day 200 legal voters in that district. My belief is that there are not even 200, as the district is a very small one, occupying but two blocks, and in the district is the Bowery theatre, occupying three or four lots, the repair shop of the metropolitan fire department, and a large public school building. In all these three buildings there were but two voters registered. In regard to the transactions on the day of election, I would say that the whole board of four inspectors were present before the first vote was cast, and they stayed there until the poll closed. I had been advised prior to the day of election that great frauds had been committed in the registration of voters in that district. A Mr. Woodward, who resided in the New England Hotel, in that district, had registered his name on the first day. On the second day of registry he had his name taken off, and he told me that the day he went up there to get his name taken off that there were at least six men who registered themselves three different times. I was absent from the registry twice that day, and the registrar I left behind was blind in one eye, and wasn't able to identify the men as they came up. On the day of election parties came in and offered to vote, who appeared to me were not the parties that had registered on that name.

Some of them I objected to and challenged, but the democratic inspector, Mr. Haggerty, who acted as chairman of the board, held up the Bible to several of them and said, "You swear you are a legal voter?" "Yes," says the man, and then, without doing anything further, Mr. Haggerty received the ballot against my protest. I ordered the policeman to make arrests; he said he would if I could give him a written order from the board. Before that could be done the man had gone off. Mr. Haggerty then directed the policeman to arrest no one without a written order of the board, which requires a majority.

One person came up and offered to vote under the name of Chadwick. When Mr. Chadwick came and registered his name I looked at him and asked him if he had a brother in the Union army, whom I had known some time ago; he said he had not; this fixed his face in my memory, and when this person came up to vote on his name, I knew he was not the person that registered; I wanted to challenge the man, but the chairman of the board, Mr. Haggerty, looked around to me and said "You be damned!" and took the vote and put it in the box. I had not the power to stop it, but I was confident that the man who voted under the name of Chadwick was not the man who registered by that name. Again other parties came up and offered their votes whom I had reason to believe from the evidence obtained were not legal voters. I challenged them, but no notice was taken of the challenge. Mr. Haggerty turned to me and said "Do you know what I should do with you if I was a voter and wanted to vote and you challenged me? I would drag you over that table quicker than lightning." But the votes were taken and in no instance during the whole day could I get an oath administered. Again a man presents himself and wants to vote on a certain name, and on looking at the list I find that the man has voted on that name, and I protested against any other vote being received for that person. The votes, however, were received and the same answer was given to me as before. In one instance three different votes were taken on one name, and although both myself and the other republican inspector, Mr. DeVoursney, protested against it.

During the afternoon, when the voting fell off, Mr. Field, one of the democratic inspectors, went over in a corner with his poll-book, and commenced examining it and copying from it, and two or three times I noticed that he left the room, and very soon afterwards in would come three or four of those young men who were termed "repeaters" and voted. I believe from what I saw that he carried out names who had not voted and gave it to men outside. There were quite a number of men who came to vote in the afternoon, who were unable to cast their votes because other parties had voted on their names before. I cannot state positively the politics of the men whose names were registered who had been voted upon by other persons, but I judge from the remarks they made that they were republicans. I desire to say a few words in reference to what I mean by "repeaters." There are in the city of New York thousands of young men between the ages of 20 and 24 who have no legitimate business or any real abiding place, but live by their wits in one way or another. These men on election day form themselves into gangs of ten or a dozen, with a captain at their head, and these gangs are held responsible for a certain number of votes in the district, and they are required to make registry of a certain number of names in each district. The matter is all arranged as regularly as clockwork. These men are the most dangerous class in the community; they are what are termed "repeaters." One of them, to my certain knowledge, registered twice and would have registered three times, but I was so confident that I

had registered him before, that I would not take his name. Another man came back to register; I felt convinced in my own mind that he had registered before, but I could not say positively under what name he had registered; I knew his face and would not register his name the second time, because I knew I had registered him before. There were but few men sworn on the day of registration.

To Mr. DAWES:

4136. I think the registry book will show perhaps ten or fifteen names of persons who came to vote, but found that their names had been voted upon before. I do not know who these men were, because I was not a resident of that district and not familiar with the people that voted.

The board of inspectors consisted of four, two democrats and two republicans. The two republicans opposed illegal voting as much as they could, but we were overpowered by the force of Mr. Haggerty's will. I protested every time, but he would say, "You be damned," and take the ballot and put it in the box. Mr. DeVoursney and myself protested repeatedly against many of the votes, but without effect; the ballots were received and put in the box. I should think there were certainly 100 or 150 received in this way. I have been an inspector in some of the most difficult districts in the city of New York; but I never saw anything like what I saw in my district in the last presidential election. Men came up and voted whom I knew to be different men from the persons who registered on the name upon which the vote was offered, and their votes were received against the protest of Mr. DeVoursney and myself. The form of the oath prescribed by statute to be administered to voters who are challenged is "You do swear that you will fully and truly answer all such questions as shall be put to you touching your place of residence and qualifications as a voter?"

To Mr. ROSS:

4137. I cannot give the names of any person who voted illegally at my precinct.

NEW YORK, *January 5, 1869.*

C. E. WILBOUR recalled and examined.

To the CHAIRMAN:

4138. I wish to state that in addition to the number of certificates of naturalization and applications printed by the New York Printing Company, of which I gave evidence before, I have found that on the 16th of September we furnished to the supreme court 10,000 applications and 9,000 certificates, and on the 19th of September, 10,000 applications.

To Mr. DICKEY:

4139. We did not furnish blank applications to any other parties than the clerks of the court; we did not furnish any to the Taumany committee.

By Mr. DAWES:

4140. Q. Is the printing company of which you are president a corporation?

A. Yes, sir.

4141. Q. Who are the owners of the printing company?

[Question objected to by Mr. Ross, objection overruled.]

A. I prefer not to answer that question. I had rather not answer it without the assent of the stockholders.

4142. Q. Who were at the time these blanks were furnished?

A. I have the same objection to that question.

By Mr. DAWES:

4143. Q. Who are the stockholders of that company ?

A. I would rather not answer that question.

By Mr. DICKEY:

4144. Q. Is there a regular stock book ?

A. I am not certain.

4145. Q. Does the company issue stock ?

A. I believe it does.

4146. Q. What is the amount of the capital stock of that corporation ?

A. I think \$25,000.

By Mr. DAWES:

4147. Q. Are there articles of association ?

A. I think there is a certificate on file in the secretary of state's office.

4148. Q. What does that show ?

A. That I cannot remember.

4149. Q. Does it show who constitutes the association ?

A. I do not remember what it does contain.

4150. Q. How long has the company been in existence ?

A. About three or four years.

4151. Q. How long have you been connected with it ?

A. From the beginning.

4152. Q. In what capacity ?

A. As president.

4153. Q. What other officers have you ?

A. There is a secretary, his name is Cornelius Corson.

4154. Q. Where is the place of business of this company ?

A. Nos. 81, 83, and 85 Centre street.

4155. Q. Is there any treasurer of the company ?

A. There is not.

4156. Q. What objection have you to testifying as to who constitute the members of this corporation ?

A. I think it is a private matter. I would not like to give the details of the business before any public body.

4157. Q. Is there anything about the transactions of this company that would be improper to be published ?

A. I do not know that there is.

4158. Q. Would any of the stockholders object to your giving this information ?

A. I do not know that they would.

By the CHAIRMAN:

4159. Q. About what number of stockholders are there in this company ?

A. I have the same objection to answering this question as the former one.

By Mr. DICKEY:

4160. Q. Are there directors of this company ?

A. As to that I do not know. Mr. Corson and myself manage the business of the company.

By Mr. HOPKINS:

4161. Q. Was this company organized under the general law of the State, or was it by a special act of incorporation ?

A. Under the general law.

By the CHAIRMAN :

4162. Q. I repeat the question as to who are the stockholders of the company, and must insist upon an answer.

Witness stated that he would consult with the stockholders and give an answer the next day.

NEW YORK, *January 5, 1869.*

PATRICK MACK sworn and examined.

To the CHAIRMAN :

4163. I was chairman of the board of registrars and inspectors of the 5th election district of the 4th ward in the last presidential election. I was told that great frauds would be perpetrated by fraudulent naturalization papers, and on the day of election I swore every man who came before me of whom I had any doubts as to his being a legal voter. I had been a resident of the district for nearly 20 years, and know almost every legal voter in the district. It is a small one, consisting only of two blocks, and every person presenting a naturalization paper about which I had doubts I would swear if they went to a court and got their papers there, and in nineteen cases out of twenty the parties said they got their papers from other individuals and not from the court at all. I took the papers and made a private mark on them. The president of the board of aldermen came to me during election day and said that I was doing wrong. I told him that the police commissioners put me there as a republican, and I intended to do my duty. About 4 o'clock in the afternoon there came to me a writ of *mandamus*, issued by Judge Cardoza, requiring me to appear forthwith. I told my republican colleague that I would adjourn the board. The democrats said "no," they wanted the board in session to receive names for registry. One of them went up to Judge Cardoza, and came back and told me I need not appear before morning. They wanted to get me away, so they could put as many names as they wished on the registry book; but when they found that I intended to adjourn the board and close up the registry, they didn't like it, and so they got it arranged that I need not appear until the next morning. I adjourned the board at 6 o'clock, but the democratic inspector staid there taking names until 9 o'clock. They did this without any legal warrant or authority whatever. I went up to Judge Cardoza in the morning. On my way I met several parties who threatened me with Ludlow street jail, and I was told to save myself by pleading ignorance of the law, which I did. Judge Cardoza compelled me to give the papers back and register the men. Many of them I knew were not legal voters. One of them, a relative of mine, told me on the day of election that he had voted that day in the 10th ward, and then came down to vote in my district. Strong efforts were made to have me removed from the chairmanship of the board of inspectors. Mr. Matthew T. Brennan, one of the police commissioners, said to me, "Paddy, you know these men are voters." Says I, "That don't make a bit of difference; I want them to prove their right to vote." He told me that all that was necessary was the seal of the court to their papers. I told him that I would make them prove their identity. He got very mad at that, and said, "I will send after you." Alderman Coman came to me the next day, and wanted to know why I was so hard on the boys. I told him I was not hard, but I was trying to prevent frauds, if I could, and would do everything in my power to prevent them. When the poll opened on election day and the crowd pressed in, there was a republican challenger there, and they wanted to put him out. I told them that

they could not do it; that he had a perfect right to be there. There were a large number of deputy sheriffs around who insisted that he should go out. They made a great splurge and fight over it, but they did not put him out. I had nine or ten men arrested that day for attempting to vote illegally, but I could not leave the polls to prefer charges against them. It would not have done any good any way, because they would have been let out immediately. Alderman Coman came up to me, after my interview with Brennan, and remonstrated, and told me that I ought not to have spoken to Brennan in that way; that Brennan was a very bad man to have as an enemy, and that it would not be well for me. Says I, "I don't care; I will take my chances." Coman is president of the board of aldermen, and has been acting mayor for the last month. He is a democrat.

To the CHAIRMAN:

4164. I contended that the republican challenger had a right to be there. The deputy sheriff said he had no right, and they made a rush for him. I grabbed him and put him behind the counter for safety. Some of the deputy sheriffs drew pistols; I drew one and so did the challenger, and there was quite a row there for a little while, but no shots were fired. The republican challenger staid there, however, all day. Fraudulent naturalization papers were offered to me many times. One man offered me fifty papers for \$25. I refused to take them, and he sent them over to Brooklyn.

To Mr. DICKEY:

4165. This man who offered me the papers I think lives in Roosevelt street. I have forgotten his name.

To Mr. ROSS:

4166. George W. Morris is the name of my republican colleague on the board. The democratic ones were Richard Wall and Joseph Elliott. It requires three of the board to exclude a man from voting. The illegal votes that were received were received against the protest of both my republican colleague and myself, while the democratic inspector said he would be damned if he would not receive them anyhow; and he received them and put them in the boxes of which he had charge. I told him I would be damned if they should put them into the President and State boxes, which were in my care, and none were received in those boxes to my knowledge. The name of the relative of mine who voted in the 10th ward is Patrick Harrington. He is a seaman, and I cannot tell where he now lives. I only know from what he told me that he had voted in the 10th ward. I met him when I went out to lunch in the line of voters. I believed then that he had voted before, and I warned him against trying to vote again in that precinct. He acknowledged that he had voted in the 10th ward, but said that his residence was at 56 Roosevelt street; that he would vote there anyhow. I think I know of 100 or 200 illegal votes being cast in my precinct. I can think of the names of but a few: one is James Weavers, who voted from 54 Roosevelt street; he had never gone before the court to get his naturalization papers, but presented me with a certificate which he had bought from some individual; I was, however, compelled to let him vote. Another was Joseph McCorboy, No. 14 Roosevelt street. These two men got out the writ of *mandamus* against me. Another was Peter Miller, living in James street. He had repeated in every district in the ward before he came to ours, and in trying to vote in my district he was arrested, but was released the next morning. I do not know of my own knowledge that he voted in any other district, but was told so. I would

not like to swear that the republican challenger drew a pistol in the melee; upon reflection I think that he did not. The police officers stationed there were all democrats, and I could not get them to do anything. I sent for a captain of police and told him that. I never had any of my poll books in the Union League room or at any republican committee, nor any of the election books. I never took them up to the Fifth Avenue Hotel. I left a copy of the poll-list at the Union League rooms. I believe my colleague took it there.

To the CHAIRMAN:

4167. I do not know that anybody has been convicted of fraudulent voting in this city within the last three years.

NEW YORK, *January 5, 1868.*

LOUIS JONASSOHN sworn and examined.

To Mr. DAWES:

4168. I was employed three or four weeks by the German democratic Union committee as one of the clerks of naturalization, in the office at No. 6 Centre street. They appointed Benjamin B. Rosenberg as superintendent, and Mr. Gershom M. Hermann as chairman of this committee. This committee held a meeting, and passed a resolution that Mr. Julius Hennett should be first clerk, and when the pressure would come I should be appointed second clerk. I took that position about three days after the office was reopened. I remained there up to the 13th of October, when I left. Mr. Rosenberg and myself were never on good terms; we were continually quarrelling. I am very well acquainted with the process of naturalization, and the routine of the work; he, on the contrary, knew nothing about it, and is an illiterate man, but wanted to take charge of the business. Mr. Rosenberg discharged me, but I protested against it, and gave notice to the committee of it. After I left I offered my services to Judge McCunn, to assist him as an interpreter of the court while the business of naturalization was going on. The office of the naturalization committee of the German democratic union was in the basement of No. 6 Centre street. Before the door was a large table which Mr. Rosenberg occupied. My desk was somewhat on the left of Mr. Rosenberg. When a man came in he went right directly to Mr. Rosenberg, who sat opposite the door. Rosenberg would question him and examine his papers. After he would examine them he would turn them over to me. I would make out the papers. We first made all the applications out on the blanks furnished by the court of common pleas, but they were more complicated than those furnished by the superior court, and more troublesome to fill out, and I got Mr. Rosenberg to get blanks from the superior court and use them in cases of soldiers. The great obstacle to be overcome in making out the papers was to obtain the witnesses. When a man came in Rosenberg would question him, ask him how long he had been in the country, and the like, and then ask him if he had any witnesses with him. In some cases the man would say "no," and Rosenberg would say to him that he must have one. Rosenberg would often say to a man who had no witness, "Before I bite your finger there must be some sugar on it." He meant by this, I suppose, before he would do anything for the man in relation to furnishing him with a witness, he must pay him. Rosenberg would then call a man by the name of Bernard Lockmann. He would then take the man into a back room, and after staying there a few minutes would come out, and then come to my desk and tell me to make out

the application for this man; that he would be the witness in the case, and I would make out the application accordingly. He would then take the application and go away with the applicant. When Lockmann came out with the applicant the clerks would fill up the application with his name in as witness. I could not say whether that was all Lockmann's business or not. I could not state how many papers Lockmann witnessed in this manner. I should think I prepared at least 25 of them. Rosenberg said to the persons coming in about his biting their finger with sugar on it to as many as about 50. Sometimes Lockmann would be absent, and he would choose some one else. He would not always use the metaphor in relation to the finger to all the men; he would sometimes send them directly to Lockmann for him to talk with them.

To Mr. DICKEY :

4169. I could not hear all that passed between Rosenberg and the men that came in. He would talk to them privately, and in a low tone. I could not state of my own knowledge whether anybody received compensation for acting as witness, but I had no doubt in my mind that compensation was given for such services, as these men would often take us around and treat us, and appeared to be flush of money. All the work I did in the office was honest work. I simply filled up the applications, showed the persons where to sign the names, and then handed them to the applicants. This Lockmann has lived in New York 25 years; has been in almost every business, and is very generally acquainted. He had once a cigar store in Sixth avenue, but never had any settled business.

To the CHAIRMAN :

4170. Lockmann would come to the office precisely at 8 o'clock in the morning, and would stay there until the close of the night session. I do not know of any of the clerks acting as witnesses while I was there. I was paid for my services by the naturalization committee. I was paid by Supervisor Hermann.

To Mr. DICKEY :

4171. Rosenberg had charge of the blanks. He kept them in a small closet, and we had not access to them at all. Rosenberg would often take blanks up town with him in the afternoon. I do not know where he carried them to. He would probably take some 50 at a time.

To the CHAIRMAN :

4172. From the opening of the office there was always a swarm of persons hanging around—not only down in the basement, but on the sidewalk, who accosted applicants offering their services as witnesses; I do not know their names. Rosenberg would not permit persons with whom he had not made a previous arrangement down into the basement, and several times, by force, he put them out. He would only allow such men as were in with him in the basement, and the others he would exclude. Rosenberg attended closely to the business down stairs, and did not interfere with people on the sidewalk. My time was completely occupied all day in making out blanks. I heard very little that passed between Rosenberg and the applicants. Judge McCunn and Judge Garvin presided at the superior court during the time I acted as interpreter there. I acted as interpreter in comparatively few cases in the course of the day. Judge McCunn was very strong in examining applicants. The manner of conducting the naturalization would be this: when the parties entered into the room the officer of the court would take the application and hand it to the clerk; the clerk would call the

witnesses in rotation; as soon as they appeared before the court the first question would be, "For whom are you a witness?" In some cases the witness did not know the name of the applicant, and such a man of course would be rejected. If the witness knew the applicant, he would be told to point him out, and then he would be asked how long he had known the applicant, where he resided, and similar questions. The clerk would then call the name of the principal, who would step forward to the judge, and the judge would question him as to how long he had been in the country, where he had resided, how long he had known the witness, and similar questions; and then, if it was all correct, he would make his order on the paper and pass it down to the clerk. The most difficult cases are those of minors, because the other papers, such as soldiers' applications and cases where declaration of intention had been filed, would speak for themselves. The applications of minors, I think, constituted the majority of cases. I have not the least knowledge of any case where a party was naturalized who was not entitled to it. I have seen parties there who acted as witness for different persons; I have seen parties act as witness in six or seven different cases. I acted as interpreter of the court from about the 13th of October until the naturalization business closed.

To Mr. Ross:

4173. I mean by Judge McCunn being very strong in examining applicants, that he would scrutinize every case very carefully and cross-examine and re-examine the applicant. I have seen Judge McCunn send away at least 20 Irishmen in a day who could not give proper answers to the questions he put to them. When an applicant was rejected he would tear up the application. No case was passed upon without the principal and witness being in court at the same time, to my knowledge. If there had been such a case I would most assuredly have known of it. I have not seen the remotest disposition on the part of the judges of the court to permit persons to be naturalized who were not entitled to it. They did manifest a disposition to expedite business and do it as rapidly as possible. Lockmann always signed his own name as witness to these applications; he was known in the court, and could not do it otherwise. I had Lockman arrested for swindling some eighteen years ago, and locked up in Eldridge street jail; I have seen him from time to time since that, but have had no conversation with him; he is very generally acquainted with the people in the city; I have acted myself as a witness for two different parties, but these men I knew of my personal knowledge were entitled to citizen papers; I know of no money being paid to any parties to act as witnesses; I have no knowledge that Rosenberg took any money except what he was paid by the naturalization committee as salary; Rosenberg never gave me any directions about making out papers for persons who were not entitled to naturalization, nor did he ever hold out any such impression to any of the clerks; I know of no person being furnished with naturalization who was not present in court and applied for them himself; the secretary of the German democratic naturalization committee employed me; this committee is a branch of the executive committee who are elected in ward meetings; I never informed this committee that there was anything wrong in Rosenberg's transactions; members of the committee would frequently visit the office and superintend generally the transaction of business; I do not know that there was anything to indicate to any member of the committee who visited the place that anything wrong was going on; they did not

pay much attention to the business; if they had examined it closely they might have discovered something; they never, to my knowledge, gave any direction in regard to fraudulent naturalization papers, and I have no knowledge that they knew that anything of the kind was going on; there is a general committee of the German democratic Union party; they are in close connection with Tammany Hall; the members of this general committee are elected by delegates from the twenty-two wards of the city; this general committee is divided up into sub-committees, as, for instance, finance committee, naturalization committee, committee on printing; the Tammany Hall naturalization committee had their headquarters at No. 1 Centre street; this committee paid me three dollars a day for my services, and when the night sessions commenced, one dollar for each night; my services as interpreter in the superior court I offered gratuitously to Judge McCunn.

To Mr. DICKEY :

4174. We used the Tammany tickets; Mr. Hermann, chairman of the general naturalization committee, is also a member of the Tammany general committee.

To Mr. DAWES :

4175. I made the arrangement with Judge McCunn to act as interpreter in his court directly upon leaving No. 6 Centre street, probably a day or two afterwards; I have been for the past ten or twelve years an interpreter in that court, and I considered it my duty to offer my services and help them as much as I could during the pressure of this naturalization business.

To Mr. HOPKINS :

4176. I act with no political party at all.

To the CHAIRMAN :

4177. The clerk of the court administered the oaths to the principals and witnesses; when necessary I acted as interpreter in explaining the nature of the oath to persons who did not understand English; I cannot state with any degree of accuracy how much time the judge devoted to each applicant; it would depend a great deal upon the nature of the application, whether that of a minor or of a soldier, or of a person who had previously declared his intention; I suppose it would take about three minutes to examine a minor, and perhaps a minute or two in the case of a soldier, and probably half a minute in the case of a person who had his first papers; the majority of the applications, I think, were for minors; I could not state definitely how many would be naturalized in an hour, but I should judge about one hundred.

To Mr. DICKEY :

4178. The parties in interest would take the papers themselves from the court-room; after they had passed the name of the applicant would be called, the paper was handed to him and he went to another building to get his certificate.

NEW YORK, *Wednesday, January 6, 1869.*

THOMAS POTTER sworn and examined, (called by Mr. Ross.)

To Mr. ROSS :

4179. At the last presidential election I was inspector of election in the 3d district of the 4th ward. The board of inspectors in that district took all the precaution they possibly could to prevent frauds; they would examine the papers of a voter and administer the oath to him; I

did not see any disposition evinced by any of the board to get in illegal votes; I was one of the democratic inspectors, and I allowed the republican inspector to challenge as much as he pleased. Before the polls opened it was voted by the board that no person should be allowed to challenge except the inspectors themselves; it was the proposition of the chairman of the board, and he, of course, voted for it.

4180. Q. Do you know of anybody being run out of the place of registry because he was a challenger?

A. We had one removed on the second day of registry. He came in there about 9 o'clock at night, just as we were about closing; he was pretty drunk and noisy, and we had to call the police to put him out; he said when they came that he was a republican challenger; the board agreed to put him out. I know Michael Costello; he kept challenging every person that came in to vote; he created quite an excitement among the crowd outside who were waiting to deposit their ballots; I did not hear any particular threats used against him.

4181. Q. Did Costello challenge men known by the board to be legal voters?

A. I believe that he did, and he obstructed the voting in a great measure in this way.

4182. Q. Do you know of any repeaters voting at your precinct?

A. I do not; I was on the lookout for them myself; if anybody had attempted to vote twice at my polls I would immediately have had him arrested; I have lived in that district for the last 12 years, and I think I know almost every legal voter in that district. The other inspectors were from other wards, and of course knew but very little about the voters.

4183. Q. Do you know Alderman Coman?

A. Yes, sir.

4184. Q. Did you hear him make any threats?

A. No, sir; he came in the polling place near the close of the day, and told Costello not to delay the votes, as there were some fifty or sixty outside waiting to deposit their ballots. At the time the polls closed I should think there were some forty or fifty who had not voted.

4185. Q. Why did they not get in their votes?

A. I think it was because of Costello's challenging; as chairman of the board of inspectors he had the handling of the ballots; he would delay depositing the ballots, keeping them on his desk, &c.; of course the crowd outside was much excited, but they were as much excited against the rest of the inspectors as they were against Costello.

By Mr. HOPKINS:

4186. Q. Did you challenge anybody yourself that day?

A. I did not; my colleague, Mr. Thurston, did. Costello and Thurston did all the challenging.

NEW YORK, *Wednesday, January 6, 1869.*

GEORGE HARRIS sworn and examined.

To the CHAIRMAN:

4187. I reside at 116 Thompson street, in this city; I have been in the city for 12 months; I am a native of England; I have been in the country about four years; I am 35 years of age, and have not been in the army. At the last presidential election I went round to four or five different districts and voted two or three times at each place; this mostly in the 21st ward.

4188. Q. For whom did you vote ?

A. I voted the democratic ticket.

4189. Q. Under different names ?

A. Yes, sir.

4190. Q. Assumed names ?

A. That I could not tell you.

4191. Q. They were not your real name ?

A. No, sir.

4192. Q. What do you know of a meeting at the house of William Doran, 103 Crosby street ?

A. There were some 20 or 30 of us met there the night before election; we went from there to a house in Thirty-second street and Second avenue; we stopped there all night. In the morning we commenced voting about 6 o'clock.

4193. Q. How many times did you vote ?

A. Two or three times in each polling place.

4194. Q. What districts did you and the others vote in ?

A. In the 4th, 5th, 6th, 8th, and 9th.

4195. Q. Who gave you these names on which you voted ?

A. I could not tell you; they were furnished us on slips of paper.

4196. Q. Where did you get them ?

A. We got some at the house in Thirty-second street, others were given to us in the street.

4197. Q. State who engaged you to do this work.

A. Doran.

4198. Q. State what arrangements were made about compensation.

A. We received no compensation at all.

4199. Q. Was Doran one of the repeaters ?

A. Yes, sir.

4200. Q. What was said among the repeaters when they were together ?

A. Nothing more was said than that they were going to vote for so-and-so, and some general remarks.

4201. Q. State if you received any instructions about voting.

A. I had a paper with the names and numbers of the street from which I was to vote; there were about 14 of us who voted as living at the Compton House.

4202. Q. None of you lived at that place ?

A. No, sir.

By Mr. HOPKINS: .

4203. Q. How many were in the party that went with you.

A. From 20 to 30.

4204. Q. Did you go together to the different polling places ?

A. Sometimes we divided; sometimes we went together.

4205. Q. Did these men vote as many times as you did ?

A. Some of them more, I think.

4206. Q. Do you know who kept this house on Thirty-second street, where you staid the night previous to the election ?

A. I do not; it was a liquor store.

4207. Q. Did you have any accommodation for sleeping there ?

A. No, sir; we did not sleep much.

4208. Q. Was Doran with you up there ?

A. Yes, sir.

By Mr. ROSS:

4209. Q. What is your business ?

A. I am a pedlar.

4210. Q. Are you engaged in peddling now ?

A. I am not doing anything now; I have not been peddling for six weeks; I peddled brushes, combs, &c.; I have been sick for the last six weeks; I am married but have no family—have been married 14 years.

4211. Q. Who were these men that went with you?

A. I knew Doran and William Davis, that was about all, I think; I do not know where Davis lives; I knew all the men by sight, but do not know where they live; I sometimes voted twice and three times at each precinct; I voted twice in the 4th precinct, and twice in the 9th; I forgot how many times we voted in the other precincts; I can't recollect the names under which I voted.

4212. Q. How many times did you swear in your vote?

A. I was not sworn at all.

4213. Q. Were you not challenged?

A. No, sir.

4214. Q. What other men did you see vote that belonged to your company?

A. Sometimes I would be before them, sometimes after them; I saw Doran vote and others; Doran lives in this city; he is an Englishman and has been here I believe about four years; he keeps a liquor store at No. 103 Crosby street.

4215. Q. How many men did you see vote that day more than once?

A. I could not tell you.

4216. Q. Did you see a half a dozen?

A. Yes, sir; I think I did.

4217. Q. How many times did they vote?

A. Two or three times at each place.

4218. Q. Were any of the others sworn?

A. Not that I know of; I saw them vote.

4219. Q. Did you know what ticket the other men voted?

A. Seymour and Hoffman tickets I think; I did not see the tickets and I could not say of my own knowledge what they voted.

4220. Q. Who gave you these tickets?

A. I could not say.

4221. Q. What made you go into this business?

A. Doran told me that it was for a friend of his, and he joined me; he paid me nothing.

4222. Q. What are your politics?

A. I have none.

4223. Q. Did you know that you were violating a law in voting more than once?

A. Yes, sir; I did.

4224. Q. Did you not know that it is a criminal offence for which you could be indicted and punished?

A. I have heard so since.

4225. Q. Did you imagine that you did right to vote so many times?

A. I think I had as much right to vote as the others had.

4226. Q. Who kept the house in Thirty-second street, where you slept?

A. I do not know; the time we stayed, there were probably about 25 of us; we slept in the club-room up stairs; the bar was all closed up at the time; we did not all sleep in one room; we went up two flights of stairs to the club-room; I think about 20 slept in one room; we slept on the floor or on chairs; I got some slips containing the names at this place, and some outside on the street; I do not know who gave them to me; Doran gave me no tickets; it was none of the crowd that went around with me.

4227. Q. Have you ever been prosecuted for this illegal voting?

A. Never.

4228. Q. To whom did you first intimate the fact that you had been voting illegally?

A. I told it first to Colonel Wood.

4229. Q. Who is he?

A. He is a detective of counterfeit money, attached to the government.

4230. Q. When did you tell it to him?

A. Yesterday.

4231. Q. Is that the first time you told anybody of it?

A. Yes, sir, and I should not have told him of it then if it had not been for Doran; he sent for Doran and asked him.

NEW YORK, January 6, 1869.

HENRY E. SWEETZER sworn and examined, (called by Mr. Kerr.)

By Mr. KERR:

4232. Question. Tell the committee whether during the last few years your business has made you familiar with political statistics.

Answer. Yes, sir; it has.

4233. Q. State whether at my request you have made any statistical tables relating to the election.

A. I have.

4234. Q. Submit them to the committee if you please as a part of your testimony, and state further in making these tables what sources of information you used.

A. The election returns up to 1868 I took from the Tribune Almanac; those of 1868 I took from the official canvass. The population I got from the census of the United States and from the New York State census.

4235. Q. State whether these tables are correct.

A. Yes, sir; I believe so.

4236. Q. What is your business?

A. I am engaged in the newspaper business.

Witness produced the following statistics which were made part of his testimony:

TABLE No. 1.

The following table shows the total vote of New York city, and of the State outside of the city, from 1850 to 1868, together with the percentage of increase or decrease of the vote of each year, as compared with that of the preceding years:

Total vote of New York city and State from 1850 to 1868.

New York city.				New York State except New York city.			
Year.	Total vote.	Increase.	Decrease.	Year.	Total vote.	Increase.	Decrease.
		<i>Per cent.</i>	<i>Per cent.</i>			<i>Per cent.</i>	<i>Per cent.</i>
1850.....	36,552			1850.....	392,414		
1851.....	42,790	17		1851.....	359,277		7
1852.....	57,341	34		1852.....	439,624	22.9	
1853.....	45,386		20	1853.....	311,139		29.4
1854.....	60,367	33		1854.....	409,064	31.4	
1855.....	56,047		7	1855.....	379,897		7
1856.....	79,606	42		1856.....	517,883	36.3	
1857.....	59,770		25	1857.....	380,019		26.5
1858.....	69,699	16.5		1858.....	475,117	25	
1859.....	56,734		18.5	1859.....	446,994		5.9
1860.....	95,583	62.5		1860.....	579,573	29	
1861.....	55,976		41	1861.....	428,994		26
1862.....	76,848	37.5		1862.....	525,698	25.5	
1863.....	66,896		13	1863.....	532,283		1.3
1864.....	110,390	65		1864.....	620,331	16.5	
1865.....	81,868		29.75	1865.....	492,385		20.6
1866.....	114,169	39.5		1866.....	605,026	23	
1867.....	111,862		2	1867.....	586,266		3
1868.....	156,078	49.75		1868.....	693,688	18.3	

TABLE No. 2.

In nearly every instance of an increase of vote, (as shown by table No. 1,) the increase in the vote of New York city exceeds that of the vote of the State outside of the city *in percentage*. The average excess from 1851 to 1867 inclusive (counting only those years in which the vote of the city exceeds that of the year immediately preceding) is 16.55 per cent. The last two years that show an increase in the vote over the vote of the year preceding are 1866 and 1868, and by comparing these two, (*i. e.*, the votes of these years,) as is done in the subjoined table, it will be seen that the increase in the vote of New York city exceeds that of the vote of the State outside of the city by nearly the same percentage as the average excess in percentage from 1851 to 1867, to wit:

New York city.		New York State, except New York city.	
1866—Total vote.....	114, 169	1866—Total vote.....	605, 026
1868—Total vote.....	156, 078	1868—Total vote.....	693, 688
Percentage of increase in vote of 1868 over vote of 1866....	36.7	Percentage of increase in vote of 1868 over vote of 1866..	14.65
		Add average excess of increase in vote of city over State..	16.55
		Tota	31.2

TABLE No. 3.

By the following table it may be seen that a comparison of the ratio of votes to the population of New York city at each presidential election from 1852 to 1868, (taking the population as returned by the census immediately preceding such elections,) with the ratio of votes to the population of the State, exclusive of New York city, shows that the city has polled at each such election less votes in proportion to its population than has the State exclusive of the city, to wit:

New York city.				New York State, except New York city.			
Year.	Vote.	Population.	Ratio.	Year.	Vote.	Population.	Ratio.
1852.....	57, 341	515, 547	1 to 8.99	1852.....	439, 624	2, 581, 847	1 to 5.89
1856.....	79, 606	629, 904	1 to 7.82	1856.....	517, 883	2, 838, 591	1 to 5.48
1860.....	95, 583	813, 669	1 to 8.51	1860.....	579, 573	3, 067, 076	1 to 5.29
1864.....	110, 390	813, 669	1 to 7.37	1864.....	620, 331	3, 067, 076	1 to 4.94
1868.....	156, 078	726, 386	1 to 4.65	1868.....	693, 688	3, 103, 391	1 to 4.47

TABLE No. 4.

In the subjoined table are presented two estimates of the population of New York city and New York State, exclusive of the city in 1868, the second estimate being based on the United States census of 1850, the State census of 1855, and the United States census of 1860, and the first on the foregoing census reports together with the State census of 1865, which latter is alleged to be incorrect as respects the returns given of New York city. With these estimates are given the votes at the presidential election of 1868, and the ratio of votes to

the population, showing, as in table No. 3, the ratio in New York city is smaller than that in the State exclusive of the city, viz:

(A.)

New York city.			New York State, except New York city.		
Vote, 1868.	*Population, 1868.	Ratio.	Vote, 1868.	*Population, 1868.	Ratio.
156, 078	785, 790	1 to 5	693, 688	3, 234, 265	1 to 4. 66

* Estimated from census returns of 1850, 1855, 1860, and 1865.

(B.)

New York city.			New York State, except New York city.		
Vote, 1868.	*Population, 1868.	Ratio.	Vote, 1868.	*Population, 1868.	Ratio.
156, 078	1, 191, 211	1 to 7. 63	693, 688	3, 533, 272	1 to 5. 09

* Estimated from census reports of 1850, 1855, and 1860.

TABLE No. 5.

In the subjoined table are given the total vote of each New England State for President in 1868, the population of each in 1860, and the ratio of voters in 1868 to the population in 1860. The ratios thus obtained, together with the average ratio of the six New England States, are compared with the ratio of voters in New York city at the presidential election of 1868 to the population of the city in 1860, to wit:

States.	New England.			New York city.		
	Vote 1868.	Population 1860.	Ratio.	Vote 1868.	Population 1860.	Ratio.
Maine.....	113, 983	628, 279	1 to 5. 51			
New Hampshire.....	68, 789	326, 073	1 to 4. 77			
Vermont.....	56, 212	315, 098	1 to 5. 60			
Massachusetts.....	195, 482	1, 231, 066	1 to 6. 29			
Rhode Island.....	19, 541	174, 620	1 to 8. 94	156, 078	813, 669	1 to 5. 21
Connecticut.....	98, 624	460, 147	1 to 4. 65			

Average ratio of New England compared with that of New York city.

Average ratio of voters in New England in 1868 to population in 1860.....	5. 96
Average ratio of voters in New York city in 1868 to population in 1860.....	5. 21

TABLE No. 6.

In the subjoined table are given the total votes of New Jersey and Pennsylvania for President in 1868, their population in 1860, and the ratio of voters in 1868 to the population in 1860. These figures are compared with the vote of New York city for President in 1868, its population in 1860, and the ratio of its voters in 1868 to its population in 1860, to wit:

States.	Vote 1868.	Population 1860.	Ratio.	New York city.		
				Vote 1868.	Population 1860.	Ratio.
New Jersey	162,645	672,035	1 to 4.13			
Pennsylvania.....	635,662	2,908,115	1 to 4.58	156,078	813,669	1 to 5.21

Subjoined is a similar comparison between the vote in 1868 and the population in 1860 of New York city and Philadelphia:

	Vote 1868.	Populat'n 1860.	Ratio.		Vote 1868.	Populat'n 1860.	Ratio.
New York city	156,078	813,669	1 to 5.21	Philadelphia.....	116,158	562,589	1 to 4.84

NEW YORK, *Wednesday, January 6, 1869.*

JAMES MELVILLE sworn and examined.

To the CHAIRMAN:

4237. I am a native of England. I have never been naturalized. I am thirty-seven years of age. I live at No. 103 Crosby street, at the house of William Doran. On the evening before the presidential election I started from Doran's place with perhaps 30 other men. We went up to Thirty-second street, corner of Second avenue; stayed there all night and began voting early in the morning. I stayed that night in a large room over the liquor store. I suppose there were about thirty of our party. There were probably 150 in the room altogether.

4238. Q. What was done during election day?

A. The next morning we began to vote early between six and seven o'clock. We voted at the 4th, 5th, 8th, and 9th precincts in that ward. We voted twice and sometimes three times at each precinct. We got our tickets from parties in this house in Thirty-second street. I could not say what names I voted on. They were different names given us on a slip of paper. I could not say who the parties were that gave these slips to me. These slips were furnished the whole party.

4239. Q. When you had been to these different precincts what did you do then?

A. We then went to the Compton House in Thirty-fourth street; went into the basement and got some tickets, then went up to Thirty-fourth street to different polling places in that street and voted there; then we went home.

4240. Q. Can you recollect any names upon which you voted?

A. No, sir; they were all Irish names.

To Mr. Ross:

I have been sick for the past eight months and have not followed any business. I have had rheumatics and a sore leg. My leg has been bad for four months and have not been able to walk about much.

4241. Q. Was it pretty bad along about the fore part of November?

A. It has been worse than it was, so that I have not been able to walk very much.

4242. Q. When was it worse?

A. It was very bad on election day.

4243. Did you limp much on election day ?
 A. Yes, sir; a good deal.
4244. Q. Was it very painful for you to walk that day ?
 A. Yes, sir.
4245. Q. Did you walk much that day ?
 A. Yes, sir; to all these different places; I should think a few miles backwards and forwards.
4246. Q. What business were you engaged in at this house No. 103 Crosby street ?
 A. I am only boarding there; at least I have a room there and take my meals in restaurants.
4247. Q. Who were these men that were with you ?
 A. I know them all by sight; I could not recollect all their names.
4248. Q. Do they live in the city ?
 A. They do; yes, sir.
4249. Q. State their names as far as you can.
 A. Doran was one of them, Harris another; there was also a man by the name of Joseph Benson.
4250. Q. Do you recollect any other ?
 A. No, sir.
4251. Q. Where do these men live ?
 A. Benson and Harris live at Doran's.
4252. Q. What is his first name ?
 A. Samuel.
4253. Q. Do you know the other men very well ?
 A. I know them all, seeing them in public houses and the like.
4254. Q. What kind of business do they follow ?
 A. All sorts of business.
4255. Q. State some business they are in.
 A. That is their business; I never interfere with other people's affairs.
4256. Q. What is Doran's business ?
 A. He keeps a boarding-house, I believe.
4257. Q. Do you know any of these men to be thieves ?
 A. I do not know anything about them; I never interfere with their business.
4258. Q. What has been your business ?
 A. I have been in no business.
4259. Q. How long have you been here ?
 A. About three years.
4260. Q. Have you got a family ?
 A. Not in this country; I have one child in England. I have had no business since I have been in this country. I brought plenty of money over with me; a pretty fair share, about £600.
4261. Q. Did you ever invest it in anything ?
 A. I have gambled a good deal.
4262. Q. Gambled it pretty much all away ?
 A. Yes, sir.
4263. Q. Did you ever make anything by gambling ?
 A. Yes, sir.
4264. Q. How much have you on hand now ?
 A. I cannot say; I have very little.
4265. Q. Have you ever been arrested for any criminal offence ?
 A. No, sir.
4266. Q. Where have you done your gambling ?
 A. All over New York.
4267. Q. Do you know whether these other men that were with you were gamblers ?

A. I have nothing to do with their business.

4268. Q. Are they gamblers?

A. They do not gamble the same as I do.

NEW YORK, *Wednesday, January 6, 1869.*

JOSEPH BENSON sworn and examined.

To the CHAIRMAN :

4269. I am 70 years of age. I am a native of England. I am barkeeper at William Doran's liquor store, 103 Crosby street. Upon the evening previous to the presidential election I was attending bar at his store. There were some thirty or forty persons in there that evening drinking and smoking. They stayed there until about 10 o'clock. They then went up to Thirty-second street. They wanted me to go with them, and I told them I could not. I went up there on the day of election, and went out with them to vote four or five times. I did not go all around with them, as I was not able to go around much. I voted at the 4th, 5th, 8th, and 9th precincts. They gave me some names upon papers upon which I voted.

4270. Q. Were you sworn that day?

A. No, sir.

4271. Q. Were these other persons you have spoken of engaged in that same business?

A. They were doing the same thing. I did not know any of them except by sight. I voted only once at each precinct.

4272. Q. What business is Doran engaged in?

A. He keeps a liquor store.

4273. Q. Was he a deputy sheriff, or a special deputy sheriff?

A. Not that I know of.

4274. Q. Do you know any other business he was engaged in except keeping a liquor store?

A. No, sir.

By Mr. Ross:

4275. Q. Have you been naturalized?

A. No, sir, I never have. I never voted in my life before.

4276. Q. Who asked you to vote?

A. They were all in the store that evening, and said they were going up town, and wanted me to go with them. I would not go, however, as they were all drinking and I could not stand it. I went up the next day and voted four or five times.

4277. Q. How many stories has Doran's house?

A. Only two stories above the basement.

4278. Q. What does he use the upper stories for?

A. Lodgings. The first story from the floor is a club-room.

4279. Q. How long have you been engaged in selling liquor for Doran?

A. Over a year.

4280. Q. Did you know you had no right to vote?

A. I did, but they said no questions would be asked, and that I would not be put under oath.

4281. Q. Do you know any of the others that voted?

A. I did not see them vote more than once, because I went away.

4282. Q. Are these men in the habit of frequenting your house?

A. Some of them are; others I had not seen before.

4283. Q. Who gave you the tickets?

A. I got them in Thirty-second street. I do not know who gave them to me, as I was rather boozy at the time. I do not know who keeps this house on Thirty-second street.

4284. Q. What ticket did you vote?

A. Seymour and Hoffman, I think; I did not look at the ticket.

NEW YORK, *Wednesday, January 6, 1869*

CHARLES GRANT SWORN and examined.

To the CHAIRMAN:

4285. I live at 25 Allen street, in this city; I am 23 years of age, and a native of this country.

4286. Q. State if you voted at the last election; if so, how often and where?

A. I voted in the 10th ward, in Crosby street somewhere. I voted at this place six or seven times, to the best of my knowledge. I voted also in Canal street, near Forsyth street, about the same number of times. I also voted in Forsyth street, near Hester, five or six times; in Eldridge street, near Canal, five or six times. I also voted in the 6th ward, in Bayard street, four or five times, to the best of my knowledge; in the 7th ward, in East Broadway, about the same number of times. I voted at about six different places.

4287. Q. What ticket did you vote?

A. I could not say.

4288. Q. Who furnished you with the tickets?

A. I would not like to answer that question.

4289. Q. Were any slips of paper handed to you with names and numbers of streets upon them?

A. There were handed me slips of paper containing names upon which I was to vote, and the tickets I was to vote were also given me.

4290. Q. With which political party did the men act who furnished you with the slips?

A. That I cannot say. A bundle of tickets was handed to me, and among the bundle there was a Conkling ticket, to enable us to vote without being delayed. I think it was a Conkling ticket.

4291. Q. Do you know how many persons were engaged in that business?

A. Some twenty.

4292. Q. Where did they vote?

A. In the same wards and in the same manner that I did.

4293. Q. Were they what is known as repeaters?

A. To the best of my belief they were all repeaters.

4294. Q. How many went with you around the different precincts?

A. Some five or six.

4295. Q. Can you remember any names on which you voted?

A. One was Michael Corboy, 25 Allen street; another, Michael Howard, 25 Allen street. These are all I can recollect just now.

4296. Q. Did you not vote on the name of Edward Welch?

A. Yes, sir.

By Mr. Ross:

4297. Q. In relation to the Conkling ticket, what do you mean by that?

A. This ticket was put into every bundle to enable us to vote without being delayed. Conkling was running at the time for mayor.

4298. Q. Which election are you talking about?

A. The general election—the presidential election.

4299. Q. The time that Conkling ran for mayor?

A. Yes, sir.

4300. Q. You recollect having a Conkling ticket at the time you voted?

A. I never looked at the tickets, no more than that the other parties who were with me had a Conkling ticket in their bundle, and as my bundle was like theirs, I supposed I had a Conkling ticket.

4301. Q. Did you vote for Conkling?

A. That I cannot say.

4302. Q. Was it the understanding that you were to vote the Conkling ticket?

A. I believe that it was. I understood that we voted the Conkling ticket that we had in our bundle so as to prevent delay.

4303. Q. Did you "repeat" at the mayor's election also?

A. Yes, sir, I did.

4304. Q. Were the same repeaters with you at the mayor's election?

A. Yes, sir; some were and some were not?

4305. Q. How many times did you repeat at the mayor's election?

A. I cannot say exactly; I should think I repeated about 30 times.

4306. Q. How many went with you at that time?

A. At the last election there were some 20 with me. We went through three wards—the 6th ward, 7th ward, and 10th ward.

4307. Q. Where did you get your tickets at the mayor's election?

A. There was a man who furnished them to me.

4308. Q. Where did he live?

A. That is more than I know.

4309. Q. Do you know any of the other men that were with you?

A. No, sir.

4310. Q. Were you at William Doran's?

A. No, sir.

4311. Q. Where were the headquarters of these repeaters?

A. We met in the Bowery two or three doors from the Bowery theatre.

4312. Q. Do you recollect anything about the presidential election?

A. I am speaking of the last election.

4313. Q. The frauds you speak of took place at the last election when the mayor was running?

A. If I am not mistaken, I repeated at the mayor's election.

4314. Q. That is the election you have been talking about, is it not?

A. Yes, sir.

4315. Q. Then all that you have said in your testimony about repeating and illegal voting at the presidential election was at the mayor's election?

A. Yes, sir.

4316. Q. It was at the time you had the Conkling ticket?

A. Yes, sir.

4317. Q. Did you vote the Conkling ticket?

A. The tickets were given to us in a bundle. I never looked at my bundle of tickets at all. We had slips of paper with the names of the residences of voters that were handed to us with the tickets, and we were told that by putting a Conkling ticket in our bundle we could get through quicker, as there would be no obstruction.

4318. Q. Did you show to the republican inspectors when you went up to the polls the Conkling ticket?

A. No, sir, I did not.

4319. Q. To whom did you show the Conkling ticket to enable you to get through quicker?

A. I did not show it to anybody. I suppose it was given to us by parties interested in that ticket. It was arranged between the inspectors and the other outside parties, I suppose.

4320. Q. And it was the object of having a Conkling ticket in that bundle to get your tickets in quicker without delay ?

A. That was the understanding. It was pretty certain that Hall would be elected, and it would not make any difference whether we voted the Conkling ticket or not.

4321. Q. What business have you been following ?

A. I have been in the jewelry business ; I have been in the cheap dollar bazar ; I have also followed frame-making.

4322. Q. State to the committee who gave you these tickets.

A. I would not like to tell his name.

4323. Q. Is he a republican ?

A. That I would not like to say.

4324. Did he give you a Conkling ticket ?

A. Yes, sir ; and the others.

4325. Q. Then, as a matter of fact, you do not know anything about the presidential election. This repeating you speak of took place at the mayor's election ?

A. I believe so.

4326. Q. You know nothing of repeating at the presidential election ?

A. No, sir ; not of much account.

By Mr. HOPKINS :

4327. Q. When you were engaged in repeating at the last presidential election, you got your tickets at a place near the Bowery theatre. What was the number of the house ?

A. That I do not know. It was named after William Cuddy, and was his rendezvous.

4328. Q. What is William Cuddy ?

A. That is more than I can tell you. He was elected on the democratic ticket.

4329. Q. Did you see William Cuddy there ?

A. No, sir ; I saw him counting the different election districts.

NEW YORK, *Wednesday, January 6, 1869.*

JOHN P. THURSTON sworn and examined, (called by Mr. Ross.)

To Mr. Ross :

4330. I was an election officer at the last presidential election in the 3d district of the 4th ward.

4331. Q. Did you see any obstructions thrown in the way of men's voting so that they all did not get their votes in ?

A. Yes, sir. A man by the name of Michael Costello, chairman of the board of inspectors, challenged almost every legal voter who presented himself, and would delay them by swearing them and examining them.

4332. Q. He challenged men he knew to be voters ?

A. Yes, sir.

4333. Q. And in that way retarded the voting ?

A. He delayed it a great deal.

4334. Q. Was it carried to such extent as to leave many persons at the polls at the time they closed in the evening, waiting to deposit their votes ?

A. Yes, sir ; there were at least a hundred on the sidewalk who could not vote when the polls closed. There was one man in particular by the name of McLaughlin, whom I have known for many years to be a legal voter. Costello also knew him.

4335. Q. What was Costello's object in doing this?

A. I do not know any more than that it was to delay voting?

4336. Q. Did you and your democratic colleague attempt to get any illegal votes in?

A. No, sir.

4337. Q. Did you try to protect the registry and polls from frauds being perpetrated upon them?

A. I did. If I knew any man who attempted to vote illegally I would challenge him.

4338. Q. Do you know anything about repeaters voting at your poll?

A. No, sir.

4339. Q. Could any man have voted there three or four times without your knowing it?

A. No, sir.

4340. Q. Are you prepared to say that it was not done at your poll at that time?

A. I am; I do not think it was practiced.

4341. Q. Did you hear anybody threaten the life of Mr. Costello that day?

A. I did not. There was quite a crowd outside the polls all day, and there was loud noise and talk.

4342. Q. Would you have been very apt to have heard it if his life had been threatened?

A. I think I would.

4343. Q. Was there any thing more than a murmur of discontent on account of the voters being delayed in voting?

A. That was all. They were very indignant at being kept there from depositing their votes. Especially at dinner time there was a great crowd of men came there who wanted to poll their votes without losing any time. They were quite angry at being delayed.

By the CHAIRMAN:

4344. Q. How many men were sworn on the day of election?

A. I cannot tell you; I think there were more than a hundred sworn in.

4345. Q. How many more?

A. I could not tell you the exact number.

4346. Q. When you say there were some men at the polls who were not able to vote, do you know that they were men who came there for the purpose of voting or not?

A. There were many men there who I know wanted to vote.

4347. Was there a crowd there all day, or was it only between the hours of twelve and one o'clock.

A. There was a great crowd there between those hours. There were over a hundred left when the polls closed; a long line that extended around the block.

4348. Q. Could not those men who were there have been able to vote if they had come there earlier in the day?

A. No, sir; there was a great crowd all day.

4349-50. Q. Suppose you could examine a hundred and twenty men an hour, or two a minute, could you not have been able to challenge the whole crowd and still have got in all the votes?

A. I could not say. Costello would swear them in, and question them, and delay them as long as he could.

4351. Q. Was he chairman of the board?

A. Yes, sir.

4352. Q. You are a democrat?

A. Yes, sir; and always shall be.

NEW YORK, *January 6, 1869.*

JAMES O'BRIEN recalled, (at the instance of Mr. Kerr.)

By Mr. KERR :

4353. Q. When you were before the committee the other day you were asked a question by the chairman which you declined to answer in reference to your conviction of an offence: do you now desire to make any statement in regard to it?

4354. A. I do. I did not understand at first the nature of the question that was asked me. It was in regard to whether I had been out of the city for any length of time. I think it was in the year 1857, at the time King was governor of New York State, I was working in a stone-yard, in Twenty-ninth street. There were six or seven hundred men at work in this yard. Our boss was at the time a candidate for some office, and a squad of us went down one evening to attend a primary election in his interest. On our way back there was some little disturbance, and some potatoes thrown, or something of that kind; and some 16 or 17 of us were arrested and locked up that night. The next morning we were let out on bail, and about three or four months afterwards we were brought down to the court. None of us had any money or had any friends. We were all young and knew very little about courts. We were told to plead guilty, and we would be let off if we did. I insisted that I was not guilty of any crime at all. I had nobody to defend me, and I was sent up to Blackwell's island. I was there about a week or two when a pardon came for me. I never could find out what offence I was indicted for until six or seven years afterwards. At the time I was not quite 18 years of age. Among the number that was arrested there were many of very respectable character; men known in the community, but they were all sent up.

4355. Q. Look at this document and see if the names in it and the judge correspond with the particulars to which you have referred?

A. I think it does. I desire to present to the committee a copy of the indictment upon which I was convicted. I think I was sentenced to thirty days imprisonment. I was pardoned after being there about two weeks. There was nobody hurt in this row, and no particular disturbance. There was a good deal of excitement, as there is at every primary election. It was the first one I ever attended.

By the CHAIRMAN :

4356. Q. How long have you lived in New York city?

A. About twenty years.

4357. Q. To what extent have you been acquainted with the foreign element of New York city?

A. I was brought up among them; I have very general acquaintance with them.

4358. Q. State to what extent the foreign population of New York city during the rebellion sympathized with the government and in the prosecution of the war?

A. I was among them all the time. I think to a great extent they all sympathized with the government. A very large number of them enlisted in the army, especially in my immediate neighborhood.

4359. Q. Can you state whether the enlistments among the foreign population were to so great an extent as to visibly reduce the number?

A. Yes, sir; I hardly saw anybody enlist but Germans and Irish.

4360. Q. Of the others who went to the war, what proportion were native-born?

A. I could not state particularly; I should think that there was a large proportion who went away. I was a member of the committee of the board of aldermen for relieving the wives and children of men who enlisted in the army. My opportunities for observation were very good.

4361. Q. In what courts are there grand juries empannelled in this city?

A. The general sessions only, I believe. I know very little about the grand juries. The commissioners of jurors send the names to us and we serve the notices, that is all we have to do with it.

By Mr. KERR:

4362. Q. In reference to this proportion of foreign enlistments in this city, of which you have spoken, do you judge from statistics or from actual knowledge?

A. Only from the result of general observation.

The following is the document alluded to in Mr. O'Brien's testimony:

CITY AND COUNTY OF NEW YORK, *ss*:

The jurors of the people of the State of New York, in and for the body of the city and county of New York, upon their oath present, that Michael Cannony, late of the twentieth ward of the city of New York, in the county of New York aforesaid, Patrick Coleman, Patrick Honeyman, Patrick Garman, John Cuneskey, John McCardle, John Cummings, James O'Brien, and James Donevan, late each of the same place, together with twenty other evil-disposed persons, to the jurors aforesaid unknown, being rioters, routers, and disturbers of the peace of the people of the State of New York, on the 17th day of November, in the year of our Lord 1857, at the ward, city, and county aforesaid, with force and arms, unlawfully, riotously, routously, and injuriously, did assemble and gather together to disturb the peace of the said people, to the great terror of the said people, and so being there and then assembled and gathered together, a very great riot, rout, tumult, and disturbance then and there did make, and cause to be made, and in and upon a certain person whose name is to the jurors aforesaid unknown, in the peace of the said people, then and there being unlawfully, riotously, and routously, did make an assault, to the evil example of all others in like case offending, and against the peace of the people of the State of New York and their dignity.



A. OAKLEY HALL,
District Attorney.

NEW YORK, *January 6, 1868.*

JAMES A. COLVIN sworn and examined.

To the CHAIRMAN:

4363. During the last presidential election I held the office of canvasser in the 6th district of the 7th ward. I was first appointed inspector and afterwards changed to canvasser. When I came to the polls just before their close on the evening of election the poll clerks and inspectors were engaged in looking over the votes. I commenced talking with them, and in the course of the conversation they told me they were promised \$5 apiece and a supper if they would hurry up the vote, as there were a great many voters outside waiting to deposit their ballots. While I was canvassing the votes in that precinct, in the course of the evening, Justice Shandley was in the room. I proposed to canvass the votes in the regular way. The other canvasser, however, refused

to do it. He said he intended to read off each name on each electoral ticket. I remonstrated with him and told him that would be too long; that the ordinary way would be to look over each ticket, and those that were not scratched to place in piles of ten or a dozen each. He said, however, he would carry it out in his own way, and then called on Justice Shandley and asked his opinion as to the proper mode of canvassing votes. Justice Shandley agreed with me and, after talking a little while with the other canvasser, said he probably had his instructions as to how he would canvass, and that he had better go on. The usual mode of canvassing votes, heretofore, has been to sort them out into piles of ten or twelve and then count the votes from them. It has not been usual to canvass each name on the ticket. After we had gone a little way in the canvass the other man said that it was slow work, and he agreed to sort them out in piles of five each, and after a little while this way he concluded to do it in the regular manner.

4364. Q. Do you know, before he concluded to change the mode of counting the votes, whether he had any communication with persons from the outside?

A. I could not say. The poll clerk, who was in the room, had whispered communications with the canvasser and with the parties outside. He would go outside and then come back again.

4365. Q. What are your politics?

A. I am a republican. Thomas Jordan is the name of the other canvasser. He is a democrat, I believe.

4366. Q. State what you know of a vote being cast on the name of Owen O'Reilly?

A. The vote was not cast. I acted temporarily during the day as inspector. A man came up and offered to vote on the name of Owen O'Reilly. I told the inspector not to receive the vote. I challenged the vote and the man refused to be sworn in, but the democratic inspector took his vote and deposited it in the box. The other boxes were in charge of the democratic inspector.

4367. Q. How many persons were challenged at your precinct?

A. I could not say. There were very few. While I was there I made but very few challenges myself.

4368. Q. Can you state from your observation how far it was practicable or safe for persons to challenge votes?

A. I considered myself perfectly safe in challenging in the district where I was, although several threats were thrown out to me when I did challenge. A person outside at one time threatened to give me my "belly full" if I did that kind of business. There were no challenges at that precinct, I believe, on the republican side, that I know of, except those made by the two inspectors. There were democratic challenges I know.

To Mr. KERR:

4369. I do not know of my own knowledge whether this man who represented himself as Owen O'Reilly was a legal voter or not. I would not receive his vote into my boxes. The democratic inspectors, however, received it in their boxes. They said we had no right to reject the vote, because the name was on the register. I cannot state whether there was any difference between the place of residence on the poll-list of Owen O'Reilly and that given by the man who wanted to vote on that name. I am inclined to think that the residence corresponded. I was not threatened by anybody except as I have stated. At the time O'Reilly's vote was rejected there was considerable noise outside and loud talking.

4370. Q. You said there was some whispered interview between the democratic canvasser and others; did you hear what was said between them?

A. I did not.

4371. Q. Did you hear what was said between this poll clerk and the parties outside?

A. I did not.

4372. Q. You do not know but that it was perfectly proper conversation?

A. I do not.

4373. Q. How many minutes had this other canvasser continued to count the votes in the tedious way which you mention?

A. It lasted some time; we had quite an argument with them to have them canvassed in the right way. I could not say how long he was canvassing the votes. I do not think he counted more than a few ballots, however. We occupied a good deal of the time in arguing with him and trying to persuade him to change his mode of counting. My recollection is that there were but very few ballots counted in that way. I could not say what his motive was in counting in this manner.

4374. Q. Did Justice Shandley defend that mode of canvassing?

A. He did not at the time, but he did subsequently, I believe.

NEW YORK, *January 6, 1869.*

SYLVESTER E. NOLAN sworn and examined, (called by Mr. Kerr.)

To Mr. KERR:

4375. I am the clerk of the chambers of the superior court; have been so for the past year. Have been a clerk for the last eight years. My duties during the past year, in regard to naturalization that took place in that court, have been to administer the oath to the witness previous to his going before the judge to be examined. When the witness was examined and the applicant passed, I administered the oath of allegiance to the applicant. I sat to the right-hand side of the judge. I was in the court-room generally every day from half-past 10 until they got through at night. I was sometimes relieved by other clerks to enable me to go out and lunch, but I was never away for any length of time. I think Judge McCunn did most of the superior court naturalization business; Judge Garvin probably commenced, and Judge Jones, Judge Robertson, and Judge Barbour assisted.

4376. Q. State what degree of care was exercised by the judge whom you attended in this business of naturalization to prevent frauds and detecting persons in attempting to practice frauds upon the judges of the court, or upon the naturalization laws.

A. The judges always examined the witness as to the affidavit sworn to by him, and examined him as to how long he had known the applicant, as to where he had lived, and similar questions. If prompt answers were not given, the judge would examine him further, and if he equivocated in any way, the judge would reject the application.

4377. Q. To what extent were applications rejected?

A. To a very great extent; probably some days 200 were rejected. Rejected applications were torn up by the judge, and the parties sent about their business.

4378. Q. Did persons frequently appear as witness for different applicants?

A. Yes, sir; I have known it to occur very frequently. The same parties would act as witness four or five times a day. I cannot give any

names of parties who so acted, although their faces are very familiar to me.

4379. Q. State whether, in view of the manner in which this business was transacted, it could have been practicable for any person to obtain naturalization papers without being personally present in court and taking the oath of allegiance.

A. It was impossible to do so unless they were falsely personated. I never knew it to be done.

4380. Q. Did you ever hear of the judges with whom you co-operated in this business attempting to put any persons who were suspected of being guilty of improper conduct or improper intentions upon the court under arrest, or order them to be put under arrest?

A. I know that Judge McCunn did on several occasions, and has often reprimanded persons and told them not to come before him at all. He has often cross-examined parties very closely, and not getting straight answers to his questions, he would reject the applications and warn the witness not to appear before him again; that if he did he would commit him. I believe he did commit one or two, but what was done with them afterwards I cannot say.

By the CHAIRMAN:

4381. Q. Do you know of any person being indicted or punished for fraudulent voting, or for any fraud or illegality in relation to elections in New York city within the last three years, except in one single instance?

A. I do not know of one instance to my own knowledge; I have seen statements in the papers.

By Mr. DICKEY:

4382. Q. How many people did you naturalize in an hour?

A. I presume 120; sometimes more and sometimes less. It would depend a great deal upon whether the witness was an intelligent man and gave prompt answers to questions put to him.

NEW YORK, *January 6, 1869.*

WILLIAM W. WOODWARD sworn and examined.

To the CHAIRMAN:

4383. In regard to frauds perpetrated in the presidential election last November, I will state that when I went to register my name at the polling place in the 9th district of the 6th ward, where I reside, I noticed parties whom I knew very well registering under assumed names. There was a Mr. Gutterman who registered himself as Mr. Baruum; a Mr. Burdell registered as Mr. Crounce. I also noticed a Mr. Prime, who is a notorious character, and has been in the hands of the police frequently, registered twice or three times. I saw another man, whose name I cannot recall, register twice. In the case of this man who registered himself as Barnum, what attracted my attention was that he registered as living at the New England Hotel, where I reside. I knew he had not lived there for the last 30 days previously, but had been expelled from the place.

4384. Q. State if the whole four inspectors were present that day.

A. No, sir; Colonel Beeney was absent at dinner at the time I was there; at least I was told so by parties present.

4385. Q. State what mode prevailed previous to the last election of canvassing electoral votes of President and Vice-President?

A. I have been a canvasser for the last three or four years, and the plan always has been to take each separate box and count the number of tickets, placing them in piles of fives or tens, and not count each name on the ticket separately.

NEW YORK, *January 6, 1869.*

JOHN CUMMINGS sworn and examined.

To the CHAIRMAN:

4386. I am 29 years of age; I am acquainted with the sheriff of this county; I have known him for fifteen or sixteen years, or more; I worked with him in a stone-yard some time ago; I was indicted with him a good many years ago for a disturbance in a primary election; I can hardly remember the particulars of the row; I was very young at the time; I know that I went to a primary meeting at night with some sixteen or seventeen others, and in coming away there was some disturbance; a good lot of us were arrested; I was sent up for thirty days.

NEW YORK, *January 6, 1869.*

MORGAN JONES sworn and examined, (called by Mr. Kerr.)

To Mr. KERR:

4387. I was at the polling place at the last presidential election of the 5th district of the 7th ward; I live in the 3d district of that ward and cast my vote there; during the day I went over to the 6th district; there were about 5,300 votes cast in my ward; there were probably about 325 republican; the balance were democratic; the population of the ward is about 44,000; I know a man by the name of Michael Costello; he was inspector in some district in the 4th ward; I do not know of any threats being used against him on election day any further than that his vote was challenged; I did not see Alderman Coman during election day; I made no threats whatever against Costello; I did not call him "a dirty loafer;" I believe he was called so by a man by the name of Dowdell, who was in the crowd around the polls where Costello voted; I did not say to him that the police would not be done with him for three months to come; I have not spoken to Costello for five years; the last time I spoke to him was when he came to me to ask my influence to get him reappointed in the office of receiver of taxes, from which office he had been discharged; I went there and tried to get him back, but I learned at the office that he was not a proper man to hold the position, and so I dropped him; there was a good deal of challenging in the district in which I voted, but there were a great number of votes that were not got in for the reason that there were parties there who challenged pretty nearly everybody who came up—challenged them indiscriminately, whether they were legal voters or not; every time a man was challenged it would give rise to quite a controversy between the inspectors, and consequently there was a good deal of delay; I was at the polls in the 5th district from 10 o'clock until about 12, and in the afternoon from 3 to 4; I know of my own knowledge that there were parties that came to the polls to vote and the crowd being so great they were obliged to go away; I know that there were in a house that I own three persons who were entitled to vote, and who had tried to do so repeatedly, but the crowd was so great that they could not do so; in the precinct there were about 530 democratic votes and 30 or 40 republicans; I should think that in the crowd who could not get their ballots in, a very large proportion were democrats; one of the inspectors acted as republican challenger at the polls.

To Mr. DICKEY :

4388. I think the remark about the police made to Costello arose from the fact that he came to the polls escorted by four or five policemen. I think some one in the crowd halloed out, "You will travel with the police all day; you are trying to keep voters out of persons whom you have known for years."

By the CHAIRMAN :

4389. Q. How many republican wards are there in New York city ?

A. There is but one, the 15th, and that goes democratic sometimes.

4390. Q. Can you state any instance, except one, where any person has been indicted for illegal voting, or for any fraud or illegal conduct in relation to elections in New York city, and punished ?

A. I have paid no particular attention to this matter. I know of one person who was tried, convicted, and sent to the penitentiary. I was present in the court-room at the time he was sentenced. It was in the court of general sessions.

4391. Q. Don't you know that the sentence was suspended in that case ?

A. I do not know.

By Mr. KERR :

4392. Q. Do you know what is the general reputation of Costello among his neighbors for truth and veracity ?

A. I think he is a bad fellow; his reputation is bad for truth and veracity.

4393. Q. On that reputation would you believe him under oath.

A. No, sir.

By Mr. DICKEY :

4394. Q. Whom did you hear say that his reputation for truth and veracity was bad ?

A. I do not know that I heard anybody say so in particular.

4395. Q. Whom did you hear in general ?

A. I cannot say that anybody stated so particularly in regard to truth and veracity; I cannot name any one at present.

4396. Q. When did you hear any one speaking in regard to his truth and veracity ?

A. During the war he was engaged in the bounty business, and cheated some one out of some money. Mr. McLaughlin, the tax receiver of this city, said he would not believe him; whether under oath or not I do not know.

NEW YORK, *January 6, 1869.*

THOMAS RYAN sworn and examined, (called by Mr. Kerr.)

To Mr. KERR :

4397. I am chief officer of the superior court. James M. Sweeny is chief clerk of the court. My duties are to keep order in the court and go on errands for the judges, and see that the other officers are attending to their duties. I was in the superior court room during the month of October. I remember when the business of naturalization was being done by that court. I was there every day. My duty was to keep the applicants in line, and to maintain order and pass up their names to the clerk, and there was a clerk at each end of the bench who called off the names of the witnesses. As soon as the name was called they would go up

before the court with the applicant. The court would sometimes swear them and sometimes the clerk would. They would first swear the witness to make true answers to such questions as were put to him in regard to naturalization. After they were passed the applicant would go to the clerk who would swear him to allegiance to the United States.

4398. Q. What care was practiced by the judges to prevent the perpetration of frauds upon the naturalization laws?

A. I should think some five or ten per cent. of the applications were rejected. The judges would ask the witness how long he knew the applicant, where he had resided for the last year, and where the witness had lived, and all such questions. He would then examine the applicant critically. Judge Garvin would sit in one room and Judge McCunn in another. Judge Jones often sat on one of the benches, and would often act as clerk and judge both. Judge Barbour held court up-stairs. The judges, when applications were rejected, would often reprimand the witnesses, telling them not to come again; threatening to send them to Blackwell's island if they did. I do not think it was possible for any person to have been naturalized in that court without being himself personally present and being sworn. I never knew of any person being naturalized without personally coming into the presence of the court and undergoing an examination.

By Mr. DICKEY:

4399. Q. About how many an hour would Judge McCunn naturalize in the pressure of business?

A. I suppose he would naturalize a couple of hundred in an hour.

By the CHAIRMAN:

4400. Q. If the court was crowded could they naturalize more than that?

A. I should judge they could naturalize about two a minute.

4401. Q. Could any person personate the applicant and get his naturalization papers in that way?

A. It was impossible for us to tell whether the person who presented himself was the identical man or not. We had to take his statements and that of the witness.

4402. Q. Tell when a person presented himself for naturalization upon the ground that he came to the United States under 18 years of age, what form of oath or oaths were administered to him and what questions asked?

A. The applicant would present himself with his witness. The judge would ask the witness, "How long have you known this man? How old was he when he came to this country? How long has he been in this country? Where does he live?" Then the witness would pass along to the clerk and the clerk would administer the oath to him.

4403. Q. Was the oath administered by the clerk after the judge had examined them?

A. Yes, sir.

4404. Q. Is the oath then administered by the clerk in the form used on the printed blanks?

A. Yes, sir.

4405. Q. What form is gone through with in the case of a person who has been in this country five years, and who has previously declared his intention to become a citizen?

A. The applicant first makes out two affidavits and swears to them and then attaches his papers to them. He then comes into the court with his witness and presents the papers to the clerk. The clerk swears

in the witness, who goes before the court, and the judge then examines him, asking him how long he had known the applicant, where he had lived, and similar questions, and if the answers were satisfactory, the oath would be administered to the applicant. The clerk administered one oath to the witness to make true answers to such questions as may be put to him by the court touching the naturalization. In the case of a soldier presenting his application he has to attach his discharge to his application, or if not, affidavit that he has lost it or that it has been sent to Washington. The applicant is asked if that is his discharge, how long he had served in the army, and the like. The witness would then be questioned by the judge and then the oath would be administered by the clerk.

NEW YORK, *Wednesday, January 6, 1869.*

GEORGE HOPCROFT sworn and examined.

To the CHAIRMAN:

4406. I am the clerk of the superintendent of the metropolitan police department in this city. The election returns on the night of the presidential election were received by telegram from the different precincts at the headquarters of the police department, No. 300 Mulberry street. As soon as they were received by the telegraph operator down stairs, they would be sent up on a dumb waiter to the superintendent's room; I would then take them and sort them out by districts and wards. I do not think the total presidential canvass was ascertained until nearly 1 or 2 o'clock of the night after the election. I cannot say how many districts were complete before 8 o'clock in the evening.

By Mr. KERR:

4407. Q. Do you know of any law of the State of New York that requires canvassers of election to make returns by telegram of the result of the election in their district.

A. I do not.

4408. Q. Do you not know that this regulation was made for partisan purposes by the superintendent of police, and was not sanctioned by law?

A. I could not say; I understood that this requirement was established by regulation, and not by statute.

By Mr. DICKEY:

4409. Q. Has it been the custom heretofore to send returns of the election through the police telegraph to headquarters?

A. It has been since I have been connected with the police department, which is over seven years.

By Mr. KERR:

4410. Q. What are your politics?

A. I am a republican.

4411. Q. Were you at the office of Mr. Kennedy on the evening of election day?

A. I was.

4412. Q. Was the republican executive committee or any members of it present that evening?

A. Not that I know of; I am not acquainted with any of them.

By Mr. DICKEY:

4413. Q. State what was done with the despatches when received from the canvassers.

A. They are sorted out according to wards and districts, and then handed to the superintendent; he reads them over aloud and the result is taken down by the reporters of the press present.

4414. Q. State if there is any other mode of getting the entire returns from the city for the use of the press as soon as from police headquarters.

A. There is not.

NEW YORK, *Wednesday, January 6, 1869.*

WILLIAM J. LOUTRELL sworn and examined, (called at the instance of Mr. Ross.)

By Mr. Ross :

4415. Question. What office did you hold during the presidential election ?

Answer. I was inspector of election for the 12th district, 8th ward, in this city.

4416. Q. How many votes were given in your precinct ?

A. Somewhere between 400 and 500; I could not state the exact number; there were about 500 registered; there were about 70 votes less cast than were registered.

4417. Q. You may state to the committee what means you took, if any, to prevent illegal registering and illegal voting.

A. There were a great many challenged by all parties; I challenged a good many, and the other inspectors did the same.

4418. Q. State whether there was an apparent effort by the board, so far as you observed, to prevent illegal registering and illegal voting.

A. There was; in fact I think it was carried to excess; I think Mr. Bell, the republican inspector, carried it to excess; he would challenge almost every man that came up, whether he knew him to be a legal voter or not.

4419. Q. For what reason did he make these challenges; was it for the purpose of obstructing the election ?

A. I could not say of my own knowledge; I don't think the man was fit for the position; he was a very nervous, excitable man; he challenged almost everybody who came there; went through the formality of swearing them in and propounding questions to them; many of them were old residents of the ward and well known to be legal voters.

4420. Q. State whether his continual challenging tended to prevent the legal voters from casting their votes.

A. It did; so much that many of the voters complained to the police and tried to have the matter stopped; he had his own way, however, and continued challenging all day; he impeded the election very much.

4421. Q. Was it apparently done for that ?

A. Yes, sir; and I think he had been instructed to do so; there were quite a number of the people at the poll when it closed waiting to deposit their votes, and could not do so.

4422. Q. State whether anybody, to your knowledge, voted more than once at that election in your district.

A. I did not see anybody vote there more than once; I gave particular attention to that thing, as there was so much said of repeaters and frauds on election.

4423. Q. Do you know of anybody voting four times that day ?

A. No, sir.

4424. Q. Do you know a man by the name of McFarland ?

A. I do not.

4425. Q. Do you know a man by the name of George McPherson ?

A. I do; he acted as one of the board of inspectors; he was there all day as far as I know, except when he went out of the office to get a lunch.

4426. Q. Do you know whether the poll-books went to the republican headquarters at the Fifth Avenue Hotel?

A. Not to my knowledge.

4427. Q. State whether McPherson was capable of attending to business while he was at the polls.

A. I think he was.

4428. Q. Was he drunk?

A. He was not; I think he was in perfect condition to attend to business.

By Mr. HOPKINS:

4429. Q. How long was Mr. McPherson absent at lunch?

A. About an hour, I should think; probably more.

NEW YORK, *Wednesday, January 6, 1869.*

MATHEW T. BRENNAN sworn and examined, (called by Mr. Kerr.)

By Mr. KERR:

4430. Question. Are you acquainted with a man by the name of Costello, at present a bell-ringer in this city?

Answer. I am.

4431. Q. What is his reputation for truth and veracity in this community?

A. I would not believe him under oath if he was an interested party.

4432. Q. Please state whether your board kept a tabular record of the number of registered voters in the city of New York by wards and election districts.

A. Not that I am aware of. We have a bureau of elections in the police headquarters, of which Mr. Hasbrouck is the chief clerk. He may have such a record.

4433. Q. State if you know whether there is any law of the State of New York that requires the election canvasser on the night of the day of election to make a return by telegraph or otherwise to the police headquarters of the number of votes in their respective districts.

A. I know of no such law. I believe it is a regulation made by the department. The returns generally come to the station-house of the precinct, and formerly the reporters would go there to get the returns. This impeded the business there very much, and it was arranged that the returns should be sent by telegraph to police headquarters, and from there given to the reporters.

By the CHAIRMAN:

4434. Q. Where did you vote at the presidential election?

A. I voted in the 8th district of the 6th ward.

4435. Q. Where do you live?

A. At No. 84 White street. I have a summer residence on the Bloomington road. My family have been sick this winter, and I have staid out there a good part of the time. My mother lives at 84 White street. I sleep there occasionally, and generally take my dinners there. Probably during the last year I have slept there three or four nights.

4436. Q. Did you consent to the appointment of Costello as an inspector?

A. I suppose I must have done so, as it requires the sanction of the board to appoint an inspector. The board is equally divided. Two

commissioners are republicans and two are democrats. It was arranged that the republicans should suggest the names of one-half of the inspectors and the democrats the other half. Mr. Manniere selected Mr. Costello I presume. The names were read over, but I did not pay much attention to them, and I presume I voted for him among the rest.

By Mr. Ross :

4437. Q. Have you ever made any report to the board that he was not a proper officer?

A. I have told Mr. Manniere, I think, but I do not believe I have made any formal report to the board.

NEW YORK, *Wednesday, January 6, 1869.*

GEORGE H. HOFFMAN sworn and examined, (called by Mr. Kerr.)

To Mr. KERR :

4438. I reside at 216 East Sixth street. I have resided in this city all my life. I am a hack-driver by occupation. I was engaged in that business last October and November. I was so engaged on the 30th day of October. On the evening of that day, about half past nine o'clock at night, I was standing in front of the Fifth Avenue Hotel, when an order came from the hotel office for me to drive my coach to the Twenty-third street door. I drove there, and presently two men came down and directed me to drive to 300 Mulberry street, and they got into the coach. I drove down there; the men got out and waited on the sidewalk some 10 or 15 minutes. Some person came up and inquired of them what they were waiting for. They said Mr. Kennedy and Mr. Acton. In a few minutes Mr. Kennedy and Mr. Acton drove up, and they all went into police headquarters together. After a while they came out and told me to drive around in Mott street, in the rear of police headquarters. I did so, and presently the men came out of the rear door with a bundle of books in their arms. They looked around up and down the street suspiciously, to see if anybody was looking, and then put the books in the coach. I suspected there was something wrong going on, and I was determined to ascertain what it was. I took up one of the books and looked at it and found it was a registry book, such as is used by the registrars of election. I noticed that a good many names were checked—mostly Irish names. One of the men came up and snatched the book out of my hand, and told me to get up on my box, and not to meddle with these things; and he gave strict injunctions not to let anybody come near the coach or touch the books. They put in 50 to 75 books in the coach, and then ordered me to drive back to the Fifth Avenue Hotel. I thought there was something wrong in this, and I made up my mind to get at it. When we arrived at the Fifth Avenue Hotel the books were taken out of the coach, taken up-stairs, and deposited in the rooms of the republican general committee. I took a couple of the books, unbeknown to anybody, and secreted them in my coat. I took them for the purpose of showing them to the district attorney. These books were registry lists. I think they were originals; and not positive. They may have been copies. I handed the books to George H. Purser, and he said he would hand them to the district attorney.

3439. Q. What were they taken up to that hotel for?

A. I think they were taken there to be used for party purposes. I should think that 40 per cent. of the names were checked. It looked a very suspicious circumstance. I thought it proper that it should be laid before the district attorney.

By the CHAIRMAN:

4440. Q. Do you know who these men were?

A. I do not.

4441. Q. You do not know whether these men belong to the republican party or not?

A. I do not. When they went up-stairs I saw they were recognized by the people in the room, and they seemed to be much at home.

4442. Q. How large were the books?

A. About seven inches wide and 18 inches long, and contained about 40 pages.

4443. Q. Who is George H. Purser?

A. I believe he is assistant corporation counsel. I gave the books to him to be delivered to the district attorney.

4444. Q. Did Purser request you to secrete these books?

A. He did not. This occurred between 10 and half-past 10 in the evening; and the fact that it was so late in the evening made the circumstances more suspicious.

4445. Q. Do you not know that party committees are in the habit of sitting late in the evening, especially on the eve of an important election?

A. Not to my knowledge.

4446. Q. How do you know that the room to which you carried the books in the Fifth Avenue Hotel was occupied by the republican general committee?

A. There was a label over the door, and it was generally known that these were the rooms of the republican committee. I asked a servant as I was going up where the rooms of the republican committee were. He told me room 15, which was the room in which I placed the books. I believed that those books were public property, and that they were not taken from police headquarters for any lawful purpose, and I felt it my duty to do as I did.

4447. Q. How do you know that those books were public property?

A. I suppose so because they were taken from police headquarters, and anything in police headquarters is public property.

4448. Q. Are all the books there public property?

A. I suppose the books pertaining to the election are public property. The law creating the metropolitan police department created a bureau of elections, which has its office in the police headquarters, and everything there is public property.

4449. Q. What are your politics?

A. I have been a republican all my life. I voted for General Grant for President and John T. Hoffman for governor. I voted for assemblymen and senators about equal.

4450. Q. In what district and ward did you vote?

A. I voted in the 9th district of the 7th ward.

By Mr. HOPKINS:

4451. Q. Do you think it was exactly fair to purloin those books?

A. I do undoubtedly. I think it is the right of any citizen, when he sees any unlawful action going on, to do all in his power to prevent it.

4452. Q. Had you any knowledge of any fraud?

A. I knew these books were public property. I knew it to be unlawful to take public property away in that manner.

4453. Q. Are you a police officer in this city?

A. I am not.

4454. Q. Suppose these registry books, as you say they were, were copies

of the registry list made by outside parties, and taken to the police headquarters to be compared with the original list; would they be public property because they were in the police headquarters?

A. I know these books were taken out of headquarters for party purposes—I could not swear positively they were, but I believe so.

4455. Q. Is it not common for both parties to have a list of voters so that they can ascertain and challenge improper voters?

A. Not to my own knowledge.

By the CHAIRMAN:

4456. Q. For whom did you vote in 1856?

A. For Abraham Lincoln.

4457. Q. Whom did you vote for in 1860?

A. I was not entitled to a vote.

4458. Q. Whom did you vote for in 1864?

A. I voted for Abraham Lincoln. I misunderstood your first question. I was not entitled to vote in 1854 or 1856 either. The first vote I cast was for Abraham Lincoln.

4459. Q. Whom did you vote for in 1862?

A. I did not vote in 1862.

4460. Q. How do you know that the purpose for which these books were taken from police headquarters was a party purpose?

A. I believed that they would be used for that.

4461. Q. Did you know that?

A. I did.

4462. Q. What party purposes?

A. To benefit the republican party.

4463. Q. Do you mean to say that a party purpose is always a wrong purpose?

A. I do in that connection.

4464. Q. If these books were copies of the registry list made for the purpose of ascertaining whether persons had been illegally registered, and for challenging them if they attempted to vote, would it be a wrong purpose?

A. It would be if it was given to one party and not to another.

4465. Q. You think then it is not right for the republican party to challenge an illegal voter?

A. If they are known to be illegal voters, I think it is perfectly right for them to do so.

4466. Q. Do you not think it is proper for the republican party to ascertain who are legal voters and who are not?

A. I think there is no law for it.

4467. Q. State whether you regard it as improper or illegal to make a copy of the registry of voters to ascertain whether those who are registered are legal voters or not?

A. If it is used for party purposes I think it is unlawful.

4468. Q. What law makes it unlawful?

A. It is a violation of common sense, and any violation of common sense is unlawful.

4469. Q. Are you learned in the law?

A. I am not. Common sense will teach a man law.

By Mr. HOPKINS:

4470. Q. You say you stole two of these books?

A. I did not; I secreted them.

4471. They were not your property?

A. They were my property; I am a citizen and a tax-payer; these books belong to the people, and I am one of them.

4472. How do you know they were the people's property?

A. Because they were taken from the police headquarters; everything in the police headquarters belongs to the people.

4473. Q. Do persons generally come to police headquarters when they wish to commit crime?

A. There is a good deal of crime committed there undoubtedly.

4474. Q. Have you ever heard of these books since you handed them to the district attorney?

A. I have not.

4475. Q. Has anybody been prosecuted because of the information you have furnished?

A. I have heard nothing more than that the district attorney has charge of them.

4476. Q. Is it the custom of hack-drivers in this city to steal anything put in a coach?

A. I think not.

4477. Q. What is your occupation?

A. I am doing nothing.

4578. Q. How long have you been out of occupation?

A. About four weeks.

4479. Q. Were you discharged from your service as a coach-driver?

A. I was. I met with an accident with my coach, and was discharged for that reason.

NEW YORK, *Wednesday, January 6, 1869.*

SAMUEL B. GARVIN sworn and examined, (called by Mr. Kerr.)

To Mr. KERR:

4480. During the last year I have been judge of the superior court of this city. In regard to naturalizing applicants for citizenship, I would say that I have always exercised great care. My uniform practice has been always to call the applicant and witness before me, and then question both the witness and the applicant. I would swear the witness and the applicant both together. Sometimes the clerk would swear them. I would then examine the witness in regard to all the statutory requirements. If there was any question in my mind as to the age or identity of the applicant I would reject the case. After I had examined the witness and the applicant thoroughly, and was perfectly satisfied that all was right, I would pass the papers to the clerk who sat at my right hand, and he would, in my presence, administer the oath of allegiance.

4481. Q. Can you approximate to the number you have personally passed upon in one day?

A. It would be exceedingly difficult for me to do so. I would only sit in the morning from 10 o'clock, or half past 10, till 12, when I would be relieved by Judge McCunn. All my naturalization was done in the morning, and it is very difficult to approximate the number I naturalized. The crowd was very great after the 10th of October.

4482. Q. Did you give any directions to your subordinate officers in regard to the prevention of frauds or irregularities in the procurement of certificates of naturalization?

A. Yes, sir; I gave strict directions to the clerks not to naturalize any persons who did not come right directly from my presence, so that there could be no false personation. I always gave strict directions not to deliver the preliminary papers to any one but the applicant himself, and to administer to him the oath of allegiance immediately; if the applicant did not appear right away, the clerk should lay the papers aside.

4483. Q. What proportion of applications did you pass upon favorably ?

A. I rejected a great many every day ; I suppose from 20 to 50 a day.

4484. Q. How did the number of minors who applied for naturalization this year compare with the number who applied the previous year ?

A. I do not know that there was any larger proportion of minors this year than other years. A large number of persons who were entitled to naturalization papers during the war delayed getting them for fear of the draft, and they did not procure them until this year.

4485. Q. Was it possible, at the time the great rush of naturalization was going on, for any person to have secured naturalization in your court, without having been himself present ?

A. No, sir ; he could not, unless a false personation or perjury was committed. Of course against this I could not protect myself.

By the CHAIRMAN :

4486. Q. Suppose an applicant appeared in your court during the last year, and claimed his certificate on the ground of his having arrived in the United States under the age of 18, what oaths and questions would you put to him ?

A. I would first swear the witness and applicant to make true answers to all questions. I should put them in regard to the application then pending ; then I would ask witness how long he had known the applicant, how old he was, where he had lived for the past year, and where the applicant had resided. Of the applicant I would ask, how old are you ; how old were you when you came to this country ; how long have you been in this country. Putting the two things together, I could tell whether he came here before he was 18 years of age. I would then ask him the formal question as to whether he was a man of good moral character. This complied with all the requirements of the act of Congress. I would follow the law strictly. I would sometimes vary the questions—sometimes asking them through an interpreter.

4487. Q. You administered the oath to the applicant and witness at the same time ?

A. Yes, sir.

4488. Q. Was any other oath administered in the process of naturalization, except the oath you have mentioned ?

A. Not in the preliminary examination ; there was a final oath of allegiance. I would also make them swear that the affidavits to which they had subscribed were true. I would also ask the applicant if he had read the affidavits or knew their contents.

4489. Q. State whether there was a large number of persons applying for naturalization who could not read or speak the English language.

A. I do not think there were. I think, as a general thing, they could speak the English language ; whether they could read or not I could not say.

4490. Q. Was the affidavit read to them ?

A. I asked them if they knew the contents of the affidavit ; they said yes ; and then I would swear them if it was true.

4491. Q. You first administered the general oath that he would true answers make, &c., and if the application was satisfactory, the oath of allegiance would be administered.

A. Yes, sir.

4492. Q. Is not the oath prescribed by act of Congress and the common law oath in these words : " You solemnly swear that you will speak the truth, the whole truth, and nothing but the truth, in this examination, so help you God ? "

4493. Q. Describe the process of naturalizing a person who had previously declared his intention to become a citizen.

A. I would swear the witness and applicant in; then examine his papers to see if the declaration was correct, or whether the proper time had elapsed; ask him if he was the man described in that paper; ask the witness how long he had known the applicant; where he resided, &c. If there was the slightest equivocation or dodging, I would examine them more at length. I would then ask them the usual question as to whether they were men of good moral character. In cases of soldiers applying for certificates, I would require them to show their discharge. I think in every case of naturalization the discharge was always attached to the application. I have an indistinct recollection that there was one case—that of a one-armed soldier, who appeared there before Judge McCunn and myself. He did not have his discharge with him, but presented pretty clear proof that he had served in the army, and he was passed.

4494. Q. State what proportion of naturalization certificates were granted to persons claiming to have arrived in the United States after the age of 18 years.

A. I should think the majority of the applicants were such; that is my impression.

NEW YORK, *Wednesday, January 6, 1869.*

CHARLES E. WILBOUR recalled and examined.

To the CHAIRMAN:

4495. Since my examination yesterday, I have seen all the stockholders of the New York Printing Company, and none of them have any objection to my stating their names. They agreed with me in not perceiving the relevancy of the question. The stockholders are five in number, each owning \$5,000 worth of stock. There are three democrats and two republicans. The democrats are Wm. M. Tweed, a Tammany man, I believe; James M. Sweeny, clerk of the superior court, also a Tammany man; Cornelius Corson, a Mozart democrat. The republicans are myself, whom I count as a radical, and James B. Taylor, also a radical. I have been a radical since I was old enough to know anything. Mr. Taylor is a republican who has given as much money to the republican party as any man in this city who has never been a candidate for office. Mr. Corson and myself manage the business almost entire. Mr. Taylor is largely interested in the stock of the New York Times. I have an interest in the Tribune Association. I was employed on the New York Tribune for 10 years.

NEW YORK, *January 7, 1869.*

WILLIAM DORANS sworn and examined, (called by Mr. Ross.)

By Mr. ROSS:

4496. Question. Where do you live?

Answer. At 103 Crosby street, New York.

4497. Q. What is your business?

A. I keep a public house at that place. I am a glass-blower by trade.

4498. Q. Did you vote at the last presidential election?

A. Yes, sir.

4499. Q. What are your politics?

A. I am a democrat.

4500. Q. Do you know of any illegal voting in the last presidential election?

A. I do.

4501. Q. Did you vote at that election yourself ?

A. I did.

4502. Q. Are you what is generally termed a " repeater ?"

A. I am.

4503. Q. How many times did you vote ?

A. I voted from 10 to 15 times.

4504. Q. Who engaged you in that business ?

A. It was merely a little sport of our own. Nobody engaged me ; I received nothing for doing it.

4505. Q. What was the extent of this repeating, so far as you know ; how many engaged with you ?

A. From 20 to 30.

4506. Q. Have you communicated this fact to anybody, that you were engaged in repeating ?

A. No, sir ; I have not.

4507. Q. Did you talk with Colonel Wood about it ?

A. They talked with my friends about it, and they put it on me.

4508. Q. Have you not talked with anybody else about it ?

A. No, sir.

By the CHAIRMAN :

4509. Q. How often did these 30 men that were with you vote ?

A. About the same number of times that I did.

4510. Q. In what wards did they vote ?

A. It was in Thirty-first, Thirty-second, and Thirty-fourth streets. The night before we voted we were at the corner of Thirty-second street and Second avenue.

4511. Q. The night before election ?

A. Yes, sir.

4512. Q. What is that place ?

A. It is a liquor shop. I do not know the name of the man who keeps it.

4513. Q. Is there any club-room there ?

A. It is a large room. I do not know whether it is a club-room or not.

4514. Q. What furniture is there in that room ?

A. Tables, chairs, a carpet, &c.

4515. Q. How many people were at that place the night previous to election ?

A. A great many. I should think there were 300 there altogether.

By Mr. HOPKINS:

4516. Q. Did you understand from what they said that they were all engaged in this business of repeating ?

A. I could not say that. I did not have communication with all of them, although they were all sitting around drinking and smoking and taking about matters in general.

By the CHAIRMAN:

4517. Q. State who procured the names upon which you were to vote.

A. The names were given to us on slips of paper.

4518. Q. Where did you get these slips ?

A. We got the first lot at the liquor shop, and when we had used them up we were supplied with another batch.

4519. Q. Where did you get the ballots ?

A. The same man that gave us the papers gave us the ballots. I never opened them ; I do not know what they were.



4520. Q. Don't you know that that place on the corner of Thirty-second street and Second avenue was called the Jackson club ?

A. I cannot recollect at present.

By the CHAIRMAN :

4521. Q. Can you give the names of some of the persons who were with you ?

A. I know of but two or three ; one man's name was Melville, another Bartlett. I think there was a man by the name of Smith, and another by the name of Harris.

4522. Q. Where does Melville live ?

A. At 103 Crosby street.

By Mr. Ross :

4523. Q. What ticket did you vote ?

A. I do not know. I think it was a democratic ticket ; I did not open the tickets.

By Mr. HOPKINS :

4524. Q. You were at the head of their gang, were you not ?

A. Well, they met at my house and I went with them.

By the CHAIRMAN :

4525. Q. Who advised you to do all this ?

A. Nobody advised me in particular ; there was a crowd in my liquor shop that evening and they asked me to join them, and I went with them.

4526. Q. What friends did you expect to help by repeating in that manner ?

A. Nobody at all.

4527. Q. Did you talk with some of the candidates about it ?

A. No, sir ; when I was at the club-room in Thirty-second street, they talked over about a good many candidates. I think they mentioned a man by the name of Field, and said he was a good fellow, and we ought to do a little something for him.

NEW YORK, *January 7, 1869.*

GEORGE MABEE sworn and examined.

By the CHAIRMAN :

4528. Q. State if you have examined the poll-lists of the different election precincts of this city of the last presidential election.

A. I have.

4529. Q. What ones ?

A. I have examined the 1st, 3d, 4th, 6th and 7th districts in the 7th ward.

4532. Q. State if you have examined the list of names contained in the repeater's book seized by Inspector Walling, and ascertained from an examination of the poll-books how many and which of the men whose names are on said list voted ?

A. I have. The names marked with a "V" on said list, which I produce, and which is a copy of the book seized by Inspector Walling, are those who voted at the presidential election.

By Mr. Ross :

4533. Q. You copied this list ?

A. No, sir, I did not.

4534. Q. Who copied it ?

A. A Mr. Toulon.

4535. Q. You were present when he copied it?

A. No, sir; but I examined it this afternoon and found it correct.

4536. Q. Who had possession of this list that you compared?

A. Major Strong. I examined the book that was said to be seized by Inspector Walling, and found that the names on this list corresponded with those on that book. I also examined the poll-list in the county clerk's office and found that the men on the annexed list, whose name was marked with a "V," had voted.

4537. Q. Did you mark these names with a "V"?

A. Yes, sir.

By the CHAIRMAN:

4538 Q. State whether you have examined the registry list and ascertained whether the other names on the list you have presented are also on the registry list.

A. I did; all the names on this list were on the registry list.

FIRST DISTRICT, SEVENTH WARD.

✓Peter McGovern	- - 16 East Broadway.	Michael Whalen	- - 66 East Broadway.
✓Edward Wilson	- - 16 "	✓Harrison Sutton	- - 29 "
Edward Thomas	- - 14 "	✓James Thompson	- - 39 "
Stephen H. Maloney	- - 39 "	✓James Leonard	- - 38 "
Thomas Nugent	- - 39 "	✓Thomas Craig	- - 43 Henry street.
Thomas Maloney	- - 39 "	✓George Gillespie	- - 44 "
Charles Lilley	- - 40 "	George Varely	- - 44 "
John Mullin	- - 73 "	✓Thomas Smith	- - 34 "
✓James Moore	- - 73 "	✓George S. Clark	- - 42 "
✓Thomas Delaney	- - 39 "	Thomas Cullin	- - 45 "
✓William McCoby	- - 16 "	✓William Cullin	- - 45 "
James Lambert	- - 18 "	William Varely	- - 44 "
George Lake	- - 40 "	✓James Thompson	- - 42 "
✓Robert Corcoran	- - 16 "	James Johnson	- - 40 "
John Mullin	- - 73 "	William Craig	- - 43 "
Thomas Nolan	- - 16 "	✓George Drake	- - 34 "
✓Robert Smith	- - 39 "	Thomas Smith	- - 34 "
James McGuire	- - 16 "	✓Thomas Varely	- - 44 "
✓George F. Wilson	- - 16 "	✓Edward Condon	- - 44 "
John Coles	- - 20 "	✓Timothy Harrington	- - 37 "
✓John Spink	- - 63 "	John Fitzsimmons	- - 54 "
✓Frank Derain	- - 39 "	John Duff	- - 13 Market street.
James Hushien	- - 39 "	John Reilly	- - 13 "

THIRD DISTRICT, SEVENTH WARD.

✓James S. Smith	- - 28 Market street.	John McCaferty	- - 90 East Broadway
James B. Wilson	- - 28 "	Michael Smith	- - 80 "
John O. Connor	- - 28 "	Charles Fisher	- - 90 "
✓Benjamin Craig	- - 28 "	James Carr	- - 92 "
Joseph Roberts	- - 38 "	James Watson	- - 108 "
James Hanely	- - 26 "	✓William Opp	- - 106 "
John McCabe	- - 18 "	Charles Sinclair	- - 117 "
✓Thomas O. Donnel	- - 18 "	Thomas Watson	- - 108 "
Henry Hoy	- - 38 "	✓George Knowls	- - 87 "
James Henry	- - 38 "	William Cluse	- - 80 "
✓James Morris	- - 108 East Broadway.	William Knowls	- - 87 "
✓James Saunders	- - 108 "	Henry Walker	- - 80 "
✓James Stirling	- - 106 "	Patrick McGovern	- - 80 "
✓Charles Wilson	- - 92 "	✓John Sullivan	- - 82 "
George Wilson	- - 92 "	Henry Shannen	- - 80 "
James Watson	- - 108 "	Harris Hosen	- - 80 Henry street.
✓William Lamb	- - 80 "	John Dolan	- - 80 "
Samuel Davis	- - 80 "	James McDermot	- - 96 "
Thomas Park	- - 80 "	Thomas Murphy	- - 106 "
Thomas Nolan	- - 90 "	William Hoyer	- - 98 "
John Hayse	- - 90 "	Charles Grant	- - 92 "
✓Izzy Lazarus	- - 80 "	George M. Mitchell	- - 76 "

Edward Thomas	- 76	Henry street.	✓Thomas Henessey	- 83½	Division street.	
James Flinn	- -	73	✓Myer Wolf	- -	83½	“
Henry Walker	- -	80	✓Charles Williams	- -	83½	“
✓Charles Conner	- -	80	George Thomas	- -	83½	“
Thomas Hushion	- -	80	✓William Brown	- -	83½	“
✓Abraham Brown	- -	92				

FOURTH DISTRICT, SEVENTH WARD.

Richard Thompson	- 54	Monroe street.	✓George Gilbert	- -	50	Market street.
George Robinson	- -	54	Francis Gibins	- -	50	“
Thomas Hushon	- -	64	William Fowler	- -	42	“
✓Edwin Thomas	- -	50	George Laffy	- -	48	“
John Sullivan	- -	42	Thomas Sharnely	- -	54	“

SIXTH DISTRICT, SEVENTH WARD.

✓Henry Williams	- -	173	East Broadway.	Henry Austin	- -	169	Henry street.
Henry Jackson	- -	120	“	James Weaver	- -	167	“
George H. Brown	- -	163	“	✓George Brown	- -	169	“
✓George Brown	- -	163	“	John Rely	- -	169	“
Joseph Scanlin, 2 Nos.				George Parson	- -	197	“
on registry, 163, 165				Henry Lawrence	- -	169	“
✓Thomas Nolan	- -	173	“	✓Frank Thomas	- -	197	“
✓William Nolan	- -	173	“	George Williams	- -	167	“
✓Thomas Scaulin	- -	163	“	Robert Garner	- -	197	“
Edward Kiely	- -	120	“	Florence F. Gerald	- -	197	“
Thomas Scanlin	- -	163	“	William Hushon	- -	122	“
✓John Wilson	- -	111	Henry street.	George White	- -	169	“
G. W. Baldwin, (sw'n,)	- -	169	“	✓Charles Myers	- -	169	“
George H. Foster	- -	122	“	✓William Murphy	- -	169	“
George Foster	- -	122	“	Thomas Boyde	- -	197	“
Jno. Wilson	- -	111	“	John Bennett	- -	167	“
William Lilly	- -	122	“	George Morgan	- -	167	“
✓William Galager	- -	122	“	Thomas Hushon	- -	124	“
✓John Saunders	- -	169	“	Daniel Stamely	- -	122	“
William Stephens	- -	111	“	✓John Smith	- -	150	“
Thomas Fitzgerald	- -	167	“	George Green	- -	173	Madison street.
✓Lewis Light	- -	169	“				

SEVENTH DISTRICT, SEVENTH WARD.

Charles Pratt	- -	227	Henry street.	Henry Hunkey	- -	227	Henry street.
George Martin	- -	227	“	Richard Parr, jr.	- -	227	“
William Hunt	- -	227	“	✓Andrew Morrison	- -	227	“
Henry Carlton	- -	227	“				

WILLIAM DORANS recalled and examined.

By the CHAIRMAN:

4539. Q. Are you acquainted with Sheriff James O'Brien of this city?

A. Yes, sir; I have seen him.

4540. Q. State whether any officer of this county was with these men who were engaged in repeating as you have stated, and who stayed at the liquor shop, in Thirty-second street, the night before election.

A. Not that I know of. I saw Sheriff O'Brien on the day of election.

4541. Q. Where did you breakfast on the morning of election?

A. I took breakfast at the sheriff's house.

4542. Q. Was the sheriff there?

A. I did not see the sheriff there; it was about 4 o'clock in the morning.

4543. Q. Do you recollect the number of the house?

A. No, sir; I do not. It was very dark when I went there.

4544. What street was it on?

A. I could not be positive whether it was on Thirty-third or Thirty-fourth street; it was near Second avenue.

Q. Who took you to this place?

A. Some one in the shop asked me to go there and get breakfast.

4545. Q. How many took breakfast with you there?

A. A good many.

4546. Q. Where did you see Sheriff O'Brien on the day of election?

A. I saw him ride down Second avenue in a street car.

4547. Q. Do you know Sheriff O'Brien's brother?

A. I have seen him.

4548. Q. Did you see him before the day of election?

A. I saw him the night before the election in the liquor shop, on Thirty-second street; I did not see him the day of election.

4549. Q. Did you see the sheriff the night before election?

A. No, sir.

4550. Q. Were you promised any pay for your services as repeater?

A. No, sir.

4551. Q. Did you get any?

A. No, sir; in fact, I was out of pocket by it.

4552. Q. Have you been a deputy sheriff or a special deputy sheriff?

A. No, sir.

4553. Q. Do you know where No. 307 East Thirty-third street is?

A. I should think it would be at the right-hand side of Second avenue.

By Mr. Ross:

4554. Q. Do you know where Sheriff O'Brien lives?

A. No, sir; he lives up in the direction of Thirty-second or Thirty-third street. They called the place O'Brien's where we got breakfast. I could not say positively whether it was the sheriff's brother's place or his own.

4555. Q. Did the sheriff's brother have anything to do with the repeaters?

A. I did not see him have anything to do with the repeating. I had no conversation with him the night I was with him in the liquor shop.

4556. Q. Do you know whether Sheriff O'Brien has more than one brother?

A. I do not know.

4557. Q. You do not know what house you took breakfast at?

A. I do not know any more than that it was O'Brien's; whether it was the sheriff's house or not I could not say.

By Mr. HOPKINS:

4558. Q. How many took breakfast there that morning?

A. About 40 or 50.

4559. Q. Did you start from O'Brien's house on your tour of voting?

A. We returned to Thirty-second street; there we stopped a little while and then started out, stopping at many places, eating and drinking, &c.

4560. Q. What time did you start out to vote?

A. It was about daylight.

4561. Q. Did you see Sheriff O'Brien or his brother, while you were at breakfast at the house?

A. No, sir.

4562. Q. Do you know of your own knowledge whether he lived there?

A. I do not.

4563. Q. Who did you see in the house?

A. There was such a crowd there that I didn't know who belonged to the house or who did not.

NEW YORK, *January 7, 1869.*

WILLIAM H. BOGART recalled.

By the CHAIRMAN:

4564. Question. Do you know anything of a list of names furnished by William H. Hendrick of fictitious persons registered for the purpose of voting at the last presidential election of this city?

Answer. No, sir.

4565. Q. Have you examined any of the registry lists of the last presidential election of this city?

A. I have. I present to the committee a list of names with the election districts and of the names found upon the registry lists for these districts.

By Mr. ROSS:

4566. Q. From what registry list did you take these names?

A. From the registry list at the police headquarters.

4567. Q. Did you copy them yourself?

A. Yes, sir.

TENTH DISTRICT, EIGHTH WARD.

Thos. Longe, 142 Sullivan. V

NINTH DISTRICT, SIXTH WARD.

Patrick Coleman, V	62 Bayard.	Mathews Phipps, V	60 Mott.
August Hensdorff, V	"	Thos. Fitzgerald, V	"
Michle Kean, V	"	Daniel Nugent, V	"
Jas. White, V	60 Mott.	Edwd. McIntyre, V	"

These names on poll-list and not on registry.

84 GREEN STREET, FIRST DISTRICT, EIGHTH WARD.

1. Andrews, Andrew	V	9. Moore, Nathaniel	
2. Cram, James J.		10. Mitchell, Peter	V
3. Cavenagh, Francis	V	11. Mitchell, William	V
4. Dunphy, Edward	V	12. Smith, James	V
5. Green, Howard		13. Travis, William H.	V
6. Hogan, Michael C.	V	14. Williams, Isaac	V
7. Hogan, Edward	V	15. Worden, James	V
8. Henderson, John	V		

142 SULLIVAN STREET, TENTH DISTRICT, EIGHTH WARD.

1. Benson, August	V	13. Newman, Daniel	V
2. Butler, William		14. O'Keefe, Patrick	V
3. Hill, Andrew	V	15. O'Brien, Michael	V
4. Hamson, Charles	V	16. Reynolds, John J.	V
5. Hepburn, George	V	17. Ryan, Thomas	V
6. Halpin, John	V	18. Right, William	V
7. Larkin, George	V	19. Slater, Henry B.	V
8. Lee, James	V	20. Thompson, John	V
9. Munday, William	V	21. Williams, George	V
10. Merrifield, John	V	22. Welsh, James	V
11. Norton, Peter	V	23. Wallace, Thomas	V
12. Nicol, Joseph	V	24. Zander, John	V

595 BROADWAY, THIRD DISTRICT, EIGHTH WARD.

1. Blauvelt, Daniel	V	7. Littell, William K.	V
2. Barnard, John H.		8. Mackay, Gordon	
3. Brown, George S.	V	9. Skelly, John	V
4. Dennis, Jerome	V	10. Walker, Thomas H.	V
5. Harrison, John L.	V	11. Wyckoff, P.	V
6. Lowell, B. F.	V		

69 EAST HOUSTON STREET, SECOND DISTRICT, FOURTEENTH WARD.

1. Anthony, Charles		8. Leven, Thomas	V
2. Connolly, John	V	9. McGowan, Martin	V
3. Duffey, James		10. McGowan, James	V
4. Fraser, Charles H.	V	11. Riley, Hugh	V
5. Fox, Robert	V	12. Summers, David	
6. Glennon, Thomas	V	13. Watters, Charles	V
7. Goldschmidt, Herman	V		

62 BAYARD STREET, NINTH DISTRICT, SIXTH WARD.

1. Brophy, Patrick J.	V	6. Kane, Michael	V
2. Brophy, James J.	V	7. Lenz, Henry	V
3. Brophy, Michael	V	8. Merritt, Edward	V
4. Bennett, George	V	9. Stevenson, William	V
5. Ganson, John			

60 MOTT STREET, NINTH DISTRICT, SIXTH WARD.

1. Bennett, William	V	12. Haggerty, Lawrence	V
2. Clark, Thomas	V	13. Harris, Morris	
3. Cullinan, Thomas	V	14. Lord, William	V
4. Devoy, James		15. Levy, Morris	V
5. Darling, James		16. Maas, John	V
6. Edwards, Michael		17. Mack, Stephen	
7. Fibbs, Mathew		18. Nugent, Patrick	V
8. Farrell, Patrick	V	19. Nugent, Daniel	V
9. Fitzgerald, Thomas	V	20. Rooney, Thomas	V
10. Flynn, Henry	V	21. Smith, Thomas	V
11. Goodwin, James	V		

70 MOTT STREET, NINTH DISTRICT, SIXTH WARD.

1. Adams, Henry		5. Roach, William	V
2. Cohen, Lazarus	V	6. Suydam, George	V
3. Crone, Michael	V	7. Trebert, Lewis	V
4. Gold, John	V		

GEORGE MABEE recalled.

By the CHAIRMAN :

4568. Q. Look at the list of names furnished by William H. Bogart, the witness who has just testified, and state if you have examined that list and compared it with the poll list of the last presidential election, and if so, how many of the names are found on the poll-list as having voted ?

A. I have examined the list and compared it with the poll-list of voters and found all the names on the poll-list which are marked "V," in the accompanying list to have voted.

T. W. GREIG sworn and examined.

By the CHAIRMAN :

4569. Q. State if you can furnish the committee with any statistical information in relation to the population and voters of the sixth ward of this city ?

A. I prepared a statistical table, which I present to the committee.

4570. Q. From what source did you get the population for 1860 ?

A. From the United States census.

4571. Q. From what source the population of 1865 ?

A. From the State census. The table of voters naturalized and alien for 1865 is taken from the official State census. The total vote for 1868 is taken from the New York Daily Transcript, a newspaper of this city, and is the official vote for 1868.

Total population of sixth ward, New York city.

	1860.	1865.
White—Males	13,319	9,574
Females	13,043	9,891
Colored—Males	146	143
Females	188	146
Total	26,696	19,754

VOTERS, 1865.

Native	599
Naturalized	3,546
Total	4,145
Aliens	3,674

TOTAL VOTE, 1868.

Republican	403
Democrat	4,998
Total	5,401

NEW YORK, *January 7, 1869.*

BARTHOLOMEW CRONIN sworn and examined, (called at the instance of Mr. Ross.)

To Mr. ROSS:

4572. I was an election officer of the 4th district of the 4th ward at the last presidential election. I cannot state how many votes were cast in that precinct. During the day no illegal votes were cast to my knowledge. It would be utterly impossible to prevent them. There is a certain percentage of illegal votes cast at every election.

4573. Q. State if the board of inspectors used ordinary prudence to prevent illegal voting ?

A. Yes, sir; everything possible that could be done was done.

4574. Q. Do you know of any illegal votes being cast in that precinct ?

A. No, sir.

4575. Q. Were a good many sworn ?

A. Yes, sir; a good many; probably twenty or thirty.

4576. Q. Was all the board there that day ?

A. There was always a majority of the board there; that is required by regulation. The whole four were not there all day.

4477. Q. Who did the challenging ?

A. Mr. Shea was president of the board; he did most of the challenging.

4578. Q. Did you all exercise that privilege ?

A. Yes, sir; whenever it was necessary.

4579. Q. Were any of the inspectors driven away from the polls that day ?

A. No, sir; I do not know of any of the inspectors being driven away.

4580. Q. Do you know of any of the challengers being driven away ?

A. There was a man there in the morning as a hired challenger; he

was ordered away by the board of inspectors. We all agreed in ordering him away. Mr. Shea objected to it at first, but he finally agreed to it. When a man is challenged there is always a good deal of delay. As there was a large number of votes to be polled in our district in a short space of time, we could not allow any person around the polls to challenge indiscriminately, as many of them would do, to delay the vote as much as possible.

4581. Q. Did the board agree that there should be no challengers except by the inspectors ?

A. Yes, sir.

To Mr. HOPKINS:

4582. A. One of the challengers was ordered away because he created some excitement; he was then only challenging from spite.

By the CHAIRMAN:

4583. Q. Will you swear that he challenged through spite ?

A. I do not positively swear that he did it out of spite; to the best of my knowledge he did, however.

4584. Q. Are you a democrat ?

A. Sometimes I am. I was during the last election; not in the election previous, however.

By Mr. HOPKINS:

4585. Q. How long have you resided in New York ?

A. About 17 years.

4586. Q. Are you conversant with the elections here ?

A. Yes, I am.

4587. Q. What percentage of illegal votes should you judge were cast ?

A. I should think about two per cent., probably three; in some districts there would probably be more. There is more talk about this illegal voting than really exists. It is greatly exaggerated. There is a large class of people who do not think anything is done right at elections unless it is done just as they want it done. If it is done according to their party predilections they think it is right; if not, they think it is wrong.

4588. Q. Did you challenge any vote that day ?

A. I did.

4589. Q. Were the votes you challenged sworn in ?

A. Yes, sir.

By Mr. Ross:

4590. Q. Was there any man who did not get to vote on account of obstructions and delays in voting by challenging ?

A. Not that I know of.

NEW YORK, *January 7, 1869.*

JOSEPH MALOY sworn and examined, (called at the instance of Mr. Ross.)

To Mr. Ross:

4591. I was an election officer in the 4th district of the 4th ward at the last presidential election. I know nothing of illegal votes being cast in that precinct. I had the poll-list of registered voters, and as a man came in to vote I checked his name off. I do not know of any repeating being done at that precinct. I believe, however, there was a man arrested afterwards for repeating in another district who voted at ours. Mr. Shea and myself did all the challenging at that precinct all day. He challenged about 10 or 12.

4592. Q. Was there any inspector driven away from your polls ?

A. Mr. Shea challenged one vote, and had the man arrested. The policeman took him away, and after awhile came back for Mr. Shea and wanted him to go along as a witness. Shea said if he did he wanted Wood, his republican colleague, to go with him, and adjourn the board, and allow no more votes to be taken until they came back. To this we all objected, and it was finally agreed that Mr. Woods should stay there and the voting should go on. Shea was absent about three-quarters of an hour.

4593. Q. You observed the same care while he was away as you did before while he was there ?

A. We did, as his republican colleague was there all the time.

By Mr. HOPKINS:

4594. Q. Was there a challenger driven away from your polls during the day ?

A. No, sir; he went away of his own accord.

4595. Q. Was he not sent away ?

A. No, sir.

4596. Q. Was he not notified to leave ?

A. No, sir.

4597. Q. Was there any republican challenger there during the day ?

A. I could not say.

NEW YORK, *January 7, 1869.*

JOHN GILMORE sworn and examined.

By the CHAIRMAN:

4598. Question. What office did you hold at the last presidential election in this city ?

Answer. I held the office of inspector of election and registry in the 7th district of the 4th ward.

4599. Q. State what you know of persons presenting themselves to vote upon certificates of naturalization, and what evidence you had that their certificates were fraudulent.

A. I do not know whether the certificates were fraudulent, but there were men who came to the polls with papers that they had obtained in the month of October. When they presented the papers I asked them if they were the only papers they ever had, and whether they had got out their first papers or not. There were some 15 or 20 said they had not, and I refused to allow them to register.

4600. Q. State if you swore all these men in.

A. I did swear them in.

4601. Q. Did any of them state where they got their papers ?

A. None of them stated. I am now speaking of the day of registry.

Q. State if you know of any illegal voting in your district.

A. There were a great many persons came to the polls who lived in the sailors' boarding-houses in the district; I knew them to be illegal voters and would challenge them.

By Mr. ROSS:

4602. Q. How do you know they were illegal voters ?

A. I knew it from the fact that they had not lived in the ward long enough to vote.

4603. Q. How long have you lived in that district yourself ?

A. I have lived in that ward 33 years. I know the biggest part of the ward.

By the CHAIRMAN :

4604. Q. From your knowledge of those who actually resided in the ward and were entitled to vote in your district, can you estimate the number of persons who voted there who were not entitled to vote?

A. I could not state of my own knowledge. I would not swear to them. If any man came to the polls of whom I had any doubt, I should challenge him. A dozen men were outside the polls who would hand slips of paper or cards with names on them to men, who would then walk up and offer to vote on them.

By Mr. Ross:

4605. Q. Who was the chief challenger in your precinct?

A. I was the only challenger that was at the polls.

4606. Q. How many did you challenge?

A. I challenged about 30, I should think.

4607. Q. Was there a crowd of voters there all day?

A. There was up to about 10 or 11 o'clock, and also between 12 and 1 o'clock, when the men came to dinner. About 3 or 4 o'clock the crowd dropped off.

4608. Q. How many votes were polled?

A. Some 500.

4609. Q. How many registered?

A. Some 715.

4610. Q. How many were there who could not get to vote on account of want of time?

A. I do not know; I think there was plenty of time for everybody to vote.

4611. Q. Who were the other inspectors in that precinct?

A. My republican colleague was Mr. Nevins. The democrats were Robert McGrath and Thomas Dous.

By the CHAIRMAN:

4612. Q. Were you threatened at all?

A. The crowd outside used some hard words against me and threatened me a good deal. They told me they would take my head off when I left the polls that night. When I did leave the polls I went out with an officer, and he took charge of me.

By Mr. Ross:

4613. Q. Did anybody try to injure you when you went out?

A. No, sir; not while I had the officer with me. They were probably afraid to interfere with me then. I only lived across the street.

4614. Q. As a matter of fact, did anybody try to injure you at all?

A. No, sir; they did not.

4615. Q. What is your business?

A. Boat-building.

4616. Q. Do you belong to the Loyal League?

A. No, sir; I belong to the republican organization.

4617. Q. Where did you get your instructions in relation to conducting the election?

A. I got it from the law.

4618. Q. Did Colonel Bliss tell you anything about it?

A. No, sir.

4619. Q. Do you know of any illegal votes being given there?

A. I do not of my own knowledge.

4620. Q. Can you name a single man who cast an illegal vote in your district?

A. No, sir.

By the CHAIRMAN:

4621. Q. Do you know of a single man, except in a single instance, who has been indicted or punished for illegal voting, or for any frauds on naturalization, in New York city, within the last three years?

A. There was a man in the 4th precinct of the 4th ward that I know of, and that is all.

NEW YORK, *January 7, 1869.*

HENRY LYLE sworn and examined.

By the CHAIRMAN:

4622. Question. Where do you reside?

Answer. I reside at No. 45 West Twenty-first street in this city. I have lived here for twelve years.

4623. Q. With what political party have you acted?

A. With the democratic party.

4624. Q. What is your occupation?

A. I am a clerk.

4625. Q. State what you know of certificates of naturalization being issued by Judge McCunn of the superior court, and in the supreme court by Judge Barnard.

A. I was engaged in that business during the months of September and October, 1868. I saw that everybody almost was going into it and I took a hand at it. I had an office at 33 Chatham street in this city; I staid there most of the time during the day, and at night would go up town to Thirty-second street at a liquor store there, where parties would send me names of persons to be naturalized. The next day I would fill up the applications, go before the judges and put the men through. During the month of October I would come down in the evening and put the men through before Judge Barnard of the supreme court, who held the night session.

4626. Q. Where did you get the blanks from?

A. I got the blanks at No. 1 Centre street and at the chamber of the board of councilmen in the City Hall.

4627. Q. Where did you fill up the blanks?

A. At No. 33 Chatham street. I would sign the names of the applicants to these blanks; sometimes I would sign the applicant's name and sometimes he would himself, or if anybody else happened to be around he would sign it.

4628. Q. How did you procure certificates of naturalization before Judge McCunn?

A. I would take the papers down to the court and give them in to the clerk. He would call my name, and I would then go around and swear to the truth of the affidavits before the judge. After that I would go around to the clerk's desk; if the man was not there I would take the oath of allegiance, or if the man was too old to go through, otherwise, the man himself would go round.

4629. Q. How many certificates of naturalization did you procure during these two months?

A. I cannot tell, but I should judge from 600 to 1,000; that I would swear to. Sometimes I would swear to twenty or thirty and sometimes fifty a day.

4630. Q. State if you would sign your name to the affidavits as witness in all cases, or what name was signed.

A. I signed different names just as it happened to come into my head.

Sometimes I would sign my own name, at others that of Henry Lawrence, or Lines, or any name.

4631. Q. How were you sworn to the affidavits before the judge, each one at a time or more than one ?

A. I would bring them down in batches and he would generally put through eight or ten at a time.

4632. Q. State as near as you can how many of the applicants for naturalization were present when they were naturalized, or if any were absent ?

A. I got a good many papers out for men who were not there at all, by being both witness and applicant myself.

4633. Q. From what courts did you get these certificates ?

A. From both the superior court and the supreme court.

4634. Q. Who furnished you with the names of persons to be naturalized ?

A. I got the names up town from different parties who told me that they wanted papers for those persons, that they didn't have time to come down themselves, that they would pay me if I would get the papers for them.

4635. Q. Did you procure the names of persons desiring to be naturalized from any of the officers of this city ?

A. No, sir ; I procured some of the papers from one of the assistant aldermen.

4636. Q. What was his name ?

A. Austin V. Pettit.

4637. Q. State what connection you have ever had, if any, with the Tammany general committee ?

A. Pettit is a member of the Tammany general committee ; I have had no connection with it.

4638. Q. With what did you pay for those naturalization papers ?

A. With red tickets.

4639. Q. Where did you get them ?

A. I got some from Judge Gale in Centre street, some from Mr. Pettit, and some from different parties around the City Hall that I knew.

4640. Q. State if you are acquainted with Judge McCunn ?

A. I am.

4641. Q. State if he is acquainted with you ?

A. He is.

4642. Did you have any conversation with Judge McCunn about this naturalization business ?

A. I was up before him one night and was a witness for a man by the name of Spirit ; I told him my name, and he said that it ought to be Spirit too. After that I would sometimes sign my name as Spirit, as a witness.

4643. Q. What else was said by Judge McCunn ?

A. That was all, though he told me at one time that if they did not register any of the men that I got papers out for, they would compel them to register them.

4644. Q. State what you observed in Judge Barnard's court ?

A. I would come down to Judge Barnard's court every night while he was sitting in naturalizing. He would call the applicant and in general the witness. I did not go to him but two or three times as a witness. He would call the applicants all up in a batch and swear them to renounce their allegiance, &c.

4645. Q. State if you know of any certificates of naturalization being obtained there in that court without any witness being present at all ?

A. Yes, sir; I had papers from that court without either applicant or witness being present.

4646. Q. How many papers were procured without the presence of the applicant?

A. I probably had a hundred or so. Sometimes I got the applications from different parties; I would give them the names and they would get the papers for me.

4647. Q. Where were the different parties from whom you got the papers.

A. I got some from Mr. Pettit, some from Mr. Love, corner Thirty-fourth street and Ninth avenue, and I paid him for them. I also got some from a young man I do not know.

4648. Q. Do you mean that you got the applications or certificates from these persons?

A. I got the certificates.

4649. Q. State as near as you can how many certificates of naturalization you procured from Judge Barnard's court when no applicant was present in the court?

A. I did not procure but very few that way, probably a dozen. I would generally bring my men down with me; I would often answer for a man and take his papers out.

4650. Q. State if you signed any papers as a witness and did not afterwards appear in court to be sworn in as a witness?

A. Yes, sir; I signed on the 21st of October papers for James Reynolds and Owen Gallagher in the supreme court. I signed the name of Henry Lawrence. I took the papers and gave them to Arthur Love in the supreme court chambers about 12 o'clock that day, and at 7 o'clock in the evening, at the corner of Thirty-first street and Ninth avenue, a young man that was with him in this business gave me two certificates of naturalization for these men. I paid him \$2 for them.

4651. Q. Were you sworn in that case?

A. No, sir, I was not.

4652. Q. Who is Arthur Love?

A. He is on the 20th ward naturalization committee of Tammany Hall.

4653. Q. When you signed as a witness what proportion of the names were fictitious?

A. They were all names that just happened to come into my head at the time.

4654. Q. To what extent in either of these courts did you personate the applicant?

A. I attended in the superior court a good deal; I also did it some in the supreme court.

4655. Q. Did you touch the Bible when you were sworn in the superior court?

A. No, sir.

4656. Q. How were you sworn in?

A. I would raise up my right hand and we would be sworn to tell the truth, the whole truth, and nothing but the truth. Probably ten or twenty would be sworn in together.

4657. Q. How was it in the supreme court?

A. They had a Bible there, and they were sworn in in batches of about forty at a time. We were told to put our hands on the Bible, but I generally did not; I could not reach it in many cases.

4658. Q. State what compensation you got for your services?

A. I got whatever I could. If I could get five dollars from any man I would take it; if two dollars I would take that. I would not do any-

thing for less than one dollar. I generally got two dollars if a man went down himself. If I had to go down and personate the applicant I would charge more.

4659. Q. Did you pay any money to the officers of the court for their services, or did you use the red tickets ?

A. Sometimes I would treat them.

4660. Q. Did you have any one to assist you ?

A. I did it all alone.

4661. Q. Do you know of any others that were engaged in the same business ?

A. Yes, sir. One was Patrick McCaffrey ; another was John Gallagher ; he is in the street department, I believe ; a man at 189 King street ; and also John Verway, conductor on a Ninth avenue railroad car ; he resides at 439 West Thirty-sixth street. I know William Thurbin, who is also engaged in that business ; he is a conductor on the Bleeker street line and resides somewheres in the 19th ward. There is also John Moran, who resides in the 21st ward. Also Chauncey Gray, who resides at the Putnam County House, corner Twenty-sixth street and Fourth avenue.

4662. Q. Do you know John or Patrick Goff ?

A. I do not. I know a great many by sight but do not know their names.

Q. Do you know where Patrick McCaffrey is ?

A. I saw him last Monday.

4663. Q. Do you know Henry Blume ?

A. I know a great many by sight who are engaged in this business, but do not know them by name.

4664. Do you know anything of the mode in which these men conducted their business ?

A. They did it just the same as I did. Some of them were at Rosenberg's place ; Rosenberg had three Jews who swore in papers for him. At the office of the Tammany committee, No. 1 Centre street, there was a clerk there from each ward. Applicants would come to these men to get their papers put through, and if they had no witnesses the clerks would go witness for them. In the sheriff's office the different wards had parties there who would go. Patrick McCaffrey was most of the time in the old sheriff's office. John Gallagher also had a desk there.

4665. Q. Do you know anything about "repeating," as it is called, at the last presidential election in this city ?

A. I registered quite a number of times, but I only voted once. I got a little scared that I would get caught up into it.

By Mr. KERR :

4666. Q. What do you get for telling all this story ?

A. I have not been promised one cent.

4667. Q. Don't you expect something ?

A. I have not been promised anything.

4668. Q. Don't you expect anything ?

A. I may expect something.

4669. Q. From whom do you expect anything ?

A. I do not know exactly whom I expect anything from ; I may expect something from Mr. Utley.

4670. Q. Who is he ?

A. He is in the custom-house.

4671. Q. From whom else do you expect anything ?

A. Mr. Utley took me to Mr. White, a lawyer of this city ; I think he is connected with the Union League.

4672. Q. You expect compensation to come from Mr. Utley then ?

A. Yes, sir ; if I get any at all.

4673. Q. Did Mr. White tell you he would give you anything ?

A. No, sir.

4674. Q. Don't you expect something from Marshal Murray ?

A. I do not know him.

4675. Q. Do you know Colonel Bliss ?

A. No, sir.

4676. Q. Have you not been up to the Union League rooms ?

A. No, sir ; I don't train with that party.

4677. Q. Don't you know that in the tale you have told here you have subjected yourself to a criminal prosecution under the laws of the State ?

A. I do not know ; I have sworn to nothing false.

4678. Q. You did not consider it perjury then in swearing in these naturalization papers ?

A. I did not swear on the Bible.

4679. Q. You think then if you held up your hand and swore to tell the truth, the whole truth, and nothing but the truth, that you were not committing perjury ?

A. I do not know.

4680. Q. You think now that you are not liable to prosecution because you did not swear on the Bible ? Has anybody told you that you would be protected if you came here to give this testimony ?

A. I have heard that if a person gave testimony before a committee he would be protected.

4681. Q. Who told you that ?

A. I have read it.

4682. Q. In what papers ?

A. In different papers.

4683. Q. Tell me one paper ?

A. I generally understood a man is protected when he is a witness before a committee.

4684. Q. Where did you get that information ?

A. Common sense told me that.

4685. Q. Have you not been posted up by somebody as to your exemption from punishment by this testimony, and if so by whom ?

A. Mr. White told me that I would be protected ; he said the law protected me.

4686. Q. Didn't somebody read to you the law and tell you that you would not be punished ?

A. Yes, sir.

4687. Q. Who was that who did so ?

A. That gentleman standing there, (pointing to Mr. Davenport, clerk of the committee.)

4688. Q. Did he tell you that you would not be liable to punishment if you came to testify in this way ?

A. He only read me the law.

4689. Q. Is that all he said ?

A. That is all ; I told him that I did not want to make myself liable to punishment, and he read the law to me.

4690. Where did he read the law to you ?

A. In Chambers street.

4691. Q. Whereabouts ?

A. As we were walking along the street.

4692. Q. Did he read to you the whole of this law ?

A. No, sir.

4693. Q. What part did he read ?

A. I think it was the fore part of it.

4694. Q. What have you been doing for the last twelve years ?

A. I was at work for four years for A. H. Dibble, corner of Broadway and Leonard street; I was for five years in the American Telegraph Company, corner of Broadway and Liberty street, and I was employed for six months in the New York custom-house, but was removed in July last.

4695. Q. On what account ?

A. I went on a spree on the occasion of the democratic convention, and was discharged.

4696. Q. What induced you to organize this office at 33 William street ?

A. There was no office there at all, it was merely a desk and lager-beer saloon.

4697. Q. Who kept the saloon ?

A. A man by the name of Heidelberger.

4698. Q. How long were you in that place ?

A. I was there for six weeks; every day I would come there at 9 o'clock in the morning and stay until about 4; I got my blanks for filling out the applications at No. 6 Centre street, and No. 1 Centre street, and the county clerk's office, and some of the board at the councilmen's room.

4699. Q. From what clerk in the councilmen's room did you get them ?

A. I do not know his name.

4700. Q. You say you know Judge McCunn ?

A. Yes, sir; I have often visited at his house; I am acquainted with his family.

4701. Q. How much of a family has he ?

A. There is himself, his wife, and his wife's sisters; I have not visited his house for the last two years; previous to that I used frequently to visit with my sisters, who are acquainted with his wife's sisters; I lived three or four doors from them.

4702. Q. Upon what occasion was it that you last visited his house ?

A. I went there and called one evening.

4703. Q. Were you invited by him to come ?

A. I went there with my sister; I used to visit there about once in two weeks, sometimes more, sometimes less.

4704. Q. How did you manage to represent both the applicant and the witness when you procured naturalization papers in the court ?

A. I would go around and appear as witness; after I had sworn and answered questions, I would go around and present myself as the applicant and get the papers they would not call the applicant's name; sometimes it would be called, but most frequently not; one of the messengers of the court used to call the name; whenever it was called I would hand the application to one of the officers and he would hand it to the judge; if there was no crowd there I would go up to the officer myself and hand it to him; he sat beside the judge; he would then call my name as witness, and lay the paper before the judge; the judge would then swear me.

4705. Q. Would there be an applicant there then ?

A. Sometimes there would and sometimes not.

4706. Q. Did the judge ever ask you where the applicant was ?

A. No, sir; sometimes he would call the applicant's name, and sometimes not.

4707. Q. How many times did you go there to get out applications without the applicants being present ?

A. A good many times; perhaps between 50 and 100 times.

4708. Q. When you went there 50 or 100 times did the judge always only call the witness and never the applicant ?

A. Yes, sir ; I would wait about 15 minutes and see how the business was running ; if I saw he was calling the applicants' names I would not present my papers ; if not, I would.

4709. Q. To what extent did you see parties get papers without the applicants being there ?

A. I have seen it almost every day ; I have seen it also in Judge Barnard's court.

4710. Q. By what names have you been known for the last five years ?

A. Always by the name of Henry Lyle.

4711. Q. Have you been on Blackwell's island ?

A. No, sir.

4712. Q. Have you been in the State prison ?

A. No, sir.

4713. Q. How did you get at the number of these applications you got through ?

A. I calculated I got about twenty through a day ; I commenced about the 15th of September and kept it up until the end of October.

4714. Q. How much did you get for all this business ?

A. I do not know ; I spent my money as fast as I made it.

4715. Q. How did you spend it ?

A. By treating fellows, paying my board and lodging, buying my clothes, &c.

4716. Q. Any other way ?

A. No, sir ; I made lots of money, but spent it right away.

4717. Q. You say you treated the clerks of the courts ; to what extent did you treat them, and who were they ?

A. I do not know ; I would ask out the messengers and officers of the courts.

4718. Q. How many did you treat ?

A. I treated two or three in the superior court.

4719. Q. How often did you treat them ?

A. Sometimes two or three times a day ; and sometimes not at all ; I would take them to No. 33 Chatham street, and sometimes to No. 2 Centre street.

4720. Q. How many of the clerks in either of these courts do you know by name ?

A. I only know one clerk ; he is in the superior court, and his name is James C. Dana.

4721. Q. Did you treat him ?

A. No, sir, I did not.

4722. Q. Did you tell him what business you were engaged in ?

A. They all knew how I was doing the business ; I never told any of the clerks, they all knew about it.

4723. Q. Did you tell the judge ?

A. No, sir.

4724. Q. Did you tell any of the messengers, bailiffs or clerks of the court-room ?

A. No, sir.

4725. Q. Did you tell any of these numerous persons for whom you got applications through that you were committing perjury in getting papers through for them in that way ?

A. No, sir.

4726. Q. Didn't you tell them that you were committing a crime when you got out these papers for them ?

- A. I told them I was working for the democratic party.
4727. Didn't you tell the parties that you were committing a crime in doing this for them ?
- A. No, sir; I did not tell the parties.
4728. Q. You say you were serving the democratic party in doing this business ?
- A. Yes, sir.
4729. Q. Did the democratic party secure your services ?
- A. No, sir.
4730. Q. Your services were volunteered, then ?
- A. Yes, sir.
4731. Q. While you were serving the democratic party it appears that in a financial aspect you were serving yourself too ?
- A. That is it.
4732. Q. You would assume, in getting out these naturalization papers, the name of the person who was on the application ?
- A. Yes, sir.
4733. Q. How many times did you do this ?
- A. I could not say.
4734. Q. How many papers did you get from Mr. Austin Pettit ?
- A. I got about ten.
4735. Q. When did you get them ?
- A. About the 15th of October.
4736. What did you give to Mr. Pettit for them ?
- A. I gave him nothing. I gave him the names for them, and he got the papers out for me. I gave him the names on the steps of the supreme court about 12 o'clock in the day, and I got the papers that evening in a liquor store on Thirty-second street, I think.
4737. Q. Do you know any of these men whose names you gave Pettit ?
- A. Some of them I did; others I did not.
4738. Q. What were the names ?
- A. Owen Gallagher was one of them. I think there was another man by the name of Smith; another one by the name of Patrick Glenn; I do not know where he lives. Those are all the names that I can remember.
4739. Q. Did they request you to give their names to Pettit ?
- A. No, sir.
4740. Q. Did they request you to procure the papers for them ?
- A. Yes, sir.
4741. Q. How many tickets did you get from Judge Gale ?
- A. I got tickets from him two different times. There was no trouble whatever in getting these tickets; anybody could get them. You could get them from any prominent man of Tammany Hall.
4742. Q. Do you consider yourself a prominent man of Tammany Hall ?
- A. I train with the anti-Tammany men, and I belong to the democratic Union party of this city. The chief office of this party is Masonic Hall, Thirteenth street.
4743. Q. When did Judge McCunn tell you that if any registers refused to register the names you could say he would attend to it ?
- A. He told me so in Thirty-first street one evening. I met him in the street and told him that some of my men were unable to register. He said if that was the case, let him know and he would compel the registers to register them. That is all I said to him on that occasion.
4744. Q. Did he tell you how he would make them register ?
- A. No, sir.
4745. Q. Did you ever call on him to make the registers do their duty ?
- A. No, sir.

4746. Q. Who called on you in the first place to ask you to come here and testify?

A. I was talking with a Mr. Utley, who lives at the corner of Forty-first street and Seventh avenue, day before yesterday, and he told me I had better come here.

4747. Q. Was that the only man?

A. There had been other parties talking with me about it; one of them is William Monigan.

4748. Q. Who else?

A. That is all that I remember now.

4749. Q. How much have you been offered for coming here?

A. Not one cent.

4750. Q. What protection was offered to you?

A. The law was read to me; that was all.

4751. Q. Did you ever see the law before it was read to you by Mr. Davenport?

A. No, sir.

4752. Q. Did you ever see anything in the papers in regard to it?

A. I cannot say.

4753. Q. Where does James Reynolds live?

A. Tenth avenue between Twenty-sixth and Twenty-seventh streets. He is a stone-cutter by trade. Owen Gallagher lives in Greenpoint.

4754. Q. How did you come on the 21st of October to sign the papers of these two men for naturalization as a witness? Did you sign their names to the papers?

A. No, sir; I made out their papers.

4755. Q. Were you the witness in each case?

A. I was not.

4756. Q. Who was their witness?

A. They did not have any witnesses. I made out their papers and gave them to the men; in the afternoon the men returned and gave me the certificates.

4757. Q. Who was their witness?

A. Henry Lyons is the name I put down on the paper.

4758. Q. You have said, in reference to these applications, that nobody was sworn at all; how do you know that?

A. I know it from this fact, that the supreme court was not in session on that day between those hours naturalizing parties. I handed the papers to Pettit about 12 o'clock, and about 6 or 7 o'clock in the evening I received the certificates. The supreme court did not commence to naturalize until 7 o'clock in the evening. I was in the supreme court all that day hearing a trial.

4759. Q. Where did you get these certificates?

A. They were given to me in a liquor store in Ninth avenue, about 7 o'clock.

4760. Q. Do you know Pettit personally?

A. I know him by sight only.

4761. Q. To what extent did you go into court and swear as applicant when you were not an applicant? How many times did you take the oath of allegiance for the applicant?

A. I cannot tell. I may have done it probably a hundred times.

4762. Q. In such cases did you take the oath of witness as well as that of applicant?

A. In the supreme court as a general thing they did not call the witness's name; they only called the applicant to take the oath of allegiance. In the superior court the witness would be called often.

4763. Q. In what proportion of this number of 600 to 1,000 cases did you act as witness as well as applicant?

A. May be between 50 and 100 times.

4764. Q. Did you ever go before Judge McCunn?

A. No, sir.

4765. Judge Jones, Robertson, or Barbour?

A. Neither of them.

4766. Q. How many persons did you ever see sworn in a batch?

A. Probably from 10 to 20 in the superior court. I have seen as many as 100 called up by Judge Barnard in the supreme court. They would be called up by the officers, and the oath and the papers would be read to them, and the names called off from the papers, and all of them were sworn together.

4767. Q. To what extent did McCaffrey carry on this business?

A. He carried it on to a very heavy extent.

4768. Q. To what extent did John Gallagher?

A. Very largely. Gallagher told me that he was in the street department. That is the only way that I know it.

By the CHAIRMAN:

4769. State if you can what proportion of persons for whom you procured certificates of naturalization was on blanks for applicants who came to the United States under 18 years of age.

A. They were all except two or three.

4770. Q. State whether any persons for whom you made out applications did really come to the United States under 18 years of age?

A. Perhaps a few of them did.

By Mr. HOPKINS:

4771. Q. To whom did you first disclose the fact that you were engaged in this business?

A. To Mr. Utley.

4772. Q. Do you mean to say that Mr. Utley wanted you to come here and testify falsely?

A. No, sir.

4773. Q. Among the applicants for whom you procured certificates of naturalization on the ground that they came to this country under 18 years of age were there any very old men?

A. Yes, sir; a great many.

4774. Has any man tried by any means whatever to induce you to come here and swear to what is not true?

A. No, sir.

By Mr. KERR:

4775. Q. Of this 600 to 1,000 persons whom you served in this way how many can you now name?

A. I cannot recollect but a very few: James Reynolds, Twenty-sixth street and Tenth avenue; Patrick Glenn, Twenty-seventh street and Ninth avenue; Owen Gallagher, Greenpoint; Michael Davis, Twenty-seventh street and Ninth avenue; Patrick Duffey, Twenty-third street; James Murphy, I do not know where he lives; William Redmond, 237 Ninth avenue; Patrick McDonner, Thirty-first street and Ninth avenue; Patrick Clancy, Thirty-first street and Ninth avenue. These are all that I remember now.

4776. Q. How many of them indicated to you when they applied to you that they wanted to be naturalized contrary to law?

A. The majority of them told me they were not entitled to be naturalized. I would question them as to when they came to this country, how old they were, &c. I wanted to know all the points, because if the judge got strict, I could answer the questions.

4777. Q. Did you ever see the judge tear up any papers ?

A. Yes, sir; I have seen Judge McCunn tear up papers—those that he would find delivered to parties that he had naturalized once before—and the applicants he would send away. I have seen Judge Robertson tear up 20 in an hour. I have seen Judge McCunn tear up quite a number of papers.

By Mr. HOPKINS:

4778. Q. Did you ever see any of these men who were engaged in this business in court with you ?

A. Yes, sir; often.

NEW YORK, *Thursday, January 7, 1869.*

JOHN H. WHITE sworn and examined.

To the CHAIRMAN :

4779. I reside in this city; have lived here for over 20 years; am a lawyer by profession; was a witness before the grand jury of the court of oyer and terminer in the month of November last. A. Oakey Hall, our present mayor, was then district attorney. I was summoned to appear before the grand jury, and was examined by Mr. Hall.

4780. Q. Were you acquainted with any members of the grand jury ?

A. I was personally acquainted with more than half of them.

4781. Q. With what particular party do they act ?

A. They were, with but one exception, all prominent and leading democrats.

4782. Q. Can you state if any indictments were found by the grand jury for illegal voting or fraud in connection with the elections of this city ?

A. I never heard that any one was found.

4783. State what you know, if anything, of evidence of fraud being produced to the district attorney or to the grand jury in reference to illegal voting.

A. I was asked by the district attorney whether I knew of any frauds being perpetrated at the late election. I said I did; that I knew of the fact that false naturalization papers were obtained; that many persons voted illegally; and that I had evidence of that kind in my possession which I could produce. One of the jurymen remarked that I was not called for that purpose; that if they needed me, they would let me know. They then requested me to retire, and told me that they had got through with me.

4784. Q. State whether steps were taken, with your knowledge, either by the district attorney or the grand jury, to investigate illegal voting.

A. I never received any notice from the grand jury. I told them that I would be ready at any time to give them information, but they never called on me.

4785. Can you state what connection any of the members of the grand jury had with Tammany Hall ?

A. The foreman of the grand jury was Mr. Charles H. Haswell. He is a prominent member of the democratic party; another member was John G. Bradley, one of the sachems of Tammany Hall, and State senator; there was also Morgan L. Harris, Henry D. Felter, Patrick G.

Maloney, William Withers, Morgan Jones, that I noticed at the time as prominent members of the democratic party.

4786. Q. State to what extent, within your knowledge, persons have been convicted or punished for illegal voting or any frauds upon election in this city for the last three years.

A. I do not know of a single instance. I have known of the arrest of parties, but they were subsequently discharged.

4787. Q. Can you state where the register's books of the last presidential election were kept?

A. They were kept, of course, by the registers until the registry closed. As a member of the committee to prevent fraudulent voting I procured copies of the registry books to be made. We obtained copies of the lists of most of the districts. I issued a letter requesting the registers as they registered the names to make a duplicate, so that we could have, for the use of the committee of which I was a member, copies of all the registry lists.

4788. Q. Is there any law requiring the registry books to be kept secret or prohibiting copies to be made of them?

A. The law requires that the registry book shall be made public, and that a copy shall be posted up at the place where the polls are to be held, for public inspection.

4789. Q. There was no illegality or fraudulent purpose in obtaining these copies of the registry books that you speak of?

A. No, sir. These papers were obtained for the express purpose of guarding against frauds, if possible. The trouble was, that in the time intervening between the close of registration on Saturday night at 9 o'clock and election day on the following Tuesday, it was utterly impossible to make a canvass to ascertain whether registration had been made correctly or not.

4790. Q. State if any original registration books had been returned to police headquarters as early as the 30th of October.

A. It could not have been. It would have been utterly impossible if the law was carried out.

By Mr. KERR :

4791. Q. Do you mean to say that the members of the grand jury either violated the law, or corruptly, or from interested motives, failed to perform their duties as members of it?

A. I do not mean to make any charge of corruption against the grand jury in any respect. I recognized among them personal acquaintances and friends. I did not know who composed the grand jury before I went into the room; nor did I know for what purpose they wanted me until I was examined by the district attorney. Most of the jury are prominent, leading politicians, members of the democratic party. Many of them, I think, are high-toned gentlemen.

4792. Q. Do you mean to say that the district attorney neglected his duties in the punishment of crime through the agency of the grand jury?

A. I have merely stated what took place, so far as I know.

4793. Q. Do you know any motive that would justify you in making such a statement as to throw doubt upon the fidelity of the grand jury.

A. I was examined in reference to what took place at the Fifth Avenue Hotel in regard to the books and papers of the republican party. That was the first intimation I had upon the subject upon which I was to be examined. The district attorney then asked me if I knew of frauds being perpetrated at the last election? I told him I did; that I had

evidence in my possession which I could produce. One of the grand jury, and I think Mr. Hall also, stated that they were not upon that subject; if they wanted me, they would let me know.

4794. Q. Do you mean to say that you could have stated at that time facts within your personal knowledge relative to fraud?

A. Yes, sir—from my own knowledge. I had in my possession at the time fraudulent naturalization papers.

4795. Q. How do you know they were fraudulent?

A. They were papers surrendered to me by parties who had obtained them. I would have given them to the grand jury, with the names of the parties.

4796. Q. You say no indictments have been found that you know of against persons engaged in illegal voting; please state whether you know of any strong republican community in New York finding an indictment and punishing persons for offences against the election laws?

A. I think there have been some prosecutions in the interior of the State; I think one in Livingston county.

4797. Q. During the time that you had a republican government in this city do you know of any vigorous prosecution for violations of election laws?

A. My attention was not directed to the subject at that time.

4798. Q. Do you know that the grand juries impanelled in the United States court in this city are composed almost entirely of radicals?

A. I never noticed that they had any partisan or party direction.

4799. Q. Did you ever know of a democrat serving on the grand jury of the federal court?

A. I know some while Isaiah Rynders was marshal.

4800. Q. Do you know of any since Robert Murray has been marshal?

A. Yes, sir; I know Andrew Clark, on the present grand jury; that is all I can recollect at present.

4801. Q. What are your politics?

A. I am a republican.

4802. Q. What relation did you sustain to the party in the last election?

A. I am a member of the general committee, as it is called. The committee that met at the Fifth Avenue Hotel was not the general committee; it was simply a committee of citizens.

By Mr. HOPKINS:

4803. Q. Do you know a man by the name of Henry Lyle?

A. Yes, sir.

4804. Q. Have you had any conversation with him with regard to his coming here?

A. Yes, sir.

4805. Q. Did you offer him any inducement to come here to testify?

A. No, sir.

4806. Q. Do you know of any inducements being offered to him to come here?

A. No, sir.

By Mr. KEER:

4807. Q. What did you say to him?

A. I had heard that there was a man by the name of Lyle who had been a good deal mixed up in procuring naturalization papers. I was not acquainted with him personally; I found, however, a man by the name of Utley who did know him, and he brought Lyle to me yesterday. Lyle stated to me, after some preliminary questions, that he was willing

to testify as to what he knew, provided he should not render himself liable to arrest. I said that if he went there as a witness and told the truth he should be protected. He gave me some general statements in regard to what took place, so far as he was concerned, in respect to the procurement of naturalization certificates. I told him if he came here I thought he would be protected by the committee if he was made a witness.

4808. Q. You gave him such advice as a lawyer ?

A. I gave him such advice.

4809. Q. What was the basis of it ?

A. The basis was that I knew that there was a provision of the statute providing that when a party is summoned to testify, the testimony shall not be used against him in a criminal prosecution.

4810. Q. And suppose he swears to a lie ?

A. Then I suppose he would subject himself to the pains and penalties of perjury.

4811. Q. Suppose in his testimony he should render himself amenable to the statutes of the State of New York, would an act of Congress protect him ?

A. I do not know whether it would or not; I merely advised that he would not be prosecuted under the United States laws. He told me he could identify his papers, state how he managed his business, &c.

4812. Q. Did he tell you how many such papers he got out ?

A. I think he said some hundreds.

4813. Q. Who is Mr. Utley ?

A. He was formerly an inspector in the custom-house, and lives in my vicinity; I believe he is not in business at present. I understood that he was removed from the custom-house. He is a high-toned gentleman and a man of strict probity.

4814. Q. Do you know anything about Mr. Lyle's character ?

A. I had made some inquiries in regard to this Mr. Lyle. I should think he is what is termed here a Bohemian—that is a man who could adapt himself to almost anything to get a living. He had been a reporter on one of the papers for some time. He has a brother who is a lawyer in this city.

4815. Q. What reference did you make to Mr. Utley in regard to compensation to Lyle ?

A. There has been no assurance given in reference to compensation by any person to my knowledge.

NEW YORK, *Thursday, January 7, 1869.*

CHARLES REILLY sworn and examined.

To the CHAIRMAN:

4816. I live at 169 Houston street. I have lived in this city twenty years. In regard to the process of registering their names as voters more than once at the last presidential election, I would say that there were gangs of repeaters who would go around from one registry place to another and register different names. I went around with a gang and registered my name I should think three or four times. I voted four times at the last presidential election in this city—once in the 6th ward, once in the 8th ward, and twice in an up-town district; I voted each time under a different name. We would go around in squads of 20 or 30; there would be a man who would lead us, who would furnish us with slips of paper containing names and residences upon which we were to vote; we would go up to the polls, give our name and residence; the

register would look on his book, find the name there, then take the ballot and deposit it in the box; the other members of the gang would furnish names in the same way.

4817. Q. What ticket did you vote?

A. The democratic ticket I believe. I should think there were about 200 persons in the place up-town where we went to get our tickets; there was quite a large room full.

4818. Q. State at whose request you engaged in this business.

A. I should not like to state.

4819. Q. Can you state the wards in which these other parties voted?

A. Some voted in the 6th ward, 8th ward, 14th ward, and a good many up in Harlem; they did most of the voting up there because the registers were all right and there was no challenging; we could vote and then turn round and come back and vote again at the same polling place.

4820. Q. State if you, or any of the parties with you, were challenged, so far as you know.

A. I saw nobody challenged or sworn in.

4821. Q. State if any officer of this city had any knowledge that this work was going on.

A. I would not like to answer that question.

By Mr. Ross:

4822. Q. What business do you follow?

A. I am a butcher. I am out of business at present; been out of business a couple of years, I should think. Have not been doing any business for a year.

4823. Q. How have you made your living?

A. I live on the interest of my money.

Q. Have you got your money loaned out?

A. Yes, sir.

4824. Q. How much do you get per annum?

(Question objected to by Mr. Hopkins and objection sustained.)

4825. Q. To whom have you loaned this money?

(Objected to by Mr. Hopkins and objection sustained.)

4826. Q. How much money have you loaned out?

(Objected to by Mr. Hopkins and objection sustained.)

4827. Q. State the number of men that were with you and their names.

A. I do not know the names of any of them.

4828. Q. How much did you get for this business?

A. Not a cent.

4829. Q. Who advised you to go into the business?

A. A friend of mine.

4830. What is his name?

A. I would not like to state.

4831. Q. Does this man live in this city?

A. Yes, sir.

4832. Q. Does he hold any office?

A. No, sir; not that I know of.

4833. Q. What street does he live in?

A. I do not know.

4834. Q. Was he running for any office?

A. I do not know.

4835. Q. How long have you been acquainted with him?

A. Five or ten years.

4836. Q. Did he make you any promise that he would give you anything?

A. No, sir.

4837. Q. What induced you to go into this business ?

A. He was a friend of mine.

4838. Q. Are you a gambler ?

A. No, sir. I used to gamble a little, and got broke.

4839. Q. Have you ever been indicted for any offence ?

A. I was indicted for assault and battery, but the charge was withdrawn before it was brought up.

4840. Q. Did you have a rendezvous where the repeaters met before they went to vote ?

A. Yes, sir.

4841. Q. Where is it ?

A. It is on Second avenue up-town somewhere.

4842. Q. Do you know who kept the house ?

A. I do not.

4843. Q. Do you know that you were committing a criminal offence when you did that ?

A. I have no doubt that I did.

4844. Q. Did you have to swear in your vote ?

A. No, sir.

4845. Q. Under what names did you vote ?

A. I have forgotten now.

4846. Q. Do you know the person that gave you the ballots to vote upon ?

A. I would not like to mention his name; he is the same man that induced me to go into it.

4847. Q. Are you a voter ?

A. Yes, sir; I have been since I was 18 years of age.

4848. Q. Where were you born ?

A. In Ireland.

4849. Q. How did you get to be a voter when you were 18 years of age ?

A. I was in the fire department and in the army.

4850. Q. How long were you in the army ?

A. Two years.

4851. Q. Are members of the fire department authorized to vote at 18 years of age ?

A. Nobody objected to my having a vote, and I supposed I had a right to vote. I was in the army, and everybody voted there.

4852. Q. In what army were you in ?

A. In the army of the Potomac.

4853. Q. Were you ever naturalized ?

A. I served in the army, and I supposed that naturalized me.

4854. Q. Have you any parents ?

A. My father is dead; my mother lives in Brooklyn.

4855. Q. Where does she live ?

A. In Atlantic street; I do not know the number. Previous to that she lived in Hicks street; I do not know the number of the house she lived in there. She has lived in Brooklyn 20 years. Before she lived in Hicks street she lived at 12 Amity.

4856. Q. When did she live at 12 Amity ?

Q. I do not know; it is many years ago.

NEW YORK, *Thursday, January 7, 1869.*

ROBERT UTLEY sworn and examined.

By the CHAIRMAN:

4857. Question. State if you ever have seen Henry Lyle.

Answer. I have.

4858. Q. State what reward you offered him as an inducement to testify before this committee.

A. I offered him no pecuniary reward.

4859. Q. How long have you known him ?

A. About four years.

4860. Q. Do you know his reputation for truth and veracity in the neighborhood where he resides ?

A. I am not well acquainted with his neighbors; I could not tell what his reputation is with them.

By Mr. KERR:

4861. Q. How did you come to know him ?

A. He was messenger in the custom-house at the time I was employed there; he was removed from his position there to make room for somebody else.

4862. Q. How did you get out of the custom-house ?

A. I was removed too.

4863. Q. What is your business now ?

A. I am out of employment; have been since the 1st of December.

4864. Q. Where do you live ?

A. No. 575 Seventh avenue.

4865. Q. With what political party do you act ?

A. The republican party.

4866. Q. You say you did not promise Lyle any reward ?

A. No.

4867. Q. Did you not tell him it would be to his advantage to testify here.

A. I told him he had better come here to testify to what he knew; we had some general conversation; I asked him if he was willing to give testimony as to what he knew; he said he would if he thought he would not be locked up for it; I told him I thought there would be no danger of that.

4868. Q. Did you tell him that if he committed perjury against the people of the State of New York he would not be locked up ?

A. The word perjury was not used.

4869. Q. Did you read him the law in regard to testimony before committees ?

A. No, sir.

4870. Q. Did you tell him to go anywhere and get satisfaction on that point ?

A. I told him he had probably better go and see Judge White; I went with him to Judge White's office. Judge White told him he did not think there was any probability of his being locked up because of his testimony. He did not read the law to him in my presence.

4871. Q. What is Lyle's character generally for truth and veracity ?

A. I think it is very good; I have not had any reason to doubt it.

4872. Q. Do you not know from reputation and the knowledge you have of this man that he might be called what is commonly denominated a Bohemian—a man equally ready for money to serve anybody or do anything.

A. I should judge not from the fact that all he has done in these election frauds has been to subserve the interests of only one party !

4873. Q. Do you not think that he is now pretty vigorously serving the interests of the other party ?

A. I do not think he is doing so in any party sense.

NEW YORK, *Thursday, January 7, 1869.*

HENRY LYLE recalled and examined.

By the CHAIRMAN:

4874. Q. State if you have seen Judge McCunn recently, if so where and when.

A. I just saw him a moment ago in this room.

By Mr. KERR:

4875. Q. Where have you been living for the past several years?

A. I live in Thirty-third street. Since I have got out of the custom-house I have been sleeping around in several places; I now live with my sister, Mrs. Samuel Watson, 241 West Twenty-first street.

4876. Q. Where did you live before this; did you live on Thirty-first street?

A. I do not remember.

4877. Q. How many times were you put under arrest by Judge McCunn in his court during the month of October?

A. Never, sir; I was drunk in court several times and he would not swear me or take my papers.

4878. Q. Were you in the habit of going there drunk?

A. I would go there under the influence of liquor a good many times; I think he only took my papers away twice; it certainly was not a half a dozen times.

4879. Q. What did he do with the papers when he refused to swear you?

A. He handed them back to me and I kept them until I got sober.

NEW YORK, *Thursday, January 7, 1869.*

PETER COOK sworn and examined, (called at the instance of Mr. Kerr.)

By Mr. KERR:

4880. Question. What position did you hold last fall in this city?

Answer. I was a member of the republican naturalization committee, and opened an office in this city, No. 25 Chambers street, for the purpose of facilitating applicants for naturalization in getting their papers. That is the only office we had in this city. The various ward clubs and associations would send parties to us and we would make out their applications.

4881. Q. Did you use any tickets?

A. Yes, sir.

4882. Q. What kind of tickets were they?

A. They were printed tickets directing the clerk of the court to naturalize so and so, and charge it to the account of myself. I signed the tickets. We filled out the names of the persons we naturalized in the ticket so that they were not negotiable, and could only be used by the party to whom they were given.

4883. Q. In pursuance of your business here, at No. 25 Chambers street, as a member of the republican naturalization committee, you had frequent opportunities to observe the manner in which this business was done in court?

A. Yes, sir; I was in and out of the court all the time.

4884. Q. Did you often go into both superior and supreme courts?

A. I was only in the supreme court once or twice; but in the superior court I was there continually.

4885. Q. Who seemed to be doing the most naturalization in the superior court?

A. I think Judge McCunn did the most.

4886. Q. Did any of the judges of the superior court hold night sessions ?

A. Not that I recollect.

4887. Q. State how the naturalization business was done.

A. Most of the business was transacted before Judge McCunn. Judge McCunn could despatch business quicker than almost any other judge. He would question the applicant sharply and vigorously. I have not observed any irregularities of any kind on the part of any of the judges in the naturalization business. I have often observed that the judges were deceived. Parties would frequently come to me to have applications for naturalization made out without any witnesses at all. I would question them and ask them where their witness was, and they said they had none, and would want me to furnish them with one. I would send them away and tell them that I didn't do that business. They would often go to other places to get witnesses and go before the court and get their applications through.

4888. Q. How did you come to know that fact ?

A. It was the common report. I remember two or three cases in particular—parties who came to me—of parties I had sent away, whom I met afterwards up in the City Hall with their certificates of naturalization. They told me they had picked up some man on the corner to act as witness for them.

4889. Q. Did you not inform the court that these frauds were being perpetrated—that these men were being naturalized improperly ?

A. I told Judge McCunn of it at one time, and he told me if I ever knew of such a case to let him know and he would put a stop to it. But I could not watch the court to detect these parties.

4890. Q. These men that came to you to be naturalized without a witness and whom you sent away, were they republicans ?

A. I do not know whether they were republicans or not.

4891. Q. Did anybody ever come to you that were not republicans ?

A. When any person applied to me the first question I would ask was how long he had been in the country ; second, the name of the witness ; third, who recommended him to the place. If the person who recommended him was a republican I would naturalize the man. When these men that I speak of applied, as soon as they told me they had no witnesses, I asked them no more questions and sent them away.

4892. Q. You say you never saw any irregularities on the part of the judges or clerks of the courts in the business of naturalization ?

A. No, sir ; and I have been very sharp in watching this business.

4893. Q. State from your observation whether it was practicable for any person to appear both as witness and applicant in the same case.

A. Not very well.

4894. Q. Do you think it possible for a person to be naturalized in these courts without having with him somebody as a witness ?

A. In Judge Barnard's court and in Judge McCunn's court, two men were always there, one as applicant, and one as witness. In fact it was a perfect system for witness and applicant to appear both together before the judge.

4895. Q. State from your observation in connection with this business, whether it was possible at all for one man to be both applicant and witness in one case.

A. It might possibly happen when a large crowd was there that persons would appear before the judges as witness, be sworn in, answer the questions, and then dodge around in the crowd to the clerk's desk and take the oath of allegiance.

4897. Q. You say the system was for the applicant and witness to be called together and come in together; do you know of any instance in which the applicant and witness were not called together?

A. I never knew an instance.

4898. Q. What question would the clerk ask the witness?

A. "How long have you known the applicant? Where do you live? Where does the applicant live? How long has he been in this country?"

4899. Q. Would it be possible for the witness to go in without the applicant?

A. Not unless the judge was a party to it.

4900. Q. In other words, you think it could not be done?

A. No, sir, I do not. In almost every case I observed the judge look for the principal.

4901. Q. State if you were in Judge McCunn's court at night.

A. No, sir, I was not.

4902. Q. Were you in the supreme court at all in the night?

A. Yes, sir.

4903. Q. How often?

A. Three or four times.

4904. Q. How often were you in the superior court day-times?

A. Every day; three or four times.

4905. Q. How long did you stay at one time?

A. I generally only stayed a couple of minutes.

4906. Q. How long did you stay in the supreme court?

A. Only a few minutes; just looked in and saw how business was going on.

4907. Q. State whether you kept a list at your office of the names of persons by whom applications were made for naturalization each day; if so, have you it with you?

A. Yes, sir; I have the list with me.

4908. Q. State the total number of persons for whom applications were made to be naturalized through your office?

A. We naturalized 2,085.

4909. Q. How many were of persons who came to the United States under 18 years of age?

A. Twelve hundred and thirty-seven.

4910. Q. How many had declared their intentions previously to be a citizen?

A. Five hundred and forty-nine.

4911. Q. How many were soldiers?

A. Two hundred and ninety-nine.

4912. Q. Will you produce to the committee and identify the list of names of the applicants who got their papers through your office?

A. Yes, sir; here is a list which is signed by Joseph Spangenberg, Herman Wien, Albert Seifert, clerks of the committee.

4913. Q. Did you remain in the supreme court long enough at any one time to see persons go through with the process of naturalization?

A. No, sir; I only noticed it was done in a hurried manner.

4914. Q. Can you state whether the oath was administered to one person at a time, or to a large number of persons at the same time?

A. Generally to a large number of persons. They would stand around in a group and the oath would be administered to renounce their allegiance to the kingdom of Great Britain and Ireland, the King of Prussia or the Emperor of Austria, as the case might be; it was all stated in one oath.

By Mr. KERR:

4915. Q. You do not know how many persons that voted the republican ticket at the last presidential election were naturalized without your assistance?

A. There were some two or three that were naturalized through the democratic office.

4916. Q. Do you know how many persons outside undertook to get for the republican party any business of naturalization?

A. The whole business of naturalization of the republican party was concentrated in our office.

4917. Q. How do you know that persons outside did not put persons through the naturalization process in behalf of the republican party?

A. I would have known it if it had been done; a republican might once in a while get through the democratic office, but this could not be done to any extent.

4918. Q. How do you know that there were no other republican offices in this city?

A. I know there was no other republican office or branch office in this city; I would certainly have known it, if there were. I had all the tickets issued by the republicans in payment of the fees of the clerks, and I know all the republican tickets came through my office. The clerk received no money at all—only red and white tickets.

4919. Q. How do you know that there was no money paid?

A. I have been told so by the clerks of the court.

4920. Q. Who told you so?

A. Mr. Meeks told me so.

4921. Q. Who else?

A. The clerk in the trial term of the superior court; I forget his name. I would not be positive whether anybody else told me so or not.

4922. Q. Was it not possible for a republican to get naturalized in a democratic office or on democratic tickets?

A. No, sir; democrats would soon have discovered it and stopped it.

4923. Q. Did they discover these few men that went away from you and went to a democratic office?

A. No, sir.

By Mr. HOPKINS:

4924. Q. Did you have any professional witnesses around you?

A. No, sir; I cleared them out. One man came to me and brought a letter to me from "an earnest republican," asking for a place in my office. I told him that we then had enough clerks, but probably we might employ him hunting up lost certificates. "No," said he, "I want to be employed as a witness." I soon sent him out, and had nothing whatever to do with him.

4925. Q. Do you know the fact that there were men employed as witnesses?

A. I do not know that they were employed, of my own knowledge. I know that men hang around naturalization offices and the City Hall, and offer their services to any person as witnesses. They are well-known characters.

NEW YORK, *Thursday, January 7, 1869.*

GEORGE JOHNSON sworn and examined.

To the CHAIRMAN:

4926. I live at the Liberty Hotel in this city. I know where the Jackson Club of this city is located; it is located at the corner of Thirty-second street and Second avenue. I staid in that club-room all night

the night previous to election. There were about 75 or 80 persons in the room at the time; about 50, I should judge, staid all night. The next morning I went to four or five different districts and voted. I think I voted at the 4th, 5th, 6th, 7th, and 8th precincts; I do not know the ward; in was in Second avenue, near the club-room. I got the tickets upon which I voted at the club-room. By tickets I mean slips of paper containing names and residences upon which to vote. They were all fictitious names. I probably voted some 10 or 11 times that day, in different election districts. There were other parties who went with me; they were all strangers with me, except a few that came up from Crosby street with me. I cannot swear positively as to what the others did that day. We got dinner that day corner of Twenty-seventh street and Fourth avenue. In the morning we had breakfast in a private house two or three streets above Thirty-second street. I did not look at the ticket which I voted, but I believe it was a Seymour and Hoffman ticket.

To Mr. KERR:

4927. I have had no other assumed name except those I voted on election day. My name has been Johnson all my lifetime. I have been living at the Liberty House for a couple of months. I am not married; I am divorced from my wife. For the last four years I have been engaged in driving a truck; for the last year I have been out of employment. I get a living the best way I can, picking up occasional jobs, driving a truck.

4928. Q. Who asked you to come here to testify?

A. Mr. Doran.

4929. Q. Why did he tell you to come here?

A. I do not know. It was from his place that I started to go up to Thirty-second street and Second avenue. I have been acquainted with him for the last year or so; he went around with us; whether he voted or not I cannot say.

4930. Q. Did he tell you to come here to vote?

A. He wanted me to make my statement as to what I did on election day.

4931. Q. What reward did he promise you?

A. Nothing.

4932. Q. Did anybody promise you anything?

A. No, sir.

4933. Q. Do you expect anything?

A. No, sir.

4934. Did anybody tell you that you would be protected from prosecution if you came here to testify?

A. I was under that impression.

4935. Q. Who told you of it?

A. Mr. Doran and Mr. Le Barnes, deputy sergeant-at-arms of this committee.

4936. Q. How did he come to tell you of it?

A. Somebody asked him outside in the entry, and he said there was some law passed protecting witnesses who testified before a congressional committee, stating, at the same time, that if I did not testify I was liable to be arrested at any moment.

4937. Q. And if you testified you would not be arrested or punished?

A. Yes, sir.

4938. Q. Who procured you to do this repeating?

A. Mr. Doran asked me to go there as a favor to him.

4939. Q. Did he hire you?

A. He did not pay me a cent.

4940. Q. Was he paid himself?

A. Not to my knowledge.

NEW YORK, *Thursday, January 7, 1869.*

GEORGE HILL sworn and examined.

By the CHAIRMAN :

4941. Q. State your residence and age.

A. I live at No. 61 Thompson street. I am 28 years of age.

4942. Q. Do you know of any persons voting more than once at the last presidential election in this city—what preparations were made for it and what was done ?

WITNESS. I would like to know what is to be done in regard to it : whether I will be protected in making a statement.

The chairman directed the clerk to read the act of Congress in regard to testimony of witnesses before a committee.

The CHAIRMAN. Go on with your statement.

WITNESS. The night before election we met at the corner of Hester and Wooster streets. There was quite a number there, and we agreed to meet at that place the next morning at 8 o'clock. They gave us slips of paper containing about 19 or 20 names and told us to go and vote on them.

4943. Q. How often did you vote that day ?

A. I voted 9 or 10 times in different election districts in this city, mostly in the 8th ward.

4944. Q. State what you know of other persons voting with you.

A. The crowd went around with me and voted at the same time so far as I know. When we met at the corner of Hester and Wooster streets a man, whose name I don't know, said to me if I would vote for him he would get me employment, or something to do. I said "All right, I will vote for you."

4945. Q. How often did the other persons vote ?

A. I could not say ; I suppose as many times as I did.

4946. Q. What ticket did you vote ?

A. The democratic ticket right clean through. We voted in the first place in Green street, near Spring. We voted there three times each. We next voted in Green street, further below the first polling place ; then again in Prince street ; then down near the corner of Sullivan ; then again at the corner of Lawrence street. I voted at the last place twice. I was pretty full all day, and I cannot recollect how many times I voted at each place.

By Mr. HOPKINS :

4947. Q. How many were in your squad ?

A. Sixteen or twenty. There were two or three who led us around.

4948. Q. At whose request did you do this repeating ?

A. At the request of the man who gave us the tickets.

To Mr. KERR :

I have been known only by the name of George Hill since I was born. I have lived in various places, particularly in Detroit ; also in Cincinnati and in various other places. I went around in search of employment. I am a salesman. I have been living in this city for the last two years. For the last six months I have been sick and have followed no occupation.

4949. Q. Were you ever sent to Blackwell's island ?

A. No, sir.

4950. Q. Were you ever sent to State prison ?

A. No, never in my life.

4951. Q. I suppose these parties with you thought they were doing perfectly right in doing this way.

A. I suppose they were hard up, as I was. I don't think there was any harm in it. I was very hard up and I had to steal, or do something to get a living.

4952. Q. You do not think it was wrong, then ?

A. I do not know as it is ; even if I did I would have done it.

4953. Q. Who was this man that employed you ?

A. I do not know.

4954. Q. Have you seen him since ?

A. I may have seen him.

4955. Q. Did he pay you for your services ?

A. Not much, if anything. He gave me something to drink and something to eat. I did not see any money.

4956. Q. What else did he give you ?

A. He gave me some stamps and agreed to give me a good deal more. He promised me more, but did not fulfil his promise.

4957. Q. You think you were cheated, then ?

A. I think so.

4958. Q. What reward do you expect for coming here ?

A. I do not expect any reward.

4959. Q. Have you not had assurances that you would be rewarded to testify in this way ?

A. I do not know as I had. I refuse to answer whether I had or not.

4960. Q. Who saw you before you came here in relation to this testimony ?

A. I saw a man in Jersey City.

4961. Q. How did you come to be over there ?

A. The man came to me and asked me if I would not go across the river and do a favor for him. He wanted me to make a statement to a man over there.

4961. Q. Who was that ?

A. It was a man over there.

4962. Do you know Colonel Wood ?

A. No, sir.

4963. Q. Do you know Marshal Murray ?

A. I have seen him.

4964. Q. Did you see him over there ?

A. No, sir.

4965. Q. What place did you go to in Jersey City ?

A. Taylor's Hotel.

4966. Q. Who requested you to go there ?

A. A friend of mine.

4967. Q. Who was that ?

A. I decline to answer that.

4968. Question repeated.

A. I could not tell you who he was. I know him by sight, but do not know his name.

4969. Q. When did you leave that place in Jersey City to come over here ?

A. I started from there about 10 o'clock this morning.

4970. Q. Who went over to Jersey City with you ?

A. A man by the name of Johnson.

4971. Q. Was it the man who testified here this morning ?

A. Yes, sir.

4972. Q. Who else ?

A. A man by the name of Nichols.

4973. Q. Who else ?

A. No other man.

4974. Q. Do you know of any reason why you were requested to go over there instead of talking on this side of the river with him ?

A. I do not.

4975. Q. Did you tell the men over there in that place what you have sworn to here to-day ?

A. Yes, sir. They did not ask me to come over here, however.

4976. Q. Who did ?

A. The other man, whose name I do not know.

4977. Q. What did you call that man ?

A. "Billy" or "Sammy," or something like that.

4978. Q. How many were at that office in Jersey City with you this morning ?

A. I did not see many; there were four or five men and two writers.

4979. Q. Would you know the handwriting of any of these men ?

A. They were short-hand writers.

4980. Can you give the names of these men ?

A. No, sir.

4981. Q. Were you not paid something over there ?

A. I decline to answer.

4982. Q. Who told you here in this building that you would not be harmed for giving testimony ?

A. I saw a paper which stated that no man would be hurt if he gave a statement here, by some act of Congress.

4983. Q. Can you give all the names for which you voted ?

A. I cannot give any.

4984. Q. Did you swear in your vote at any time ?

A. No, sir.

4985. Q. Did you swear in your registry ?

A. No, sir.

NEW YORK, *January 7, 1869.*

CLARK BELL sworn and examined.

To the CHAIRMAN:

4986. I am an attorney and counsellor at law. I voted for Grant at the last election, but paid very little attention to local politics. Mr. Joseph Beamis, private secretary to George Francis Train, came to me, professionally, and asked me to inquire into the alleged election frauds in the 5th congressional district in this city. George Francis Train was a candidate for Congress in this district at the last presidential election, and Mr. Beamis requested me, in behalf of Mr. Train, to take some proof as to alleged frauds supposed to have been committed in that election. I took a large number of affidavits of persons who swore that they voted for George Francis Train. I examined more particularly the election returns of the 5th district of the 13th ward of this city. The vote in that precinct for members of Congress was, for James McCartin, republican, 131; for John Morrissey, democrat, 229; for George Francis Train, independent, 1. I confined my operation to that precinct, as I was pretty certain that there were some frauds in that district. I have with me affidavits of various parties who swore that they voted for George Francis Train.

By Mr. KERR:

4987. Q. What motive prompted you to make this inquiry ?

A. Simply a motive of justice to Mr. Train, who was absent from the city. His private secretary, Mr. Beamis, consulted me professionally about it, and requested me to do it.

NEW YORK, *January 7, 1869.*

JAMES NICHOLS sworn and examined.

By the CHAIRMAN:

4988. Question. Where do you reside ?

Answer. At 87 Mercer street, New York city.

4989. Q. State where you were the night previous to the day of the last presidential election.

A. I staid at the corner of Thirty-second street and Second avenue.

4990. Q. How often did you vote at that election ?

A. About seven times, I guess; all in the 22d ward.

4991. Q. State upon what names you voted.

A. Different names. The only name I can remember now is that of James White.

4992. Q. How did you procure the names upon which to vote ?

A. I procured them at the club-room, corner of Thirty-second street and Second avenue, where I staid the night before.

4993. Q. State what you know of others being engaged in the same business.

A. There were something like 27 of us in the party I was with.

By Mr. KERR:

4994. Q. How long have you lived at 87 Mercer street ?

A. For the four months last past.

4995. Q. Where did you live before that ?

A. At 45 Robinson street; I lived there for eight years. Previous to that I lived at No. 10 Beekman street. I have been in this city since 1857.

4996. Q. What is your business ?

A. I work in an auction house.

4998. Q. Where did you work ?

A. At Wildermings & Mount.

4997. Q. Are you there now ?

A. Yes, sir.

4999. Q. How long have you been there ?

A. Four years.

5000. Q. By what name have you been known during the last four year ?

A. James Nichols; I never had any other name.

5001. Q. Where were you yesterday ?

A. I was at work at my business.

5002. Q. All day ?

A. Yes, sir.

5003. Q. Do you know George Hill ?

A. No, sir.

5004. Q. Do you know George Johnson ?

A. No, sir.

5005. Q. Were you not out of town yesterday ?

A. No, sir.

5006. Q. Who procured you to come here ?

A. Parties sent me here.

5007. Q. Who were they?

A. I came here partly by myself. I thought the thing was right. I saw about this committee sitting here in the papers.

5008. Q. At whose request did you come?

A. I decline to answer.

5009. Q. How much money was paid you to come here?

A. Nothing at all.

5010. Q. How much was promised?

A. Nothing at all.

5011. Q. Don't you expect something?

A. No, sir.

5012. Q. Who procured you to go into this repeating business?

A. I went in with a party of young fellows, and thought we would have a good time. Nobody in particular engaged me.

5013. Q. How long were you engaged in this business?

A. During the morning of the election until about 12 o'clock.

5014. Q. Were you paid for doing this business?

A. I was not paid anything at all. I had a few drinks and something to eat.

5015. Q. Who gave you the drinks?

A. I do not know the names of the parties.

5016. Q. Give the names of the parties whom you were with in this repeating business.

A. One man by the name of White, who lives somewhere in Forsyth street; he is in business down in Wall street with his father. His father, I believe, is a custom-house broker, or something of that kind.

5017. Q. How do you know he is engaged in that business?

A. His son told me so.

5018. Q. How old is the son.

A. Twenty-three. There was another man by the name of Daniel Norton; I have known him about two years; I do not know where he lives. Another by the name of John Graham, and he lives in Frankfort street, near Pearl; he is a printer. I have known him about a year and a half. Another man by the name John Eastburn; he lives in McDougal street somewhere. He is not doing anything at present; I believe his occupation is a carver. Those are all the names that I can recollect.

5019. Q. By what names did you vote at these different places?

A. One of them was James White.

5020. Q. In what district did you vote by that name?

A. The 6th district of the 21st ward. There were a lot of Dutch and Irish names.

5021. Q. Did you swear your vote in?

A. No, sir.

5022. Q. Did you swear in your registry?

A. I did not register at all.

By Mr. HOPKINS:

5023. Q. What ticket did you vote?

A. The democratic.

5024. Q. Did your colleagues vote for the same ticket?

A. Yes, sir.

By Mr. KERR:

5025. Q. How do you know it?

A. The tickets were given us by the democratic party.

5026. Q. Who gave them to you?

A. I do not know the names.

NEW YORK, *January 7, 1869.*

WILLIAM WOOD sworn and examined.

To the CHAIRMAN:

5027. I live at No. 5 Eldridge street, New York city. I voted a good many times at the last presidential election in this city; I could not state exactly how many; I should suppose from 16 to 20 times at different polling places. I voted on different names. The names were furnished me on slips of paper. I voted in the 10th and 7th wards. I procured the slips of paper containing the names upon which I was to vote in the Bowery. I voted twice at several of the precincts. I cannot remember any of the names upon which I voted.

By Mr. KERR :

5028. Q. State if you received any compensation for what you did that day.

A. I did.

5029. Q. What was it?

A. I could not say; I received some money.

5030. Q. Who paid it to you?

A. I decline to answer that.

5031. Q. What do you know, if anything, of other persons engaged in that business?

A. I guess there were from 20 to 25 in the same party with me.

By the CHAIRMAN:

5032. Q. Where did you procure the names upon which you were to vote?

A. At the same place in the Bowery. I think it was the Atlantic Garden.

By Mr. HOPKINS :

5033. Q. What political party did you vote with?

A. The democratic party, I believe.

5034. Q. Who was the leader of the gang that you were with engaged in this repeating?

A. I decline to answer.

5035. Q. Do you know him?

A. Yes, sir.

5036. Q. Where does he live?

A. He lives in this city.

5037. Q. What does he do for a living?

A. I hardly know.

5038. Q. Is he a friend of yours?

A. Slightly.

5039. Q. What do you consider a good day's work for a repeater?

A. That is more than I can tell you.

5040. Q. Would you consider voting 30 times a good day's work?

A. I should consider that a very fair day's work.

5041. Q. Did these men get pay in proportion to the number of votes they polled, or for a day's work regardless of the number of votes that they deposited?

A. I can hardly say. Some got more than others.

By Mr. KERR:

5042. Q. How long have you been known by name of William Wood?

A. Since I was christened.

5043. Q. Have you assumed any other name?

A. No, sir.

5044. Q. How long have you lived in this city?

A. Sixteen or seventeen years. I live with my parents, at No. 5 Eldridge street, in this city. I am a machinist by trade. I am doing nothing now. I quit work about six months ago; since then I have been attending store, off and on, for my brother-in-law, at No. 97 Bowery. His name is John C. Anderson. He keeps a jewelry store. I could not say definitely how much time I spent there; I suppose I have been engaged there a week or so; I could not say how long.

5045. Q. What else have you been doing during the last six months?

A. Nothing in particular.

5046. Q. What in general?

A. Nothing in general.

5047. Q. How do you earn a living?

A. I have a brother-in-law who works for a living.

5048. Q. Does he support you?

A. I decline to answer that question.

5049. Question repeated.

A. He does.

5050. Q. Who employed you to go into this repeating business?

A. I could not tell you the man's name.

5051. Q. Why not?

A. Because I do not know it. I might come very near it.

5052. Q. What do you think it is?

A. I decline to answer that question.

5053. Question repeated.

A. I think it is something like Gilden, or something of that kind. It begins with a G.

5054. Q. Where were you yesterday?

A. I was in the city here.

5055. Q. Who did you see yesterday in reference to coming here to testify?

A. No one.

5056. Q. Who did you see about it in reference to coming here to testify?

A. I do not know the man's name.

5057. Q. Where did you see him?

A. In Jersey City.

5058. Q. What place?

A. Taylor's Hotel.

5059. Q. How many persons were present at that place at that time?

A. Three or four.

5060. Q. How came you to go there?

A. A friend of mine brought me over there.

5061. Q. Who was he?

A. I could not tell you his name.

5062. Q. Where was he when he made that request?

A. On the Bowery near Canal. I met him in the street.

5063. Q. How much money did you get in Jersey City for coming here?

A. No money.

5064. Q. How much did you get the day before?

A. Nothing.

5065. Q. How much did you get to-day?

A. I decline to answer.

5066. Q. Who gave you the money?

A. I decline to answer.

5067. Q. Where was it given to you?

A. I decline to answer.

5068. Q. What were you told by way of inducement to come here, in reference to prosecution for anything you might say here?

A. I do not care to answer that question. I was told that no harm would come to me by the State or the United States government.

5069. Q. Who told you that?

A. I decline to answer.

5070. Question repeated.

A. It was a young man in Jersey City.

5071. Q. Do you know him?

A. No, sir; I do not.

5072. Q. Where did you see him?

A. In Jersey City.

5073. Q. Was anything said to you about it here?

A. No, sir.

5074. Q. Name one of these repeaters that were with you.

A. I could not name one of them. They all repeated under assumed names. I could not tell you their real names.

5075. Q. When were you on Blackwell's island?

A. Never.

5076. Q. When were you in State's prison?

A. Never.

5077. Q. What gambling house do you frequent?

A. None.

5078. Q. Who do you know in the city of New York?

A. I know C. A. Durgan, for one.

5079. Q. Who is he?

A. Solicitor of patents. He has business at 111 Leonard street. I worked for him some time repairing sewing machines and the like.

5080. Q. How many went over with you to Jersey City?

A. I went over there myself; no one went with me.

5081. Q. Who made up these affidavits in the hotel?

A. I could not tell you the man's name.

5082. Q. Was the statement you made over there brought here?

A. I believe it was.

By Mr. HOPKINS:

5083. Q. Has any person offered to pay you money to testify falsely before this committee?

A. No, sir.

5084. Q. The parties you saw who have talked with you about coming before this committee have simply asked you to come here and tell the truth?

A. Yes, sir.

5085. Q. Has any member of this committee ever seen you or spoken to you about testifying before this committee?

A. No, sir.

NEW YORK, *January 7, 1869.*

JAMES EMOTT sworn and examined.

By the CHAIRMAN:

5086. Question. What is your profession or business?

Answer. I am counsellor-at-law; have been judge of the supreme court and court of appeals in this State, and have been practicing my profession

upwards of 20 years. In regard to the questions you submitted to me I would say that, as to my construction of the law in regard to the power of deputy clerks to sign the name of the clerk to official documents, and the power of clerks to appoint deputies, I find a statute authorizing the clerk to appoint a deputy clerk. That statute, I have no doubt, only authorizes the appointment of one deputy. There is another statute authorizing the appointment of a special deputy, apparently for the purpose of performing duties in courts. I think that the proper construction of that statute only authorized the appointment of one special deputy, but, I suppose, the construction of it in the city must have been different, as we have a good many courts here, and have many clerks to administer oaths, &c. I speak only of the county clerk's office.

5087. Q. What is the power of the deputy clerk so appointed to sign the name of the county clerk ?

A. It has been held in this State that he has power to sign the name of the clerk. I should think, also, that a special deputy, properly appointed, could sign the name of the clerk, in regard to proceedings in courts.

5088. Q. How as to certificates authenticating a judicial order ?

A. My recollection of that statute relative to the appointment of special deputies is that it did not give such power to special deputies.

5089. Q. How as to the power of administering oaths and attaching jurats ?

A. That I think a special deputy might do, and if the law authorizes more than one, then all.

5090. Does not the act of Congress require the oath to be administered to witnesses and applicants in cases of naturalization to be in these words "You solemnly swear that you will tell the truth, the whole truth, and nothing but the truth touching naturalization, so help you God ?"

A. I suppose the act of Congress does require an oath to that effect. But if the witness is produced in court and his statement is reduced to writing and read over to him and he testifies to it, I think that will satisfy the provisions of the law. I do not think the act of naturalization would be vitiated because the common law oath was not administered. The witness, however, I think, should be produced, and the court ought to make an oral examination and not to naturalize a person upon the mere production of an affidavit prepared and signed out of court without additional examination. I never knew that to be done while I was on the bench. But if the witness was produced and the affidavit was read to him I should think that would answer all the requirements of the statute ; after he had made his deposition it would then be the duty of the court to examine him if there was any reason for so doing.

5091. Q. The next question is as to whether, to test the veracity of witnesses, questions cannot be asked that are not printed on the paper ?

A. Most unquestionably.

5092. Q. How could such questions be asked unless the common law oath was put to the witness ?

A. That is difficult to say. I do not mean to say that merely the production of the witness with an affidavit prepared and signed outside would be sufficient, but I think if he is sworn and made to understand its contents that would be sufficient.

By Mr. KERR :

5093. Q. When a witness is produced in court and sworn to answer all questions put to him in relation to the pending application, &c., putting in a short form, would that be sufficient ?

A. I think that would be sufficient. I think he ought to make such oath as would make everything he said come under it, then I think if he was asked if the affidavit which was read over to him was true, that would be sufficient.

5094. Q. If the naturalization laws required the applicant to verify under oath certain facts, do not these words require a common law oath?

A. They require an oath that he shall tell the truth, the whole truth, and nothing but the truth touching the matter before the court. But, after the affidavit had been read to the man and he testifies to its truth, I suppose it would be a compliance with the statute. It would be in effect a leading question. The affirmation would be in this form "You, so and so, came to this country at such a time, you have lived here so long, you have not been out of the country, your residence is such a place; is that true?" If he answers yes, he complies with the statute.

5095. Q. The next question is as to whether a judge in New York can discharge on *habeas corpus* when no return has been made?

A. I think he ought not to discharge. He ought to require a return. If the officer produced the person and made no return that would be equivalent to saying that he had no warrant. If the person was not produced before the court and no answer was made to the writ, I do not see how the judge could make any order at all.

5096. Q. Do the judges of this State have jurisdiction in chambers to discharge on *habeas corpus*?

A. Yes, sir; there is a statute which requires them to issue *habeas corpus* out of court under penalty.

5097. Q. What are your political opinions?

A. I am a republican and expect to be as long as the party exists.

5098. To all of the testimony of this witness which consists of legal opinions, the minority of the committee object as being incompetent, because it does not relate to facts, but only to opinions, and at the same time the minority object to its being stricken out.

NEW YORK, *January 8, 1869.*

JOSEPH DUMBLE sworn and examined.

To the CHAIRMAN:

5099. I was registrar and inspector of the 2d district of the 4th ward at the last presidential election; on the day of registry I found that a great many persons who presented themselves for registry had naturalization papers which they did not get in the court; I took away the papers from two or three of them; many of them could give no satisfactory answers as to where they got them; they said that they had not been in court, but said that somebody had got the papers for them; I took about four papers from these parties; two of them I returned, and the other two I gave to Mr. White; there were a great many came over on election day from the 14th ward; there was one man I had arrested for illegal voting; he registered himself by the name of "Sheehan," and said he lived somewhere in Water street; I knew he did not live at that place, and when he came to vote I swore him in, and then had him arrested; he was discharged afterwards by the city judge; I cannot say whether any fraud was practiced by substituting tickets that were never voted for those that were voted.

To Mr. KERR:

5100. I only knew of one fraudulent vote in my district to my own knowledge; that was the case of Sheehan; I know that he did not live at the house in Water street where he registered, because I inquired there;

the reason I took the papers from these parties that wanted to register was because they could give no satisfactory answers as to where they got them; I knew they did not get them of the court, because they said so; the democratic inspectors of that precinct were William Dodson and Patrick Kane; Peter Ryan and myself were the republican inspectors; the two democrats were willing to receive the votes of these men, but it required a vote of three of the inspectors to register a name; the men themselves that presented these naturalization papers acknowledged that they did not get them in the court; that they had not previously declared their intentions to become citizens; I have lived in the ward for 17 years; I do not know any of these men that presented these papers; there were 900 votes registered in that precinct; the vote was about 99 short of the registry.

5101. Q. You swear that your democratic colleagues wanted to take the names of these men that you rejected?

A. They did not insist upon taking them; they would argue with me and say that I had better put the names down, and we would have quite an argument over them; but I would insist upon rejecting them; I told them that if they could prove to me satisfactorily that they were legal, and had received their papers in a lawful manner, I would register them.

NEW YORK, *January 8, 1869.*

THOMAS H. YORK sworn and examined.

To the CHAIRMAN:

5102. I am deputy clerk of the Kings county court; was so during the year 1868; I present herewith to the committee a statement of the number of persons naturalized in that court from the year 1856 to the year 1868, both inclusive, with the number naturalized daily during the month of October, 1868; the city court of Brooklyn has also the power of granting certificates of naturalization; they probably naturalized more than we did.

To Mr. KERR:

5103. I copied this list from the records in the county clerk's office; we have a printed book there with the different headings under which we write the applicant's and the witness's names, and other data necessary to be preserved.

Statement of the whole number of persons naturalized in the county clerk's office from the 23d day of September, 1856, to the 31st day of December, 1868.

1856	1,667	1864	722
1857	293	1865	483
1858	984	1866	2,324
1859	144	1867	2,436
1860	1,159	1868	3,246
1861	47		
1862	151	Total.....	13,841
1863	181		

Whole number naturalized from the 1st day of October to the 31st day of October, 1868.

October 1.....	130	October 19.....	143
2.....	28	20.....	157
3.....	24	21.....	145
5.....	74	22.....	130
6.....	55	23.....	183
7.....	217	24.....	39
8.....	147	26.....	5
9.....	130	27.....	12
10.....	42	28.....	4
12.....	187	29.....	9
13.....	207	30.....	6
14.....	165	31.....	5
15.....	207		
16.....	107	Total.....	<u>2,613</u>
17.....	55		

NEW YORK, *January 8, 1869.*

EDMUND M. PLUMB sworn and examined.

To the CHAIRMAN :

5104. I am clerk of records in the county clerk's office in this city. I have examined the records of the supreme court of this county on file in the county clerk's office, and present herewith a statement of the number of persons naturalized in that court from the 6th to the 23d day of October, 1868.

Number of persons naturalized in the supreme court of New York city, on the days hereinafter named.

1868.		October 16.....	721
October 6.....	6	17.....	633
7.....	8	19.....	955
8.....	379	20.....	944
9.....	668	21.....	773
10.....	717	22.....	675
12.....	723	23.....	587
13.....	901		
14.....	523	Total.....	<u>10,070</u>
15.....	857		

The number I counted from the applications on file; and, to the best of my knowledge and belief, this is a correct statement of the number.

To Mr. HOPKINS :

5105. These applications were all filed with me. I made search of the records of the office for applications as far back as 1844. I could find none prior to 1868.

NEW YORK, *January 8, 1869.*

AUSTIN D. PETTIT sworn and examined, (called at the instance of Mr. Kerr.)

5106. Question. Do you know a man by the name of Henry Lyle ?

Answer. Yes, sir.

5107. Q. Do you know where he lives ?

A. I do not.

5108. Q. What is his business ?

A. The last time I saw him he said he was a reporter for the Evening News of this city.

5109. Q. How long have you known him ?

A. Two or three years.

5110. Q. What is his character for truth and veracity ?

A. Not very good in my opinion.

5111. Q. What is his reputation among his neighbors for truth and veracity ?

A. I could not say ; I have never associated with his neighbors.

5112. Q. What means have you of knowing his character for truth and veracity ?

A. Generally from his mode of life. He is an habitual drunkard.

5113. Q. Did you have much intercourse with him during the month of October last ?

A. No, sir.

5114. Q. Do you know whether you ever had any conversation with him during that time ?

A. I met him at one time and he accosted me and said he had reported a meeting up-town in which I was interested, and that he had received no pay for it, and I gave him a quarter of a dollar.

5115. Q. Are you a democrat ?

A. I am.

5116. Q. Are you identified with the Tammany organization ?

A. I have been within the last few months ; previous to that I was always opposed to it. At that time I was a member of the independent democratic party.

5117. Q. State whether you did ever at any time procure ten final certificates of naturalization from any court in anybody's name or names and give them to Henry Lyle.

A. No, sir ; I never did.

5118. Q. State whether he at any time during the month of October, or at any other time, requested you to procure certificates of naturalization for any number of persons, and gave you their names.

A. No, sir ; he told me at one time that if there were any parties who did not want to come down town and wait to get their final certificates, as he was doing nothing and was generally about the City Hall, he would do it himself. This was for procuring the final certificates at the City Hall after the judge had sworn the naturalization certificate to be granted. The clerk of the court would generally give orders for the certificates, which were obtained somewhere in the City Hall.

5119. Q. State whether he ever made any other request of you of any kind.

A. No, sir ; not that I remember.

5120. Q. Did he ever request you to get any certificates for names that he would hand you, without producing the persons to you or their witnesses ?

A. No, sir ; he would not ask me to do it, for I was not in that business.

5121. Q. Suppose he had asked you to obtain certificates in ways that were unlawful, would you remember it ?

A. I certainly would. He would not dare to have made any such request of me.

5122. Q. Do you know where he kept himself during the month of October ?

A. I do not.

5123. Q. Was he habitually drunk ?

A. Yes, sir. The last I have heard of him, he was expelled from the organization of which he was a member, for being drunk and disorderly. At that time I believe he lived in Twenty-seventh street. That was

two or three years ago; I was then a candidate for nomination and he was a candidate also.

5124. Q. State, from what you know of his character, whether you believe him under oath.

A. I certainly would not.

By the CHAIRMAN:

5125. Q. What office were he and you candidates for?

A. For assemblymen. He was a candidate for some small local organization.

5126. Q. Did you procure certificates of naturalization for James Beglan or James Glenn?

A. No, sir.

5127. Q. Do you know these men?

A. I know James Beglan. I was at the December election. Previous to that election he was a bitter opponent of mine. I had not spoken to him previous to a few days before the December election, for three years.

5128. Q. Do you know of any person speaking of Lyle's character for truth and veracity?

A. I cannot recollect just now.

5129. Q. Can you name any person whom you heard speak of his character for truth and veracity?

A. I think I could name a half a dozen who would not believe him under oath. I do not remember having any particular conversation with these men, however, about Lyle.

By Mr. HOPKINS:

5130. Q. You stated that Mr. Lyle wanted you to send your friends to him, and that he would obtain papers for them.

A. He said he would obtain their certificates. The regular paper, I believe, is filed with the judge, and after it has passed him an order is given on the clerk at the City Hall for the regular certificate, and as there was a great crowd at the City Hall, persons would not want to wait there a long time.

5131. Q. Did you send any papers to Mr. Lyle?

A. No, sir.

5132. Q. Did you ever meet him in any court, or have any conversation with him about naturalization papers?

A. No, sir; not of my knowledge. I think I met him one day around the City Hall somewhere, or in a lager-beer saloon in William street; it was the time I gave him a quarter of a dollar.

5133. Q. Were you engaged at that time in assisting your friends in getting naturalized?

A. I have assisted some five or six.

5134. Q. Were you a witness for them?

A. I was a witness for two or three, I believe. I had tickets which were issued by Tammany Hall to pay for the fees, and I supplied them to parties in my ward.

5135. Q. Do you know what business Lyle was engaged in?

A. He told me he was a reporter for the Evening News.

5136. Q. Don't you know that he was engaged about the City Hall in procuring papers?

A. He told me he was about the City Hall a good deal and could procure papers for me.

5137. Q. Did you not know that he was a witness for parties desiring to be naturalized?

A. No, sir.

5138. Q. Were you in courts much where naturalization was going on?
A. No, sir; very little. I was in the superior court once or twice.

NEW YORK, *January 8, 1869.*

GEORGE B. GIFFORD sworn and examined, (called at the instance of Mr. Kerr.)

By M. KERR :

5139. Question. Do you know John H. White ?

Answer. Yes, sir; I am well acquainted with him.

5140. Q. Have you had any conversation with him lately ?

A. I had about a week ago last Tuesday night.

5141. Q. Where ?

A. In front of the Union League club room.

5142. Q. Please state what it was.

A. I went up there in company with a friend of mine by the name of Henry Darling. Previous to that a boy came to me and said that Mr. White wanted to see me at the Union League rooms. I went up there about 8 o'clock in the evening with Darling. We met White in front of the Union League club rooms and entered into conversation. He said he wanted me to testify to frauds committed by the democratic party at the presidential election. I told him that I knew of no frauds being perpetrated by the democratic party. He said that that would make no difference; that as long as I would swear to the facts that he would write in the shape of an affidavit, he said that he would pay me liberally for such evidence. I told him that I would have nothing to do with the affair at all. The reason he asked me I suppose was because I was formerly a member of the republican party, and was formerly in the revenue service.

5143. Q. What position did you hold in the revenue service ?

A. I was assistant assessor under Anthony J. Bleecker, assessor, and George Putnam and Morgan Harris, collectors.

5144. Q. To whom did he say that you would be well rewarded ?

A. To myself and Darling; we had conversation together.

5145. Q. What was it he would reward you well for ?

A. For making an affidavit to the effect that frauds were perpetrated by the democratic party at the presidential election.

By the CHAIRMAN :

5146. Q. Where do you live ?

A. At No. 511 Third avenue.

5147. Q. What business are you engaged in ?

A. I am clerk to Mr. Hanberry.

By Mr. KERR :

5148. Q. When did you dissolve your connection with the republican party ?

A. They struck my name off the rolls.

5149. Q. What for ?

A. It was at the time of the October election. I had a conversation with Christopher B. Pullman in reference to going to Philadelphia.

5150. Q. What did he want you to go there for ?

[Mr. Hopkins objected. Objection sustained.]

By the CHAIRMAN :

5151. Q. Were you a member of the Union League ?

A. No, sir; I was a member of the republican organization of the 21st ward.

5152. Q. Who was present at this conversation with Judge White?

A. Mr. Henry Darling.

5153. Q. Where does he live?

A. In Thirty-second street, in the 22d ward. Only us three were present.

By Mr. HOPKINS:

5154. Q. With whom did you have consultation in regard to your testimony before this committee?

A. I had not much consultation about it. I had repeated conversations with some of my friends in the 21st ward.

5155. Q. Who are they?

A. I had one conversation with Mr. Jones. I also had one with Mr. Barrett. They are both democrats.

5156. Q. Have you consulted with any member of this committee as to what your testimony would be?

A. No, sir.

5157. Q. Who else have you consulted with?

A. I had a conversation with Mr. Banker. He is a democrat.

5158. Q. With what party did you act this fall?

A. I voted the democratic ticket straight through.

5159. Q. Were you removed from your position as assistant assessor?

A. No, sir; I left of my own accord.

5160. Q. Do you mean to state that Mr. White offered you a reward to testify to what was not true before this committee?

A. He offered to pay me liberally for testifying to what frauds were committed by the democratic party. I told him that I knew of no frauds. He said that would make no difference, if I would only come here and testify.

5161. Q. Who is this Mr. Banker with whom you had this conversation?

A. Thomas A. Banker; he is a deputy sheriff. Banker told me he thought it was proper for me to come here and give my evidence. Mr. Banker is a personal friend of mine.

NEW YORK, *January 8, 1869.*

HENRY DARLING sworn and examined, (called at the instance of Mr. Kerr.)

By Mr. KERR:

5162. Q. Do you know John H. White, attorney at law in this city?

A. Yes, sir.

5163. Q. Have you had any conversation with him lately?

A. Last Tuesday night, a week ago, I had a conversation with him in front of the Union League club room.

5164. Q. How came you there?

A. I went there with a man by the name of Gifford. Mr. White sent for him.

5165. Q. What conversation did you have with Mr. White?

A. Mr. White said to Gifford, "I want you to go down before the committee and testify as to frauds and illegal voting by the democratic party." We told him we knew nothing about election frauds. He said it would make no difference, if we would swear to the evidence that he would draw up; that we would be liberally compensated for it. Said I to Mr. White, "I am not doing business in that way." I voted for Mr. White every time he has ever run for office in New York city. I have always supported and voted for him.

5166. Q. Was he a candidate at the last election ?

A. I think he was.

5167. Q. Did you have any further conversation ?

A. I told Mr. Gifford that he could do as he liked in this matter, but so far as any frauds committed by the democratic party was concerned, I knew nothing about it.

5168. Q. Was it stated what compensation you should have ?

A. No, sir.

5169. Q. Was it stated from whom you would receive your compensation ?

A. He said that he would see that it was all right.

5170. Q. Was anything said as to the amount of compensation you should have ?

A. Not in my hearing. I left Mr. Gifford talking with him for 10 or 15 minutes.

By the CHAIRMAN :

5171. Q. Do you know Thomas A. Banker, deputy sheriff of this city ?

A. Yes, sir.

5172. Q. When did you see him last ?

A. I saw him to-day.

5173. Q. Did you talk with him about this matter ?

A. No, sir; never a word.

5174. Q. Was Gifford with you when you saw Banker ?

A. No, sir.

5175. Q. Where did you see Banker ?

A. I saw him in the City Hall.

5176. Q. Did you see Banker yesterday ?

A. Yes, sir.

5177. Q. Was Gifford with you then ?

A. No, sir; I saw Banker last evening, up-town somewhere.

5178. Q. Did you have any conversation with him about this matter ?

A. No, sir; I have never talked with him about this matter.

5179. Q. To whom did you first tell this conversation ?

A. I think I talked it over in a lager-beer saloon while many persons were present.

5180. Q. Whose lager-beer saloon ?

A. A Mr. Whiter; he keeps a lager-beer saloon in Thirtieth street, near Second avenue.

5181. Q. What business are you engaged in ?

A. Not any at present.

5182. Q. Was Banker present at the lager-beer shop ?

A. No, sir; I have never seen him there.

5183. Q. Where do you live ?

A. At No. 253 Thirty-second street.

5184. Q. How long have you lived there ?

A. Since last May.

5185. Q. Have you been engaged in any business lately ?

A. Not of any account; I am about to go into the butcher business.

5186. Q. What office did Judge White run for ?

A. I do not recollect exactly; he ran for assemblyman and school trustee. I think I voted for him once for city judge.

By Mr. HOPKINS :

5187. Q. With what political party do you act ?

A. I have been an old line whig; I have acted with the republican party up to the last election, when I voted the democratic ticket.

5188. Q. Where was this interview with Judge White ?

A. Right opposite the Union League club room.

5189. Q. How did you get the interview with him ?

A. We were about sending our names into the club-room when he came along.

5190. Q. With whom did you talk about this interview before you went there ?

A. Mr. Gifford came after me to go there and I went up with him.

5191. Q. Then you acted as an accomplice too in it ?

A. I went up with him.

5192. Q. After you had this interview with White, with whom did you talk about it ?

A. I talked with several in the lager-beer shop about it. I said I was not going to State's prison for anything of that kind.

5193. Q. Have you seen Sheriff O'Brien about this ?

A. No, sir.

5194. Q. Any other officer of the city ?

A. No, sir.

5195. Q. With whom have you consulted ?

A. Nobody in particular; I have mentioned the matter in this lager-beer saloon, as I have stated. I would not have come here at all if I was not obliged to.

5196. Q. You were subpoenaed to come here ?

A. No, sir; I was told that I was obliged to come here; that if I did not I would be arrested.

5197. Q. Who told you to come here ?

A. Mr. Gifford.

5198. Q. Who else told you ?

A. Nobody.

5199. Q. State what Gifford said to you when he wanted you to go and see Judge White.

A. He came to me and said that Judge White wanted to see both of us. I told him that I did not want to see Judge White about anything. Says he: "Maybe there is a dollar or two in it, and we had better go."

5200. Q. And then you went because there was a dollar or two in it ?

A. Yes, sir; but when I found what it was I would not go into it.

5201. Q. Do you know that Judge White sent for Gifford ?

A. No, sir; not of my own knowledge.

5202. Q. Did he send for you ?

A. No, sir.

5203. Q. Did you commence the conversation with Judge White ?

A. No, sir; Mr. Gifford did.

5204. Q. What did he say ?

A. He said to the judge that he was there according to the arrangement, and asked what was to be done. Judge White said he wanted us to go down and testify before a committee about frauds committed by the democratic party. I told him I knew nothing about frauds committed by that party. Says he, "It don't make any difference whether you do or not; you go down there and testify to the affidavits that I will draw up."

5205. Q. Did he not say, "Go down and testify to what you know ?"

A. No, sir.

5206. Q. How long did this conversation last ?

A. About ten or fifteen minutes. I left Gifford talking with him, perhaps ten minutes.

5207. Q. Did Gifford tell you who had advised him to see Judge White ?

A. No, sir.

5208. Q. Your only inducement in going there, then, was to make a dollar or two?

A. I have done a good deal for Judge White. I have had a good deal of his money; he has given me a good many jobs.

5209. Q. How did you know there was any money in it?

A. I did not know.

NEW YORK, *Friday, January 8, 1867.*

JOHN H. McCUNN recalled, (at the instance of Mr. Kerr.)

By Mr. KERR:

5210. Q. State whether you know Henry Lyle.

A. The young man I saw here yesterday appeared several times in my court in a very drunken condition, and I ordered him to be expelled. He said he lived in my street, and was acquainted with some of my people. I told the officers of the court to use him as gently as possible. From what I learned about him I believe him to be a poor, broken-down, drunken fellow. He had a decent mother, but rum got the best of him. I never knew him before he appeared before me, but upon inquiry of my wife last night she said that she knew him. He appeared before me at one time as a witness of some applicant for naturalization. He was very drunk at the time, and I ordered him to be put under arrest. He pleaded that he was acquainted with my family, and I ordered him to go out of the room.

5211. Q. State whether, during the time this naturalization business was going on, you had any conversation with him about the registration of persons naturalized by you.

A. Never in my life.

5212. Q. Did you ever say to him in effect that if the registers refused to place the names of persons for whom he got out certificates of naturalization upon the registry list you would compel them to do so?

A. I never exchanged one word with him off the bench in my life.

5213. Q. State whether, under all the circumstances attending the transaction of the business of naturalization, it was possible for him or any other man to have personated both witness and applicant in any one case.

A. It was utterly impossible.

5214. Q. State if any preparations were made, to your knowledge, for compelling registers to register the names of voters.

A. No, sir.

5215. Q. Were not blank mandamuses printed for that purpose?

A. Not to my knowledge.

5216. Q. Did these men who were engaged in this business of naturalization have any visible means of support?

A. There are a large class of men in this city who are engaged in politics; they attend all the primary meetings, and mix a good deal with the people of the ward in which they live, and know almost everybody in it. These men would have nothing to do for a few weeks before the election, and they would act as witnesses for a great number of persons who they honestly knew were entitled to naturalization.

5217. Q. Did you consider that class of men very reliable in court?

A. I found that they were just as honorable as almost anybody else.

5218. Q. How long have you known this young Lyle?

A. I only know him from the time he came into my court drunk.

5219. Q. State whether, in view of all the circumstances attending naturalization in your court, it is possible for Henry Lyle or any other man, during the days of hurried naturalization, to have by his own ser-

vice there as applicant and witness put through from 600 to 1,000 men?

A. It was utterly impossible. The moment I discovered any man running through a number of cases, say 20 or 25, I would instantly stop him and tell him to go away, or I would commit him. The moment I got my eye on witnesses of this kind that I thought were perpetrating frauds on the court, I would instantly stop them. I don't think he could for fifty, at the outside, without my detecting it when it came before me.

NEW YORK, *Friday, January 8, 1869.*

JAMES A. LUCAS sworn and examined.

By the CHAIRMAN :

5220. Question. What position did you occupy during the year 1868?

Answer. I was telegraph operator at police headquarters in this city.

5221. Q. At what time were the election returns of this city received at police headquarters?

A. The election returns did not go on our book of messages received. They would be sent instantly up to the superintendent, and would not go on the records that night. My impression is that the first return was received about 5 o'clock or 5.50, I think. I received two at the same time.

5222. Q. Can you give the time you received the returns from the wards?

A. It would be impossible to do so. We received the returns from the different police precincts, and they are in many cases composed of fractional parts of different wards. One precinct that I recollect of just now takes in a part of four different wards, and the returns are sent in from each of these precincts only by election districts, regardless of wards.

5223. Q. At what time did you receive the last return?

A. I cannot say.

5224. Q. Can you state to what extent the election returns were delayed that night?

A. It was the general impression that the returns were coming in exceedingly slow.

NEW YORK, *Friday, January 8, 1869.*

JOHN H. WHITE recalled and examined.

By the CHAIRMAN :

5225. Q. State if you know Henry Darling and George Gifford.

A. Not to my knowledge. I have no recollection of the names. I may know them by sight.

NEW YORK, *Friday, January 8, 1869.*

GEORGE MELLVILLE sworn and examined.

By the CHAIRMAN :

5226. Question. Where do you reside?

Answer. No. 14 Hester street, New York city.

5227. Q. State what took place at the last presidential election in this city in regard to illegal voting.

A. I should think I voted five or six times at that election. I repeated once; that is, voted twice in the same precinct. The only place I recollect voting in is in Canal street. I was under the influence of liquor most of the time and I cannot recollect any more precincts. The night

before election I stayed at my own house. On the morning of election, before we commenced voting, I met a party of about 25 or 30 men at Atlantic Garden, in the Bowery. These other men went around with me. I saw them doing pretty nearly the same thing as I did. The names were given to me on a slip of paper.

5228. Q. At whose request did you go to Atlantic Garden on the morning of election ?

A. A man by the name of Hawley. I think his first name is James. I cannot say where he lives nor what his business is. I had known him about two years before. He did not go around with us but stayed right in that one spot most of the day.

5229. Q. Was Hawley a candidate for office at that election.

A. No, sir.

5230. Q. In how many wards did you vote at that election ?

A. I voted in two wards, as far as I can recollect.

5231. Q. Did you receive any compensation for this service ?

A. No, sir.

5232. Q. Were you promised any ?

A. No, sir ; none at all.

By Mr. HOPKINS :

5233. Q. What ticket did you vote ?

A. I believe it was the democratic ticket.

5234. Q. Do you know whether any money was paid to any of the others ?

A. Yes, sir ; I believe there was.

5235. Q. By whom ?

A. By the party who gave us the names.

5236. Q. How much was paid ?

A. Some received five dollars and others less ; I received seven dollars.

5237. Q. State if you or any party that was with you were challenged during that day ?

A. Some of the others I believe were challenged, I was not.

5238. Q. Do you know what the politics of this man Hawley are ?

A. I believe he is a democrat.

By Mr. KERR :

5239. Q. What is your business ?

A. I am a boiler-maker. I did work at the Franklin boiler-works in Jersey City ; business got dull and I was discharged about four months ago. I worked at that place for two years.

5240. Q. What did you do before that time ?

A. I cannot recollect.

5241. Q. Where did you first make the statement that you have made here in regard to illegal voting ?

A. In Jersey City.

5242. Q. When ?

A. Yesterday.

5243. Q. At whose request ?

A. I do not recollect who it was.

5244. Q. Were you drunk yesterday ?

A. I think I was.

5245. Q. Were you drunk when you gave the statement ?

A. Not very drunk ; I had been drinking.

5246. Q. Are you sober to-day ?

A. Yes, sir.

5247. Q. Where did you go in Jersey City ?

A. Taylor's Hotel ; I do not know the room.

5248. Q. Whom did you find in the room ?

A. Only one clerk, I do not know his name.

5249. Q. What conversation took place between you and him ?

A. Nothing more than in the statement.

5250. Q. What compensation did you expect for going there ?

A. I did not expect any.

5251. Q. What were you promised ?

A. I was not promised anything.

5252. Q. What motive induced you to go there ?

A. Nothing more than that man asked me to go there.

5253. Q. Was that man a friend of yours ?

A. Yes, sir.

5254. Q. What is his name ?

A. Smith ; Richard, I think, is his first name.

5255. Q. How long have you known Smith ?

A. Since election.

5256. Q. Is he one of the chaps that repeated with you ?

A. Yes, sir.

5257. Q. Where did you see him ?

A. In this city.

5258. Q. When ?

A. Yesterday morning about eight o'clock. He went over there with me to Jersey City. He said he wanted me to go over there to make a statement. I paid my own ferriage going across the river. He did not treat me any ; I treated him.

5259. Q. Did he go into that room with you ?

A. No, sir.

5260. Q. Where does he live ?

A. I do not know.

5261. Q. What is his business ?

A. I do not recollect where he works ; I believe it is somewhere in Eighth street.

5262. Q. Did he tell you by whom he was employed to get up this evidence ?

A. No, sir.

5263. Q. State the number of precincts at which you voted on the day of election.

A. I remember voting twice in Canal street. I voted legally once, and repeated once. That is all I recollect.

5264. Q. Can you give the names of the parties that were with you ?

A. I cannot say who they were.

5265. Q. When were you told that if you came here to testify you would not be harmed under the laws of the United States ?

A. Yesterday morning.

5266. Q. Who told you that ?

A. My friend Smith.

5267. Q. Did he read any law to you ?

A. No, he did not. The clerk at Taylor's Hotel, however, read me the law.

5268. Q. Has any man about this building told you that if you were examined here you would not be punished ?

A. No, sir.

5269. Q. By what name have you been known during the last five years ?

A. George Mellville.

5270. Q. Didn't you go to Philadelphia during the last State election in that State to engage in the business of repeating ?

A. No, sir.

5271. Q. Were you not in Philadelphia at that time ?

A. No, sir.

5272. Q. What reward did you receive for engaging in this repeating business ?

A. I received seven dollars on the night of the election.

5273. Q. How do you know that money was paid to other persons ?

A. I have seen parties receive it. Some received five dollars, and others less, and some more.

5274. Q. How many received more ?

A. I do not know.

5275. Q. How can you recollect seeing this money paid if you were so drunk ?

A. I got sober by that time ; it was 9 o'clock in the evening then.

5276. Q. Where do you go when you engage in the business of gambling ?

A. I never gamble.

5277. Q. When were you over in Blackwell's island last ?

A. I never was there.

5278. Q. Suppose records were produced here showing that a man of your name was sent to Blackwell's island ; which would be true, your statement or the record ?

A. Perhaps there may have been a man of my name sent to Blackwell's island ; it was not me.

By Mr. HOPKINS :

5279. Q. Did any man at any time ask you to testify before this committee to anything that was not true ?

A. No, sir.

NEW YORK, *Friday, January 8, 1869.*

PETER HALE sworn and examined.

By the CHAIRMAN :

5280. Question. Where do you live ?

Answer. No. 242 Division street, in this city.

5281. Q. State in what ward and election district you voted in the last presidential election ?

A. Fifth district, 13th ward.

5282. Q. For whom did you vote as candidate for Congress ?

A. George Francis Train.

5283. Q. State if you saw other persons vote at that precinct for Mr. Train, and, if so, how many ?

A. I think, to the best of my knowledge, there were from 30 to 50 of us. We all voted for Train. I was working in the interest of Train, and had charge of that.

5284. Q. Did you see the others vote for Train ?

A. Yes, sir. There were a good many in that district who were strong advocates for Train, and voted for him ; I could not give their names.

5285. Q. How do you know that these men voted for him ?

A. I put the tickets in their hands and saw them deposit them in the box.

5286. Q. Who employed you to do that ?

A. The committee employed me. I was one of the committee myself. This committee was organized to forward the interest of George Francis Train, and we did all we could to elect him to Congress.

NEW YORK, *Friday, January 8, 1869.*

JAMES CLARK sworn and examined.

By the CHAIRMAN :

5287. Question. Where do you live ?

Answer. No. 82 Mott street.

5288. Q. State anything you know in regard to illegal voting at the last presidential election in this city.

A. I suppose I voted eight or nine times in the 10th and 7th wards in this city at that election. I do not recollect any names upon which I voted. They were given to me on a slip of paper. There were, I suppose, some 25 or 30 of us in the party that I was with.

5289. Q. Who furnished you with the slips of paper containing the names and the residences ?

A. I refuse to answer that question.

5290. Question repeated.

A. When I made my statement as to what I would swear to here, I said I would not give any names at all ; therefore I decline to answer.

The CHAIRMAN. I insist upon an answer.

WITNESS. His name was Morris ; I do not know his first name ; cannot say where he lives.

5291. Q. At whose request did you go to Atlantic Garden ?

A. At Mr. Morris's request.

5292. Q. Do you know what business Morris is engaged in ?

A. I do not.

5293. Q. Where can he be found ?

A. I suppose at Atlantic Garden.

5294. Q. Did you receive any compensation for it ?

A. Yes, sir. I received \$8 from Mr. Morris.

5295. Q. What ticket did you vote ?

A. I presume it was the democratic ticket ; I did not look into the ballots, but I understood they were for the democratic party.

By Mr. HOPKINS :

5296. Q. To what political party did the man belong who gave you the tickets ?

A. I believe the democratic.

5297. Q. Do you know a man by the name of James Hawley, 45 Mott street ?

A. I cannot say that I do.

By Mr. KERR :

5298. Q. How long have you been known as James Clark ?

A. Ever since I was christened.

5299. Q. What has been your business for the last five years ?

A. I have been engaged in several occupations ; but most of the time I have been in the jewelry business.

5300. Q. Where ?

A. Different places. Fulton street, Courtlandt street, and Chatham street.

5301. Q. Give us the names of the parties you were with ?

A. I was with James Morrison, 103 Fulton street ; I was with a party in Courtlandt street, I don't remember his name ; I was also at No. 90 Chatham street.

5302. Q. Where else have you been in business ?

A. I do not recollect any more.



5303. Q. What business are you in now ?
A. No business except the jewelry business.
5304. Q. Where do you follow that ?
A. Nowhere in particular.
5305. Q. Have you got a store ?
A. No, sir. I have not.
5306. Q. How do you carry on your business ?
A. I receive a percentage on the business I send to the store. I receive 25 per cent.
5307. Q. Name some more men with whom you were engaged ?
A. I am engaged with James Morris, 190 Fulton street.
5308. Q. How long have you been engaged in this business with James Morris ?
A. For a year and a half last past.
5309. Q. When did you take to him the last purchaser to buy some of his jewelry ?
A. About six weeks ago.
5310. Q. Where do you find your customers ?
A. In the different hotels; French's Hotel, the Astor House, and different places.
5311. Q. Do you make it your business to go to the guests of these hotels and suggest to them the propriety of their going with you to buy jewelry at these different places ?
A. Not at the start; I generally in the first place commence playing billiards to get in with them and then get them to go down there.
5312. Q. At whose request did you go over to Jersey City ?
A. I decline to answer that question.
5313. Question repeated.
A. A man by the name of Murray; I think his first name is Charles.
5314. Q. Is that Marshal Murray ?
A. No, sir.
5315. Q. How long have you known him ?
A. Some time.
5316. Where did you see Murray ?
A. I saw him in the 6th ward—in the Union Hotel in that place.
5317. Q. When did you see him ?
A. I saw him night before last.
5318. Q. What is his business ?
A. That I cannot say.
5319. Q. What did he tell you he wanted you to do ?
A. He wanted me to go over to Jersey City and make a statement of what I knew; he went over with me—went over to a room in Taylor's Hotel; there were two clerks in the room—nobody else.
5320. Q. Did Murray go into the room with you ?
A. No, sir; he stayed down stairs.
5321. Q. What reward did he promise you for giving the statement ?
A. I refuse to answer that question.
5322. Q. Where was the reward offered you ?
A. I refuse to answer that question.
5323. Q. Where did you make that statement ?
A. At Taylor's Hotel, Jersey City, yesterday between ten and twelve.
- 5324-25. Q. What guarantee was given you that you should be exempt from harm if you testified before this committee ?
A. I was guaranteed that the United States of America and the State of New York would not harm me for anything I did.
5326. Q. Was any law read to you ?

A. A written statement was read to me.

5327. Q. Who read it to you?

A. One of the clerks.

5328. Q. Name every person who repeated with you at the last November election.

A. I do not recollect any names.

5329. Q. What ticket did you vote?

A. I do not know.

5330. Q. You did not care what ticket you voted?

A. It made no difference to me.

By Mr. HOPKINS:

5331. Q. How old is Mr. Murray?

A. I should think he is a man from 28 to 30.

5332. Q. Has anybody offered you anything or promised you anything or paid you anything to come here and testify to what is not true?

A. No, sir, they have not.

5333. Q. Are you well acquainted with James Morris?

A. Yes, sir.

NEW YORK, *Friday, January 8, 1869.*

JAMES GREEN sworn and examined.

By the CHAIRMAN:

5334. Question. Where do you live?

Answer. No. 175 Crosby street, New York.

5335. Q. State anything you know in regard to illegal voting in this city at the last presidential election.

A. I suppose I voted nine times altogether at that election; I do not remember any names upon which I voted; I did not pay much attention to it at the time, as I did it to oblige a friend; I got the names upon which I voted at a place in Thirty-second street, near Second avenue; there were about 30 of us went around and repeated at that election; I believe the others voted about the same number of times that I did; I stayed the night before the election at this house in Thirty-second street; got breakfast on the morning of election at Sheriff O'Brien's house, I believe; there were about fifty of us who went together to the house and got breakfast.

By Mr. KERR:

5336. Q. Do you know Mr. O'Brien well?

A. Yes, sir.

5337. Q. How long have you known him?

A. About 15 months.

5338. Q. How did you come to know him?

A. By his being pointed out to me at the Toombs.

5339. Q. What were you doing at the Toombs?

A. Seeing a friend of mine.

5340. Q. What was he doing in the Toombs?

A. He was in there for stealing.

5341. Q. When were you in the Toombs for stealing?

A. Never.

5342. Q. How long has James Green been your name?

A. As long as I can remember?

5343. Q. When were you on Blackwell's island?

A. Never in my life.

5344. Q. What is your business?

A. I am a peddler; I have peddled in different places around the country—Newark, New York, and Philadelphia.

5345. Q. What do you peddle?

A. I am an optician peddler, mend spectacles, &c.

5346. Q. How do you go around the country?

A. On foot and alone; sometimes I ride in the cars.

5347. Q. How long has that been your business?

A. Eight or nine years.

5348. Q. Suppose a criminal indictment was produced here showing that a man by your name had been convicted of some offence; which would be true, your statement or the record?

A. I would put up with the consequences; I have never been in prison at any time for stealing.

5349. Q. What have you been in prison for, then?

A. For being drunk.

5350. Q. Where were you in prison?

A. The Toombs.

5351. Q. How long ago?

A. About 10 months; my friends paid my fine for me, and I got out.

5352. Q. Where did you go yesterday to make the statement as to what you were to testify to here to-day?

A. I did not go anywhere.

5353. Q. Who took you over to Jersey City, to Taylor's Hotel, to make the statement you have made here to-day?

A. No one.

5354. Q. Were you not over there?

A. Yes, sir.

5355. Q. Who took you over there?

A. Mr. Dunn.

5356. What is his name?

A. Bill Dunn; he lives at 103 Crosby street.

5357. Q. What did he tell you?

A. He told me nothing, only to state what I did on the morning of election.

5358. Q. Did he not tell you if you came here to testify you would be guaranteed against all harm?

A. Yes, sir.

5359. Q. How long have you known Dunn?

A. About six months.

5360. Q. What is Bill Dunn's business?

A. I do not know.

5361. Q. Were you in Philadelphia on the second Tuesday in October last?

A. No, sir; I was in this city at the time.

5362. Q. How much money did Dunn tell you you should have if you would come here and testify?

A. He did not say anything about it.

5363. Q. How much did you expect?

A. Nothing at all; I came here to do an indirect kindness for a friend.

5364. Q. Did not Dunn tell you it would be a benefit to him?

A. Yes, sir; he said if I came here and spoke the truth it would be doing him a benefit, which he could not tell me then, but he would tell me at some other time. I wanted to oblige him, because he had done me some kindness at one time.

5365. Q. What kindness did he do you?

A. He lent me some money—\$10 at one time and \$20 at another time; he lent me the \$20 about three months ago.

5366. Q. How did you know what room to go to in Taylor's Hotel in Jersey City?

A. I met a couple of men there who told me where to go; I do not know their names; they were strangers to me.

5367. Q. How many went over with you?

A. I think four.

5368. Q. What were their names?

A. I do not know.

5369. Q. Have you seen any of them about here?

A. No, sir.

5370. Q. Did you hear what statements the others made there?

A. Yes, sir; but I was disinterested and paid no attention to it. Dunn told me to go over there and I would be doing him a good turn, and he might be able to do me a good turn some time; so I went over.

5371. Q. Where do you go when you engage in gambling?

A. I go to different places; there is no necessity to go very far for that purpose.

5372. Q. Did you ever meet any of these parties at any of these gambling-houses?

A. No, sir, not that I know of.

5373. Q. Have you been in any of these gambling-houses with Bill Dunn?

A. Yes, sir.

5374. Q. Were you sober yesterday?

A. Yes, sir, I was sober for two months; I gamble and I drink sometimes.

5375. Q. When you go to faro-banks and gambling-houses, what ones do you go to?

A. I refuse to answer that question; I aint going to expose these men.

By Mr. HOPKINS:

5376. Q. Did you see O'Brien at this house where you took breakfast on the morning of election day?

A. No, sir; it may not have been his house; I heard parties in the crowd saying we were going to O'Brien's house, and I supposed it was the sheriff's house.

5377. Q. Are you personally acquainted with the sheriff?

A. I am.

5378. Q. Do you know Sheriff O'Brien's brother?

A. No, sir.

5379. Q. In the interest of what party did you vote?

A. The democratic party, of course.

By Mr. KERR:

5380. Q. Who is that gentleman? (pointing to Sheriff O'Brien.)

A. That is Mr. O'Brien.

5381. Q. Did you see him about that house at which you took breakfast?

A. No, sir, I did not.

NEW YORK, *Friday, January 8, 1869.*

JAMES O'BRIEN recalled and examined.

By Mr. KERR:

5382. Question. Have you any brothers?

Answer. Yes, sir.

5383. Q. Who are they?
A. John, Lawrence, Stephen, and Patrick.
5384. Q. Are any of them deputies of yours?
A. No, sir; none of them. My youngest brother is employed by one of my deputies as a kind of clerk, but I had nothing to do with it at all.
5385. Q. Where do you live?
A. No. 307 Thirty-second street, near Second avenue. It is about four doors from Second avenue.
5386. Q. Where do your brothers reside?
A. One of them resides between Thirty-first and Thirty-second streets, in Third avenue; another in Third avenue between Thirty-seventh and Thirty-eighth streets, with my father; another, corner of Thirty-third street and Third avenue; and the other lives with my sister in Thirty-sixth street.
5387. Q. Which one of them keeps house?
A. Stephen. He lives in Third avenue near Thirty-second street.
5388. Q. Where is the headquarters of the Jackson Club?
A. At the corner of Thirty-second street and Second avenue.
5389. Q. How far is that from your residence?
A. One block.
5390. Q. Do you know this man James Clark who has just given his testimony?
A. No, sir; I have never seen him in my life before that I remember.
5391. Q. Have you a deputy in your service by the name of Banker?
A. I have.
5392. Where does he live?
A. In Thirty-first street, I believe.
5393. Q. Did you ever see a letter addressed by the clerk of this committee, Mr. Davenport, to any parties in this city in relation to procuring testimony for this committee?
A. I had it in my possession, but tore it up.
5394. When was this?
A. About three weeks ago.
5395. Q. Was it before the committee came here?
A. Yes, sir; it was addressed to a man in this city, asking him to come before this committee to give testimony in relation to these frauds.
5396. Q. Who was president of the Jackson Club?
A. Leander Burke.
5397. Q. Who was secretary?
A. Samuel Ward.
5398. Q. How large is that club?
A. The club consists of 115 members, many of whom are the most respectable men in New York city. Mr. Kerr, president of a savings bank in this city, is a member. Also Mr. Costello, one of the head butchers in Washington market.
5399. Q. How large is the club-room?
A. About 65 feet deep and 20 crossways; has a public house on the first floor. The club-room is on the second floor.
5400. Q. Were you at the club-room during the night previous to the election?
A. Yes, sir.
5401. Q. Were there many men there?
A. Yes, sir. We distributed our tickets there and made preparations for election next day. We were making arrangements for hiring persons to attend the polls, to keep the election boxes, distribute tickets, &c.
5402. Q. Do you know whether quite a considerable number of men took breakfast at your house on the morning of election?

A. I believe there was. Some men came in whom I had hired to attend the polls and look after the interest of the democratic party. There were about nine of them altogether. They came in about 6 o'clock in the morning, and I gave them breakfast. There were also some policemen around whom I asked in to take a cup of coffee.

5403. Q. Is your brother a member of this club ?

A. He is not.

5404. Q. Was he there that night ?

A. He might have been.

By the CHAIRMAN :

5405. Q. What kind of men were those whom you hired to attend the polls ?

A. The most respectable men in the ward.

5406. Q. Were any of them thieves ?

A. No, sir.

5407. Q. Were they men who might have been in the habit of getting into the Toombs ?

A. No, sir ; I can name the whole lot of them.

By Mr. HOPKINS :

5408. Q. Do you pretend to say that there were only nine men took breakfast at your house that morning ?

A. That was all while I was there. This was about five o'clock ; from five to six I kept open house.

5409. Q. Was it not possible for parties to have been there without your knowing it ?

A. No, sir ; it could hardly have been possible. I got up very early and was very busy making arrangements for the election.

5410. Q. To whom was this letter directed which you say was signed by Mr. Davenport and which you had in your possession ?

A. It was addressed to a man by the name of Lawrence.

5411. Q. Tell us why you tore that letter up.

A. I did not think it concerned me at all. I did not think it would amount to much.

NEW YORK, *Friday, January 8, 1869.*

EDWARD SANFORD, Jr., sworn and examined, (called at the instance of Mr. Kerr.)

By Mr. KERR :

5412. Question. Did you go this morning with a process of this committee to summon James Morrison, 190 Fulton street, and James Morris, 103 Fulton street ?

Answer. I did sir.

5413. Q. State with what result.

A. The parties could not be found.

5414. Q. What inquiries did you make for them ?

A. I asked at 103 Fulton street for James Murray ; I inquired first in the store on the first floor, and there was not any one there. Up stairs are all lawyers' offices ; I inquired of parties whom I met on the stairs and who belonged to the building, if they knew such a party, and they said no.

5415. Q. Did you see any jewelry store there ?

A. No, sir ; I then went down to 190 Fulton street. This building is occupied by a paper-hanging firm and they occupy the whole building ; I inquired of the clerk of the establishment and he said there was no

man there by that name, unless it was a party whom they had employed there that morning; he then consulted his books to see and found out that there was no party at all employed by the name of James Morrison.

5416. Q. Was there a jewelry store there?

A. No, sir; I inquired of several parties around 190 Fulton street, who were employed there, and they knew no such man.

By the CHAIRMAN:

5417. Q. How many stories were there to this building, 190 Fulton street?

A. Four stories; and at 103 Fulton street there were two stories; I did not notice whether there were basements in these or not.

5418. Q. Did you take any steps to ascertain if any of these men were engaged in this business six weeks ago, at any of these places?

A. They said they knew nothing about it.

5419. Q. Do you live in the city?

A. Yes, sir.

5420. Q. Do you not know that these dollar jewelry stores only keep a place for a little while, then leave and go to some other location?

A. Yes, sir; I believe so.

5421. Q. Don't you know that people engaged in this dollar jewelry business are generally swindlers?

A. I believe they are.

5422. Q. Do you know of one place in Broadway, a large place?

A. Yes, sir.

5423. Q. Do you think that store is changed around every few weeks?

A. That I could not say.

NEW YORK, *Friday, January 8, 1869.*

WILLIAM WILLSON sworn and examined.

By the CHAIRMAN:

5424. Question. Where do you live?

Answer. No. 19 Forsyth street, in this city.

5425. State what frauds were committed at the last presidential election of which you have any knowledge.

A. I voted a good many times myself at that election; I cannot tell how many times; I voted once in Canal street; I was intoxicated most of the day and could not recollect where I voted.

5426. Q. Can you remember whether you voted more than once?

A. I could not exactly say whether I did or not; I got pretty drunk after I voted the first time.

5427. Q. Where were you on the morning of election?

A. At the Atlantic Garden in the Bowery.

5428. Q. How many persons were with you there?

A. Some 12 or 15.

5429. Q. At whose request did you go there?

A. A young man told me to go there by the name of James Hawley.

5430. Q. Where does he live?

A. I do not know, I merely know him by his name.

5431. Q. For what purpose did you go there?

A. To get slips of paper containing names on which to vote.

5432. Q. From whom did you get these slips of paper?

A. I could not say.

By Mr. KERR:

5433. Q. How long have you been known by the name of William Willson?

A. All my life.

5434. Q. By what name were you sent to the Tombs not long ago ?

A. I was never sent there.

5435. Q. Never sent to Blackwell's island ?

A. No, sir.

5436. Q. What is your business ?

A. Hat and bonnet presser.

5437. Q. Where have you worked ?

A. I have worked with Ball, Bergen & Ray, 312 Canal street.

5438. Q. When did you quit there ?

A. In the latter part of the fall; I should think in the latter part of September.

5439. Q. Why did you leave ?

A. Work became slack.

5440. Q. Where did you live at the time you were discharged ?

A. Orchard street; I do not know the number.

5441. Q. What business are you in now ?

A. No business.

5442. Q. Where do you live ?

A. With a friend of mine by the name of Stephens—John I think is his first name.

5443. Q. What business is he engaged in ?

A. No particular business.

5444. Q. How does he make a living ?

A. By speculating.

5445. Q. Speculating in what ?

A. Anything at all.

5446. Q. Name one thing.

A. In jewelry.

5447. Q. On what floor does he live ?

A. Second floor.

5448. Q. How does he speculate in jewelry ?

A. I do not know; I never inquired into his business.

5449. Q. How large a store does he occupy ?

A. He deals in jewelry, but he has no store.

5450. Q. How does he support you ?

A. He feeds me at this place.

5451. How long have you been living at this place ?

A. Some four or five months.

5452. Q. Where did you go yesterday to make a statement of what you were sworn to here ?

A. I went over in Jersey City yesterday. I did not suppose I would have to answer any more questions here than what I stated in my affidavit in Jersey City.

5453. Q. With whom did you go to Jersey City yesterday ?

A. I went over by myself.

5454. Q. At whose request ?

A. At the request of a man by the name of Smith; I do not know his first name.

5455. Q. How long have you known him ?

A. I do not know; I have seen him several times.

5456. Q. What did he tell you he wanted you to go over there for ?

A. To tell the truth about illegal voting.

5457. Q. What reward did he promise you ?

A. No reward at all.

5458. Q. What reward did anybody promise you ?

A. Nobody promised me any reward.

5459. Q. What reward did you expect?

A. None at all.

5460. Q. When you got over to Jersey City where did you go?

A. I decline to answer that question.

5461. Question repeated.

A. I went to Taylor's Hotel, and made a statement there.

5462. Q. Who were there?

A. There were a couple of men; I don't know who they were. They took down my statement.

5463. Q. What reward did they offer you?

A. None at all.

5464. Q. What reward did Smith offer you?

A. None.

5465. Q. What reason did Smith assign for asking you to go over to Jersey City?

A. He assigned no reason whatever.

5466. Q. You say you were drunk when you voted?

A. Yes, sir.

5467. Q. Who made you drunk?

A. A lot of men that were with me; and I made a darned fool of myself.

5468. Q. Are you in the habit of getting drunk?

A. No, sir.

5469. Q. How many times did you vote?

A. I do not know.

5470. Q. What did you get for voting?

A. Nothing at all.

5471. Q. What were you promised?

A. I supposed I should get \$5 or \$6.

5472. Q. Did you get it?

A. No, sir.

5473. Q. Who promised you the \$5 or \$6?

A. A whole lot of men; I do not know any of them from a bunch of beets.

NEW YORK, *Friday, January 8, 1869.*

LEWIS JONASSOHN recalled and examined.

To Mr. KERR:

5474. In regard to my testimony the other day before this committee, I would like to make an explanation. I stated, in answer to a question in regard to whether applicants or witnesses in the naturalization cases in the superior court were sworn individually or collectively, that witnesses were individually questioned by the judge; after they had passed the judge and went before the clerk, the clerk would take probably a dozen or half a dozen applications, which had been previously marked by the judge, and would call off the names; they would then appear before the clerk, who requested them to lay their right hands upon the Bible, and would then administer to them the following oath: "You and each of you do solemnly swear that you will support the Constitution of the United States of America, and renounce forever any allegiance to any foreign prince, potentate, or sovereignty whatsoever; especially you" so-and-so, "the kingdom of Great Britain and Ireland," "you" so-and-so "the free state of Frankfort," and "you" so-and-so "the King of Prussia," &c., &c.; and in this way the oath could be administered to them collec-

tively. I also stated that the reason why Judge McCunn sent away in one night so many Irishmen was because they did not give proper answers to the questions that were put to them. The particular question they could not answer was, "In what year were you born?" The usual questions put to them by judges were, "How old were you when you arrived in this country?" and "How old are you now?" But as soon as Judge McCunn put the question to them as to the year in which they were born they could not answer, and he would not receive their applications. Another ground why he expelled many was because they appeared before him in a gross state of intoxication.

By the CHAIRMAN:

5475. Q. Do you know Henry Lyle?

A. I do not know him by name; I know so many that appeared before the courts that I cannot recollect all of the names.

5476. Q. Do you hold an appointment under Judge McCunn?

A. No, sir.

5477. Q. Are you not an interpreter?

A. I am an interpreter by profession.

5478. Q. How are you paid for your services?

A. In cases where an interpreter is required in any court, whatever it may be, I am paid either by the party bringing the witnesses forward who do not understand the English language, or I am paid by both parties, if they both have witnesses who do not understand this language.

NEW YORK, *Friday, January 8, 1869.*

EDWARD SANFORD, Jr., recalled and examined.

By Mr. KERR:

5479. Question. Did you go to the house of Ball, Bergen & Ray, 312 Canal street, to make an inquiry whether William Willson was employed there last September; and if so, what did you ascertain?

Answer. I asked Mr. Bergen if any such man had been employed in that house, and he said no such man had been employed there for a year past.

NEW YORK, *Friday, January 8, 1869.*

EDWARD H. BERGEN sworn and examined, (called by Mr. Kerr.)

To Mr. KERR:

5480 to 5482. I am a manufacturer of frames for bonnets; I made an examination this morning to ascertain whether one William Willson had been in my employ in September last, and found that no such person had been employed by me since 1867; I consulted with my partner and my foreman, and they were positive no such man had been in our employ.

NEW YORK, *Friday, January 8, 1869.*

JAMES O'BRIEN recalled and examined.

By Mr. KERR:

5483. Question. State whether your deputy sheriffs are obstructing the door of this committee room?

Answer. There are only three of them standing outside; they are waiting out in the ante-room.

5484. Q. State whether you directed any policeman to arrest anybody here.

A. I gave no directions to arrest anybody.

5485. Q. Who did give directions?

A. As I understood that the committee wanted me to take a party whom they had here as a witness to be identified, I took one down to the 6th ward station-house to be identified by Captain Jourdan; this is a sample of the lot of witnesses that have been here; they are all thieves, and they get pay for coming here and swearing. I went into Marshal Murray's room a little while ago; I told the marshal that this thing was played out; that I had kept men from coming here who would swear against him; that I did not think he was doing the right thing towards me; that these men coming here to give testimony were all thieves, and he acknowledged the fact.

By Mr. HOPKINS:

5486. Q. Do you know that the marshal of this district has been engaged in repeating, or hiring men to repeat, in this city?

A. I think he has been, together with Marcus Cicero Stanley.

5487. Q. Do you know that to be so of your own knowledge?

A. I do, to the best of my belief.

5488. Do you know of your own knowledge that he has been engaged in that business?

A. I would not like to swear to that; I do not want to injure the man.

5489. Q. Do you mean to swear that you have been protecting the marshal of this district against persons who are willing to swear to these facts?

A. I told the men that it would be best not to come; that they better not come here.

5490. Q. Do you consider it lawful for one officer to protect another in the commission of crime?

A. I feel very friendly towards Marshal Murray.

5491. Q. And you say you have been protecting him from persons who were coming here to give testimony?

A. Yes, sir.

5492. Q. Can you give one name of persons that were coming here to give testimony, as you state?

A. There was a man by the name of Ferguson; I do not know where he lives, he is a clerk; and Peter McKnight, he keeps a rag and iron business somewhere.

5493. Q. You say that men came up to you and disclosed to you facts which they wanted to swear to before this committee, and that you prevented them from coming?

A. They said they knew a great deal against Marshal Murray; that there was a great noise about the democrats repeating; that the republicans had as much to do with it as anybody else.

5494. Q. And you say you prevented these men coming here to testify in order to screen Marshal Murray?

A. I did not give them any encouragement.

5495. Q. What other man was there?

A. George Bartlet and John Jones; they are partners in the plumbing business.

5496. Q. What did they say?

A. They said they had a conversation with Marshal Murray and Stanley.

5497. Q. You prevented them from coming here and testifying?

A. I did not encourage them at all. They said they knew a great deal about republican frauds and that Marshal Murray was implicated.

5498. Q. What did you do when you left this room this morning?

A. I met a lot of suspicious people out in the entry; I knew them to

be a lot of English thieves, and I took them down to Captain Jourdan to identify them.

5499. Q. Did you have any warrant for their arrest ?

A. No, sir; a man told me that Colonel Wood, in Taylor's Hotel, Jersey City, had hired a gang of thieves—English thieves—to come over here and swear.

5500. Q. What person told you that ?

A. A man by the name of Daniel Noble.

5501. Q. Where does he live ?

A. In Elmira.

5502. Q. What is his character ?

A. Very bad, I think.

5503. Q. Is he the man that was arrested some time since for being engaged in robbery ?

A. There was a notice of that kind in the papers.

5504. Q. What other man told you that these men were thieves ?

A. Barney Aaron.

5505. Q. What is his business ?

A. He is a prize fighter. He has been over to see Colonel Wood in Jersey City; Colonel Wood sent for Noble to Elmira, and he paid all his expenses to come on here to swear for him. I met Noble in Broadway and he showed me the despatch.

5506. Q. How did you arrest those men that were in the hall ?

A. I sent three of my deputy sheriffs, who took the men to Captain Jourdan to identify; the captain said he knew them all.

5507. Q. Did you arrest them at the instance of Mr. Kerr, a member of this committee ?

A. I supposed that it was the desire of the committee that I should have these men identified. I believe Mr. Kerr told me.

5508. Q. Did you arrest them thinking Mr. Kerr represented this committee, or was it at his personal suggestion ?

A. I thought it to be for the benefit of the committee.

5509. Q. How many of them did you arrest ?

A. I should think there were three or four of them.

NEW YORK, *Friday, January 8, 1869.*

ROBERT MURRAY recalled and examined.

By Mr. HOPKINS :

5510. Q. I would like to inquire whether the sheriff of this county, at your request or by your knowledge, has screened or attempted to screen you from any investigation before this committee that would implicate you in any violation of the election law of the United States or of the State of New York ?

(The minority of the committee objected to this question as being leading and improper. Objection overruled.)

A. He has not, or any other person. I desire to state here that I have not been engaged either directly or indirectly, by myself or through any other person, in perpetrating any frauds against the election laws of the United States or of the State of New York, either at the last election or at any other time in my life. I desire to make this statement as broad as possible, that I am incapable of doing anything of the kind.

5511. Q. Do you know Daniel Noble ?

A. I do not believe there is such a man. If the committee will permit me to state, I desire to say that the witnesses who appeared before your committee yesterday, and testified in regard to repeating, have never

conversed with me or I with them. I have never had any communication with them directly or indirectly. I would not be able to call one of them by name.

5512. Q. State what occurred at the interview between you and Sheriff O'Brien.

A. I was standing out in the hall, looking for one of my men to go on some errand. Mr. Kerr was out in the hall at the time pointing out certain parties to the sheriff. The sheriff ordered the arrest of some of these. He then followed me into my office. Said he, "Who have you got here?" Said I, "Nobody, O'Brien." He then went up to the door of my room, which was locked. Said he, "Who have you got in here?" I told him, "there was nobody in there." Said he, "You are carrying this thing a little too far." "What thing?" said I. He said he had saved me from exposure in this business, and didn't think I was doing a fair thing by him; that these men that came here to testify to-day were all thieves. I told him, "I thought they were, that it would require thieves to do this kind of business." He then went out. That is the substance of what transpired between myself and the sheriff. He said that he could bring 12 men that conversed with me at the Fifth Avenue Hotel. I told him I was not aware of having conversed with anybody there.

5513. Q. You were quite willing, were you not, for him to bring anybody here to testify?

A. I would only be glad for him to do it. I shrink from no exposure whatever.

By Mr. ROSS:

5514. Q. Who is Charles Murray?

A. I do not know.

By Mr. KERR:

5515. Q. Do you know by name any person whom you have seen about your room waiting to swear before this committee?

A. I do not.

5516. Q. Do you know where they came from?

A. I do not.

5517. Q. Have you sent any man or set of men to room No. 18, Taylor's Hotel, Jersey City, to see anybody there?

A. No, sir; I have not.

5518. Q. Did you authorize any of your deputies or clerks to do so?

A. No, sir; I did not.

5519. Q. Do you know whether they have done so?

A. I do not.

5520. Q. Do you know who has an office in that hotel?

A. I think Colonel Wood stops over there. I do not think that he has any office there.

5521. Q. Who is Colonel Wood?

A. Detective.

NEW YORK, *Friday, January 8, 1869.*

SAMUEL S. ACKER recalled, (at the instance of Mr. Kerr.)

To Mr. KERR:

5522. I do not think I know a man by the name of Henry Lyle. There has been a man around the court, who represented himself as a reporter on some paper in this city, I think his name was Wild. He stands about five feet three, and is rather roughly dressed. I have been an officer in the superior court in this city about twenty years; and

every year I have had something to do with the issuing of naturalization certificates. During last October I was employed during the day, as an officer of the court, to maintain order among the people who presented themselves for naturalization. I would take up their applications to the clerk; and, in the absence of the clerk, would sometimes swear in the applicants.

5523. Q. State whether, from your observation, you think it possible for any one man, during the month of October, to have got in over 600 or 1,000 applications while appearing as a witness?

A. Most emphatically, no.

Q. Did you ever know any person to appear as both applicant and witness at the same time?

A. No, sir; it would be utterly impossible.

NEW YORK, *Friday, January 8, 1869.*

THOMAS RYAN sworn and examined, (called at the instance of Mr. Kerr.)

By Mr. KERR :

5524. Q. State if you know Henry Lyle.

A. I know a man who represents himself by that name.

5525. Q. Have you seen him about this building recently?

A. Yes, sir; I have seen him a little while ago in the custody of one of the marshals.

5526. Q. How long have you known him?

A. I knew him while the naturalization business was going on; he represented himself as a reporter.

5527. Q. State whether he acted as a witness or applicant in the naturalization of cases.

A. He acted once in a while as a witness.

5528. Q. State what you know of him.

A. He appeared in court several times under the influence of liquor, and acted in a disorderly manner. I turned him out several times. He was generally intoxicated when he was at the court.

5529. Q. State whether it is, from your knowledge and observation of the superior court, possible for this man Henry Lyle, during these days of naturalization, to have come into court and to have secured, on his own testimony, as either witness or applicant, from 600 to 1,000 certificates.

A. No, sir; it would have been utterly impossible.

5530. Q. State whether, according to your observation as an officer of the court, you suppose it to have been possible that that man or any other man could have come in on successive days, or at any time, and secured certificates of naturalization by being himself both witness and applicant; first testifying as a witness, then turning around and taking the oath of allegiance as an applicant in the same case.

A. No, sir; it could not have been.

By Mr. HOPKINS:

5531. Q. Did you ever see him around the court?

A. I saw him there sometimes.

5532. Q. Was he hanging around the court-room?

A. He would come in and look around and see if he could see anybody that he knew, and if he did, he would approach them and try to get a drink out of them.

5533. Q. You saw him two or three times as a witness—might he not have been a witness for a good many persons?

A. I do not think he could have been without my recollection.

5534. Q. Do you know all the men who hung around the court and acted as professional witnesses?

A. No, sir, I do not; I think I did not know of anybody acting as a professional witness.

5535. Q. Were there not a good many faces which you saw there every day?

A. No, sir.

5536. Q. Is your knowledge sufficient to tell whether he was acting as a witness in a good many cases?

A. I could not say.

5537. Q. When he did act as a witness was he drunk?

A. Yes, sir; that is to say he was under the influence of liquor, but could give answers to the questions; sometimes he would stagger, but if he was very drunk, he was generally put out of court.

5538. Q. Did you see men there acting from day to day as witnesses?

A. I did not.

5539. Q. Do you know of a man by the name of McCaffrey?

A. Yes, sir.

5540. Q. Was he in there frequently as a witness?

A. I cannot say of my own knowledge.

5541. Q. Do you know Peter Gough?

A. No, sir.

NEW YORK, *Friday, January 8, 1869.*

CHARLES GRANT SWORN and examined.

By the CHAIRMAN:

5542. Q. State if you were present at the last presidential election in this city; if so, what occurred in your precinct?

A. I was at the 1st election district, 20th ward, in this city. I went there to look after parties that were attempting to register improperly. I had not been in the place long when Charles McCarthy came in and attempted to register. I challenged him and he was sworn. He said he had never been to a court to obtain his naturalization certificate, but had got it at the corner of Thirty-fourth street and Ninth avenue. I then arrested him for attempting to vote on illegal papers, brought him down to the station-house, and he was committed. Subsequently he said a man by the name of Robert Love gave him the paper. A warrant was issued for his arrest, and he was arrested; but he could not be identified, and he was discharged.

5543. Q. I here present four papers purporting to be certificates of naturalization issued to John R. Glover, Jacob Huffs Schmidt, Edmund Jacker, and Robert Frye, three of which are signed "Charles E. Loew," and dated October, 1868; the other one is signed by James M. Sweeny and dated in October, 1868; state what you know of them.

A. I arrested the parties holding these papers and the man who sold them. His name is Simon Lesser. These men gave two dollars apiece for them.

5544. Q. How do you know that?

A. They so stated it to me. I saw Frye give the two dollars to Lesser. The papers were purchased in a lager-beer saloon, corner of Seventh avenue and Thirty-fifth street. I understood this thing was going on, and went up there and watched for it. When Frye came out of his place I arrested him and asked him for his paper; took him back into the place and told him to point out to me the man who sold it to him. He

pointed out Simon H. Lesser. I took Lesser down before the marshal and had a commitment made out for him and had him locked up. I then got the papers from these other parties and had them arrested.

5545. Q. What official position do you hold ?

A. I am deputy United States marshal.

By Mr. KERR:

5546. Q. Did any of these men vote ?

A. No, sir; their papers were taken away from them the Wednesday preceding the election.

5547. Q. What is Lesser's character ?

A. I do not know anything about his character; he operated in this lager-beer saloon; he is now confined in the Ludlow street jail.

NEW YORK, *Friday, January 8, 1869.*

JAMES GORMAN recalled and examined, (at the instance of Mr. Kerr.)

By Mr. KERR:

5548. Q. State whether you went by the process of this committee this afternoon to 19 Forsyth street, in this city, to find one John Stephens ?

A. I did.

5549. Q. State what was the result.

A. I went to No. 19 Forsyth street and inquired there for the man. The first story is a grocery store. They told me they did not know of any such man. I then inquired on the floor above, and no such man lived there. I then met the lady who was agent of the house and inquired of her; she said that John Stephens did not live there and had not lived there for some time past. She did not know of any such man. She said there were some German cigar-makers on the first floor, but she did not think it could be any of them. I went into the rear house and inquired there, and was told that there was no such man lived there by that name.

NEW YORK, *Friday, January 8, 1869.*

GEORGE MERRITT sworn and examined, (called at the instance of Mr. Kerr.)

To Mr. KERR:

5550. I live at 247 West Twentieth street. I was inspector of elections at the last presidential election, 5th district, 16th ward. Mr. Howell, and Mr. Brady, and Mr. Willis were my colleagues. Messrs. Willis and Brady were the democrats. I was appointed inspector to serve in the last election; but they said I was a democrat and had me removed. I was then reappointed, but was discharged again. I had been inspector in that district for 32 years.

5551. Q. State whether the business done before the board, in connection with registration and voting, was done with the general consent or harmonious action of the whole board ?

A. Certainly.

5552. Q. Did you have any difference of opinion concerning those who ought to be registered ?

A. I had none; there was no ill-feeling or jarring at all.

5553. Q. State whether of your own knowledge you have reason to believe that illegal or otherwise unauthorized persons were registered by your board ?

A. No, sir; if a man appeared and desired to be registered, and I had any doubts about him, I would make him show his papers. I know

almost everybody in the ward, and could easily tell whether they were legal voters or not.

5554. Have you any reason to believe that any illegal votes were cast at your precinct?

A. So far as my knowledge is concerned I do not think there could have been any illegal voting, because I do not suppose there are any men vile enough to do that. I hear a good deal of talk about illegal voting, but I never saw any of it in my life.

By Mr. HOPKINS:

5555. Q. Do you regard the presentation as conclusive of a man's right to vote?

A. No, sir; parties would often have papers that would not belong to them.

5556. Q. Did you challenge any man?

A. Frequently; I made them swear.

5557. Q. How many votes were polled at your precinct?

A. Five hundred and seventeen at the presidential election; at the municipal election there were taken only 300 or 400 votes, probably less than 300. At the municipal election there were only 4,000 votes polled in my ward; at the presidential election 9,000 votes were polled.

NEW YORK, *Friday, January 8, 1869.*

GEORGE W. MABEE recalled and examined.

By the CHAIRMAN:

5558. Q. Have you examined the registry of the last presidential election in this city for the 7th district, 18th ward?

A. I have, and present to the committee a list of persons registered at the Compton House, at the corner of Third avenue and Twenty-fourth street.

5559. Q. Have you examined the poll-list in that district?

A. Yes, sir.

5560. Q. How many of those in that poll-list are marked as having voted at the last presidential election?

A. All those on the list which I present to committee are marked with the letter "V."

5561. Q. Are there on the poll-list any names of persons whose names are not on the registry?

A. Yes, sir; I present a list to the committee showing the names of persons on the poll-list whose names are not on the registry.

COMPTON HOUSE, THIRD AVENUE, CORNER OF TWENTY-FOURTH STREET, SEVENTH DISTRICT, EIGHTEENTH WARD.

Charles Anderson,	*Daniel A. Creamer,	V	Thomas Conroy,	
Henry Ayers,	Arthur Crimins,	V	Owen Clark,	V
Henry Austin,	Bernard Campbell,	V	Peter Campbell,	
Henry Andrews,	James Cillin,		Henry Dean,	
Peter Anderson,	Hugh E. Coleman,		Frederick Decker,	V
*James H. Blackwell,	John Culvert,	V	John Delaney,	
William Banker,	William Cohen,	V	Morton Delaney,	V
Hiram Beard,	Richard Cook,		Hugh Durnan,	
Edward Briggs,	James Balland,	V	Michael Dwine,	
*Christopher Brown,	John Baker,	V	Charles Devoe,	V
William Blorsall,	Francis Borber,	V	Charles Diamond,	V
*Daniel Brown,	John Brooks,		Albert Devoe,	
Michael Brody,	Jos. Bray,	V	William Doherty,	V
John M. Borker,	Jesse Barker,	V	Tim Dolan,	
Patrick Boylan,	Jos. Cole,	V	Charles Davis,	V
William Burgoyne,	Levi Cook,		Jos. Dodd,	V

Peter Delaney,		Robert McGee,	V	Thomas Tillyon,	
Pearce English,	V	Terrance Monohan,	V	Samuel Veedu,	
William Elder,	V	Henry G. Moffatt,		*Charles Vanbergan,	V
Jos. Ellis,	V	Henry Masterson,	V	*Louis Willsley,	V
Jos. Elliott,	V	Jos. F. McMann,	V	Hiran Whitmore,	
Patrick Fitzsimmons,	V	Henry Neely,		William Whady,	V
Michael Foglin,		Frederick Morshal,		Francis Wort,	
John Flood,	V	Henry Melay,		Oscar Wood,	V
Edward Fallen,		James McClodd,		Henry L. Webb,	
Amos Garret,		William O'Brien,	V	Thomas Williamson,	
James Gardner,	V	*Henry Owens,	V	Henry Westlake,	
John M. Garvey,		Samuel Purdy,	V	John Weston,	
John Griffin,	V	*Benjamin F. Pease,		Jos. Worden,	
Thomas Henderson,		*John W. Phelps,	V	James Devlin,	V
George W. Hull,		*Maurice Powers,			
Jos. Hengleton,		Abel Parker,		<i>Names on poll-book not on registry.</i>	
Michael Hendy,		George Pinard,		Michael Morton,	V
Philip Higgins,		William Quinn,		Thomas Davis,	V
Alexander Hauche,	V	*John Rollins,	V	*Peter Carroll,	V
Thomas Hunt,		Thomas Roorke,		*J. F. Southworth,	V
Andrew Hund,	V	William Ramsey,		*Harry R. McCready,	V
John Henright,		William Randall,		William Moore,	V
William Harrington,		*Thomas Rogers,		George Andrews,	V
John Harris,	V	Walter Reed,	V	*William Long,	V
Charles Hogan,		*John F. Scannell,	V	William Besaw,	V
Henry Jenkins,	V	*Henry Steinchmann,		*Peter Garvin,	V
William Johnston,	V	*David Stevenson,		*William P. Suydam,	V
Patrick Lynch,	V	D. W. Smith,	V	Henry Arthur,	V
Jos. Larkin,		Michael Smith,	V	Richard Coole,	V
William Lewis,		Jos. Smith,		James Eiaidru,	V
Andrew Lord,	V	Albert Smith,		Frederick Mahon,	V
David Laynon,		Owen Shields,	V	John Delaney,	V
Edward Lyons,		Barny Small,		Benjamin F. Kuzery,	V
William Long,	V	Michael Shay,	V	William Becher,	V
James B. Logan,		Frederick Slack,		James Hutton,	V
John Kendall,	V	Austin Shepard,		Michael Boylan, 26,	V
Alexander Koon,		Robert Shaw,		William Dornan,	V
Benjamin F. King,		Andrew Stewart,	V	John Barrow,	V
William Moore,	V	*Edgar C. Suydam,	V	George Bennell,	V
Patrick Monahan,		*Daniel H. Southworth,		Thomas Connors,	V
*Gilbert A. Meigs,	V	*Florence Scannell,	V	Alexander Conn,	V
*Theodore Morrell,		*Peter Smith,	V	Henry Anderson,	V
*Thomas Morrow,		William Teal,		Arnus Savitt,	V
John McArdie,		Jacob M. Walsh,			
James Murphy,	V	Horace Taylor,	V		

NEW YORK, January 9, 1869.

JOHN A. FOSTER sworn and examined.

By the CHAIRMAN :

5562. Question. State if you have examined the tables numbered from one to six, both inclusive, referred to in the testimony of H. E. Sweetzer; and if so, what do you know of their correctness?

Answer. I have examined the tables mentioned. In examining No. 1 I find, in the third and fourth columns, there is given what is called percentage of increase in one case and decrease in another case, as referring to the vote of consecutive years in this city; such a percentage would not show the actual increase of votes. If you take the vote of any four years, containing two of them an increase, and two of them a decrease, and add the increase together and the decrease together, and if they amount to the same, the first presumption would be that the statement showing a large percentage of increase was incorrect. Compare, for instance, the votes from 1857 to 1861. The increase of the vote of 1858 over 1857 is 16½ per cent.; of 1860 over 1859, 68½ per cent. The decrease of the vote of 1859 from that of 1858 is 18½ per cent., and of 1861 from

that of 1860 is 41 per cent. If you add the percentages of increase together they amount to 85 per cent., while the percentages of decrease amount to but 59½ per cent.; but on reference to the actual figures, as shown in the table, instead of exhibiting a large increase they show a decrease. From 1848 to 1868, taking the vote by presidential contests, there has been an increase of the vote in New York city at each election. I have prepared a table showing that increase:

From 1848 to 1852.....	8 per cent.
From 1852 to 1856.....	38 $\frac{8}{10}$ “
From 1856 to 1860.....	20 “
From 1860 to 1864.....	15½ “

From 1848 to 1864 the average increase is 20½ per cent. From 1864 to 1868 the percentage of increase is 41 $\frac{4}{10}$ per cent., or nearly twice as much as the average percentage of increase of previous presidential elections. If the votes actually cast at that election had been at such average, there would have been 133,000 votes, or 23,000 less than has been actually declared in the official canvass. Taking the rate of increase from 1860 to 1864, 15½ per cent., as the basis of the number of votes that should have been polled in 1868, there would have been 128,500, or 27,500 less than were declared.

Making the same computation for the State, exclusive of New York city, I find that from 1848 to 1852 the increase was 10 per cent.; from 1852 to 1856, 18 per cent.; from 1856 to 1860, 11 per cent.; from 1860 to 1864, 7 per cent.; and from 1864 to 1868, 12 per cent., making an average increase of about 12 per cent. for each four years, being less by eight per cent. than the average increase in the city previous to 1868. I have also made a computation of the population of New York city from 1850 to 1865, showing the number of voters, native and foreign, and a similar table for the State, showing the number of voters, native and foreign. It shows that of the total number of voters in New York city in 1855 46,173 were native and 42,704 were foreign, and in 1865 51,500 native and 77,475 foreign. I have also made the same computation for the State. I have also prepared a table showing the percentage of natives and foreigners in the six New England States and in New York and Pennsylvania; showing also the percentage of natives and foreigners in New York city and Philadelphia.

Such of the figures as I have used as were on the tables submitted to me I have taken from them, supposing them to be correct; when not on the papers I have taken them from the official canvass and the United States and State census of 1850, 1855, 1860, and 1865.

Mr. Kerr objected to witness being allowed to make the above statement; objection overruled.

To Mr. KERR:

5563. I am a counsellor-at-law; have been practicing for sixteen years, except from about the middle of 1861 to 1865, during which time I was in the army. I was lieutenant colonel and colonel; served most of the time in the department of the gulf; was wounded at Port Hudson, and on my request to be either mustered out of the service or placed on some light duty, I was ordered to court-martial service. I did not recover from the wound in my leg until nearly a year after I left the service. I have paid great attention to statistics. It has been a favorite study of mine, and I have made myself extremely familiar with them. I am counsel for the Union League; have been so since three days after the presidential election. I did not compile these tables especially as their counsel; I did it in the interests of truth. I was not requested by them

to do so. I am not paid for it. I will charge them a counsel fee for my services as counsel; it will not, I suppose, be any more because I prepared these tables. As counsel for the Union League I examine witnesses for the purpose of submitting to this committee such facts as may be elicited. I have addressed letters to parties all over the State where there was any probability of fraud; the letters were printed in the papers; when answers were received, I would examine the evidence, to ascertain whether it was legal evidence, such as might be produced in a court of justice. If it was I made memoranda, and submitted them to my associates; they are Mr. S. J. Glassey and J. H. White. I do not know whether Mr. Bliss considers himself an associate counsel or not; he is in and out all the time. I cannot say whether we have furnished most of the evidence produced by the majority of this committee. I suppose we have produced a good deal of it. I know very little as to the testimony in relation to the repeating. I could not say what my associates had to do with them. I never knew that any of my associates were employed in Jersey City in getting up evidence. I should naturally have heard of it if they had been. I was not aware there was an office organized over there.

To the CHAIRMAN:

5564. I was one of the counsel for John H. Surratt; I know Colonel Samuel North; in regard to his character for truth and veracity I only know what I heard at the time he was tried.

To Mr. KERR:

5565. Colonel North was tried in Washington before a military commission, of which Major General Doubleday was president and I was judge advocate. He was tried for making false votes under what was known as the soldiers' voting law. It was alleged on the trial that he would either himself, or procure somebody else to, forge the names of parties who voted, of the officers before whom the vote was given, and of the officer who certified that the signature of the officer was genuine, and finally forward it to New York. I do not know that there was any final result to the trial only that he was discharged; he was served with a copy of the charges and specifications, and made a long argument, occupying three days, as to the question as to whether the charges contained a military offence at all. I cannot disclose the decision of the commission until the proceedings are published. I know nothing as to Colonel North's character other than what I gathered on that trial.

5566. Q. Don't you know that the census of this State, taken in 1865, is confessedly unjust and incorrect towards the city of New York?

A. No, sir; I believe it is right.

5567. Q. Don't you know that Mr. Depew himself has repeatedly stated that it is grossly incorrect?

A. I do not know that he has.

5568. Q. Do you know anything about its correctness or incorrectness?

A. No more than from my judgment.

Witness presents the following statement and tables as part of his testimony:

Percentage of increase in votes for every four years, (presidential elections,) from 1848 to 1868: From 1848 to 1852, 8 per cent. increase; from 1852 to 1856, 38.8 per cent. increase; from 1856 to 1860, 20 per cent. increase; from 1860 to 1864, 15.5 per cent. increase; from 1864 to 1868, 41.4 per cent. increase. From 1848 to 1864 the average is $20\frac{1}{2}$ per cent.; less than half of this presidential election.

If the votes actually cast at this election had been at such average of

20½ per cent., they would have amounted to 133,020, or about 23,000 less than was actually declared in the official canvass.

If we take the rate of increase for from 1860 to 1864 as the basis of 15½ per cent., the number which would have been polled would be 128,500, and which is probably nearly correct. This is about 27,500 less than the canvass.

Making the same estimate of the State, exclusive of New York county, I find from 1848 to 1852 an increase of 10 per cent.; from 1852 to 1856 of 18 per cent.; from 1856 to 1860 of 11 per cent.; from 1860 to 1864 of 7 per cent.; from 1864 to 1868 of 12 per cent., or not quite 12 per cent. for each four years.

Population of New York city.			Voters.		Population of State of New York.			Voters.		
Years.	Native.	Foreign.	Total.	Native.	Foreign.	Native.	Foreign.	Total.	Native.	Foreign.
1850	274,558	246,981	515,547	.....	.....	2,441,465	659,929	3,097,394	.....	.....
1855	303,721	326,183	629,810	46,173	42,704	2,328,444	937,768	3,466,212	516,745	135,577
1860	427,324	386,345	813,669	.....	.....	2,879,435	1,001,290	3,880,735	.....	.....
1865	412,909	313,477	726,386	51,500	77,475	2,860,852	920,293	3,827,818	583,611	239,873

1860. Percentage of—		Native.	Foreign.
Maine	.....	94.04	5.96
New Hampshire	.....	93.58	6.42
Vermont	.....	89.61	10.39
Massachusetts	.....	78.87	21.13
Rhode Island	.....	78.58	21.42
Connecticut	.....	82.46	17.54
New York	.....	74.27	25.73
New Jersey	.....	81.73	18.27
Pennsylvania	.....	85.19	14.81
New York city	.....	52.38	47.62
Philadelphia	.....	71.07	28.93

NEW YORK, *Saturday, January 9, 1869.*

JOHN E. MCGOWAN sworn and examined, (called at the instance of Mr. Kerr.)

By Mr. Ross :

5569. Question. What is your business ?

Answer. I am a clerk in the sheriff's office in this city ; I was formerly a clerk in the World office, and previous to that in the American News Company.

5570. Q. Are you acquainted with Colonel Wood ?

A. No, sir.

5571. Q. Are you acquainted with Marshal Murray ?

A. Not personally.

5572. Q. Are you acquainted with Marcus Cicero Stanley ?

A. Yes, sir, I am.

5573. Q. How long have you known him ?

A. I have known him by reputation since I was a boy ; I have known him intimately for about a year.

5574. Q. Do you know with what political party he acts ?

A. I could not state positively ; he is a very uncertain man.

5575. Q. State if you have had any conversation with him ; if so, when and where, and what it was.

A. It was two days before the State election in this city. I met him at the Fifth Avenue Hotel. He asked me if I was a canvasser in the 3d ward in this city, and I told him I was. He then offered me \$50 to change tickets for him at the election. He wanted me to give him the governor and electoral ticket, and stated he would swap off the other tickets with me. That was the substance of the conversation. I have not seen him afterwards to talk with him.

5576. Q. For whom did he want you to make this change?

A. In favor of the republicans. I was a democratic canvasser.

5577. Q. Who was your republican colleague?

A. I cannot recollect his name.

By the CHAIRMAN :

5578. Q. Did you have more than one interview with him?

A. No, sir.

5579. Q. Did he produce any money?

A. I told him I would see about it.

5580. Q. Have you stated all that transpired at that interview?

A. Yes, sir. It took place in the bar-room of the Fifth Avenue Hotel.

5581. Q. Was anybody else present?

A. Marshal Murray was with him.

5582. Q. Did he hear the conversation?

A. He was present at the time the interview took place.

By the CHAIRMAN :

5583. Q. Where do you live?

A. No. 119 White street.

5584. Q. How long have you been a clerk of the sheriff?

A. Nine months.

5585. Q. Have you had any conversation with the sheriff about testifying here?

A. No, sir.

5586. Q. Were you summoned here?

A. I came here of my own accord.

5587. Q. At whose instance did you come?

A. At my own instance; I felt it my duty to come here.

5588. Q. Did you come here without telling anybody about it?

A. I told two or three I was coming here; I knew nothing about this committee until last evening; I heard somebody talking about it at the Fifth Avenue Hotel.

5589. Q. Whom did you hear talking about it?

A. Ben Butler's nephew; I forget his name.

5590. Q. Are you acquainted with Marshal Murray?

A. I do not know him to talk with him; I have seen him frequently.

5591. Q. Did you change any votes?

A. No, sir; I did not.

5592. Q. Did Stanley ever speak to you about changing the votes after that interview?

A. No, sir; he did not come to me afterwards; I did not see him again until after the election.

5593. Q. When did this conversation occur?

A. It was two or three days before the election.

5594. Q. How did you happen to get into this conversation with him?

A. Accidentally; I was standing there, and was there almost every evening.

NEW YORK, *Saturday, January 9, 1869.*

ROBERT MURRAY recalled and examined.

By the CHAIRMAN :

5595. Question. Do you know Marcus Cicero Stanley ?

Answer. I do ; but I have not spoken a word to him for five years.

5596. Q. State if you are acquainted with John E. McGowan, the witness who has just testified.

A. I never saw him in my life to my knowledge.

5597. Q. State if he had any conversation with Marcus Cicero Stanley two or three days before the presidential election, in your presence at the Fifth Avenue Hotel.

A. No, sir ; I have had no conversation with Stanley, or noticed him in any possible way in five years.

5598. Q. Did McGowan have any conversation with you prior to the presidential election ?

A. No, sir.

NEW YORK, *Saturday, January 9, 1869.*

THOMAS SULLIVAN sworn and examined, (called at the instance of Mr. Kerr.)

By Mr. ROSS :

5599. Question. What is your business ?

Answer. I am a clerk.

5600. Q. Where do you live ?

A. No. 173 Delancy street.

5601. Q. Do you know Marshal Murray ?

A. I do, sir.

5602. Q. Did you have any conversation with him touching the election ?

A. I did, sir.

5603. Q. When and where ?

A. The conversation occurred in Chambers street, a few doors from the United States court-house. It was last Tuesday, I believe.

5604. Q. State what your conversation was.

A. John Donovan and myself were standing in Chambers street when Murray came up and asked us what we were doing there. He asked us then if we would not make an affidavit that we breakfasted at Sheriff O'Brien's house on the morning of election, and repeated for the democratic party in the election. I told him I would not make such an affidavit.

5605. Q. Did he offer you any reward ?

A. Yes, sir.

5606. Q. What was it ?

A. He said we would be compensated. He did not name any amount, but said we would be paid for doing so.

5607. Q. Did he state by whom you would be compensated ?

A. No, sir.

5608. Q. Have you stated as nearly as you can recollect all that transpired ?

A. Yes, sir.

By the CHAIRMAN :

5609. Q. In what business are you a clerk ?

A. I am a clerk to Mr. Mueller, who keeps a liquor store 398 Greene street.

5610. Q. How long have you been there ?

A. Six months.

5611. Q. What time did this conversation take place ?

A. Last Tuesday between 11 and 12 o'clock in the forenoon.

5612. Q. Where does John Donovan live ?

A. I cannot state ; I have known him for five years.

5613. Q. What business is Donovan engaged in ?

A. I do not know.

5614. Q. What is Mr. Mueller's name with whom you are employed ?

A. Anthony Mueller.

5615. Q. How often did you vote at the last presidential election ?

A. I voted only once.

5616. Q. Do you know of any persons voting more than once ?

A. No, sir.

5617. Q. Where did you vote ?

A. At the 4th election district, 13th ward.

5618. Q. What ticket did you vote ?

A. Democratic ticket.

5619. Q. Were you summoned as a witness here ?

A. Yes, sir.

5620. Q. Who summoned you ?

A. I do not know.

NEW YORK, *Saturday, January 9, 1869.*

ROBERT MURRAY recalled and examined.

By the CHAIRMAN :

5621. Q. Have you seen Thomas Sullivan, the witness who has just testified here ?

A. Yes, sir.

5622. Q. Have you ever seen him before ?

A. No, sir ; not to my knowledge.

5623. Q. Did you have any conversation with him in Chambers street ?

A. No, sir.

5624. Q. State if you ever made any request of him to appear before this committee to testify in relation to taking breakfast at Sheriff O'Brien's house on the morning of election.

A. No, sir ; I never made any request of this kind, nor had any conversation with him of any kind whatsoever.

NEW YORK, *January 9, 1869.*

JOHN DONOHUE sworn and examined, (called at the instance of Mr. Kerr.)

To Mr. KERR :

5625. I live at No. 259 Broome street, New York city. I have lived there since last December. I am an engineer by occupation.

5626. Q. Do you know Marshal Murray ?

A. Yes, sir ; by sight.

5627. Q. Did you have any conversation with him within the last two weeks ?

A. Yes, sir ; I had a conversation with him last Tuesday, in Chambers street, a few doors below the United States court-house.

5628. Q. State what occurred at that time.

A. I was standing in front of Sheldon & Company's store with Thomas Sullivan. Marshal Murray came along, and asked us what we were doing there. We told him we were going in to see the investigating

committee. He told us to go in and swear we took breakfast at Sheriff O'Brien's house, and repeated for the democratic party at the last presidential election, and that we would be liberally paid for it.

5629. Q. Did he say how much you would be paid?

A. No, sir.

5630. Q. Did he say by whom you would be paid?

A. He did not. I would not be positive, however, whether he said he would pay us or not.

By the CHAIRMAN:

5631. Q. How long have you known Mr. Sullivan?

A. Eighteen months or two years.

5632. Q. Did you have any conversation with Sheriff O'Brien about your testimony here?

A. No, sir; I only told him about the conversation.

5633. Q. When did you tell him about that?

A. Tuesday afternoon.

5634. Q. Did you tell him anything about it yesterday?

A. No, sir; I did not see him yesterday.

5635. Q. Were you served with a subpoena to come here?

A. Yes, sir; I was served with a subpoena yesterday afternoon.

5636. Q. Are you engaged in your business of engineering now?

A. No, sir; I am messenger to the board of aldermen; I have been so since the 8th of January last, a year ago.

5637. Q. How often did you vote at the last election?

A. But once, and registered but once; I voted in the 9th election district, 7th ward.

By Mr. HOPKINS:

5638. Q. Do you know Marshal Murray well?

A. I know him by sight.

5639. Q. State how that interview commenced.

A. We were standing in Chambers street, in front of Sheldon & Co.'s, when Marshal Murray came along and said, "Boys, what are you doing here?" We told him we were going in to see the investigating committee. I had heard a good deal of talk about the committee, and had come down to see it; I was not aware that the committee was sitting with closed doors.

5640. Q. Who employed you to come here and give this testimony?

A. Nobody employed me; I was served with a subpoena yesterday afternoon.

5641. Q. Is that the gentleman to whom you refer? (pointing to Marshal Murray.)

A. Yes, sir.

5642. Q. Did anybody send you here to spy around this committee?

A. No, sir.

5643. Q. Has not anybody talked with you about coming here?

A. No, sir; no one at all.

5644. Q. Did you take breakfast at Sheriff O'Brien's house on the morning of the presidential election?

A. No, sir; I do not know where he lives.

NEW YORK, *January 9, 1869.*

ROBERT MURRAY recalled and examined.

By the CHAIRMAN:

5645. Question. Have you seen the witness, John Donohue, who has just testified before this committee?

Answer. Yes, sir.

5646. Q. State if you had any conversation with him on Tuesday last?

A. No, sir; I never had on Tuesday last, nor upon any previous time.

5647. Q. Did you have any conversation with him about testifying before this committee?

A. No, sir.

NEW YORK, *January 9, 1869.*

DAVID HOGAN sworn and examined, (called at the instance of Mr. Kerr.)

To Mr. KERR:

5648. I reside at No. 833 Third avenue, New York city; I am a hackman by occupation.

5649. Q. Where were you last October and November?

A. In New York city.

5650. Q. Do you know Marcus Cicero Stanley?

A. Yes, sir.

5651. Q. Do you know Marshal Murray?

A. I do.

5652. Q. Do you know George Wilkes?

A. Partially.

5653. Q. Prior to last November election, state whether you had any conversation with any of those gentlemen, and if so, with whom?

A. I had a conversation with Marshal Murray and with Marcus Cicero Stanley at the Fifth Avenue Hotel in this city; I think it was the 28th of October.

5654. Q. State what that conversation was.

A. It was in reference to voting and getting repeaters, and repeating myself; I went over to the Fifth Avenue Hotel with a friend of mine, by the name of Ferguson, and also one by the name of Jones, and another man whose name I do not recollect. We heard that there was a good deal of business going on at the Fifth Avenue Hotel in connection with the election; I said to Ferguson that there was a good deal of money floating around there, and that we might try and get some of it. I went there and saw Marshal Murray; he said he wanted me to get 10 good men to vote on election day in the western district of the 21st ward, and one or two districts of the 18th ward, and he asked me how much it would be worth; I told him it would be worth \$1,000; Murray said that was too much; we talked a little while, and he finally offered me \$300; I said I would take it; I then made an agreement with him to meet him at the Hoffman House the night before the election; we went there that night and met him there; he introduced us to a man, whom I had not seen before, with very heavy black whiskers, and he paid us the \$300; I then went to the bar-room and divided it up between myself, Ferguson, Jones, and the other man.

5655. Q. Who paid you this money?

A. The man with the heavy whiskers; I do not know his name.

5656. Q. What were Stanley's political relations at this time?

A. I think he was a republican; Murray did all the talking in the business.

5657. Q. In what interest did he want you to repeat?

A. In the interest of the republican party.

5658. Q. What did you do on the day of the election?

A. I repeated, I suppose, at least 14 times.

5659. Q. Did the other three who were with you repeat?

A. Yes, sir.

5660. Q. Who gave you the names upon which to vote ?

A. The man who gave us the money.

5661. Q. Which ticket did you vote ?

A. The republican ticket.

By the CHAIRMAN :

5662. Q. Where did you vote ?

A. I voted all over ; I voted in the 4th, 5th, 9th, and 14th precincts of the 21st ward ; I voted again down in Twenty-eighth street ; I do not know the number of the precinct.

5663. Q. In which place did this man give you the names and the numbers upon which to vote ?

A. At the corner of Twenty-fourth street and Third avenue, directly opposite the Compton House ; he gave them to us in the bar-room at that place.

5664. Q. Who keeps the place ?

A. I do not know ; I had never been there before, but have been there since ; I was there last night ; I saw nobody there last night ; the bar-room, I suppose, is about 50 feet in length.

5665. Q. Who was this man who paid you the money ?

A. I do not know. I never saw him before, and have not seen him since.

5666. Q. In which part of the Fifth Avenue Hotel did you have this conversation with Marshal Murray ?

A. In the lobby, near the reading-room.

5667. Q. Where did Marshal Murray introduce you to this man ?

A. In the Hoffman House ; we were standing right by the door leading to the bar-room.

5668. Q. Upon what names did you vote ?

A. I cannot recollect all of them ; one was Charles Hoff.

5669. Q. Where did you vote upon that name ?

A. Either the 4th or 5th precinct of the 21st ward. I do not remember any other names.

By Mr. HOPKINS :

5670. Q. Did you look at the ballots you voted ?

A. Yes, sir ; I went to the republican box and got the tickets upon which I voted.

5671. Q. What are your politics ?

A. I am a democrat.

5672. Q. And you say you voted the republican ticket.

A. Yes, sir ; I voted for money.

5673. Q. You state that you never saw this man who paid you the money ?

A. I saw the man when he paid me the money ; I had never seen him before.

5674. Q. Do not you think it was a very curious transaction for a perfect stranger to give you \$300 before you had done any work for him at all ?

A. That was his affair, not mine.

5675. Q. Do not you know that you were violating the law ?

A. Yes, sir ; I did not think much of it at the time, though ; I thought more of the money.

5676. Q. Who induced you to come here and testify to this ?

A. I was told that I was wanted here.

5677. Q. Who told you ?

A. A democrat; his name is Farley; I do not know his first name he keeps a liquor store at the corner of Fifty-seventh street and Third avenue.

5678. Q. What did he say you were to do down here?

A. He knew that I had repeated, and he told me to come down here and tell my story. He said there was a commission sitting here inquiring into frauds, and that, if I was a good democrat, I would come down here and tell what I knew about them.

5679. Q. Who came with you here?

A. Mr. Ferguson. He was with me when I repeated.

5680. Q. Did you vote more than once at any one precinct?

A. No, sir.

5681. Q. Were you challenged at any precinct?

A. Yes, sir; I was challenged in the 9th precinct of the 21st ward. The man who challenged me got shot afterwards. I do not know his name.

By the CHAIRMAN:

5682. Q. What time in the day did you see Marshal Murray at the Fifth Avenue Hotel?

A. I think it was about eight o'clock in the evening.

5683. Q. What time did you see him at the Hoffman House?

A. About eight or nine o'clock.

5684. Q. What was this man shot for?

A. I do not know; I saw a notice of it in the paper the next day.

By Mr. HOPKINS:

5685. Q. How long have you known Marcus Cicero Stanley?

A. By reputation, for many years.

5686. Q. Where is your stand as hackman?

A. At Jersey City ferry.

5687. How do you know that Marshal Murray had anything to do with the payment of the money at the Hoffman House?

A. Nothing but what this man told me.

5688. Q. Is this Marshal Murray now present?

A. It is, sir.

NEW YORK, *January 9, 1869.*

ROBERT MURRAY recalled and examined.

By the CHAIRMAN:

5689. Question. Have you seen the witness, David Hogan, who has just testified before this committee?

Answer. Yes, sir.

5690. Q. State whether you ever saw him before.

A. Never, to my knowledge.

5691. Q. Did you have any conversation with him at the Fifth Avenue Hotel shortly before the last presidential election in reference to repeating?

A. No, sir.

5692. Q. Did you introduce anybody to him or him to anybody at the Hoffman House?

A. No, sir; I was not at the Hoffman House during election or previous to it.

5693. Q. Did you see any man with black whiskers, or have any consultation with any man with black whiskers, about repeating for the republican party?

A. No, sir; I never had any conversation with any man about repeating, either at the Fifth Avenue Hotel, at the Hoffman House, or at any other place.

NEW YORK, *January 9, 1869.*

H. B. GIFFORD recalled and examined, (at the instance of Mr. Kerr.)

By Mr. KERR:

5694. Who is that man, (pointing to J. H. White)?

A. That is J. H. White.

5695. Q. Is that the man about whom you testified?

A. Yes, sir.

By Mr. HOPKINS:

5696. Q. You stated in your testimony that Mr. White sent for you to meet him at the Union League club, how did he send for you?

A. By a boy; I do not know his name. The boy had on gray clothes and a fur cap. The boy came up to me and said that Mr. White would like to see me and Mr. Darling at the Union League club that night. I said, "Very well." I went to Mr. Darling and told him that the boy had brought a message from Mr. White for us to meet him at the Union League club rooms that night. We started to go down there 15 or 20 minutes before seven. We got there about 10 minutes before the appointed time, and were waiting there on the side-walk in front of the Union League when Mr. White came up.

5697. Q. Why did you not go into the club-room?

A. Because I was not known there.

5698. Q. I would like to have you state just what Mr. White said to you when he met you.

A. He came up to me and says he, "Your name is Gifford?" I said "Yes." He then asked me if I would not go down before the congressional committee and give evidence as to frauds being perpetrated by the democratic party at the presidential election. I told him that I knew of no frauds committed by the democratic party at that election. He said that made no material difference; if I would swear to an affidavit that he would draw up, it would be all right, and he would pay me liberally for doing so. I do not know whether he said he would pay me or I would be paid liberally.

5699. Q. Do you know why Mr. White sent for you to inquire about frauds?

A. I do not know, unless it is because I was a member of the republican party up to the last election; he also knew that I lived in Third avenue near Thirty-ninth street, and I presume he thought that if there were any frauds going on I would know about them.

5700. Q. State the exact place where this conversation occurred.

A. It was on Twenty-sixth street, 30 or 40 feet from Madison avenue, very near the entrance to the Union League.

5701. Q. Which evening was this?

A. Tuesday evening, a week ago.

5702. Q. How old a boy was it who brought you the message?

A. He was about 14 years of age, I should judge. He had on a gray sack coat and pants; I could not see his vest.

5703. Q. Did you intimate to your friend, Darling, that there was any money in it?

A. No, sir. I did not know whether there was or not.

5704. Q. Was there nothing said about money?

A. Not on the first evening. I told him, after I came away from

there, that if they wanted anybody to commit a fraud we might as well make something out of it as not.

5704. Q. How were you to make anything out of it ?

A. I thought we might come down here and make some statement that would not amount to anything, and then get them to pay us for it.

5705. Q. Do you think that was perfectly honorable ?

A. As honorable as this proposition to us.

5706. Q. When did you see this Mr. Banker in reference to your testimony here ?

A. I think it was last Saturday evening. I told Mr. Banker the facts in the case, and he said it was our duty to come down here and give evidence before this committee. I told him I was very willing to do so.

5707. Q. What else did he say ?

A. Nothing else.

5708. Q. Did he offer you any inducement ?

A. No, sir.

5709. Q. Have you been offered any inducements by anybody to come here and testify ?

A. No, sir.

5710. Q. Have you been promised any ?

A. No, sir.

5711. Q. Do you expect anything ?

A. I do not.

NEW YORK, *January 9, 1869.*

JOHN H. WHITE recalled and examined.

By the CHAIRMAN :

5712. Question. State if you have seen the witness, H. B. Gifford, who has just testified before this committee ?

Answer. I have.

5713. Q. State what interview, if any, you had with him on last Tuesday evening, a week ago, in front of or near the Union League club house ?

A. I had no interview with him at that place or any other, to my knowledge. I was not at or near the club house that evening.

5714. Q. State if you sent any boy with a message to him to meet you there that evening, or anywhere else ?

A. Never, in my life.

By Mr. HOPKINS :

5715. Q. Do you know where this man lives, or anything about him ?

A. No, sir ; I do not know that I have ever seen him before. He may have seen me around the courts, or in the City Hall.

5716. Q. State if you saw Henry Darling with this man at or near the Union League club house last Tuesday evening, a week ago, or any other time ?

A. I did not. I have never seen such a man, to my knowledge, either there or elsewhere. I can state to the committee, by referring to some memorandum that I have at home, where I was that night, but my mind is not now entirely fixed as to where I was. My impression is that I was where there were 50 gentlemen from 7 o'clock in the evening till 10 at night. I desire to state that the whole story is a fabrication from beginning to end ; that I never had such conversation with mortal man.

NEW YORK, *January 9, 1869.*

H. B. GIFFORD recalled and examined, (at the instance of Mr. Kerr.)

By Mr. KERR :

5717. Question. Do you know that man ? (pointing to Christopher Pullman.)

Answer. I do.

5718. Q. Who is he ?

A. Christopher Pullman.

NEW YORK, *January 9, 1869.*

CHRISTOPHER PULLMAN called and examined.

By the CHAIRMAN :

6719. Question. State if you had any conversation with H. B. Gifford, who has just testified before this committee, two or three days previous to the State election in Pennsylvania, in reference to his going to Philadelphia ?

Answer. I had none whatever.

5720. Q. Did you have any interview with him about going to Philadelphia ?

A. No, sir. I have had no conversation with him whatever. I meet him occasionally on the street, and pass the compliments of the day; that is all.

By Mr. KERR :

5721. Q. Do you know who has organized an office in Jersey City for the purpose of receiving men who might be sent over there, and examining them in reference to testifying before this committee ?

A. No; I do not. I never heard of any such office before.

NEW YORK, *January 9, 1869.*

J. MALCOLM SMITH sworn and examined.

To the CHAIRMAN :

5722. I reside at White Plains, Westchester county, New York. I am clerk of Westchester county; I present to the committee, as requested by them, a statement of the number of persons naturalized in that county from the year 1858 to 1868, both inclusive, with the number of persons naturalized upon each day in the month of October, 1868. There were 138 persons naturalized in October, 1868. We naturalized a good many previously to the town meetings. The supreme court and the county court both have jurisdiction in reference to naturalization. There were very few persons naturalized in the supreme court, probably 25. I have a deputy clerk; his name is Wright Banks. We both act with the democratic party. Judge Cochran, who presides over the county court, is also a democrat. Mr. Banks has acted as my deputy since January 1, 1868, and still does.

To Mr. HOPKINS :

5723. My deputy made out most of the certificates of naturalization. We never made out any certificates for parties who did not appear in person. When the party appears to be naturalized, myself or my deputy go into the court-room with the applicant, the judge examines him, and when he has passed upon the papers, either myself or my deputy makes out the certificates. The court-room is on the second floor of the court-house; my office is on the first floor.

5724. Q. Do you not know that a great many parties have been naturalized who would not go into the court-room ?

A. No, sir ; I do not believe there is one case. I never heard of any.

5725. Q. Do you know of your own knowledge that certificates of naturalization have not been issued to parties who never went into the court-room ?

A. I do not believe that such a thing has occurred.

5726. Q. Do you know that that is not so ?

A. Not having been always in the court-room I cannot say positively of my own knowledge.

5727. Q. You say your deputy made out most of the certificates ; has he a right to sign your name ?

A. Yes ; he signs my name. There is a law that empowers the deputy clerk, in the absence of the clerk, to sign his name.

5728. Q. Does he sign his name or your name ?

A. He signs my name, the only distinction being in the handwriting.

5729. Q. Did he sign most of the certificates of naturalization ?

A. Yes, sir ; he signed most of them. I had charge of the office proper, and he attended to that portion of the court business relative to naturalization.

By Mr. ROSS :

5730. Q. Can men come into the clerk's office and obtain final papers without going into the court-room at all ?

A. No, sir.

5731. Q. Do you know anything about a man by the name of John Lee getting papers through ?

A. No, sir.

5732. Q. Do you know anything about Thomas Smith bringing a lot of men into the court-house and getting illegal naturalization papers ?

A. No, sir ; I know of no person going there and obtaining illegal naturalization papers.

5733. Q. Do you think it could have been done ?

A. I do not ; I have no idea that it has been done.

By the CHAIRMAN :

5734. Q. Do you know Thomas Smith, of Hastings ?

A. Yes ; I know of his bringing men there at different times.

5735. Q. Do you recollect delivering certificates of naturalization to persons he brought there ?

A. Yes ; I do remember once delivering papers to a man he brought there.

5736. Q. How were you paid for naturalization ?

A. I received the usual fee ; sometimes I charged it, sometimes I did not. In reference to obtaining papers without appearing in court, I would say that the practice in the county court was for some time for applicants to go before the clerk in the clerk's office and there make their affidavits and obtain the papers from the clerk. This would occur when the court was not in session, but we would take it for granted that there was an open court. That has always been the practice until 1868, when I protested against it, and the judge issued an order that the applicant should appear before him in every case, and he would open court expressly for that purpose.

5737. Q. These affidavits then were made in the clerk's office ?

A. Yes ; that was the practice under Judge Robertson. They were made in the clerk's office when there was no court sitting.

5738. Q. The judge did not see the witnesses then ?

A. No, sir.

5739. Q. They were not examined ?

A. No, sir ; we would swear them to the printed form upon the application in the clerk's office. I found this to be the practice when I took charge of the office, and I continued the practice for some time. When the number of applications began to increase in September last, I told the judge I thought it was his duty to order naturalization, and that the clerk should not be held responsible. He agreed with me and entered an order to that effect, and since that time he has taken charge of it.

5740. Q. How did you swear the witness ?

A. The affidavit was read to him and the witness signed it ; then the affidavit was repeated to him in the form of an oath, as for instance : " You swear that you have been acquainted with so and so," &c.

5741. Q. In what manner did the judge, in those cases where witnesses were sworn in the clerk's office, indicate that certificates of naturalization should be issued ?

A. In those cases the judge was not consulted. That was the practice up to September last.

5742. Q. Did he know that you were engaged in issuing naturalization certificates in that way ?

A. Yes, sir ; that has always been the practice both under Judge Robinson and the previous judges.

By Mr. KERR :

5743. Q. How long have you lived in White Plains ?

A. Only since I have held the office of county clerk. I have lived in Westchester county all my life. I was an attorney and counsellor at law, and resided at Sing Sing. I have attended nearly every court that has sat for the last five years, and have been somewhat actively identified with the democratic party. I have had personal observation of the manner in which naturalization business has been conducted in the county court for nearly 10 years. During all that time it was transacted in the way I have mentioned.

5744. Q. Do you suppose it was possible during the time the judge transacted this naturalization business, for a person to go there and obtain naturalization certificates without a witness ?

A. No, sir.

5745. Q. Was it practicable for a person to be witness and applicant at the same time ?

A. No, sir ; I candidly believe that no application has been granted unless there was sufficient proof that the applicant was entitled to it.

By Mr. HOPKINS :

5746. Q. Did you ever permit applicants who came there to be witnesses for one another ?

A. It was frequently the case that parties would come there who knew each other. We would first naturalize one man, who would bring a citizen as a witness. After he was naturalized he would go witness for one of the other party whom he knew.

By Mr. KERR :

5747. Q. State if it was possible, so far as you know, for a person to become naturalized by reason of perjury either of witness or applicant.

A. No, sir.

The following is the statement presented by the witness :

Statement from the records of the clerk's office of the county of Westchester of the number of persons naturalized in the county of Westchester in the years 1858 to 1868, both inclusive : 1858, 48 ; 1859, 99 ; 1860, 139 ; 1861, 43 ; 1862, 23 ; 1863, 11 ; 1864, 176 ; 1865, 16 ; 1866, 49 ; 1867,

59; 1868, 502. Number of persons naturalized each day in the month of October, 1868, (included in above statement for 1868:) October 3, 44; 7, 1; 12, 2; 13, 13; 16, 5; 17, 51; 21, 4; 24, 17; 27, 1. Total, 138.

NEW YORK, *January 9, 1869.*

FLORENCE SCANNEL sworn and examined, (called at the instance of Mr. Kerr.)

By Mr. KERR:

5748. Question. State your residence and occupation.

Answer. I reside corner Twenty-fourth street and Third avenue; I am in the horse business.

5749. Q. How long have you lived in the city?

A. I was born here.

5750. Q. Do you know Marcus Cicero Stanley?

A. Yes, sir.

5751. Q. Do you know Marshal Murray?

A. I know him by sight; I have never spoken to him.

5752. Q. Do you know George Wilkes?

A. I have spoken to him, but do not know him intimately.

5753. Q. Did you have any conversation with Mr. Stanley, in company with Mr. Wilkes? If so, state when and where, and the nature of the conversation.

A. I had, about a week before the November election. I met him at the Fifth-avenue Hotel in this city. I agreed with him to register a number of names and leave them unvoted, provided they would give me two republican canvassers in the December election. I fulfilled my part of the contract, but they did not theirs.

5754. Q. With whom did you make this contract?

A. I made it with both Stanley and Wilkes. I was a candidate for assistant alderman in the municipal election in December. I had made a fight against Hoffman at the convention in Albany; did my best to get Murphy nominated, and I thought the democrats would oppose me pretty strongly. I knew that Tammany Hall had a feeling against me, and I thought that if I could get two republican canvassers I would have a certain thing of it; but Wilkes and Stanley went back on me.

5755. Q. How could Wilkes and Stanley get these canvassers nominated?

A. They could have sent the names to the leaders of the republican organizations of the ward, got the two republican canvassers who were appointed to resign, and then sent in my names to Police Commissioner Manniere.

5756. Q. How would you be benefited by the appointment of these canvassers?

A. If I could have got two republicans appointed, whom I would name, they would do almost anything I told them.

5757. Q. What would you tell them to do?

A. I would tell them to give me all the votes they could.

5758. Q. What did you do for Wilkes and Stanley?

A. I registered 150 or 200 names in my ward. I voted some myself, and left some for them to vote.

5759. Q. How many of these names were of men legally entitled to vote?

A. I cannot tell that; probably none, probably a dozen.

5760. Q. How many men registered these 150 or 200 names?

A. About 30 men; they registered about five apiece.

5761. Q. Can you tell where they registered?

A. I cannot; they registered for almost every house in the district where I lived.

5762. Q. What district is that?

A. The 18th ward.

5763. Q. How many of those names did you leave unvoted?

A. I probably voted a hundred.

5764. Q. Did you give those names to Wilkes or Stanley?

A. I did; I gave them, I think, 50 or 60 names. I fulfilled what I agreed to do, but they left me in the lurch.

5765. Q. You say that Marcus Cicero Stanley and George Wilkes voted those names?

A. I cannot say who voted them. I was asked the day before election to send nobody to vote upon the names. I told them that was the understanding, and they might bet that I would not do it.

5766. Q. Who asked you that?

A. A man who lives in my ward. I would not like to mention his name. He is a man of business and of respectability, and did it for these people merely as an act of kindness. I would not have come here and made any statement, if those fellows had carried out their contract with me.

5767. Q. At the time you had this conversation with Stanley and Wilkes, was any consideration offered by way of money?

A. No, sir; they knew me well enough. They knew that if I said I would do anything, they could count upon it that it would be done. I was a candidate at the December election, and I was willing to strain everything to gain my point. I did all that I could do; organized all the combinations that I could, but when it came down for Wilkes and Stanley to do their part, they weakened.

By the CHAIRMAN:

5768. Q. For whom did you vote at the last presidential election?

A. I voted the Seymour electoral ticket. I often vote for republican candidates. I vote for any good man, regardless of politics.

5769. Q. What office do you hold in this city now?

A. I do not hold any. I was member of the common council in 1868. I represented the same district that Brooks does, and polled 7,000 more votes than he did.

5770. Q. Which Wilkes do you refer to?

A. George Wilkes, the editor of the Spirit of the Times. I never knew him before, but I heard his word was very good.

5771. Q. When did this conversation occur?

A. A week before the November election. I met Stanley first, and he told me to go to Fifth Avenue Hotel. I went there and met Wilkes. He was in the little office near the Twenty-third street entrance when this conversation took place.

5772. Q. Were those all fictitious names that you registered?

A. I guess they were; they must have been fictitious, because 30 respectable men would not register 150 names.

5773. Q. Which houses did they register at?

A. I cannot tell; different houses. I voted some of the names myself, and gave the rest to Stanley. They did not want the names so much for the electoral ticket as they did for the governor.

5774. Q. Those persons who voted upon your fictitious names, did they vote the democratic ticket?

A. I cannot tell whether they did or not.

5775. Q. Did you have any understanding with these men that they were to vote the democratic ticket?

A. I never had an understanding with a voter in my life.

5776. Q. How many men did you get to vote upon the names you registered?

A. About 20, I guess. They voted upon from 70 to 100 names.

5777. Q. Did they vote several times?

A. Not that I know of. I suppose some of them voted two or three times.

5778. Q. Did you give them slips of paper with names and numbers on?

A. Yes.

5779. Q. Do you know that Wilkes, or anybody else, got in any votes upon the names you gave them?

A. I do not know; I know that I gave him the list.

5780. Q. To whom did you give that list?

A. I gave it to a man who lives in my ward. I registered a lot of names, and told the democrats not to vote them, as they were to be voted by the republicans.

5781. Q. You do not know, of your own knowledge, whether they were voted on or not?

A. I do not; but the man to whom I gave the list, who came from Wilkes, said that he was going to vote upon them, and I took his word for it. I knew that he did not lie.

5782. Q. Do you know of any persons engaged in repeating?

A. I have nothing to do with other people's business. I am telling what I do, and that is bad enough. I am giving myself a pretty bad character for a lot of politicians who would not walk from here to the door for me.

5783. Q. Do you know of any person engaged in repeating in any other ward besides the 18th?

A. I do not like to answer any such question. I came here to tell just what I have done; I think that is bad enough. I have showed myself up as a loafer from beginning to end, and I do not want to meddle with anybody else's matters. I would not be here at all had Wilkes and his men done what they promised. I registered so many men for the republicans, and they voted them, and when I asked them to do something for me I could not find them.

By Mr. ROSS:

5784. Q. Was it the agreement that the republicans would vote for these names?

A. Yes, sir.

5785. Q. To whom did you give those names?

A. To a man whose name I would not mention; he is a republican, and one of the strongest who live.

By the CHAIRMAN:

5786. Q. I want you to state that name.

A. I refuse to do it; I would rather go to the Tombs all my life than do it.

5787. Q. Did this man vote for you?

A. I do not know whether he did or not; I would be willing to bet, however, that he did; a great many republicans voted for me because they know whenever they have a good candidate I vote for him.

5788. Q. I insist upon an answer to my question.

A. I cannot answer it.

5789. Q. Do you know that you render yourself liable to be imprisoned by refusing to answer it?

A. I am very well aware of that ; if a man is not willing to suffer punishment rather than to show up a respectable man before the community, he does not amount to much.

5790. Q. Then you refuse to answer that question ?

A. I do.

5791. Q. State if you know any person, or persons, who were engaged in voting more than once in any ward in this city at the last presidential election ?

A. I had nothing to do with anybody else's business.

5792. Q. Who keeps the Compton House ?

A. My brother keeps it.

5793. Q. Do you know who were living at that house in November last ?

A. There were so many living there that I cannot tell the names.

5794. Q. Did you not register fictitious names from the Compton House ?

A. Yes, sir ; I did.

5795. Q. Look at this list of persons registered as living in the Compton House, mentioned in the testimony of Mr. Mabee, and say which of them lived at the Compton House in November last.

A. I cannot say how many people I know ; some few names I recognize.

5796. Q. State them.

A. Christopher Brown, Daniel Brown, Patrick Boylan, Wm. Burgoyne, Daniel A. Creamer, Charles Davis, Pierce English, Patrick Fitzsimons, John Flood, James Gardner, F. A. Hauckey, James Lewis, Albert A. Meigs, Henry Owens, John Rollins, J. J. Scannel, (that is my brother,) and Florence Scannel, myself ; Wm. O'Brien, whose name is on the list, I know, but he does not live at that house ; there are 50 men who live at the Compton House, and who voted from that place, whose names are not on the list ; the names I have mentioned are of men who work for me ; that is the reason I recollect them ; I may know all of them by sight ; my recollection is very poor.

By Mr. HOPKINS :

5797. Q. Did you have care of the repeaters in the 18th ward ?

A. No, sir ; I had not care of more than a few of them.

5798. Q. How large a number of men known as repeaters did you furnish ballots to ?

A. I did not furnish hardly any.

5799. Q. Who did furnish tickets to the men you had registered ?

A. I have nothing to say as to who did.

5800. Q. Do you know who did ?

A. Yes, sir.

5801. Q. State to the committee their names.

A. I cannot answer that ; that would not be honest to my friends.

5802. Q. You say you did furnish the slips with the names that you had registered ?

A. I furnished them one election.

5803. Q. I speak of the presidential election ?

A. I did not furnish the names of probably more than 10, because there were other men for that business.

5804. Q. You say you furnished 10 ?

A. It was probably 10. It might not have been over three or four. There were other men who were doing this work. They were doing it for me, to benefit my election ; that was what the whole thing was for.

5805. Q. You say you had men registered in every precinct in the 18th ward ?

A. Not every one. I did not register the names myself; I sent them to be registered.

5806. Q. How many men did you send out to register these names?

A. Probably 30. It might have been only 20.

5807. Q. Do you know the names of any of those men you employed in this way?

A. I have nothing to say about it.

5808. Q. Do you know the names?

A. I know the name of one. I do not know that I can recollect any more.

5809. Q. What kind of character had these men?

A. I do not know; I never investigated it.

5810. Q. Give the committee the name of the man whom you recollect furnishing names to be registered?

A. I do not want to answer that question. He is a young man, respectable and industrious, and if there is anybody to be shown up in this thing, I want it to fall upon me, and not upon men who have been my friends.

5811. Q. We require you to answer that question.

A. I would be pretty tightly squeezed before I would answer that question.

5812. Q. Do not you know that these men, Stanley and Wilkes, were trying to draw you in to ascertain these facts, and never intended to carry out their programme?

A. Stanley knows me too well to undertake such work. We have always been friends; I think his intention was good, and I would almost bet my life upon Stanley's word. I was at one time the only man in New York who would believe him. If he had given me his word, I would have gone out and bet \$100 to one that he would have kept it. I do not believe it his fault that the agreement failed.

5813. Q. Whose fault was it?

A. I do not know.

5814. Q. You say your consideration was that you would have two republican canvassers whom you were to name?

A. Yes, sir; they were to be appointed at the presidential election, and I gave my word that Griswold would get every vote that was coming to him, and that Grant would get every vote that was coming to him, and I would get the men we appointed for the municipal election.

5815. Q. Then these canvassers must perform a very important part of the election?

A. I should think they did. If I had had my two men I guess I would have been elected. I was only defeated by 200 votes.

5816. Q. You think if you could have got these canvassers as you were promised, you could have been elected?

A. Yes. If they nominated my two men and kept my district out until the last, I think I would have run in.

5817. Q. Then if you had these two canvassers appointed, you would have got the returns kept back until the other returns were sent in?

A. The canvassers did not amount to anything to the republicans, because they knew that their vote was not more than 700, when the democratic vote was about 8,000, so there was no chance to elect a republican, and they might as well have given me the two canvassers as not. If I had had these two canvassers I would have slept comfortably election night.

5818. Q. What would you have got these canvassers to do?

A. I think I could have selected two republicans who could count as fast as anybody in the ward. If anybody could get canvassers to count

faster than my men, I would be willing to chuck up the sponge. I know that all Tammany Hall was against me and they accused me of being associated with the republicans, and I never denied it.

NEW YORK, *January 9, 1869.*

MICHAEL BRADY sworn and examined.

To the CHAIRMAN:

5819. I reside 49½ Dominick street in this city. In reference to illegal voting in this city at the last presidential election I would say, that at the place where I live there is but one voter, and he is my brother. There were registered from this house five names, none of whom resided there. From 54 Sullivan street there were registered Matthew McLaughlin, John Andrews, James Bowen, George McCloud, and William Wilson, none of whom lived there. I examined the registry list of the 2d, 12th, and 4th districts of the 8th ward. At No. 43 Sullivan street there are but four persons who actually resided there, while there were about 13 names registered from that house. At No. 142 Sullivan street there were quite a number registered, but I only found one of them at the place; his name was C. C. Winkle. At No. 117 Spring street I found eight voters living in the front and rear house, but there were quite a large number registered from the place. I formerly lived at 48 Sullivan street; I saw by the poll-list that William H. Dwyer voted from that place; I know him; he never lived there.

To Mr. KERR:

5820. I have lived at 49½ Dominick street about a month; before that I lived at 48 Sullivan street. I was never in Sing Sing or Blackwell's island. I am not in any business at present. I used to be employed as a detective by Simeon Draper. I was detective about two years. I have been sick for the last two years, and have not followed any business. I had a good deal of money standing out, and have lived with my father. I suppose I had \$10,000 standing out. I lent it to parties during the war. I am a machinist by trade, and have been in Russia, where I made a good deal of money.

5821. Q. To whom did you lend this money?

A. I decline to answer.

5822. Q. Who supports you now?

A. I live with my father. He is a conductor on the Eighth avenue railroad. His name is John Brady. I have never voted or registered more than I was entitled to. I was requested to examine these poll-lists by Major Strong. He is connected with the Union League. I found the poll-books at the Union League club house. There were probably about 200 of them there; I cannot positively say how many. I examined some of them to-day, and previously. He requested me last week to go up there and examine the books. I met him at the club-house, and he showed me the books that I was to examine.

5823. Q. Are you a member of that league?

A. I am not; I have many friends, though, connected with it, S. J. Glassey, Major Strong, and others. I should think I examined about six of the books.

5824. Q. Tell me, if you can, the name of any person who was registered from a place where he did not live?

A. I can mention John Lawrence, 54 Sullivan street, Michael Laughlin, 531 Broome street; both of these registered twice, to my knowledge.

5825. Q. How do you know that they did?

A. I saw them. These are about all I know, except from what I have seen on the poll-list of those registered as residing at my house.

5826. Q. How did you know that these men did not live at your house prior to the time that you went there?

A. I used to visit there very frequently. I knew everybody who lived in the house.

To Mr. Ross:

I cannot say whether the other books that were at the Union League club house were similar to those I examined; they were different sizes.

5827. Q. How long after election did you go around inquiring at the houses to ascertain whether the parties lived there?

A. Probably about a week after the charter election in December last.

5828. Q. Was it the frauds in the December election that you were examining?

A. No, sir; the State election.

By the CHAIRMAN:

5829. Q. You say you examined those books at the Union League club house; which one do you mean?

A. I mean the one in Broadway; I think it is 258 Broadway.

By Mr. Ross:

5830. Q. Did you lend out that \$10,000 to banks or private individuals?

A. Private individuals.

5831. Q. Have you got a note for it?

A. No, sir; I know a great many of the parties.



NEW YORK, *January 9, 1869.*

ROBERT MURRAY recalled and examined, (called at the instance of Mr. KERR.)

By Mr. KERR:

5832. Question. Upon whose authority are the 24 policemen stationed in and about this building?

Answer. I asked the superintendent of police this morning to send me eight or ten men. Things looked rather rough about here at 10 o'clock this morning. There was a rough crowd in the hall, and I made a requisition upon the superintendent for eight or ten men.

5833. Q. Have you that requisition with you?

A. No, sir; I did not keep a copy.

5834. Q. How does it read?

A. Something like this: "I would thank you to send me eight or ten men. In consequence of the peculiar character of the testimony presented to the congressional committee, I am apprehensive that there will be a disturbance, and desire eight or ten men to keep the peace."

5835. Q. Will you furnish us a copy of that requisition?

A. I did not keep a copy.

5836. Q. By what authority did you make that requisition?

A. By my authority as marshal. I have charge of this building, and am responsible for it.

5837. Q. Do the laws of the United States put you in charge of the public buildings here?

A. I believe they do.

5838. Q. Is it in pursuance of any law that a marshal of the United States makes a requisition upon a police officer of a State to furnish him with policemen?

A. I do not know whether there is any law upon the subject or not. I frequently do it.

5839. Q. How does it come, in response to a requisition for eight or ten men, that he sent you 24?

A. That is a question he will have to answer himself.

5840. Q. What trouble did you anticipate that led you to request this force?

A. When I was passing out of this room, when I was in here this morning, I was hissed by the crowd standing in the entry. It was a very rough crowd, and upon consultation with some of my men who were mixing with this crowd, I came to the conclusion that there would be trouble, and I immediately wrote this communication and sent it. I sent one of my clerks with it to the superintendent's office. Why he sent me 24 men I do not know.

5841. Q. By whom were you hissed?

A. I cannot tell. By the sound of the voices I should think there were quite a number.

5842. Q. Where were they?

A. Right at the door of the committee room.

5843. Q. Then it is for your personal protection that you did this?

A. Not altogether; I have considerable courage.

5844. Q. For what purpose then?

A. For the protection of this building and the records of the court.

5845. Q. Did you apprehend that they were in danger?

A. I do not know whether they were or not. I take great precaution in all things.

5846. Q. Did you assign these policemen their station?

A. No, sir.

5847. Q. When they came here did they apply to you for orders?

A. The sergeant came to me and said he had a file of men here and wanted to know what disposition to make of them. I told him I wanted order kept in the hall, and the door of this committee-room kept clear.

5848. Q. Do you think you have the right to bring these policemen here and supersede the sergeant-at-arms of this committee?

A. I had nothing to do with the policemen. I supposed that you were going to conduct your own business in your own way, with your own sergeant-at-arms.

5849. Q. Suppose our sergeant-at-arms wanted the witnesses in the hall and in the doorway?

A. He told me that he did not.

5850. Q. Did he ask you to send for these policemen?

A. No, not particularly.

5851. Q. Did you have any talk with him on the subject?

A. Not to-day. I did yesterday.

By the CHAIRMAN:

5852. Q. State if you made this requisition upon the chief of police at the request of any member of this committee; or with the knowledge, or at the suggestion of any member of this committee.

A. I did not.

5853. Q. Or at the request of the clerk of the committee?

A. No, sir.

5854. Q. State if Barney Aaron was in the hall?

A. I do not know him. I was told this morning there was quite a number of roughs in the hall.

By Mr. KERR:

5855. Q. Do you think the men you have seen about here to-day as witnesses were any more vicious in their character than those you have seen about here for the last few days?

A. I testified yesterday that I derived my knowledge of those parties from other people. I know but very few of the men here to-day; but from the character of the men who were here yesterday and to-day I don't see much difference.

5856. Q. Do I understand from what you say that, notwithstanding the desire of the committee, you intend to keep these men here?

A. I will, so long as I deem it necessary to protect the building.

5857. Q. Your own judgment will then determine that?

A. Yes, sir; I have no desire whatever to interfere with the committee.

NEW YORK, *January 9, 1869.*

JOHN W. LEBARNES recalled and examined, (at the instance of Mr. Kerr.)

By Mr. KERR:

5858. Q. State whether the police force consisting of 24, now in and about this building, was brought here upon your procurement or with your advice and consent?

A. No, sir; they were not.

5859. Q. Were you consulted before they came here?

A. No, sir; I knew nothing about their coming here. I have been waiting for an opportunity to inquire how they came. I was very glad to see them here, however.

5860. Q. Did you have any conversation with Marshal Murray about bringing them here?

A. No, sir.

NEW YORK, *January 9, 1869.*

THOMAS A. MCGLADE called and examined.

To the CHAIRMAN:

5861. I reside at No. 233 West Thirty-first street. I am bar-tender at the Compton House. In reference to a list of 152 names referred to in the testimony of George Mabee, I would say that I am not acquainted with all the boarders in the Compton House. I am only there from 7 o'clock in the morning till 7 o'clock at night. I did not go there until the 27th of October last. Some of the names I recognize; they are as follows: James H. Blackwell, Christopher Brown, Daniel Brown, Daniel A. Creamer, Gilbert A. Meigs, Theodore Morrell, Thomas Morrow, Henry Owens, Samuel Purdy, Benjamin F. Pease, John W. Phelps, Maurice Powers, John Rollins, Thomas Rogers, John F. Scannell, Henry Steinemann, David Stevenson, Edgar C. Suydam, Daniel H. Southworth, Florence Scannell, Peter Smith, Charles Vanbergan, Louis Willsley, Peter Carroll, J. F. Southworth, Harry R. McCready, William Long, Peter Garvin, and William P. Suydam. I may know two-thirds of the parties named by sight.

5862. Q. Who are the proprietors of the Compton House?

A. Fagin & Scannel.

5863. Q. What do you know about this business of repeating?

A. I do not know anything about it. I have heard about it, but do not know anything about it of my own knowledge.

5864. Q. Where is the hotel registry containing the names of the persons who stopped at the hotel from the last of October to the 10th of November ?

A. I believe it is in the possession of the proprietors of the house.

By Mr. Ross :

5865. Q. Are there a good many people around the Compton House whom you do not know ?

A. A good many.

5866. Q. You do not know the regular boarders ?

A. No, sir ; I do not.

NEW YORK, *January 9, 1869.*

JOHN JONES sworn and examined, (called at the instance of Mr. Kerr.)

To Mr. KERR :

5867. I reside at 202 East Thirty-first street. I have been there about a year. I keep a plumber's store. I know Marcus Cicero Stanley. I also know Marshal Murray. I am not acquainted with George Wilkes. A few days before the election a friend of mine, Mr. Hogan, came to me and asked me to go over to Fifth Avenue Hotel with him, and said that he had an engagement with Marshal Murray and Mr. Stanley. My partner, a man by the name of Ferguson, Hogan, and myself, went over there and met Marshal Murray and Stanley. Marshal Murray wanted to know if we could get some men to repeat. Hogan said he could. He then wanted to know how much he wanted for it, and Hogan replied, "a thousand dollars for ten men." They had some conversation, and Hogan finally agreed for us four to go for \$300. We then agreed to meet them the night previous to the election at the Hoffman House. We were there and met Stanley and Murray. Murray introduced us to another gentleman with black whiskers. I do not know his name. He took Hogan to one side and after a little talk gave us \$300, and made an arrangement to meet us on the following morning. Hogan then joined us and we went to the bar-room, and he gave us \$75 a piece. The following morning we met this man at the corner of Twenty-fourth street and Third avenue. He gave us some tickets and names to vote on. We went through the 18th ward and voted at five or six places, then went to the 21st ward and voted at some districts there. I was arrested in the 14th district of that ward. There was no one with me when I was arrested. I was taken up before the court, and I had to stay in the station-house until I sent for bondsmen to get me out.

5868. Q. To what extent did your company carry out the programme ?

A. We all worked in every name they gave us until I was arrested. I cannot say positively what the others did. I suppose I voted between 10 and 12 times before I was arrested.

5869. Q. For whom did these men desire you to do this business ; in whose interest.

A. In the interest of the republican party. I have always been a republican myself, and have always voted that ticket heretofore.

By the CHAIRMAN :

5870. Q. Who was present at the Fifth Avenue Hotel when this conversation took place ?

A. Marcus Cicero Stanley, Marshal Murray, and us four. There were several gentlemen standing around.

5871. Q. Were they all present when you had this conversation with Marshal Murray?

A. Yes, sir.

5872. In which room of the hotel did it take place?

A. Close by the bar-room, near the telegraph office.

5873. Q. Then there were six or eight persons present?

A. I should think there were only four or five. I did not know any of the gentlemen before I came there. Hogan knew Marshal Murray and went up and spoke to him.

5874. Q. Where does Hogan live?

A. In the 19th ward. He used to live near me, in University Place.

5875. Q. Was George Wilkes present at this interview?

A. I do not know whether he was or not. I do not know him.

5876. Q. What time did it take place?

A. In the evening, about 8 or 9 o'clock.

5878. Q. When was it that you met at the Hoffman House?

A. The night previous to the November election. We met at about the same hour in the evening. We waited at the Hoffman House some time before they came.

5879. Q. Who was present at the Hoffman House when you had the interview there?

A. Marshal Murray, another gentleman, and the one with the black whiskers whom he introduced.

5880. Q. Who was the man with Murray?

A. I do not know his name?

5881. Q. Who produced the money?

A. The man with the black whiskers.

5882. Q. State the names of your party who were at the Hoffman House?

A. David Hogan, Thomas Barrett, my partner, and a man by the name of Ferguson, and myself. We met there Marshal Murray, another gentleman, and the black-whiskered man. The last man was about five feet eight inches in height, I should think.

5883. Q. Then there were seven altogether?

A. Yes, sir.

By Mr. HOPKINS:

5884. Q. Do you know whether this man gave Hogan any money?

A. I cannot swear that he did. Hogan had some money immediately after he left him, and gave us \$75 apiece.

5885. Q. In what part of the house did all this occur?

A. It was in the first story, just as you go in through the door. It occurred in the lobby, about 20 feet, I should think, from the stairway.

5886. Q. Where did you meet the following morning?

A. Corner Twenty-fourth street and Third avenue, in a bar-room opposite the Compton House.

5887. Q. Who keeps that bar-room?

A. I do not know. We were furnished there with the names and residences and tickets with which to vote. The man with the black whiskers gave them to us.

5888. Q. Do you know George Wilkes?

A. I do not.

5889. Q. Did you hear his name spoken at any of these interviews?

A. No, sir.

5890. Q. Was there any man there pockmarked?

A. No, sir; not that I know of.

5891. Q. If there had been, would you have noticed it ?

A. I was not very close to the man; I might not have noticed it by gas-light. The third man who was there was over six feet in height, I should judge.

5892. Q. Do you recollect any of the names upon which you voted ?

A. Only the name upon which I voted when I was arrested, and that was my own name, John Jones.

5893. Q. How were you released ?

A. Upon \$500 bail.

5894. Q. Has nothing been done with you since ?

A. Nothing that I know of.

5895. Q. Did you register more than once prior to the election ?

A. No, sir; I registered my own name as a voter in either the 15th or 16th district of the 17th ward; I forget which.

5896. Q. Did you register under the name of Hinchman in the 4th district, 21st ward.

A. No, sir.

5897. Q. Did you vote under that name ?

A. Not that I remember of; I voted in that district, however; I cannot recollect under what name.

5898. Q. Did you see any of the tickets you voted ?

A. Yes, sir; I did not take any particular notice of them, because I knew what they were. The republican endorsement was on the tickets.

5899. Q. What is the republican endorsement ?

A. The name of the office upon the outside of the ballot is printed in Italics; upon the democratic ballot it is printed in Roman.

By Mr. ROSS:

5900. Q. You and your crowd intended to vote the republican ticket ?

A. Yes, sir.

By the CHAIRMAN:

5901. Q. How long have you been in the plumbing business ?

A. About two years; my father furnishes the capital and I oversee the business.

5902. Q. Do you know Marshal Murray personally ?

A. No, sir; I think I would recognize him if I saw him.

By Mr. HOPKINS:

5903. Q. With whom have you talked in reference to your testimony before this committee before you came here ?

A. I talked with no person in reference to what my testimony would be; Hogan asked me to come down here and tell what I knew.

5904. Q. Do you know Sheriff O'Brien ?

A. Not personally.

5905. Q. Do you know Under-Sheriff Banker ?

A. Only through business; I have worked at his house.

5906. Q. Have you talked with him in reference to this transaction ?

A. No, sir; I have never spoken to him about any political transaction.

5907. Q. Has Sheriff O'Brien tried to prevent your coming here and giving this testimony ?

A. No, sir; I have never spoken to him about the testimony.

5908. Q. Look around among the gentlemen present in this room, and see if you know any of them.

A. I recognize Mr. Murray, (pointing to Marshal Murray.)

5909. Q. What induced you to go into this business of repeating ?

A. I was not doing much at the time, and was pretty short of money; Hogan told me I would make some money out of it, and I went into it.

5910. Q. Did you know that it was a violation of the law, that would render you liable to imprisonment ?

A. I am not very well posted in law matters.

5911. Q. What did Hogan say to you when he came to you and wanted you to go to Fifth Avenue Hotel ?

A. He said that he had an engagement over there with Marshal Murray, and we could probably make some money out of it. I consented and went over with him, thinking that \$75 or \$100 would be quite an item to me.

5912. Q. Did you know what kind of work you were to do ?

A. Hogan said something to me about repeating. I did not know what it was, and he explained it to me.

5913. Q. Do you know Marcus Cicero Stanley ?

A. I am not personally acquainted with him. Hogan pointed him out to me and said that was Stanley. He also pointed me out Mr. Murray.

By Mr. KERR :

5914. Q. State whether the man whom Hogan pointed out to you as Marshal Murray is the gentleman whom you have just identified ?

A. Yes, sir.

NEW YORK, *January 9, 1868.*

ROBERT MURRAY recalled and examined.

By Mr. HOPKINS :

5915. Q. Did you ever see John Jones, the witness who has just testified before this committee, before ?

A. Never, to my knowledge.

5916. Q. Did you ever meet him at the Fifth Avenue Hotel, with Mr. Hogan or anybody else ?

A. No, sir.

5917. Q. Did you ever know of anybody paying him for repeating or engaging in repeating at the last election ?

A. I certainly never did.

NEW YORK, *January 9, 1868.*

JOHN W. LEBARNES recalled and examined.

To the CHAIRMAN :

5918. I was informed that one of the witnesses summoned before this committee was illegally detained in the ante-room under arrest by one of the deputy sheriffs of this city. I thought I recollected the man's name and something of his case. Presuming that the committee would not reach that class of cases this afternoon, I took him into Marshal Murray's office, to have a private conversation with him. An officer of the sheriff followed me ; I asked him what he wanted ; he said he was a deputy sheriff, and that this man was under his charge. I asked him if he had a warrant for his arrest ; he said he had not ; I asked him by what authority he presumed to make the arrest ; he answered by order of the sheriff. I thought I would see whether the authority of the Sergeant-at-arms over witnesses subpoenaed by this committee was to be interfered with by deputy sheriffs, and I told the witness that he was excused until Monday morning, and that he might depart from the building without molestation. I then turned to one of the policemen who was standing there and said to him : " I am messenger to the Sergeant-at-arms of the House of Representatives ; this man has been sum-

moned as a witness before this committee ; I have told him that his case will not probably be reached this afternoon ; I have excused him until Monday morning. I desire you to see that he leaves this building without molestation. If any officer has a warrant for his arrest, you know your duty in the premises. If any person attempts to arrest him without a warrant, you know your duty in the premises also."

By Mr. KERR :

5919. Question. By what authority did you do that ?

Answer. I did that on my own responsibility.

5920. Q. What business had you to discharge a witness, brought here by the minority of the committee ?

A. I discharge witnesses every day.

5921. Q. What right have you to do this without the orders of the committee ?

A. It has been a matter of practice every day.

5922. Q. Do you know that this man was a witness brought here by the minority of the committee ?

A. He was summoned by me.

5923. Q. Are not all the witnesses summoned by you ?

A. I mean in contradistinction to the witnesses summoned by the minority.

5924. Q. Then you mean to say that you did not know that this witness was here at the request of the minority of the committee ?

A. No, sir.

5925. Q. You say you saw him in custody of the deputy sheriff.

A. Yes, sir.

5926. Q. Was that deputy acting in your service ?

A. No, sir.

5927. Q. Upon your order ?

A. No, sir.

5928. Q. What right had you to believe that that witness was here at the call of the majority of the committee ?

A. I did not suppose it made any difference. I should not have interfered in any way with the witnesses you have called.

5929. Q. Do you mean to say that you did not believe that that witness was here upon the call of the minority of the committee ?

A. I had not the remotest idea of it.

5930. Q. Did you not know that you had no authority to discharge witnesses in attendance upon this committee without its order ?

A. I know the custom has been to do so. When there are many witnesses in attendance late in the afternoon, and I see that there is no probability of their being called that day, I generally excuse them until the next morning, without reference to who they are, or who called them.

5931. Q. Do not you know that it is impossible for you to tell, without some direction from this committee, which witnesses are to be called ?

A. No, sir.

5932. Q. I repeat again the inquiry : by what authority did you assume to discharge this witness ?

A. By the same authority I have hitherto excused witnesses at this time of the day, (4 o'clock p. m.)

5933. Q. Do you exercise that authority with the knowledge of any member of this committee ?

A. No, sir.

5934. Q. You say this man was in the custody of the sheriff's officer ?

A. I learned that he was under restraint. If I have stated that he

was under custody, I made a mistake. I learned that he was under restraint, the nature of which I ascertained afterwards.

5935. Q. Do you not know that for the last two or three days there has been no deputy sheriff or any other officer here, with the sanction of the minority of the committee, except a man to summon witnesses?

A. No, sir; I have not been here, however, for the last few hours.

5936. Q. Do not you know that this witness was sitting in that little room wholly alone, and unconnected with anybody, under no man's custody, and under no man's restraint?

A. I do not know the man at all.

5937. Q. How, then, did you point him out to the policeman?

A. I thought I recognized his face as a person whom I had seen here as one of the repeaters, and I called out his name, which he responded to.

By the CHAIRMAN:

5938. Q. State how long this deputy sheriff has been in the building.

A. I do not know, sir. In reference to deputy sheriffs being in attendance here, I desire to state that I have seen more than three or four here; the name of one of them was Scannell.

By Mr. KERR:

5939. Q. Do not you know Scannell was here as a witness, detained by the majority of the committee?

A. It was the brother of that Scannell.

5940. Q. Who authorized you to give orders to this policeman stationed about the building?

A. I assumed that right as a citizen of the State of New York.

5941. Q. Is that all?

A. That is all.

5942. Q. You did not do it, then, as an officer of this committee?

A. I told the policeman that I was an officer of this committee, in order that he might know what credibility might be placed upon my statement.

5943. Q. Did not you state your position in connection with this committee, in order that the policeman might infer that it was by direction of the committee?

A. No, sir.

5944. Q. Do you suppose that it is your duty, as a stranger in New York city, to direct the policemen here?

A. I do not know that I directed them.

5945. Q. Or do what you did?

A. Yes, sir, certainly.

NEW YORK, *January 9, 1869.*

GEORGE MABEE recalled and examined.

By the CHAIRMAN:

5946. Question. State if you examined the poll-lists of the 15th district, 8th ward, for the last presidential election of this city, and whether you found upon them the names contained in the paper that I now present to you?

Answer. Yes, sir; I found all those names upon the registry-list, and those marked "V" upon the poll-list.

5947. Q. State if you found any name upon the poll-list not upon the registry?

A. Yes, sir; J. C. W. Willey.

By Mr. KERR :

5948. Q. When did you examine this list?

A. This morning.

5949. Q. At whose request?

A. The request of Major Strong.

5950. Q. Where did you do it?

A. At the county clerk's office.

5951. Q. In the county clerk's presence?

A. No, sir; Mr. Plum, one of the deputies, was present.

5952. Q. What is your business?

A. I am clerk for the Union League club committee.

5953. Q. How long have you been in that service?

A. Six weeks, I think.

The following is the list alluded to in the above testimony :

FIFTEENTH DISTRICT, EIGHTH WARD.

12 <i>Renwick street.</i>		8. James Goff. V	17. Wm Scott.
		9. James Newell. V	18. Edward Wilson.
1. George Barkley.		10. Augustus Neidhoft. V	19. Charles Wilson. V
2. John Cox. V		11. George C. Robinson. V	20. Chas. W. Whitmore. V
3. Martin Cox.		12. Hugh Riley. V	21. John Moran.
4. Wm J. Cook.		13. Augustus Stevens. V	22. John Malloy.
5. Lawrence Farrell. V		14. James Shannon. V	23. Andrew Macken. V
6. Charles Florence. V		15. Wm. Smith. V	24. Jas Macken. V
7. Wm. Foley.		16. John Stevenson. V	25. Samuel McGee. V

TWELFTH DISTRICT, EIGHTH WARD.

49½ *Dominick s rect.*

1. John Andrews. V	3. James Jordan. V	4. William Wilson. V
2. James Bowen. V		

FIFTEENTH DISTRICT, EIGHTH WARD.

12 *Renwick street.*

J. C. W. Willey.

The above name is on poll-book but not on registry.

NEW YORK, *January 9, 1869.*

SAMUEL BAKER sworn and examined, (called at the instance of Mr. Kerr.)

By Mr. KERR :

5954. Question. Have you been before this committee before?

Answer. Yes, sir.

5955. Q. What name did you give at the first examination?

A. I do not recollect; I think it was Johnson.

5956. Q. What is your real name?

A. Samuel Baker.

5957. Q. Do you recollect what you testified the other day?

A. Yes, sir.

5958. Q. State to the committee what induced you to come here the other day and testify?

A. One reason was to benefit a friend in trouble, and another one was to get some money.

5959. Q. Who was the friend you were to benefit?

A. Wm. Dorans.

5960. Q. What money did you get?

A. I got \$5 for the statement and \$5 after I was sworn here.

5961. Q. Where did you get the first \$5 ?

A. I got the first \$5 in Jersey City.

5962. Q. Whereabouts ?

A. In a liquor store there.

5963. Q. Who gave it to you ?

A. Dorans ; he said he got it from Colonel Wood.

5964. Q. Who gave you the \$5 after you had testified here ?

A. Dorans ; he said he got that from Colonel Wood also.

5965. Q. When you went over to Jersey City, whom did you see there ?

A. I saw Colonel Wood and two short-hand writers.

5966. Q. What did Colonel Wood say to you ?

A. He asked me about election ; how many times I repeated, &c. I certainly did testify to more than I did.

5967. Q. What is the truth of the case ?

A. The truth is I voted but once or twice in each district ; I was doing it for the benefit of Dorans.

5968. Q. What ticket did you vote ?

A. I think the democratic ticket.

5969. Q. Did Colonel Wood himself offer you any money for testifying here ?

A. No, sir ; since that time he has given me money to go to other people and get them to do the same as I did.

5970. Q. How much money did he give you ?

A. Five dollars a man. This I gave to the parties, and he gave me \$5 for bringing them here.

5971. Q. Can you give the names of the men you took to him ?

A. I know some of them.

5972. Q. Did any of them testify here ?

A. Yes, sir.

5973. Q. Do you know under what names they testified ?

A. No, sir.

5974. Q. State whether the facts you testified to here the other day, as to your residence, were true or false ?

A. They were false.

5975. Q. State how many people you took to Colonel Wood for the purpose of being prepared to testify here.

A. Probably about 12.

By the CHAIRMAN :

5976. Q. You tell the truth, now, when you say you did vote once or twice in each district ?

A. Yes, sir.

5977. Q. Did Colonel Wood ask you to state anything but the truth ?

A. No, sir.

5978. Q. Did Colonel Wood request any of these parties to make any untrue statement ?

A. No, sir.

5979. Q. Did you make any such request ?

A. No, sir.

5980. Q. Did any person, to your knowledge, request anybody to testify here to what was not true ?

A. No, sir.

5981. Q. State if any caution was given to you that you were to be careful to tell only what was true ?

A. There was no caution at all ; they said there should be no proceeding taken against us.

By Mr. HOPKINS :

5982. Q. What induced you to come back here now and testify ?

A. Some of my friends living in my ward did not seem to be satisfied with what Dorans had done, and they got me to come back and speak right out.

5983. Q. Who are these friends ?

A. They live in the 8th ward; I know them by sight.

5984. Q. By whom were you brought here this afternoon to testify ?

A. I brought myself.

5985. Q. Under whose charge have you been to-day ?

A. Under the charge of the deputy sheriff; I do not know his name.

5986. Q. He took you in custody and kept you all day ?

A. Yes, sir.

5987. Q. What reason did he give for keeping you in custody ?

A. He did not tell me.

5988. Q. And he kept you in close custody ?

A. He has kept me in custody all the afternoon.

5989. Q. Have you been at the sheriff's office to-day ?

A. Yes, sir; I went over with him.

5990. Q. What questions were put to you there in reference to your testimony ?

A. They asked me if I had been over here to testify; I said no, and they asked me to go over here and tell the truth.

5991. Q. Who examined you there ?

A. I was not examined by anybody.

5992. Q. Who asked you the questions ?

A. I do not know the party.

5993. Q. Do you know Sheriff O'Brien ?

A. I do not.

5994. Q. Do you know whether he sent that deputy sheriff to take charge of you ?

A. It was a little short man who told him to take charge of me.

5995. Q. What did you get for testifying here to-day ?

A. Nothing.

5996. Q. What do you expect to get ?

A. Nothing at all.

5997. Q. You cannot give the name of anybody who advised you to come down and testify here to-day ?

A. No, sir.

5998. Q. Did Mr. Dorans advise you ?

A. No, sir; several friends who live in my ward did not approve of what Dorans was doing, and they asked me to come down here and make a clean breast of it.

5999. Q. Where do you live ?

A. No. 103 Crosby street.

By Mr. KERR :

6000. Q. You say you were taken in close custody; what do you mean by that—did the deputy sheriff say he arrested you by any process ?

A. He did not say so.

6001. Q. What did he say ?

A. He said: "You will have to stop with me until you go in." I said that I came here on purpose to go in.

6002. Q. Would you have stopped if he had not been with you ?

A. Yes, sir; just the same.

6003. Q. When you say he took you in custody, you do not mean to say that he compelled you to stay, whether you wanted to or not?

A. It seemed like it.

NEW YORK, *January 9, 1869.*

FLORENCE SCANNEL recalled and examined.

To Mr. KERR:

6004. I have come here on my own motion to say that I was the only person who had anything to do with registering names upon election day from the Compton House. Neither my brother nor Mr. Fagin, who keeps the house, had anything to do with it. If there is anybody to blame, I am the man. They are business men and very seldom interfere with politics.

By the CHAIRMAN:

6005. Question. Is your brother a deputy sheriff?

Answer. Yes, sir.

6006. Q. Is Mr. Fagin also deputy sheriff?

A. He is connected with my brother. The appointment was given to me first; but I did not want to have it, and I gave it to my brother and Mr. Fagin.

6007. Q. How many men did you register at the Compton House?

A. None.

By Mr. HOPKINS:

6008. Q. How many did you procure?

A. I do not know that I procured any. If I met any boarders, I would ask them if they would not go down and register.

6009. Q. How many men were registered by you, or under your influence, at the Compton House?

A. I cannot say. I would meet a man and ask him if he had registered; if he said no, I would induce him to go down and register.

6010. Q. How much truth have you told us to-day?

A. Every word I have said is true.

6011. Q. Do not you know more than you have told us?

A. I do not know as I do; but, if I do, it will be kept where it is.

6012. Q. You have stated that you had a large number of names registered; state how many were registered from the Compton House.

A. I did not register any myself. It was not from that house I was to register these names. I could not afford to register them in my district. If I was to let the republicans show strength, it must be somewhere outside of my district.

NEW YORK, *January 9, 1869.*

JOHN A. KENNEDY sworn and examined, (called at the instance of Mr. Kerr.)

By Mr. KERR:

6013. Question. What office do you hold?

Answer. I am superintendent of the metropolitan police of the State of New York.

6014. State whether to-day, at any hour, you detailed any number of policemen to come to this building and guard the entrance to it and the entrance to this committee room.

A. I received a communication from the United States marshal, stating that there was a large crowd of persons at the building, and that he

apprehended there might be trouble, and he wished a detail of eight or ten policemen to be sent here for the purpose of preserving the peace. Having received that communication, I addressed a special order to Captain Jourdan, of the precinct in which this building stands, directing him to send a detail of men, under a discreet sergeant, to preserve the peace.

6015. Q. Have you that order with you ?

A. No, sir.

6016. Q. Was that addressed to him by telegram ?

A. No, sir ; I sent it by the messenger who brought me the request from the marshal.

6017. Q. State whether it was in pursuance of any law of the State of New York you made that order.

A. The laws of the State of New York make it my duty to protect the public peace. Whenever I learn there is a probability of a disturbance of any kind it is my duty to see that it is prevented.

6018. Q. Is it your duty to obey an order of that kind made upon you by the marshal of this district ?

A. No, sir ; he gave me no order. I would not obey any order if he gave one. He made an official request, but not an order.

6019. Q. You mean by that, you do not recognize him as having any authority over you ?

A. No, sir ; not in my judgment.

6020. Q. Why was it that instead of 8 or 10 policemen 24 were sent ?

A. I ordered only 10 ; and I directed Captain Jourdan, in case his reserve would not allow him to send that number, to call upon other precincts to make up the 8 or 10.

6021. Q. If you were requested by this committee to withdraw those policemen would you not comply with their request ?

A. I certainly would.

By the CHAIRMAN :

6022. Q. With which political party does Captain Jourdan act ?

A. He has always been a democrat.

By Mr. HOPKINS :

6023. Q. If any respectable party should make a request similar to the request made by Marshal Murray, would you not have done the same thing ?

A. Most assuredly.

By Mr. KERR :

6024. Q. Does the law require that there shall be kept in your office an account of the returns of the registers in the city of New York at general elections ?

A. I am not prepared to say ; that is not in my branch of business ; that is in what is called the bureau of elections. I am not prepared to speak of the provisions of the law upon that subject. Mr. D. B. Hasbrouck has charge of that bureau.

By the CHAIRMAN :

6025. Q. State if you accompanied Mr. Acton and some other gentlemen on the night of the 30th of October from the police headquarters to 301 Mott street in a hack with a lot of books or copies of registries or anything of that kind.

A. No, sir.

6026. Q. State if you rode in a carriage with Mr. Acton from the Fifth Avenue Hotel to procure a lot of books from police headquarters ?

A. On either the evening of the 30th or 31st of October, I am not clear which, Mr. Acton and myself, understanding that a *habeas* had been issued by Judge Barnard on me to send certain persons, who were then in custody, to his office, namely his dwelling-house, we went down there in a carriage. We were, both of us, at the Fifth Avenue Hotel and I called a hack and went down to the police headquarters. There was nobody else with me. I went in and saw Mr. Howe, the counsellor who had sued out the *habeas*, and I directed Mr. Dilks to make a return of the prisoners and to send them forthwith before the judge. I understood afterwards that he discharged them. I did not meet anybody else.

6027. Q. Did you not meet three gentlemen who came there in a carriage?

A. I do not recollect that I did. As to being present when any books were taken away from there, I do not know anything about it.

6028. Q. State whether the election returns were received by telegraph at police headquarters as early as usual.

A. No election returns are made by telegraph. They are merely election reports. These have been returned in the same way since I have had charge of the police department, nearly eight years. They were not returned quite as early as usual. Some of them were very long delayed. Box No. 1, that is the electoral box, is required by law to be counted first, and we were not able to make complete returns of this box until nearly 12 o'clock, when we ought ordinarily to have had that box completed by 9 o'clock.

By Mr. KERR:

6029. Q. You say the returns were not received as early as usual?

A. Some few of them were not.

6030. Q. How many of them?

A. I should suppose about 8 or 10 out of 340; but there was a general delay. I am speaking of the list.

6031. Q. How many of the 340 were in before 9 o'clock?

A. I am not prepared to say.

6032. Q. Was any considerable number in before 9 o'clock?

A. Yes, sir; I think some of the wards were completed before 9 o'clock.

NEW YORK, *January 9, 1869.*

EDWARD SANFORD, jr., recalled and examined, (at the instance of Mr. Kerr.)

By Mr. KERR:

6033. Question. Take that list handed you by me this morning with the request that you would visit the places mentioned therein, and state what places you have visited and what was the result.

Answer. I went to No. 5 Eldridge street for Mr. Wood; there was no such person living there, or had been there for the last four or six months. I then went to 27 Bowery for John C. Anderson; no such man lived there at all; it is a lager-beer saloon. I then went to No. 75 Crosby street for James Green; there is no such person there; it is a large furniture house. I then went to No. 87 Mercer street for James Nichols; I found no such person there, either in the rear house or front house, or in that neighborhood. I then inquired at No. 14 Hester street for George Melville, and the parties occupying the house said that no such person ever lived there. I found Joseph Benson at No. 103 Crosby street; this place is a low drinking shop, evidently a resort for thieves and cut-throats. I inquired at No. 169 Houston street for Charles Reilly; I went to both

East and West Houston streets, and I could find no such person. No. 61 Thompson street is a large school-house, and I could not find that George Hill lived anywhere in the neighborhood.

NEW YORK CITY, *January 11, 1869.*

LOUIS CAMPBELL sworn and examined.

To the CHAIRMAN:

6034. I work at 98 Mercer street. I did not vote in New York city at the last presidential election.

6035. Question. Do you know of any person voting at that election more than once?

Answer. I know what I have been told. I understand I am under oath now. At the time I made the statement at Taylor's Hotel in Jersey City I was what you may call drunk. Whiskey was bought for me and I was made dru.k. I calculate to swear to the truth, and nothing but the truth.

6036. Q. Did you register as a voter?

A. I did not here; I did in the country.

To Mr. ROSS:

6037. As I before said, in reference to the statement I made, it was misrepresented to me. I was plied with liquor before the statement was made. It was represented to me that nothing would be done about it, and when I got back to New York I got \$10 in money for going over and making this statement.

6038. Q. What statement are you referring to now?

A. The statement, they say, is here that I made in New Jersey.

6039. Q. When did you go over to make a statement in New Jersey?

A. I was over in New Jersey on Saturday.

6040. Q. At whose instance, or request, did you go over?

A. One of the young men I know—his name is Cassidy. He came to the stable where I am at work, and came up-stairs and said "I have got five dollars for you." I says, "How is that?" Then he came in and the other young gentleman told me—

6041. Q. Did you get any pay for going over?

A. I did not. I was promised pay by the young gentleman that I did not know that was with Mr. Cassidy. He promised me ten dollars.

6042. Q. Whom did you go over with?

A. I went over with him and Mr. Cassidy, and there were several others. I went over to Taylor's restaurant.

6043. Q. What did you do after you got over there?

A. After we got over there we drank considerable liquor.

6044. Q. Who furnished the liquor?

A. This young gentleman I went over with.

6045. Q. The one who represented himself as witness the day before?

A. No, sir; Cassidy represented himself as a witness the day before. The other gentleman was the one who was footing the bills.

6046. Q. State whether there was a good deal of drinking, and what effect it had on those present.

A. I could not state what effect it had on the rest. It made me pretty boozy.

6047. Q. When in that boozy condition what did they ask you to do?

A. They asked me to go up-stairs and make this statement.

6048. Q. Whom did you make that statement before?

A. I could not tell you to save my life.

6049. Q. Was the statement you made over there true or not?

A. They never asked me anything of the kind, whether it was true or

not, and nothing of the description. All that was said to me a gentleman at Taylor's said to me: "You need not be scared. I will give you a written guarantee it shall be all right; there will be nothing done; no hereafter about it."

6050. Q. You know nothing of any illegal voting of your own knowledge?

A. I do not.

6051. Q. Did you see money paid to other parties over there?

A. I did not.

6052. Q. Was there any man connected with that that you knew?

A. There was not.

6053. Q. If you testified over there that you had been a repeater, it is not true?

A. I did not testify to anything. I made a statement over there that was not true. I considered over there that telling a story and swearing to it is two different things. If I swear to a thing I consider that my oath is binding, and I would not want to swear to a lie, but talking with a man and telling a lie I don't consider that that is binding.

By the CHAIRMAN:

6054. Q. Did they ask you over there to state anything that was untrue?

A. Cassidy knew, as well as I did, that I was not a voter in the city of New York. They asked me questions and I answered them. They did not ask me whether they were true or not true.

6055. Q. You made the statement over there that you had voted more than once?

A. Yes, sir; I was not asked whether it was true or untrue. I was asked the questions and that was all. I supposed, at the time, that was the end of it.

6056. Q. Where have you been since Saturday?

A. I have been to work at my business.

6057. Q. Whom have you talked with about this matter?

A. Nobody at all.

6058. Q. Why did you come here this morning and say you were afraid that you were in danger?

A. That is just as I state now. I did not understand there was to be any swearing done about this thing.

6059. Q. Whom were you afraid of?

A. I was afraid of different parties; in the first place, I was afraid, when I came to my senses, to know where I was, that if I came here this morning and made this statement here it was going to get me locked up, and I wanted to understand that before I came.

By Mr. Ross:

6060. Q. That is, if you came before the committee and swore falsely you were afraid you would get into trouble?

A. Yes, sir; I knew a false oath would get me in trouble.

6061. Q. After you got afraid you concluded that you would tell the truth, and have now told it?

A. Yes, sir.

6062. Q. You were led by the promise of money and being intoxicated to make the statement you did over there?

A. Yes, sir.

WILLIAM H. BOGART recalled.

To Mr. Ross:

6063. I reside at 88 Lexington avenue.

To the CHAIRMAN:

6064. I have examined the registry and poll-list of voters in this city, at the last presidential election, for the 13th district of the 8th ward, and others; and I present to the committee a list of names with the districts and wards as they are found on the registry-lists and poll-lists. Those marked "V" are found on the poll-lists as persons having voted.

The following is the list presented by the witness:

THIRTEENTH DISTRICT, EIGHTH WARD.

<i>277 Spring street.</i>		7. Thos. Lilly. V	15. Mich'l Russell. V
1. Harry Bell. V		8. Thomas McKinney. V	16. Thos. Ryan. V
2. Joseph Dunlap. V		9. Francis McMahon. V	17. Pat'k Rearodan. V
3. Harry Golding. V		10. Peter J. McCormick. V	18. John Schattheip. V
4. Luke Higgins. V		11. Mich'l O'Leary. V	19. Mich'l Sexton. V
5. James Hall. V		12. Jas. O'Neil. V	20. Dan'l E Stewart. V
6. Thos. Kernay. V		13. Dan'l Powers. V	21. Henry Walker. V
		14. James Rorke. V	

SECOND DISTRICT, EIGHTH WARD.

<i>98 Mercèr street.</i>		2. John Brown. V	11. Edw'd Jones. V
1. Andrew Andrews. V		3. John Baker. V	12. Geo. T. Kintner. V
2. Charles Mills. V		4. Thos. Connor. V	13. Geo. A. Payne. V
3. James Wiley. V		5. Jas. Coffee. V	14. Egydrus Roessner. V
4. John Q. Smith. V		6. Chas. H. Diamond. V	15. John Rodgers. V
		7. Jacob Fisher. V	16. Theodore Schoen. V
		8. Sebastian Fisher. V	17. Wm. W. Smith. V
		9. Jesse Goodenough. V	18. Philip Strong. V
		10. Geo. H. Iugersoll. V	19. Julius Waiblinger. V
<i>101 Spring street.</i>			
1. John Bermunder. V			

FOURTH DISTRICT, EIGHTH WARD.

<i>43 Sullivan street.</i>		11. Wm. Wallace. V	7. Thomas Hederton. V
1. Conrad Appenzeller. V		12. Henry Langeleis. V	8. Peirce Murray. V
2. Arends J. Allen. V		13. Henrich Fesericks. V	9. Daniel Mullin. V
3. Heinrich Hinz. V			10. Michael O'Connor. V
4. Ludwig Henrickson. V		12 <i>Thompson street.</i>	11. Louis Owenhaus. V
5. Conrad Pollman. V		1. John Barry. V	12. Mike O'Brien. V
6. Henry Schutz. V		2. Philip Bradley. V	13. Patrick Ryan. V
7. John H. Schwager. V		3. Thomas Denegan. V	14. John Mulvey. V
8. John Smith. V		4. James Dunavon. V	15. Patrick Mulvey. V
9. August Schisler. V		5. Wm. Ferguson. V	16. Miles McBride. V
10. Carl Scholtz. V		6. Joseph Hoppen. V	

SECOND DISTRICT, EIGHTH WARD.

<i>117 Spring street.</i>		4. Bryan Duffy. V	9. Michael Schwanberger. V
1. Philip Armourer. V		5. Hugh McCrossen. V	10. John Smith. V
2. John Barber. V		6. Manuel C. Peach. V	11. William H. Travis. V
3. Thomas Cakanaley. V		7. Joseph Ryau. V	12. Charles Werner. V
		8. Lazar Reichman. V	13. James Welsh. V

TENTH DISTRICT, EIGHTH WARD.

<i>143 West Houston street.</i>		13. James Mullen. V	8. Wm. H. Lynn. V
1. David Anderson. V		14. Henry Smith. V	9. Thomas Martin. V
2. G. E. Bissell. V		15. James Tompson. V	10. James O'Donnell. V
3. Henry Brown. V		16. Edward Wilson. V	11. William Porter. V
4. Augustus Cohen. V			12. Isaac Robinson. V
5. William Duryea. V		62 <i>McDougall street.</i>	13. Robert Roberts. V
6. John B. Ebbetts. V		1. Chas. B. Albertson. V	14. Adrian Roberts. V
7. William Griffiths. V		2. James Cusick. V	15. James Roach. V
8. David Garvey. V		3. James Fitzgerald. V	16. Geo. P. Robinson. V
9. William C. Howard. V		4. Alexander Fallon. V	17. James Smith. V
10. Henry Jackson. V		5. Samuel J. Goodwin. V	18. James Steverson. V
11. William Jones. V		6. George Getchell. V	19. George Watson. V
12. Samuel E. Jones. V		7. Thomas Hanna. V	20. Henry Wheeler. V

THIRTEENTH DISTRICT, EIGHTH WARD.

50 <i>Vandam street.</i>		4. Chas. Cummings. V	9. James Murphy. V
1. Gabriel A. Aiguin. V		5. James J. Foster. V	10. Thomas Murphy. V
2. Dan'l U. Blauvelt. V		6. John Foster. V	11. Wm. E. Ormend. V
3. Wm. E. Blauvelt. V		7. John Grogan. V	12. Clarkson C. Poillon. V
		8. David McLean. V	

EIGHTH DISTRICT, EIGHTH WARD.

116 <i>Varick street.</i>		10. Owen Gannon. V	21. Mich'l Norton. V
1. Sam'l Bradney V		11. Thos. Graham. V	22. Jas. Murray. V
2. Sam'l Bartley. V		12. Jas. Garvey. V	23. Wm. Ostrander. V
3. Geo. Bowers. V		13. David Hall. V	24. Thos. O'Donnell. V
4. Jas. Berry V		14. Stephen Jones. V	25. Sam'l Stevens. V
5. Henry C. Connor. V		15. Wm. Johnston. V	26. Henry Stevens. V
6. Jas. Evlind. V		16. Geo. Jones. V	27. W. B. Short. V
7. Owen Farley. V		17. Edw'd Jenkins. V	28. Bernard Trainor. V
8. Henry Fenton. V		18. Jno. Kaine. V	29. Henry Welsh. V
9. James Flowers. V		19. James Myers. V	30. Geo. Watson. V
		20. Jno. Martin. V	

SECOND DISTRICT, EIGHTH WARD.

101 <i>Greene street.</i>		2. Jno. Fallon. V	5. Thos. King. V
1. Jno. Briggs. V		3. John Hays. V	6. Henry C. Neff. V
		4. Chas. Kastenbein. V	7. Jonas Wilson. V

By Mr. ROSS:

6065. Question. When did you make this examination?

Answer. I made that Thursday, Friday, or Saturday, I forget which; two days in succession.

6066. Q. Where did you make it?

A. At the county clerk's office I got the poll-lists. A part of the others I got at the office in Broadway.

6067. Q. At what office in Broadway?

A. No. 258; the office of the Union League.

6068. Q. You copied these from their books?

A. No, sir; from the registry.

6069. Q. From the registry in their books?

A. No, sir; the registry used on the days of registering. Some of them I copied from the registry-books in the county clerk's office—all excepting one district.

6070. Q. Is there any law requiring the public records of the elections to be deposited in the office of the Union League?

A. I do not know of any.

6071. Q. You copied part of those from their books?

A. The book left there by the registrars themselves.

6072. Q. Then the registrars do leave some of their original books at the office of the Union League?

A. I presume so.

6073. Q. How many are left there?

A. I cannot tell.

6074. Q. You found some of the original election-books at the Union League rooms?

A. I found one there.

6075. Q. Is that the only one?

A. I suppose there are others there.

6076. Q. Which you understand to be the original books?

A. Yes, sir.

6077. Q. About how many of those original books should you judge are to be found at the Union League room ?

A. That I cannot tell. Perhaps 5, 10, 15 or so. I have never seen any except what I used myself. I left one there myself.

6078. Q. You were one of the election officers ?

A. Yes, sir.

6079. Q. Do you belong to the Union League ?

A. No, sir.

6080. Q. Are you republican in politics ?

A. Yes, sir.

6081. Q. What is your business ?

A. I have no business at present ; only connected with the office, in writing, as clerk.

6082. Q. Clerk to the Union League ?

A. Yes, sir.

6083. Q. How long have you been in their service ?

A. Since the 23d of November.

6084. Q. At what salary ?

A. Eighteen dollars a week.

6085. Q. How many of you are employed there ?

A. That I could not tell ; five or six.

6086. Q. In that building ?

A. Yes, sir.

6087. Q. What are you working on ?

A. We are doing writing.

6088. Q. In reference to election frauds ?

A. I suppose it is.

By the CHAIRMAN :

6089. Q. Do you know whether the registrars keep the custody of one of the registry-lists, as a general rule ?

A. I think they do.

6090. Q. Were you an election officer ?

A. At the November election I was an inspector and registrar.

6091. Q. Do you know John E. McGowan ?

A. Yes, sir ; he is deputy sheriff under James O'Brien.

6092. Q. State if he registered or voted in your district at the last November election.

A. He registered under the name of Sherman, 234 East Thirty-first street.

6093. Do you know John Jones ?

A. I know the gentleman by sight.

6094. Q. State if he registered or voted in your district.

A. He registered in my district by the name of Hinchman. I do not think that he voted. I could not positively say whether his name was voted on or not. I could refer to my book and answer that question.

To Mr. Ross :

6095. I saw Mr. McGowan both register and vote.

NEW YORK, *January 11, 1869.*

HIRAM B. FERGUSON sworn and examined, (called at the instance of Mr. Ross.)

By Mr. Ross :

6096. Question. Are you acquainted with Marshal Murray ?

Answer. I know him by sight.

6097. Q. State what you know, if anything, in relation to improper

influences being exercised with a view to controlling the elections in this city.

A. All I know is, that six or eight days before the presidential election, I went to the Fifth Avenue Hotel, about eight o'clock in the evening, and I saw Mr. Murray and Mr. Stanley. They wanted to know what it would cost for eight or ten repeaters on election day. A friend that was with me told him \$1,000. Mr. Stanley said it was too much. Mr. Murray said, "I will give you \$300, and he would see him the night before the election at the Hoffman House." Mr. Stanley said, "Very well; arrange it to suit yourselves." That was all that occurred that evening. We went away on the night before the election; we went up to the Hoffman House and got \$300. I did not get the \$300; it was given to another man. I got \$75 of it. A man by the name of Hogan gave me the \$75. I don't know the amount that Marshal Murray gave him, but he asked him for \$500, and he said that \$300 was all that had been given him.

6098. Q. State what was done in relation to that on election day, if anything.

A. I don't know of my own knowledge what was done. I did not do anything with it. I took the \$75. I was an inspector on election day, and was not with them at all. I was expecting to be withdrawn from being inspector, but was not, and had to attend to that on election day.

6099. Q. In the interest of what party, if any, was this repeating to be done?

A. For the republican party.

By the CHAIRMAN:

6100. Q. Do you know Peter McKnight?

A. Yes, sir; he holds the office of deputy sheriff.

6101. Q. Are you a clerk to him?

A. Yes, sir.

6102. Q. How long have you been?

A. A year the first of this month.

6103. Q. You were inspector of elections at the time you got this \$75?

A. I was inspector of elections on election day.

6104. Q. When were you appointed?

A. I cannot tell that exactly. I presume a month, or nearly a month, before the election.

6105. Q. Then you were inspector at the time you got the \$75?

A. Yes, sir.

6106. Q. Did you vote at the last presidential election?

A. I did.

6107. Q. For whom?

A. I voted a straight democratic ticket.

6108. Q. Did you report these facts to anybody?

A. Yes, sir; I reported them before I got the money. I told them money was being given out there, and I was told I could go there and get it if I wanted to.

6109. Q. To whom did you report it?

A. Several gentlemen. Peter McKnight, for one; a man by the name of Odell; another man by the name of Kerrigan. I remember telling it to a large party that they were giving out money there for repeaters.

6110. Q. Did you tell them you got \$75?

A. Yes, sir.

6111. Q. Did you tell anybody else?

A. I don't remember telling anybody but McKnight, Odell, and Kerrigan. I may have told others.

6112. Q. Who were the men that got the money for repeating, besides you?

A. Mr. Hogan got the money in the first place. He got it all. He paid me \$75. There was another man by the name of Jones. I don't know the first name. I know him by sight. I have generally seen him around Twenty-fourth street and Third avenue.

6113. Q. In what district and ward were you inspector?

A. In the third district, 11th ward.

6114. Q. Did you see Jones vote there that day?

A. No, sir.

6115. Q. Did he vote there?

A. He did not.

6116. Q. Did you know of any of these men voting?

A. I did not.

6117. Q. At what time was it that you saw Marshal Murray at the Fifth Avenue Hotel?

A. It was about 8 o'clock in the evening. I don't remember the date.

6118. Q. Whereabouts in the Fifth Avenue Hotel did you see him?

A. I met him first in the main hall, and he walked around in the southern part of the building, fronting Broadway. There is a partition as you go into the main entrance, and we went round there.

6119. Q. Did you go into another room?

A. I did not; no, sir.

6120. Q. Did Murray?

A. He went away from me and I don't know where he went. He and Mr. Hogan went away from me.

6121. Q. Was your conference with him in a room or in the hall?

A. In this room off the hall. It is not a room, because there is no door to it.

6122. Q. Who were present at that interview in the Fifth Avenue Hotel?

A. Part of the time Mr. Murray, Mr. Stanley, Mr. Hogan, and myself. Mr. Jones was there; and another man I don't recollect.

6123. Q. All there together?

A. Yes, sir.

6124. Q. Was there a man there with very large, light, sandy whiskers?

A. I don't remember any such man.

6125. Q. Was there a man there with black whiskers?

A. There was a man there with black whiskers; but I don't remember his name. I did not know him. I know he seemed to be interested. I don't know who he is. I did not ask.

6126. Q. Was he a tall man, over six feet high?

A. I think he was a little taller than I am. I think he might be about six feet, with black whiskers. I remember that man. I saw him the next night. He was as stout as I am, nearly; rather a heavy man. I think he would weigh 180 pounds, or 200, perhaps.

6127. Q. You have been known as a democrat, in this city, for how long?

A. I never was much of a politician. I don't know that I was really known as a democrat any more than a republican.

6128. Q. You were known as clerk in the deputy sheriff's office?

A. Yes, sir. I was not employed there as a politician, but only for my services there. I was there before the present sheriff was there. I generally stay from one term to another, because I am posted in the business.

6129. Q. Then you went to the Hoffman House the next evening?

A. Not the next evening. It may have been a week after that.

6130. Q. You are sure it was as long as a week ?

A. I am not sure. It may not have been more than four days. It was not the next day or the day after that.

6131. Q. At what time in the evening were you at the Hoffman House ?

A. Between eight and nine, I think.

6132. Q. Was it not nearly twelve ?

A. No, sir.

6133. Q. You stayed there until nearly twelve ?

A. No, sir ; I was at home before 12 o'clock. I think I must have left there long before 11 o'clock.

6134. Q. Who was there at the Hoffman House in conference with you ?

A. Mr. Murray and this same gentleman I saw at the Fifth Avenue Hotel ; I don't know his name. And Mr. Hogan and Mr. Jones was there ; and there was another man went up there with us from the Third avenue ; I don't remember his name. I had very little to say with any of them.

6135. Q. Then the money was paid ?

A. Yes, sir.

6136. Q. You saw it paid ?

A. Yes, sir.

6137. Q. All were present when the money was paid ?

A. No, sir.

6138. Q. Who were present ?

A. Mr. Jones and I were standing in the room, and Mr. Hogan and the gentleman that gave him the money walked down to the other end of the room, and he handed him the money, and then he walked down and asked us to drink, and we went to the bar and I think the gentleman took a drink.

6139. Q. At this time were you in a room in the second or third story ?

A. No, sir ; right in from the street ; the first floor.

6140. Q. The same room where the bar is ?

A. I never was in that house before ; it must have been in the bar-room, certainly. The money was paid in the back end of the room ; I am not certain it was the bar-room, but I think it was.

6141. Q. It was the room where you got something to drink ?

A. Yes, sir.

6142. Q. They had a bar there, where they were selling liquor ?

A. Yes, sir.

6143. Q. You are sure it was in that room ?

A. I think it was the bar-room ; but I am not sure of that.

6144. Q. Was that the room you had your conference in ?

A. We had no conference there. He didn't speak to anybody there five minutes that night. Mr. Hogan done all the talking and got the money.

6145. Q. Was this tall man, six feet high, with black whiskers, there that night ?

A. Yes, sir.

6146. Q. Did you observe the appearance of his face ?

A. Not particularly. I don't know that I should know the man now if I should see him.

6147. Q. Was he a young man ?

A. Not a very young man. I guess he was as old as I am ; about 35 or 40 I should think. I did not notice him particularly, and did not have a word's conversation with him myself.

6148. Q. Was he pock-marked ?

A. I did not notice anything of that sort.

6149. Q. What is your weight ?

A. I think about 195.

6150. Q. This black-whiskered man was as heavy as you ?

A. He might have been not quite as heavy. I think he was near my size. I could not judge very well if I saw him now.

6151. Q. Don't you remember they called his name Davis ?

A. I did not hear his name. I think I asked his name, and they told me they did not know.

6152. Q. Who paid the money over ?

A. This man with black whiskers. He paid Mr. Hogan the money. He went one side for the purpose of giving it to him.

6153. Q. Did you see any money that night ?

A. I saw \$300 laid on the bar and divided. Hogan had the money all in a row, and picked out \$75 and handed it to me.

6154. Q. Did you see the black-whiskered man pay the money ?

A. No, sir; I did not see it paid. Hogan went out with him, and came back and said: "I have got \$300, and I will give you \$75." And he took money out of that \$300, and handed it to the bar-tender—enough to pay for four or five drinks. He handed him a bill.

6155. Q. How far from the bar was it that Hogan and the black-whiskered man retired when the black-whiskered man gave Hogan the money ?

A. Probably the width of this room; say 60 feet.

6156. Q. You are sure it was not between the bar and the front door ?

A. No; I think it was between the bar and the front door, a little to one side though. I noticed so very little about that, however, that I could not give accurate testimony about it. I never was inside of the house before or since.

6157. Q. Do you know Marshal Murray ?

A. I know him by sight; yes, sir.

By Mr. Ross:

6158. Q. Do you know anything further about election frauds in this city than what you have stated ?

A. No, sir, I do not. I know that parties attempted to repeat in the district where I was inspector, but I did not receive their votes.

6159. Q. Do you know for which party ?

A. I know one man. I looked at his tickets the second time he came to vote. It was the republican ticket.

6160. Q. He was trying to repeat the republican ticket ?

A. Yes, sir.

6161. Q. Have you any knowledge of your own with reference to whether these men did repeat that day or not ?

A. I have not. I did not see them on election day. They told me that they did.

(Marshal Murray was here called in.)

6162. Q. Is this Mr. Murray who is now present the Marshal Murray of whom you have testified ?

A. Yes, sir.

NEW YORK, *January 11, 1869.*

Marshal ROBERT MURRAY recalled.

By the CHAIRMAN:

6163. Question. Have you not seen Hiram D. Ferguson ?

Answer. I have seen the gentleman pointed out to me here.

6164. Q. State if you saw him at the Fifth Avenue Hotel a week, or at any time shortly before the last presidential election.

A. I never saw him before in my life.

6165. Q. Did you see him at the Hoffman House shortly before the presidential election?

A. As I have testified before, I was not in the Hoffman House. I think the last time I was in there prior to the election was one evening in the month of September. I am not in the habit of visiting there.

6166. Q. Have you been in the bar-room of the Hoffman House?

A. I have never been there in my life since they changed the old bar. The old bar was changed some two years and a half ago. I think I have been in there half a dozen times. I have never been in where the new bar-room is. The old bar-room was right back of the cigar store, and I noticed when I was in there in September that it was removed, but what part of the building it is removed to I am unable to tell, because I have never been there.

NEW YORK, *January 11, 1869.*

DAVID HOGAN, (recalled at his own request to explain his testimony.)

To the CHAIRMAN:

6167. I came back to rectify a mistake. On Saturday I testified to the best of my belief that the man who was hurt on the day after the election was the man who challenged me. I heard he was a challenger in the 9th district, but I discover, after reflection, that he was not the party at all, because he was not hurt until after the second election, the December election; so that whoever it was I don't know. I think I heard one of these gentlemen who was writing here tell somebody else that I lived at 833 Third avenue. I live at 830, one door this side of Fifty-fifth street.

NEW YORK, *January 11, 1869.*

JAMES GORREY sworn and examined, (called at the instance of Mr. Ross.)

To Mr. ROSS:

6168. I live at 165 East Thirty-third street. I was a canvasser in the 15th district of the 18th ward at the November and December elections. I got my notification from headquarters, from Mr. Hasbrouck, the clerk. I was down there one day and qualified, and after I came down stairs I made the acquaintance of a man by the name of Scannel, and he introduced me to a man by the name of Stanly, who said, "This man has just been confirmed." Mr. Stanly asked me my politics, and I told him I did not hardly think that was necessary, but I was a democrat, and appointed a democratic canvasser; and he said to me, taking me one side, "Do you want to make a stake?" I said that depended upon circumstances; and he says, "I guess it does not make much difference to you who wins this race now." I said, "It won't benefit me anyway, that is certain." He says, "I am interested in the vote that Grant and Griswold are going to poll in the 18th ward, and if you could assist me any it might be worth a couple of hundred dollars to you." I put up my hands in that way, (illustrating,) and said, "No, I am not one of that kind of people; you must look to somebody else for one to get anything of that kind done." That is all I said to him then, and he walked away with Mr. Scannel, and I went up to my place of business.

6169. Question. Do you know of any repeating being done?

Answer. I heard a great deal of talk about it, but did not see any of it.

NEW YORK, *January 11, 1860.*

JOHN NORTON recalled, (at his own request.)

To Mr. Ross :

6170. I was here on Thursday, and gave my name as James Nichols, 87 Mercer street, and I said that I was not paid for coming here, or anything of that kind, which I was.

6171. Question. State what your right name is.

Answer. John Norton.

6172. Q. State your right residence.

A. No. 42 West Houston street. I said that I did not receive any money or anything of that kind for coming here, which I did; and that I voted seven times, which I did not.

6173. Q. You did not act as a repeater ?

A. No, sir.

6174. Q. State what money you got for making your statement the other day, and from whom you got it.

A. I received \$5, in Jersey City.

6175. Q. For the statement you made the other day ?

A. Yes, sir; I also received \$5 here at this hall.

6176. Q. State who got you to go over to Jersey City.

A. A young man by the name of Samuel Baker; he received the money from Colonel Wood; he gave me \$5 to go over there, and \$5 for giving my evidence here.

6177. Q. Who is this Samuel Baker; do you know him ?

A. I have seen him; I don't know him.

6178. Q. Do you know whether he holds any office ?

A. I do not.

6179. Q. Were the statements you made the other day true or false ?

A. They were false.

6180. Q. Under what circumstances were you induced to make those false statements ?

A. Parties gave me money for doing it. I received \$5 in Jersey City and \$5 in this city for making the statement.

6181. Q. How many other parties were there that you know of having got money besides yourself ?

A. There were parties with me, but I did not know their exact names.

6182. Q. What number of them did you see get money ?

A. All I saw was another young man and myself; they sent two of us up at once.

6183. Q. Who took your statement in Jersey City ?

A. I don't know what the party's name was.

By the CHAIRMAN :

6184. Q. Where is your true residence ?

A. Forty-two West Houston street. I gave my name as James Nichols, 87 Mercer street.

6185. Q. When you went over the river they did not ask you to state anything that was untrue ?

A. O, no; you stated what you pleased over there, and did not swear to it.

6186. Q. Have you been talking with some of the deputy sheriffs on Saturday or to-day ?

A. I have not talked with any of them.

6187. Q. Were not you in the sheriff's office ?

A. Yes, sir.

6188. Q. Which one of the deputy sheriffs did you talk with ?

A. I did not know their names ; I did not know any of them.

6189. Q. Did you see Sheriff O'Brien himself ?

A. No, sir ; I do not know the gentleman at all.

6190. Q. How long were you in the sheriff's office ?

A. Only a few minutes ; giving my evidence there.

6191. Q. After you testified here ?

A. No, sir ; before.

6192. Q. Where was his office ?

A. In Jersey city.

6193. Q. Were you over at the City Hall building ?

A. No, sir ; I was not.

6194. Q. Were you at the court-house ?

A. No, sir.

6195. Q. Where did you see any of the deputy sheriffs ?

A. I have not seen any.

6196. Q. Have you been drinking this morning ?

A. I had one drink this morning at Delmonico's.

6197. Who was with you at Delmonico's ?

A. Nobody ; I went there myself, and took a wash, and had a drink.

6198. Q. Who paid for it ?

A. I did, sir.

6199. Q. Where did you get your money ?

A. I have got money sufficient to carry me through.

6200. Q. You have got some since this testifying here before, have you ?

A. No, sir.

6201. Q. Would you swear to a statement that was untrue for \$5 ?

A. I did do it.

6202. Q. You did it ?

A. Yes, sir.

6203. Q. You would do it again, then, would you not ?

A. No, sir ; no, sir ; I came here to repudiate myself this time.

6204. You have repented and reformed ?

A. Yes, sir ; I understood that parties were going to get into trouble, and came here for that purpose.

6205. Q. Who told you that ?

A. This young man by the name of Samuel.

6206. Q. When did you see him ?

A. I saw him this morning in Crosby street.

6207. Q. Did he come to hunt you up ?

A. No, sir ; I met him there in a liquor saloon.

6208. Q. He told you you were going to get into trouble from what you testified ?

A. Yes, sir.

6209. Q. And you were afraid that that was so ?

A. Yes, sir.

6210. Q. And thereupon you have made the statement you have made to-day ?

A. Yes, sir.

6211. Q. To avoid any danger ?

A. Yes, sir.

6212. Q. How many times did you vote upon the day of election ?

A. I voted once in the 8th ward ; I don't know what the district is ; it is right between Amity and Bleeker. I gave the right name.

6213. Q. Did you vote the democratic ticket ?

A. Yes, sir.

6214. Q. Did you vote at any other place ?

A. No, sir.

6215. Q. Did you register at any other place ?

A. No, sir.

6216. Q. Who gave you the slip with the name and number on that day ?

A. No party gave me no slip and number.

6217. Q. Could you point out this man that came to you at the liquor saloon ?

A. This man ; certainly I could.

6218. Q. Where does he live ?

A. I don't exactly know where he does live, in fact. I know him when I see him round.

6219. Q. What office does he hold ?

A. He is not doing anything, I guess, at present.

6220. Q. Was that the first time any one said anything to you about your testimony when that young man met you in the liquor saloon this morning ?

A. No, sir ; I saw him yesterday and also this morning.

6221. Q. Where did you see him yesterday ?

A. In the 8th ward, in Houston street ; the corner of Houston and Wooster.

6222. Q. In a liquor store ?

A. No, sir ; I met him.

6223. Q. Did he tell you then that there was danger of your getting into trouble ?

A. Yes, sir ; he told me also this morning.

By Mr. Ross :

6224. Q. Was this man you have testified of one of the men that went over to Jersey City with you ?

A. He was.

6225. Q. And testified with you over there and brought you here to testify ?

A. Yes, sir.

6226. Q. The apprehension that you spoke of was because you swore falsely ?

A. Yes, sir.

6227. Q. And you desire now to swear to the truth that you may not get into trouble ?

A. Yes, sir.

NEW YORK, *January 11, 1869.*

MICHAEL EDWARDS recalled, (at his own request.)

To Mr. Ross :

6228. I gave my name here as George Nelson. What I testified to the other day was that I went to a place in Wooster street and Crosby and voted several times, and it was an untruth.

6229. Q. What you swore to the other day was an untruth ?

A. An untruth. I was told I would get paid for it, and receive the sum of \$10—\$5 for making a statement in Jersey City, and \$5 for the statement here. Seeing that the papers were making a time about it, being liable to arrest, and one thing and another, I thought I would come down and withdraw my statement in some way or other, and do what I could with it anyhow.

6230. Q. What reason have you for desiring to change your statements?

A. Nothing more than I suppose I am liable to be arrested at any moment for making a false statement.

6231. Q. Do you know who paid you the money for the statements you made the other day?

A. A young man by the name of Samuel Baker gave me \$5 in Jersey City, and \$5 in New York city.

6232. Q. Was the statement you made the other day true or false?

A. It was false. Some parts of it were true. With reference to going to the club, I was there two nights, and that was all. So far as the voting and repeating was concerned, there was nothing true about that.

6233. Q. Did you falsely register?

A. No, sir; I only registered in the 5th ward.

6234. Q. Do you know who this Samuel Baker is?

A. I have known him personally for about six months. His occupation I cannot tell. He stops in Crosby street, at a place under the Metropolitan Shades. He has no office that I am aware of.

6235. Q. Do you know what political party he belongs to?

A. No, sir; I do not.

6236. Q. Did you see any money paid to other parties that went over to Jersey City for testifying; and if so, to what extent?

A. I saw one young man receive \$5, and this is all I saw paid by the same man.

By the CHAIRMAN:

6237. Q. What is your real name?

A. My real name is Michael Edwards. I live at 59 Laurens street. I room at Mrs. Stackpole's. I have my meals at the eating-houses.

6238. Q. When did you last see Billy Cook?

A. I don't know the gentleman. I may know him and not know his name.

6239. Q. After you testified before, you were told you might get into trouble about it?

A. Only what I saw myself in the papers. I read the Herald yesterday, and the Tribune to-day, and I inferred from them that there might be some trouble, and I thought I might as well come down.

6240. Q. You were afraid there would be trouble?

A. I was not exactly afraid, but I had the idea.

6241. Q. Did not somebody tell you of that besides?

A. No, sir.

6242. Q. Didn't you talk with any one?

A. I talked with no one personally in any way, shape, or manner. Nobody talked with me about it. What I did I did myself; but I heard other people talking about it, and what was in the newspapers.

6243. Q. Where did you hear them talking?

A. At the saloon in Green street; the proprietor. He did not tell me anything about it. He did not know I had done this thing; but he said that parties would get themselves into trouble by doing this thing.

6244. Q. He told you if you would go and correct it that it would save the trouble?

A. No, sir; he did not say anything at all.

6245. Q. What made you think you could get out of trouble by coming back now?

A. I thought it was the best way anyhow to come and make the correct statement.

By Mr. Ross :

6246. Q. You thought that it was safer to tell the truth than a falsehood?

A. I did to-day.

6247. Q. Were you fearful of being prosecuted for swearing falsely the other day?

A. Yes, sir.

NEW YORK, *January 11, 1869.*

JAMES STRONG sworn and examined.

To the CHAIRMAN :

6248. I live at 49½ Downing street. I have made a canvass of houses in this city, to ascertain who resided there at the last presidential election. I visited 116 Varick street. I found the only residents there were Michael Norton, a Mr. Green, and James Sherry; only three residing there. Michael Norton is the State senator. I went to 12 Renwick street. I found two residing there—John Cox and August Needhart; they were the only two that resided there. I visited 50 Vandam street. There was a front and rear there. I found eight residing in the front and rear; three in the rear, and five in the front. In the rear house, James Murphy, Richard Foster, and a man by the name of McClane; and in the front house, Charles Cummings, and the other names I cannot recollect. I also went to 62 Macdougall street. I found two residing there—Samuel Goodwin and Isaac Robinson. Isaac Robinson is alderman; democratic, I think; and also Mr. Cox and Renwick are aldermen, or assistant aldermen. In the house that I reside in there were five parties registered out of that, and neither one of them lives there—49½ Downing—John Andrews, James Bonney, James Jourdan, George McLoud, and William Wilson. I found three residing at 143 West Houston street—John B. Evarts, Charles E. Bissell, and Mr. Bloon. They were the only three that resided there. I visited 277 Spring street. There were eight residing there—Richard Ryan, James Powell, John Powell, and Robert Powell, I think, and the other names I cannot think of at present.

6249. Q. Have you stated all the persons who resided at the places you have named?

A. There may be two or three names. I have got all the numbers.

6250. Q. State if you made inquiry and search for persons residing there at the time of the presidential election?

A. I made inquiries for the persons residing there at the present time, and for the two months previous.

By Mr. Ross :

6251. Q. What time did you make this examination?

A. Last week and the week before.

6252. Q. How many stories were there in those houses usually?

A. In some there were two, and others three. A majority of these houses were very small houses. 62 Macdougall street was a very small house, and 50 Vandam street was a very small house.

6253. Q. Did you go into every room?

A. I did not.

6254. Q. Did you go into every story?

A. I did not.

6255. Q. Was information you had with regard to the persons residing there hearsay testimony derived from others?

A. No, sir; it was not.

6256. Q. How did you get it?

A. From their wives and servants; that is all I know about it.

6257. Q. Have you any personal knowledge who lived there?

A. I have personal knowledge of the parties living there some time previous. I have no personal knowledge what other parties lived there, except as I was told.

6258. Q. What is your business?

A. I am a brush-maker by trade. I worked with Mr. Berriare, 252 Pearl street. I have been out of work since the 29th of November. Work is very dull.

6259. Q. In what business have you been engaged since?

A. Nothing.

6260. Q. Who employed you to make this examination?

A. No one in particular.

6261. Q. Who asked you to do this?

A. A young friend of mine by the name of Gilligan was making the examination. He can testify substantially as I have to all the examination we made.

6262. Q. What pay have you got for it?

A. Nothing.

6263. Q. What promise of pay?

A. Nothing.

6264. Q. What political party do you act with?

A. I act with either party.

6265. Q. How did you vote at the last presidential election?

A. I did not vote.

6266. Q. Where were you?

A. I was conductor on the Sixth avenue railroad at the time. I changed my residence about the time of the election, and was not entitled to vote.

6267. Q. Have you ever had any other name except James Strong?

A. No, sir.

6268. Q. Have you ever been convicted of any offence?

A. No, sir; I never was arrested in my life.

6269. Q. What induced you to make this examination?

A. I came to the conclusion that such frauds ought to be investigated by every honest man.

6270. Q. You were looking at the good of the country at large?

A. Yes, sir; as I have done previous times during the war. I was at the front a little over three years, and I went there for the good of the country, and I thought an investigation of this kind would also be beneficial to the country.

NEW YORK, *January 11, 1869.*

JAMES WARD sworn and examined, (called at the instance of Mr. Ross.)

By Mr. Ross:

6271. Question. State if you know of any efforts being made to procure false statements in relation to repeating.

Answer. Yes, sir. Saturday at noon I was taking a walk around. I am at present out of employment, and I thought I might see the superintendent of the Broadway road, where I last worked, and see if I could get work, and I walked from Barclay street up Broadway to Chambers, and turned across here and saw the police standing around, and I walked into the hall and saw a friend of mine by the name of John Keating, and I stood talking to him at the foot of the stairs there, and a gentleman walked over and laid his hand on both our shoulders and says, "Boys, this is all

right; go ahead and give your testimony that you cast illegal votes for the democratic party, and it will be all right, and here are \$10 to divide up between you;" and he gave them to my friend and he says, "No harm will happen to you; I will see that it is all right, and don't go back on me like the rest of the boys did." So we went out and divided the money. I thought it was given under a mistake; that they took me for somebody else; and after due consideration I came to the conclusion that I might get myself into trouble, and I proposed to come here with him and return the money, and I have the five dollars here if you wish to take it, [laying a five-dollar bill upon the table.] I can use it to good advantage, and shall be very glad to get it, but I don't feel disposed to keep it if it is dishonest.

6272. Q. Do you know who gave it to you?

A. I did not know at the time; I afterwards found out from Keating that it was Mr. Wood.

6273. Q. Then you do not know Mr. Wood at all?

A. No, sir.

6274. Was there a promise of anything more after you got back?

A. Yes, sir; he said he would give us more when we came out, but he did not state how much. I did not notice anybody with him.

6275. Q. Did the gentleman with you get any money?

A. He got the \$10, and gave me five when we went outside the building.

6276. Q. Do you know what Mr. Wood's politics are?

A. I don't really know, sir. Mine is democratic. I should judge from what he said that he was a republican.

By the CHAIRMAN:

6277. Q. You did not see Wood yourself?

A. Yes, sir; he stood right before us, and placed his hands on each of our shoulders.

6278. Q. Did Wood give you the money?

A. No; he gave it to my friend in my presence. I could not tell how much it was; I could see it was greenbacks. It was right out at the foot of the stairs, on Saturday.

6279. Q. Did you go over the river on Saturday?

A. No, sir.

6280. Q. You did not know it was Wood?

A. I did not know, except that I was told afterwards.

6281. Q. Don't you know that the man was a democrat of this city who came up and said that to you in order that you might be brought in here to testify in this way?

A. No, sir; I don't know that.

6282. Q. You don't know who he was?

A. No, sir; I don't know who he was; I think I could identify the gentleman if he was present.

6283. Q. To whom did you make this statement of what you have testified?

A. To a friend of mine.

6284. Q. Who is that friend?

A. An officer of one of the courts, William Ward.

6285. Q. What office does he hold?

A. Messenger of the court, in the court-house; I don't know what court.

6286. Q. He came with you and asked you to make this statement?

A. Yes, sir; we were talking about it and I told him how it was, and he listened to it and said I might make the statement and return the money, which we proposed to do.

6287. Q. Where were you when you made this statement?

A. Up at the Third avenue.

6288. Q. When was that?

A. Yesterday afternoon.

6289. Q. How did he know that you had this conversation?

A. He was a particular friend of mine and heard me talking about it.

6290. Q. Do you hold any office?

A. No, sir; I was a conductor upon the Seventh Avenue and Broadway railroad. I am not now in any business. I live at 463 Third avenue.

6291. Q. Did Mr. Ward take down your statement?

A. Yes, sir; we both talked it over before him, and he went and wrote it down.

6292. Q. Where was that?

A. In the office of a livery stable in Thirty-third street.

6293. Q. What did you get for making this statement?

A. Nothing.

6294. Q. Or the promise of anything?

A. No, sir.

6295. Q. Where did you vote at the last presidential election?

A. I voted in Second avenue between Thirty-fourth and Thirty-fifth streets.

6296. Q. Under what name?

A. Under my own name.

6297. Q. Did you vote any other time?

A. No, sir.

6298. Q. Are you sure of that?

A. Very sure.

6299. Q. How often did you register?

A. Once.

6300. Q. Did you register at any other time, or under any other name?

A. In other years and other elections.

6301. Q. Under a different name?

A. No, sir; only my own name.

By Mr. Ross:

6302. Q. Did you get these five dollars for going over there and making a false statement in relation to voting in this city?

A. That is what I got the money for, I suppose, but I did not do any such thing.

6303. Q. I ask now if you desire to return the money to Mr. Wood from whom it came?

A. Yes, sir; I desire to do so, I done nothing to earn it, and therefore I don't think I ought to keep it.

By the CHAIRMAN:

6304. Q. You did not go over the river and make any statement?

A. No, sir.

6305. Q. You did not make any statement to Mr. Wood?

A. No, sir; I did not even make an answer to him.

6306. Q. You have not been called as a witness by Mr. Wood?

A. No, sir.

6307. Q. Who did call you as a witness?

A. Nobody in particular.

6308. Q. How did you come here as a witness?

A. Because I thought it was just my due.

6309. Q. You came of your own accord without being summoned?

A. Yes, sir.

NEW YORK, *January 11, 1869.*

N. JARVIS, Jr., recalled.

By the CHAIRMAN:

6310. Question. Will you furnish the committee a statement of the number of persons naturalized from 1856 to 1868, inclusive, with the number daily in October, 1868, in the court of common pleas?

Answer. I submit to the committee the following statement, which is correct:

OFFICE OF THE CLERK OF THE COURT OF COMMON PLEAS
FOR THE CITY AND COUNTY OF NEW YORK.

In answer to the question "How many persons were naturalized in the said court during each year, beginning with the year 1856, to and including the year 1868, and how many were naturalized during the month of October, 1868, stating the number each day during said month," I answer—

Number naturalized in 1856.....	10, 479	Number naturalized October 6.....	78
Do..... 1857.....	6, 857	Do..... 7.....	57
Do..... 1858.....	4, 882	Do..... 8.....	81
Do..... 1859.....	5, 546	Do..... 9.....	91
Do..... 1860.....	6, 142	Do..... 10.....	42
Do..... 1861.....	2, 935	Do..... 12.....	157
Do..... 1862.....	1, 511	Do..... 13.....	231
Do..... 1863.....	1, 762	Do..... 14.....	149
Do..... 1864.....	5, 631	Do..... 15.....	116
Do..... 1865.....	4, 154	Do..... 16.....	85
Do..... 1866.....	6, 465	Do..... 17.....	21
Do..... 1867.....	4, 662	Do..... 19.....	105
Do..... 1868.....	3, 145	Do..... 20.....	18
Number naturalized October 1.....	104	Do..... 21.....	16
Do..... 2.....	95	Do..... 22.....	29
Do..... 5.....	139	Do..... 23.....	31

N. JARVIS, Jr.

6311. Q. State whether during the war a large proportion of the foreigners of this city went into the army?

A. I do not know the fact. I presume they did; a great many did.

6312. Q. State whether from your knowledge of the city, in addition to those who were killed and died of disease, a large portion of those who went into the army did not remain in other portions of the country?

A. Yes, sir.

NEW YORK, *January 11, 1869.*

JOHN KEATING sworn and examined, (called at the instance of Mr. Ross.)

By Mr. Ross:

6313. Question. State if you know of any combination or conspiracy in this city or in Brooklyn organized with a view to induce persons to give false testimony before this committee in relation to repeating; if so state what you know about it.

Answer. I was passing by and I saw the policemen around, and I saw some excitement, and I walked in and I heard the investigation committee was here investigating frauds; and I was standing near the door and Mr. James Ward was coming up, and we got to talking about how dull the times was, and a man came up (Colonel Wood) and put his hand on our shoulders and said, "Everything is right, boys," and took us aside and he said for us to come in here and give testimony that we repeated the democratic ticket on the 3d of November, and he said he would be a friend of ours, and for us not to go back on him like the

rest of them did. He gave me \$10—\$5 apiece—to divide amongst me and Mr. Ward, and bid us good day; and Mr. Wood went off and I gave Mr. Ward \$5, and here is the \$5 now, sir; I have got it in my pocket yet, [laying a \$5 bill upon the table.]

6314. Q. Where were you to go to make this false statement?

A. I was to come here; that was all that was said. He asked us to come in here and swear false, and give our testimony that we voted illegally on the 3d of November. On Sunday me and Mr. Ward had a little conversation over it, and we went to a stable on Thirty-third street and talked it over to Ward's brother and gave him the statement. We came here voluntarily to make a statement of the truth?

6315. Q. And return the money to Colonel Wood if he would accept it?

A. Yes, sir.

6316. Q. Which you are now ready to do?

A. Yes, sir.

6317. Q. You have the money in your possession ready for Colonel Wood's order?

A. Yes, sir.

By the CHAIRMAN:

6318. Q. Where do you live?

A. At 68 Cherry street.

6319. Q. Colonel Wood did not ask you to go to any place except to come here to testify in this building?

A. No, sir.

6320. Q. It was right at the door of this building?

A. No, sir; it was right over anenst it; and he said everything was right, and asked us to come and testify.

6321. Q. He said nothing about going to any place in Jersey City?

A. Nothing that I know of.

6322. Q. Nothing about Taylor's Hotel?

A. No.

6323. Q. Colonel Wood is a very tall, slender man?

A. No, sir, not very tall; a stout man, with a stoop in the shoulders.

6324. Q. With light, wide whiskers.

A. No whiskers at all.

6325. Q. Had he a fur cap on?

A. No, sir; a tall plug hat.

6326. Q. When was that?

A. That was on Saturday, between half-past 3 and 4 o'clock. A. quarter-past 3 on Saturday.

6327. Q. Did you ever see Colonel Wood before?

A. Yes, sir; I have seen him.

6328. Q. Before that day?

A. Never, sir.

6329. Q. Are you certain that was Colonel Wood?

A. Yes, sir; I was told it was.

6330. Q. Who told you so?

A. A man by the name of Matchee Moore.

6331. Q. Wood did not tell you the name himself?

A. No, sir; I was told an hour before that it was Colonel Wood.

6332. Q. Then you had been in the building some time?

A. Not very long—about an hour.

6333. Q. Then you did not come up and meet this man that was talking with Colonel Wood?

A. No, sir; that man came and met me.

6334. Q. Where did he come from ?
 A. He came towards Chatham street ?
6335. Q. What were you doing in the building ?
 A. I was taking a walk around and I saw the excitement.
6336. Q. Did you vote at the last presidential election ?
 A. I registered ; I did not vote.
6337. Q. Were you summoned to come before this committee ?
 A. No, sir ; I came here voluntarily.
6338. Q. Did Ward tell you to come here ?
 A. We had a little conversation in Thirty-third street.
6339. Q. Somebody told you it was better to do this ?
 A. We thought in our own conscience it was better to tell the truth.
6340. Q. Who took down the statement of what you were going to testify here now ?
 A. A brother of Ward's, at Thirty-third street.
6341. Q. How did you happen to see him ?
 A. We met him there.
6342. Q. Who sent him there ?
 A. I don't know who sent him there.
6343. Q. Didn't you know this man that spoke to you was not Colonel Wood at all, but it was a man who made that statement to you in order that you might come and testify to it ?
 A. No, sir ; I am sure it was not.
6344. Q. What business are you engaged in ?
 A. I am a laborer in Jefferson market.
6345. Q. How often did you vote at the last presidential election ?
 A. I did not vote at all ; I registered.
6346. Q. Why did not you vote ?
 A. I did not feel very much interest in it at all.
6347. Q. Where did you register ?
 A. I registered in Roosevelt street.
6348. Q. What number ?
 A. I could not tell the number.
6349. Q. What name ?
 A. John Keating, 68 Cherry street.

By Mr. Ross :

6350. Q. Were you to have any additional compensation after you swore ?
 A. Yes, sir ; we were to get \$10 more.
6351. Q. Five dollars apiece, or \$10 apiece more ?
 A. Ten dollars apiece more.

By the CHAIRMAN :

6352. Q. Did he say anything about swearing false ?
 A. He told me to come here and give testimony that I voted illegally on election day, on the 3d of November, and said he would protect me.
6353. Q. Did you tell him you would do it ?
 A. No, sir ; I did not say nothing about it.
6354. Q. Without your saying anything he gave you the \$5 ?
 A. That is so. I was thunderstruck when he came up and spoke to me. I did not know who the man was.

By Mr. Ross :

6355. Q. Have you any doubt of his being Colonel Wood ?
 A. No, sir.

By the CHAIRMAN :

6356. Q. You never saw him before ?

A. Not until an hour before that.

6357. Q. And you have never seen him since ?

A. No, sir.

6358. Q. He has not asked you since to come and testify ?

A. No, sir.

NEW YORK, *January 11, 1869.*

HOWARD T. MARSTON recalled.

By the CHAIRMAN :

6359. Question. State if, under the direction of this committee, you have made any examination of the applications for naturalization and affidavits on file in the office of the county clerk of naturalization in the supreme court of this State in the year 1868 ?

Answer. Yes, sir; I have.

6360. Q. State what you have observed.

A. In making this examination I have kept notes. I have here the original notes.

The witness testified to the following statement :

Days on which witnesses appear, names of witnesses, and number of times each witness appears.

	October 8.	October 9.	October 10.	October 12.
Patrick McCaffrey	14	.....	60	7
John Ward	31	.....	9	23
John Morgan	18	.....	24	19
James Goff	48	.....	.....	.....
Patrick Goff	38	.....	37	11
Thomas Selhan	9	.....	37	13
Beintean Lachman	2	.....	10	5
James McCabe .....	.....	.....	9	7
Michael Morrow	2	.....	8	14
John McGinness	3	.....	.....	3
Joseph Moore	31	.....	2	10
James O'Donnell .....	.....	.....	13	13
David Sanford	11	.....	.....	.....
John McCarthy .....	.....	12	.....	.....
John Gallagher .....	.....	.....	36	.....
Philip Whiley	11	.....	.....	.....

6361. Q. There were other witnesses whose names you have not given, and whose names do not appear so frequently upon those days ?

A. Yes, sir; that is the truth of the case.

6362. Q. You have made a partial examination since that date ?

A. Yes, sir; it is not finished.

6363. Q. State how you procured the naturalization papers from which you made this statement.

A. They were given to me by a man in the county clerk's office, taken from the place where they were kept.

6364. Q. Do you know whether he furnished all the papers ?

A. No, sir; I do not.

NEW YORK, *January 11, 1869.*

ABRAHAM VOORHEES sworn and examined.

To the CHAIRMAN :

6365. I reside in Stamford, Connecticut. I have been examining the papers from the 1st of October to the 10th. It has been a herculean job, and it has been impossible yet to finish it.

To Mr. ROSS :

6366. I am a lawyer. My office is at 132 Nassau street. I do not live in this city. I go home every night. I have been here since November 1861, in the law business. Mr. Glassey asked me to go and examine these records. Mr. Glassey is a lawyer. I suppose he is acting for the Union League. I don't know.

6367. Question. How much pay do you get?

Answer. I don't know exactly. That has never been settled.

NEW YORK, *January 11, 1869.*

JOHN WOOD sworn and examined.

To the CHAIRMAN :

6368. I reside at 696 Water street.

6369. Question. State if you voted in the last presidential election?

Answer. Yes, sir.

6370. Q. How often?

A. I voted at the corner of Monroe and Jackson three times. Then I went up to East Broadway, I believe 68, and I voted there twice. Then I went over to the New Bowery and Madison street, and I voted there twice, and that is all I voted. I voted in the 13th, 7th, and 4th wards.

6371. Q. What ticket did you vote?

A. I believe it was a democratic ticket. I don't exactly know the ticket because the men came up and gave me the ticket when I was half drunk, when I was voting. The names were given me on a slip of paper at the liquor store on the corner of Madison and Jackson. A man came in and gave me names. I got two names there.

6372. Q. Can you remember any of the names you voted on?

A. No, sir. A name was shoved into my hand and I had to watch the name and vote on it.

6373. Q. State what you know of other persons voting in that same way.

A. There were 11 or 12, all at the same time.

6374. Q. In the gang with you?

A. Yes, sir.

6375. Q. Engaged in the same business?

A. Yes, sir.

6376. Q. In what business were they engaged?

A. The business of going round and voting as many times as we could, and getting all the rum we wanted to get.

6377. Q. Did you receive any compensation?

A. They promised me, but I never received it.

6378. Q. Who promised it to you?

A. Certain parties that I do not wish to name.

6379. Q. State where the other men that were in your gang got their names and numbers on which to vote.

A. They got them at the corner of Madison and Jackson. I saw two

or three get their names with me. They all fell in with me; and I suppose the others got their names in the same way.

To Mr. Ross :

6380. I live at 696 Water street. I have lived there about eight years. I am engaged in hack-driving.

6381. Q. What election did you vote at?

A. The presidential election last year. I voted the democratic ticket first, and the other tickets I don't know nothing about.

6382. Q. How came you to go into this business?

A. The night before that we were drinking up at the porter house, corner of Monroe and Jackson, and they told us to meet them between 7 and 10 o'clock, and we went up to the corner of Madison and Monroe.

6383. Q. Who asked you to go into this business?

A. A young man; I do not wish to tell his name.

6384. Q. I desire you to give his name. What was his name?

A. I don't wish to tell it.

6385. Q. You are a witness, and I ask you to tell what it was.

A. No, sir; I won't tell it.

Mr. Ross. Mr. Chairman, I insist that he shall tell the name.

6386. The CHAIRMAN. State the name.

A. I said I was not going to state the man's name. He is a friend of mine, and I don't desire to——. His name is Charles Groves.

6387. Q. Charles Groves gave you the clue to the business?

A. Yes, sir.

6388. Q. Where does Charles Groves live?

A. He lives in Monroe street. I cannot state the number; between Jackson and the next street—a small narrow street. I cannot tell the name of it.

6389. Q. What business is Groves in?

A. He drives a cart.

6390. Q. Where is his stand?

A. His stand is down town. He stands at several places. I could not tell you all the places he stands. God knows where he does stand.

6391. Q. What did Groves tell you?

A. Groves told me if I would go and vote as many times as I could, I would get a few dollars on arrangement; and not only that, but he would be a friend of mine some other time when I wanted a friend.

6392. Q. About how many times do you think you voted?

A. I don't know. I got pretty drunk, and that is all I remember—all that I told you. I think about seven times.

6393. Q. You got pretty drunk?

A. Yes, sir. I got drunk before nine.

6394. Q. You don't know very well what you did do in the afternoon?

A. No, sir.

6395. Q. Who were the other men with you?

A. I cannot say. There were four or five other parties I know nothing at all about. They were from some other ward.

6396. Q. Did you see either of them vote?

A. Yes, sir; at the corner of Monroe and Jackson.

6397. Q. How many did you see vote?

A. Two or three.

6398. Q. How many times?

A. I cannot say. They came in behind me.

6399. Q. Is that the only time you saw them vote?

A. That is the only time.

6400. Q. How much money did you get for this ?

A. I didn't get a cent. I was promised money, but I never got it.

6401. Q. Do you know what ticket you voted ?

A. That is what I cannot say. It was a democratic ticket; that is all I know. Groves said that it was a good democratic ticket, and to go and put it in.

6402. Q. Whom did you first tell this to ?

A. I didn't tell it to anybody but the young fellow that was on the corner at the time.

6403. Q. What young fellow was that ?

A. That is Groves. After I came out I told him I went in there twice. Said he, "Go right in again."

6404. Q. Whom have you told about it since ?

A. Never anybody.

6405. Q. You never told anybody what you knew about it ?

A. No, sir.

6406. Q. You never communicated to anybody that you knew anything about it ?

A. I talked to a young fellow to know how many times he voted, and how many times I voted. That is all. That was at the porter house, a week ago to-day. I don't know his name exactly. The name he goes by is Bob. That is all I know.

6407. Q. Who subpoenaed you to come here ?

A. I don't know who subpoenaed me to come here.

6408. Q. Were you subpoenaed ?

A. No, sir; not that I know of.

6409. Q. Who brought you here ?

A. A young man fetched me here. I don't know his name.

6410. Q. What did he tell you ?

A. You were doing this, and the party you voted for haven't done anything about it. You might as well come up and make your statement, and it won't hurt you or anybody else; and I thought I would come up.

6411. Q. He said the party you voted for had not done anything for you, and that induced you to come ?

A. Yes, sir.

6412. Q. They had not paid you ?

A. No, sir.

6413. Q. When did you have that talk with this young man ?

A. About a week ago.

6414. Q. What day was it you went over to Jersey City ?

A. On Saturday.

6415. Q. Whom did you come over with ?

A. The young man that told me to come here and make a statement. He told me I had been working for the party, and the party never had done anything for me, and never would do anything; and I went over and made the statement.

6416. Q. How much did you get for that ?

A. I didn't get nothing.

6417. Q. Then they treated you as bad as the other party ?

A. I don't know, sir.

6418. Q. How much did they promise you ?

A. They promised me that I should not lose a day's work on it. That is all they promised me.

6419. Q. Have they paid that ?

A. No, sir.

6420. Q. Then if they do not pay that you will come out and tell the truth about it ?

A. No, sir; I have told all I know—all the truth—to-day.

6421. Q. Who took your statement over the river ?

A. There was a young man over there who took the statement.

6422. Q. Where did you see Colonel Wood that day ?

A. I did not see Colonel Wood at all.

6423. Q. Where did you see Marshal Murray ?

A. I did not see Marshal Murray.

6424. Q. Who took you to Marshal Murray's office this morning ?

A. I was not there this morning.

6425. Q. Have you not been sitting in Marshal Murray's office ?

A. Oh, that was this afternoon.

6426. Q. Who took you in there ?

A. A young man took me in there.

6427. Q. How many of you were taken in there ?

A. Two.

6428. Q. Were there not more than two ?

A. I only know that I came here with two myself.

6429. Q. When did you come over ?

A. This afternoon.

6430. Q. From where ?

A. Jersey City. He told me to come over there and meet him, and he would fetch me over; and I went over there and met him. I gave my statement Saturday, and he said he would fetch me over Monday.

6431. Q. Did you see Colonel Wood at either time ?

A. No, sir.

6432. Q. Do you know Colonel Wood ?

A. No, sir.

6433. Q. You do not know the man that took you into Marshal Murray's office ?

A. No, sir.

6434. Q. Did he tell you to stay there ?

A. Yes, sir; he told me to stay there, and I would be wanted; and I sat down.

6435. Q. There were two came with you ?

A. Yes, sir.

6436. Q. New hands; just got into the business ?

A. I don't know anything about that.

6437. Q. What did you tell Marshal Murray about it ?

A. I didn't tell Marshal Murray anything about it.

6438. Q. How long have you been going by this name you have given here now ?

A. That is my natural name—John Wood.

6439. Q. Did you ever have any other name ?

A. No, sir.

6440. Q. Have you ever been convicted of any offence in this country ?

A. No, sir.

6441. Q. What inducement did they hold out to you to go over there and make this statement ?

A. They didn't hold out any inducements at all; but I was to go over there and make these statements, and a couple of days' work on it—I should be paid for it—and likewise for me to come here and make my statement.

6442. Q. They said you might go and swear you had committed fraud ?

A. No, sir; they did not tell me that.

6443. Q. Did they ask you to swear about frauds, and they would pay you for it?

A. No, sir; they didn't tell me to swear about frauds and they would pay me for it at all.

6444. Q. Who took down your statements over there?

A. A young man.

6445. Q. Did they read it over to you?

A. No, sir.

6446. Q. Did they promise you should not be prosecuted?

A. Yes, sir.

6447. Q. Should not be prosecuted for making this illegal oath? That if you made this oath you should not be prosecuted?

A. That if I made an oath I would not be convicted on my own evidence.

6448. Q. Did they say they were authorized by this committee, or anybody else, to state that you should be held harmless?

A. Yes, sir.

6449. Q. That the congressional committee said that the men who would come here and swear should not be prosecuted?

A. Yes, sir.

6450. Q. And you believed the committee would protect you, and Congress would protect you, and General Grant would protect you, against any prosecution, on account of this swearing?

A. Yes, sir.

By the CHAIRMAN:

6451. Q. Did any of these men who asked you to make these statements ask you to state anything that was not true?

A. No, sir; they did not. They told me to go over there and tell my own evidence, what I saw myself and what I had done; and that is all they told me.

6452. Q. When they told you you would not be liable to be prosecuted by reason of any statements you made here, did they say the law protected you, or that the committee would protect you?

A. The committee.

6453. Q. Were you challenged on the day you voted?

A. No, sir.

6454. Q. Were any of those engaged in that business challenged?

A. Not as I know of, sir.

NEW YORK, *January 11, 1869.*

JOHN GREGORY sworn and examined.

To the CHAIRMAN:

6455. I reside at 80 Oliver street.

6456. Q. Did you vote at the last presidential election in this State?

A. I could not say what ticket I voted. On the morning I was going to the polls, and there was a lot of tickets shoved in my hands by a party I met there, and if I would vote for that party I was to earn some money, and they would see me all right about it.

6457. Q. With which party have you heretofore acted?

A. I don't know; but I believe the party that morning was the democratic party.

6458. Q. How often did you vote in that election?

A. Twice was all.

6459. Q. Under the name of Gregory both times?

A. No, sir; not both times. That morning I voted in Oliver street, between Madison and Oak, in the 4th ward. The next time I voted on the corner of Madison and the Bowery, the same ward, and a different election district. That is the first time I ever voted in the city.

6460. Q. Under what name did you vote the second time?

A. I don't know the name; this party with me seemed to be the head man, and gave me the name, and said he would see me all right; I could not tell, because I was under the influence of liquor; he was at the polls; I met him there that morning.

6461. Q. How many were in the gang?

A. To the best of my knowledge I should suppose 15 or 20; there was quite a crowd of them; I don't know how often they voted; I know I voted twice myself; some of the parties voted that was in the crowd; and there was more that didn't.

6462. Q. In what business were they engaged—this gang that had this head man?

A. They seemed to be for the democratic party.

6463. Q. Were they engaged in voting more than once?

A. I don't know; I think they were; I could not say, because the men were strangers to me, and I didn't understand anything about it, any more than that they wanted me to vote for this party, shoving a lot of tickets in my hand, and I voted them; and they said they would see me all right.

6464. Q. What reward did they promise you?

A. They said they would give me \$20; I was told by coming here to state this there would not be any trouble about it, but to tell just the truth and nothing but the truth; it is the first time I ever did vote here in the city.

6465. Q. Were you ever asked to state anything but the truth?

A. No, sir.

6466. Q. Did they promise you anything else but money?

A. They said if I wanted any favors or anything of that kind I could always call upon that party.

6467. Q. They said that to you when you were voting?

A. Yes, sir.

By Mr. Ross:

6468. Q. You say you voted twice?

A. Yes, sir.

6469. Q. Can you read and write?

A. No, sir.

6470. Q. You don't know what ticket you did vote?

A. I believe it was the democratic ticket; I could not say; I am almost sure it was; I can read print.

6471. Q. Did you see O'Brien that day?

A. I did not take notice; but I was run bodily right up and told to put these tickets in by the party.

6472. Q. Who gave you these tickets?

A. A lot of men I met close to the polls; I didn't know one of the party; I would know them if I saw them again.

6473. Q. Did anybody give you any money?

A. No, sir; I didn't receive a cent.

6474. Q. Who promised you the money?

A. This party; there seemed to be one man who seemed to have all to do with it; he said he would make it all right by and by; and we were drinking round after that, and he never paid me a cent.

6475. Q. You don't know his name ?

A. No, sir ; if I did I would tell it in a minute.

6476. Q. Did you know you were doing wrong ?

A. No, sir ; I did not think it was.

6477. Did you know you were committing an offence for which you could be prosecuted and indicted ?

A. I didn't think anything at all of the kind ; I am not a great man in politics, and that is a thing I didn't think of.

6478. Q. What business do you follow ?

A. Boating, speculating, anything like that along shore, buying junk, stevedore work.

6479. Q. How long have you lived where you now live ?

A. I don't live at 80 Oliver street now ; I live on Mulberry street now ; No. 19, I think, is the number ; I have lived there, I guess, two or three weeks.

6480. Q. Who keeps the house ?

A. The landlady of the house ; her name is Mrs. Harrington, I believe ; that is the name I heard.

6481. Q. What have you been doing since you have been there ?

A. Speculating ; buying old rope, and the like of that.

6482. Q. Who first told you to go over to Jersey City ?

A. Well, I heard a lot of young men was going over, acquaintances of mine, and they asked me if I would go there ; so I went with one of them ; and the rest I don't know whether they went there or not ; and they wanted me to state this, what I have stated.

6483. Q. What is the name of the young man that asked you to go over there ?

A. That is more than I can tell you ; he is a young man that I know ; he has been along shore with me ; he is a 'long-shore man ; he has worked with me sometimes.

6484. Q. What inducement did he hold out to get you to go over there ?

A. He didn't say I would gain anything by it ; it was merely to go and state this there ; he didn't say I was doing a favor to him or anybody else, any more than to go there and tell ; and he told me that it would not get me into any trouble.

6485. Q. Did he say you were to have five dollars there, and if you came here five dollars more ?

A. He didn't speak of five dollars ; but he said I would be paid for the day's work.

6486. Q. He didn't say how much ?

A. He said five dollars for the day's work.

6487. Q. Was that to be paid to you over there or here ?

A. Here.

6488. Q. By whom ?

A. They said in this office.

6489. Q. Wasn't you to have five dollars when you went over there, and five dollars after you testified here ?

A. No, sir ; I didn't have no understanding to that effect ; I was here Saturday ; but I was not called on Saturday, and I was told to come back to-day, and I was to get paid for to-day and get paid for Saturday also.

6490. Q. Five dollars each day ?

A. That was what I was told.

6491. Q. Then having been here two days you have a claim against the committee of ten dollars, as I understand ?

A. For that matter I don't care for the money ; I merely just came to

state what I know; I am a poor man, but I would not make a false statement for the sake of five dollars.

6492. Q. How many went over with you to Jersey City?

A. There was only one man—this 'long-shore man.

6493. Q. Did he pay your bill?

A. No, sir; I paid it.

6494. Q. Did this young man testify over there to the same as you did?

A. Yes, sir.

6495. Q. You were both sworn over there, were you?

A. Our names were put down, and we made our statements there; that was all.

6496. Q. Were you not sworn to it?

A. No, sir; he only asked us if it was true, and I said yes.

6497. Q. Did they have it written out when you got there?

A. No, sir.

6498. Q. Do you know who did the writing?

A. No, sir; a young man; quite a young man.

6499. Q. Do you know Colonel Wood?

A. No, sir; I was showed a gentleman outside as Colonel Wood while I was sitting down.

6500. Q. Did you see him over there?

A. No, sir; he was not over there.

6501. Q. What did he say to you about being over there on Saturday?

A. He didn't speak to me at all; I never spoke to the man in my life.

6502. Q. Were there a good many making their statements over there when you were there?

A. I believe there was three or four over there at the time.

6503. Q. At what place?

A. Jersey City.

6504. Q. At the Taylor House?

A. Yes, sir; up-stairs.

6505. Q. You are certain they have not paid you any money yet?

A. No, sir; I have not received a cent.

6506. Q. Who brought you over here from Jersey City?

A. I came over here myself to-day.

6507. Q. You went over there on Saturday, and again to-day?

A. Yes, sir.

6508. Q. Did nobody come back with you either time?

A. There were two or three men; I don't know who they were; there are a couple, I think, outside now.

6509. Q. Waiting outside?

A. Yes, sir; they are strangers to me.

6510. Q. Do you know Marshal Murray?

A. No, sir; I don't.

6511. Q. How long have you been in Marshal Murray's office?

A. Three-quarters of an hour, I should think.

6512. Q. How many of you were sitting in that office?

A. There are three or four right outside there.

6513. Q. The first door to the left hand as you come into the hall?

A. Yes, sir.

6514. Q. Were there not ten or a dozen in there?

A. There was a lot of gentlemen going in and out; there were about three or four sitting down in the chairs.

6515. Q. How long has your name been John Gregory?

A. Ever since I have known it.

6516. Q. Have you ever had any other ?
A. No, sir.
6517. Q. Were you ever convicted of any criminal offence ?
A. Never, sir.
6518. Q. Do you know any prominent man here in the city ?
A. No, sir; I never dealt much in politics.
6519. Q. How long have you lived in the city ?
A. I have been here ever since I know.
6520. Q. Born in the city ?
A. Yes, sir.
6521. Q. You are not a foreigner ?
A. No, sir; I am not a foreigner.
6522. Q. You never were convicted of any offence ?
A. No, sir; and I hope I never will be.
6523. Q. Did you know it was wrong to vote twice ?
A. No, sir; I did not; I was under the influence of liquor all that day, anyhow.
6524. Q. Were you under the influence of liquor when you went over to Jersey City on Saturday ?
A. No, sir; I was not.
6525. Q. Whom did you first talk with about giving this testimony ?
A. The young man over there; I went right into the office, and he walked to a table, and sat down by the table and asked me what my name was, and I told him my name was John Gregory; and he asked me where I lived, and I told him 80 Oliver street; and he asked me where I was the night previous to the election, and I told him I was at home; and he asked me if I made an agreement with any parties the night previous to election to meet the morning of the election, and I told him no; and I told him I was going to the polls and met a party there, and that party got me to go up and vote, and he would see me all right; and that there were a body of men, and they were shouting, "Vote for this man;" "Have you voted yet?" "No, I haven't voted yet;" "Then vote for this man."
6526. Q. Electioneering for both parties ?
A. Yes, sir.
6527. Q. There was a big crowd at the polls, electioneering as strong as they could for both parties, and some asked you to vote the democratic ticket ?
A. They didn't say what ticket; they said vote for this party, and I went and done it.

NEW YORK, *January 11, 1869.*

LAWRENCE FARRELL sworn and examined, (called at the instance of Mr. Ross.)

By Mr. Ross:

6528. Question. Are you acquainted with Marcus Cicero Stanley ?
Answer. I know the gentleman; I have no acquaintance with him; I know him when I see him.
6529. Q. Are you acquainted with his reputation for truth and veracity ?
A. No, sir; only from hearsay.
6530. Q. Do you know the reputation he has among his neighbors ?
A. Yes, sir.
6531. Q. What is it, good or bad ?
A. I don't want to say anything with regard to Mr. Stanley; I don't know anything about him.

6532. Q. Do you know anything of Davenport and Grinnell?

A. Yes, sir; I know Davenport and Grinnell; there is Mr. Davenport there.

6533. Q. Do you know anything about this case? If you do, state it.

A. I received \$30 from Mr. Glassey, and Mr. Foster, and Mr. Davenport, on Saturday night to keep men until Monday to furnish evidence that they had voted illegally in the 21st ward.

6534. Q. When was that?

A. In December. I got men to come on Monday to furnish evidence that they voted illegally in the 21st ward.

6535. Q. Who besides Mr. Davenport was engaged in that?

A. Mr. Glassey and Mr. Foster. Mr. Glassey told me I would get the money as soon as Mr. Davenport got back.

6536. Q. What did you do in respect to the matter?

A. I did not do anything. I did not furnish the men. I asked Mr. Foster what he wanted of the men, and he stated he wanted to furnish evidence against Sheriff O'Brien, a democratic leader, so that he could prosecute him. I said if I would furnish the men if they were arrested what protection would they have, and Foster told me that General Grant, being elected and having the power, he would furnish the money and send them out of the United States, if they wanted to go out.

6537. Q. Have you had any talk with any other republican leaders in reference to this matter?

A. I saw John Jay, and he told me to go to the committee.

6538. Q. Did you have this conversation with them in your right name, or under an assumed name?

A. Under the name of Pierce.

By the CHAIRMAN:

6539. Q. What names have you gone under?

A. I went under the name of William Pierce.

6540. Q. What other names have you had at different times?

A. None at any time, only Farrell.

6541. Q. Was Mr. O'Brien at the Jackson club all night before the election?

A. Yes, sir.

6542. Q. All night?

A. No, sir; not all night.

6543. Q. How long?

A. Two or three hours.

6544. Q. You know that there was a lot of men there to be engaged in repeating on the next day?

A. No, sir. I saw a lot of men there. I do not know what they were there for.

6545. Q. Don't you know that they were repeating on the next day?

A. No, sir.

6546. Q. Did not you state to the committee that you knew it?

A. I have made different statements. Yes, sir; I might make a hundred statements.

6547. Q. Did not you name to some one four persons who voted illegally on the day of election?

A. Yes, sir. I told them I could furnish a thousand.

6548. Q. You told the truth; did not you?

A. Yes, sir.

6549. Q. At the last presidential election?

A. Yes, sir.

6550. Q. That statement was true ?
 A. Yes, sir; that statement was true.
6551. Q. What ticket did those thousand persons vote ?
 A. I could not answer that question. I do not know whether they voted the democratic ticket or the republican ticket.
6552. Q. Did not you tell some one that they had voted the democratic ticket ?
 A. Yes, sir.
6553. Q. You stated that you could furnish a thousand who had voted the democratic ticket ?
 A. Yes, sir.
6554. Q. A thousand persons who had been engaged in repeating in the last November election ?
 A. Yes, sir.
6555. Q. That is the fact; that is so; is it not ?
 A. Yes, sir.
6556. Q. State if you have examined the registry books, or any of them, of the last election.
 A. No, sir. I never examined any of them, only once in Mr. Davenport's office.
6557. Q. State if you found upon the books there a lot of names of persons who were registered, and who were repeaters.
 A. I saw some there that I thought repeated.
6558. Q. How many did you see on the book there who registered, and were repeaters ?
 A. I only looked at the 14th district of the 21st ward. I saw two there that I knew.
6559. Q. How many times, as a general rule, did the men engaged in repeating at the last presidential election vote ?
 A. I don't know how many times they voted. I did not watch them.
6560. Q. So far as you know or observed, state as near as you can.
 A. I could not say that they voted any more than once.
6561. Q. Do you know from what you observed ?
 A. I know from what I saw.
6562. Q. Do you know from what you saw that those persons whose names were on the book voted more than once ?
 A. I saw them vote the republican ticket and repeat, and the democratic ticket, both.
6563. Q. You are a democrat ?
 A. Yes, sir.
6564. Q. You voted the democratic ticket at the last election ?
 A. I voted some of the democratic and some of the republican ticket.
6565. Q. How often did you vote at the last election ?
 A. Once, sir.
6566. Q. Under what name ?
 A. Under Farrel, my right name.
6567. Q. In what ward were those thousand persons you referred to as being engaged in repeating ?
 A. In different wards, all over the city.
6568. Q. In pretty much all the wards of the city ?
 A. Yes, sir.
6569. Q. Was the fact that this large number of persons were engaged in repeating known to officers in this city ?
 A. I suppose so. I had no means of knowing.
6570. Q. Did you state to any one that you could furnish the names of a hundred or more persons who had been engaged in repeating ?

A. Yes, sir; I stated that to make money.

6571. Q. Did you tell the truth then?

A. Men don't always tell the truth when they are doing business.

6572. Q. For whom did those persons vote?

A. The republican ticket and the democratic ticket both.

6573. Q. Did you say that you knew democratic officers engaged in procuring them to repeat?

A. Yes, sir; I stated that for the purpose of getting money.

6574. Q. Do you know of any democratic officers that knew of it?

A. No, sir; I would not swear so. No, I am on my oath now.

6575. Q. Did you state that you knew four men, whose names you gave, that were engaged in repeating?

A. Yes, sir.

6576. Q. By whom were they employed to repeat?

A. They would be employed by me.

6577. Q. Whom did you state they were employed by?

A. I stated that I could furnish evidence against Mr. O'Brien.

6578. Q. Is that a fact?

A. No, sir.

6579. Q. Did you employ persons to repeat yourself?

A. I decline to answer that question.

6580. Q. Why?

A. For certain reasons. I am not obliged to answer anything that will criminate myself.

6581. Q. Who told you that?

A. Common sense tells me that; I always knew it.

6582. Q. How many persons did you employ or engage in repeating on the day of the last presidential election?

A. That is the same question over again.

6583. Q. Well, what is the number of persons?

A. I might say one or a hundred.

6584. Q. How many did you employ?

A. How many did I pay? I did not pay anybody.

6585. Q. How many did you ask or engage in the business yourself?

A. I would have asked or engaged anybody, provided I could have got money to do the business with.

6586. Q. How many did you ask or engage in the business?

A. Not any.

6587. Q. Did you induce any persons to engage in repeating?

A. No, sir.

6588. Q. Why did you decline to answer the question I asked you?

A. Because I did not want to answer it in the way you put it.

6589. Q. Will you now answer the question I put before?

A. You asked how many men were engaged with me in repeating. I say there were none engaged with me in repeating at all.

6590. Q. How many did you engage to go into the work?

A. None at all, sir.

6591. Q. Did not you just state that you employed these four men?

A. I had employed them, yes, from the arrangement the Union League made with me to furnish evidence, and they backed out because they could not get money.

6592. Did not you state that you pointed out four men upon the registry who were engaged in repeating?

A. Yes, sir; I pointed out four, and could point out a thousand if I could get money enough.

6593. Q. A thousand that you know to be engaged in repeating at the last presidential election in this city?

A. Yes, sir.

6594. Q. All over the city?

A. Yes, sir.

6595. Q. Is that paper in your handwriting? (Paper shown witness.)

A. No, sir.

6596. Q. Did you write that?

A. No, sir.

6597. Q. Did you send that to anybody in this city?

A. No, sir.

6598. Are you sure of that?

A. Yes, sir.

6599. Q. Is it not signed William Pearce?

A. I did not sign it; I did not write it.

6600. Q. Did you ever see it before?

A. No, sir.

6601. Q. Who did sign it?

A. I don't know.

6602. Q. Did you write that? (Another paper shown witness.)

A. No, sir.

6603. Q. Is your name signed to it?

A. No, sir.

6604. Q. Is William Pearce signed to it?

A. No, sir.

6605. Q. Do you know who wrote it?

A. No, sir.

6606. Q. Did you know of its being written?

A. No, sir.

6607. Q. Did you know of its being sent?

A. No, sir.

6608. Q. Did not you call on the persons to whom these two notes were addressed soon after they were written?

A. Yes, sir; I called there and they never stated anything about it to me.

6609. Q. Do you know Mr. Weiss, in this city?

A. Yes, sir.

6610. Q. Do you know he delivered these notes?

A. He never told me so.

6611. Q. Did not you and Weiss go together to the Union League on Broadway?

A. Sometimes together, sometimes not; Weiss never knew anything about my business.

6612. Q. Has your testimony been true so far as you have gone here?

A. Yes, sir.

6613. Q. You are sure of that?

A. Yes, sir; I am sure of that.

By Mr. Ross:

6614. Q. I understood you to say something about the Union League, or the republicans, not furnishing you money as they agreed to furnish you money for swearing falsely?

A. Yes, sir; Foster told me what money was wanted he would let me have, and I left, and I found witnesses and advanced \$108, and all that they gave me was \$30.

6615. Q. If you had got the money you could have got the witnesses to swear falsely?

A. Yes, sir.

6616. Q. And you would have served the Union League in that way if they had furnished you money?

A. Yes, sir.

6617. Q. Because they did not furnish you money, you did not bring further proof?

A. No, sir; not any.

6618. Q. You think there would have been no trouble in getting men to swear falsely if you had had the money?

A. Yes, sir; I could have furnished a thousand as well as one.

6619. Q. That is what you mean—that you could have found men to swear falsely that they voted illegally?

A. Yes, sir.

6620. Q. That for pay you could have found a thousand men who would have come before the committee and testified that they had voted illegally?

A. Yes, sir.

6621. Q. You would do it simply for pay, not because it was a fact?

A. Yes, sir.

By the CHAIRMAN:

6622. Q. Did not you say it was the fact that there were a thousand persons engaged in repeating at the last presidential election?

A. I said that for the purpose of making money.

6623. Q. Did not you testify to that here?

A. I testified I knew a thousand men; I did not say whether they voted the democratic ticket or the republican.

6624. Q. I did not ask you the ticket. Did not you say you knew a thousand men in this city engaged in repeating at the last presidential election?

A. Yes, sir.

6625. Q. That is true, is it not?

A. Yes, sir.

6626. Q. Mr. Glassey and Mr. Foster did not say that they wanted you to swear falsely, did they?

A. No, sir; they did not say they wanted me to swear at all, because they would not allow me to do anything of that kind.

6627. Q. They did not say they wanted to get anybody else to swear falsely?

A. They did not say either way, so long as I could get men, and there was the evidence they wanted. They did not say whether they were to swear falsely or swear the truth. I asked them what evidence they wanted. They wanted to get evidence against Sheriff O'Brien—Foster did—Davenport did not have any talk with me on that subject, at all—so that they could prosecute Sheriff O'Brien.

[Samuel J. Glassey and John A. Foster were called into the room.]

6628. Q. State if Mr. Glassey and General Foster are present in this room?

A. Yes, sir.

NEW YORK, *January 11, 1869.*

SAMUEL J. GLASSEY recalled.

By the CHAIRMAN.

6629. Q. State if you have just seen Lawrence Farrell, otherwise called William Pearce, who has just testified?

A. I have seen him here.

6630. Q. State what interviews you had with him in relation to election frauds—when they were?

A. I had several interviews with him at different times, in the latter part of November and early in December last, at No. 258 Broadway. I never knew him by the name of Lawrence Farrell. He stated his name was William Pearce. He stated to me that he had a great deal of knowledge with regard to frauds committed at the late election. He stated that he knew a large number of persons who had been engaged in repeating at the last presidential election in this city for the democratic party, who received their instructions on the round on slips of paper containing the names and residences by which they were to vote, from Mr. Sheriff O'Brien. He stated that he had been at considerable expense and taken great pains to get these men together, and spent money on them, and he would produce several hundred men who had been engaged in repeating; that they would be unwilling to testify voluntarily, but if arrested they would "squeal," to use his expression, and tell the whole story; that he did not want to be connected with it himself, but that he would indicate the men, giving their names and residences, and if they were arrested he would guarantee that they would, on being arrested, tell that they had repeated, and give the names and residences from which they had voted, and would testify that Sheriff O'Brien instructed them, and gave them the names. He called upon us several times in succession, telling this story. We told him we would take no action in the matter unless he would bring the men to our office so that we might examine them. At the last interview I had with him, which was the third or fourth, I asked him what the men would swear to. He said, "They will swear to anything you want." I said, "We don't want men to swear to anything we want. I want men that have a knowledge of important facts, and want them to swear to the truth about it. I will have nothing to do with your witnesses. You must have your men here and let me examine them myself, so that I may be satisfied as to the truth of their statements before I will have anything to do with them." He gave me the names of four men, which were written down on a slip of paper at the time, all of whom, he stated, voted in some up-town district, which I now forget. Referring to the registry of that district or districts, because there was more than one district named, I found some of the names he gave us registered; whether all four or not, I do not remember. One of the names on that slip of paper was Lawrence Farrell. I did not know then that his name was Lawrence Farrell. I only knew him as William Pearce. He left me, making an appointment. This was shortly before the charter election. He appointed the time to bring four of these men to the office and let me examine them. None of them ever appeared, and I have not seen or heard anything more of him until I heard he was a witness here.

6631. Q. State if you ever saw these papers before? [Papers shown witness.]

A. Yes, sir; a man came to our office, 258 Broadway, who gave the name Weiss, and brought these papers.

6632. Q. State whether any money was paid?

A. This man Pearce received, altogether from our office, I think, \$35, upon stating that he had expended a good deal of money in finding out these men and keeping them together. I have no personal knowledge of the payment of all of it. I think I handed him five dollars myself, and the balance was paid him by some one in the office. I understood him to have received \$30 besides what I paid him. He was coming there for some two weeks almost every day. At the last two interviews I had with him I declined to talk with him at all, and insisted that he should produce men for my examination, and would not, without his doing that, take any further pains with it.

6633. Q. State if you ever said anything to him about getting witnesses to testify falsely ?

A. Nothing, except what I have stated—his stating to me, in reply to my question, "What will your men testify to?" that "They will swear to anything you want," and my telling him that was not the kind of men I wanted to deal with; and that I did not want men to swear to what I wanted, but men having facts bearing upon the investigation, and who would tell the truth about it.

By Mr. Ross :

6634. Q. Was this Farrell first employed by the Union League ?

A. He was never employed by the Union League at all.

6635. Q. By whom was he employed ?

A. I don't know.

6636. Q. You do not know that he was employed at all ?

A. No, sir.

6637. Q. Do you know anything about his being employed by the League ?

A. He was never employed by anybody excepting General Foster and myself. I have stated what my connection with him was.

6638. Q. Are you in the habit of paying money out of the funds of the Union League to men you do not employ ?

A. We have paid money in that instance.

6639. Q. Are you in the habit of doing so ?

A. I think he was the only man who had any money from us who is not a regular employé.

6640. Q. What office have you ?

A. I am a counsel, employed by the Union League to conduct this examination.

6641. Q. How many counsel are employed with you ?

A. Only one—Mr. Foster. Mr. Wood is connected with us, partially, being a member of the committee. Other members have been employed; but so far as making this investigation is concerned, General Foster and myself only are employed by the League.

6642. Q. Who drew the draft for the payment of this money to Pearce ?

A. There was not any draft drawn. I told somebody in the office to give him some money.

6643. Q. Did they give it to him ?

A. I presume so. He said that he had expended a good deal of money in getting these men together. He said he had paid over \$100. He was in the habit of coming in the office, off and on, nearly three weeks, and I think that money was all given him before he made the statement that his men would swear to anything I wanted.

6644. Q. If you had furnished him more money, he would have got you all the witnesses you wanted ?

A. I do not know whether he would have furnished the witnesses, or kept on drawing the money without doing it.

6645. Q. Don't you think that witnesses could be got in that way ?

A. From what I have been informed of the testimony for the last few days, I should judge it was quite feasible; but I know that not a dollar has been expended from the funds of the Union League club for that purpose.

By the CHAIRMAN :

6646. Q. State if you had any interview or communication with William Pearce, otherwise called Farrell, after he made to you the statement that he could get witnesses to swear to anything ?

A. No, sir; I stated to him this: "I do not want witnesses who will

swear to what I say: I want witnesses who know facts bearing upon this investigation, and who will tell the truth; and before I pay any one, I must see them here and examine them myself, and satisfy myself that they will tell the truth." He left me, saying that he would bring four men, and I have never seen him in our office since, nor did any four men ever appear.

6647. Q. Did any of the counsel, or members employed by the Union League, have any interviews with him after he made the statement you gave referred to?

A. Not to my knowledge. My relations with the other gentlemen have been such that I think I should have been informed of it if it had occurred.

NEW YORK, *January 11, 1869.*

JOHN A. FOSTER recalled.

By the CHAIRMAN:

6648. Question. State if you saw the William Pierce, otherwise called Farrell, who has just testified.

Answer. What his name is I do not know; he never called himself Farrell. Pierce, I think, is what he said his name was. I saw him, I think, about a month ago.

6649. Q. What statements did he make to you about illegal voting?

A. He stated he could get evidence about illegal voting at what he called Sheriff O'Brien's headquarters, a place called Jackson Hall, in the 21st ward; that on the evening prior to the election a great number of men assembled there, or were brought there by various parties, and he instanced different parties; and, among others, said our controller, Mr. Richard B. Connolly, brought a large gang of them and introduced them to Sheriff O'Brien, and said, "You know what these men are for," and they staid that night till the next morning; and O'Brien, he said, gave them slips of paper, on which were names of parties and residences, and told them to go out and vote on those names, and he said he thought that others did so. He told me there must be 200 or 300 up there, and he could get testimony with regard to them; and he offered to get testimony; but he did not wish to be known in the case; he did not wish it to come to the knowledge of the men, if possible, how I had got the information. He told me that he would give me the names of those who might either be subpoenaed or arrested—if arrested it would be better; they would probably then, as he called it, "squeal;" he said he would bring me four men first who would be willing to give testimony; then he would give a large list of them; he said 300; and after the first four were to "squeal" as they were taken and brought before the committee, hearing that the first had, these would also "squeal," and tell the whole account, where they voted and under what names, so far as they could remember. I saw him, I suppose, five or six times in relation to that, and told the matter to Mr. Glassey, and he met him with me. I think I saw him two or three times before Mr. Glassey did. He was indisposed to talk with but one. He promised to bring the four men there, and afterwards he told me he was sick the day he was to bring them and he could not get them; and he told me if I could get an order of arrest to have them arrested, and bring them down here, he would have them in a place where they would understand it, and would allow themselves to be arrested to excuse themselves to their democratic friends for giving evidence. I told him I did not know of any such process as that, but they could be subpoenaed.

6650. Q. State if you had interviews with him when Mr. Glassey was not present.

A. O, yes; I suppose in the majority of them I was alone.

6651. Q. What time were these interviews?

A. They were all of them within the past two months since the election. I could not say exactly, but they were before the congressional committee had come to the city of New York. A large portion of what I now state came to our knowledge and was stated in the memorial that we made to Congress.

6652. Q. State if Davenport was present at any of the interviews.

A. He was present at several of them.

6653. Q. Whom did this man have with him?

A. A man he called Weiss. Weiss was generally after the first few interviews left outside. He was indisposed to have more witnesses present than were necessary.

6654. Q. Did he furnish any witnesses to you?

A. He never did bring any of these witnesses.

6655. Q. Did he furnish any names?

A. He furnished none of the names to me. Yes, he did, too; he gave the names of four he was to bring down, I think. I think he gave some other names. I know he did give the names of those who were to be the four.

6656. Q. At what time did you cease to have further interviews with him?

A. It was the time latterly when he talked about being paid. He wanted us to pay him so much. He did not state the amount. I told him I would pay him for such time as he expended and nothing more; a fair and reasonable rate for his time I would pay him, but as to paying him in any other way I would not do it. He told me he had spent a great deal of time, I think nearly two weeks, in hunting up and getting these names and where the men lived, and stated that he was out of pocket, and that it had cost him, I think, for board, over \$10. I told him he ought to be reimbursed for that.

6657. Q. State if you made any offers to him of the payment of money to catch Sheriff O'Brien.

A. No, sir; he told me he had paid \$10 for some board bill, and I told him that ought to be paid, and instructed that it should be paid; I do not know whether it was. He afterwards wanted some more, and I told him if he got \$20 and expended \$10 I thought he had got enough, for he had got a dollar a day, and I did not suppose he had spent over an hour.

6658. Q. State if any suggestion was ever made to him to secure witnesses to testify falsely.

A. On the contrary, he was told not to bring witnesses who did not know the facts, and I explained to him as well as I could, in detail, that we were after the truth, and that in all probability we should be able to detect any man who swore falsely. I explained to him that my experience had been that, as a rule, an experienced lawyer would know when a man lied, and that if he brought men there who would lie to us, we would find it out immediately. I did not believe it was possible for a man to go through a rigid examination and lie, without being found out, but if he brought the men down we could decide whether their statements were true or not. He told me it was true; he himself was a party; he had repeated, and had received his instructions from Sheriff O'Brien, and all of these others had repeated; that it was true and that it could not be broken down. He also stated that he did not think that

he had better be a witness, because, said he, "I can be impeached." I asked him in what way. He would not answer directly, but he suggested that he had been convicted of some crime that would disqualify him under our statute. Something was said that implied that he had been a pickpocket; I do not know what was the exact expression used.

By Mr. Ross:

6659. Q. How long had you been in conference with him?

A. I suppose I saw him six or eight times.

6660. Q. Running through how long a time?

A. I judge it was about the middle of November when I first saw him, and I do not think I have seen him to speak to him since the congressional committee has been in the city; if so, it must have been the first day; I think not, though.

6661. Q. At what time in your conferences did he make an intimation to you from which you inferred that he had been a pickpocket?

A. I think it was early in them, because I wanted him to become a witness right off; to have his name down as a witness, and to call him before the congressional committee.

6662. Q. About how long from the time you had your first conference with him, did you retain him in your employ?

A. We never had him in our employ.

6663. Q. How long did you hold conferences with him about getting up witnesses?

A. I suppose for about a month, perhaps more.

6664. Q. These casual conferences about getting up testimony?

A. Yes, sir; he came to my house one night; he did not stay over a minute, for I told him I would not talk about business there; it was the only time I had to rest.

6665. Q. How many times did he visit the Union League?

A. They were all there except the one I have mentioned; at the room of the sub-committee on Broadway, the corner of Warren street.

By the CHAIRMAN:

6666. Q. With which political party did the repeaters generally vote?

A. He said that they all voted the democratic ticket "straight," as he called it. That is a common expression in New York.

6667. Q. What signification has the term "squeal" here in New York?

A. That is a common slang expression for a person turning State's evidence when cornered. It is another word for confessing to a crime.

6668. Q. Will you state what officers, under the laws of New York, canvass or count the votes or ballots cast at an election, and what facilities they have for changing the votes?

A. The board of canvassers is composed of two persons in each election district in the city, appointed by the police commissioners. They have to assist them two clerks. The clerks count the tally of those who have voted during the day, and the two canvassers count the ballots themselves. Nobody is allowed to interfere, and they can even make it so that nobody can oversee them except at a distance. If they choose they can reverse the piles of tickets, and what is apparently a republican pile can be given to the democrat, and the democratic pile can be given to the republican, and if the two agree nobody could detect the fraud except by calling the voters and asking for whom they voted, which has been done in some contested elections. This has been the ordinary way of committing frauds in elections.

6669. Q. What are the duties of the two clerks?

A. To keep the tally as it is called by the canvassers, and foot up the

number of the votes cast; acting as clerks for both boards, the inspectors and the canvassers, and upon the announcement by the canvassers, to write down the total number of votes for each candidate. That is the ordinary practice, although the law does not require them to do it.

6670. Q. Does the law require the inspector to be present?

A. No, sir; the law requires the room to be cleared, and under that the construction is to clear the room. It is generally a small narrow room.

6671. Q. What disposition is made of the ballots after they are counted?

A. Very generally they are burned.

6672. Q. Is there any law requiring them to be preserved?

A. The construction of the law generally is that they are required to be burned. I do not think that is a fair construction, but it is the habitual construction.

6673. Q. You have spoken of the republican pile of ballots becoming the democratic pile. Are the ballots kept in a pile in the ordinary way?

A. The ordinary way is to keep them in a large pile, except what are called "scratches," where a name is altered, in which case they are put upon a file; they are put upon spikes in the ordinary way. They are put in a large pile except those which are scratches. The spike is a long sharp wire, placed upon a piece of wood at the bottom, and standing up, and upon these the scratches are placed; but the great mass of the ballots are in two piles. Ordinarily, each canvasser makes up his tally, and passes them to the other, and he counts the tally, and if it is right they are put in a pile, and finally these tallies are counted, and that is the way the number of the ballots is usually decided.

6674. Q. The canvassers are appointed by the board of police commissioners?

A. Yes, sir.

6675. Q. What is the political complexion of the board of police commissioners?

A. A tie; two of each party.

6676. Q. What is the result of that as to the politics of the canvassers appointed by them?

A. The practical result has been that in four-fifths of the districts one is republican and one is democratic, and in the other fifth of the districts there are two democrats.

6677. Q. In those districts where both canvassers are democrats what check is there upon fraud by them in counting republican votes for democratic candidates?

A. I know of no check. They attempt to have a check by instructing a policeman to be near enough to overlook, but he makes no pretence to count at all; only looks over to see that there is no putting in votes other than are taken out of the boxes.

6678. Q. In those cases where there is one democratic canvasser and one republican, if there should be corruption or bribery of either of the canvassers, what check is there to prevent the fraudulent count of the votes?

A. There is nothing to prevent a fraudulent count. There is a way of finding it out afterwards, if we will take the trouble to ask each voter how he voted, as was done last year in one of our districts.

6679. Q. Have you any knowledge of the competency of the canvassers?

A. I know there have been appointed canvassers that were incompetent to perform the duties properly.

6680. Q. State if there is any provincialism or expression to indicate the practice of a fraudulent canvass or count of the votes in this city.

A. There is an expression, but I do not recollect it at this moment. They often speak of a man being counted in or counted out. That would mean fraudulently counted in or out. There is another expression that is also used.

By Mr. Ross:

6681. Q. You say there was one place where there were two democrats?

A. I say there have been places where there have been more than one democrat.

6682. Q. More than one democratic canvasser?

A. I spoke of that. In those places a republican and democrat have been appointed and both turned out democrats.

6683. Q. Do you say that there is no check upon the canvassers?

A. I say there is no great check; because if they were honest men it would not affect the count at all, and if they are dishonest men I do not know how they can be prevented from giving a false count if they choose.

6684. Q. The clerks would have to be implicated in it?

A. Not necessarily. The clerks are sitting at one end of the table and are at work making their computations, and that takes up all their time. They could cheat in one way as well as the other. They might reverse the tickets and give the democrats the republican ticket or the republicans the democratic ticket; or they can take a handful of ballots from one bundle and put them upon the other, or count them from one bundle into the other.

6685. Q. It would not hurt the republican party much to give them a democratic vote?

A. Sometimes it might. I think to give the republicans the democratic vote in my district would be very apt to elect the republican, and that would not injure us, if they had given it to our side.

NEW YORK, *January 11, 1869.*

JOHN I. DAVENPORT sworn and examined.

By the CHAIRMAN:

6686. Question. State what you know about these transactions of Pierce.

Answer. It was along about the 10th or 12th of November I first saw Mr. Pierce, at 258 Broadway; he was brought there by a young man by the name of Weiss, who was endeavoring at that time to get the nomination for assistant alderman in the 15th ward, I think. Two or three days after I first saw Mr. Weiss he came one day, and brought with him a man who gave his name as William Pierce—the man who has been here to-day. Mr. Pierce, at and after that time, had several interviews with Mr. Glassey and General Foster—sometimes one and sometimes the other, and occasionally with both of them. At most of those interviews I was present. I also held interviews with Mr. Pierce when neither of the other gentlemen were present; he oftentimes came there when they were not in, and I, being there all the time, took him into the private office; on those occasions he generally remained, however, until they came. On the 28th of November, I see by a memorandum in my book, he gave the names of four men and their residences, stating that these men were four out of some 200 or 300 that he could produce; subsequently he said that he thought he could bring down 1,400. I remember his telling me on one occasion that the greater part of them were present

at the Jackson Club, the headquarters of Sheriff O'Brien, and were engaged in repeating; that he himself was engaged in the business and knew the men; that he lived in two or three places—one of his residences was up in the Third avenue, another one in Greene street—and that these four men were willing to be examined and testify as to what they knew; that he had seen them and they had agreed that they would give their statements; but they desired to be arrested, in order to afford them some excuse for testifying relative to Sheriff O'Brien and the repeaters in the up-town wards. If they were arrested he desired that one should be examined first; this one, he said, would make a full and free statement; the next day he wanted the second examined, who, he said, would tell something, but not as much as the first; the third would hold out a day or two, but finally would state his knowledge of frauds; and then the fourth man would tell because the other three had, unless the democrats came to his assistance; this man would, however, before exposing anything, write to them for assistance, and if they refused to get him out he would tell all that he knew. The names he gave were James or John Story, registered from 309 Thirty-second street, in the 6th district of the 21st ward; James Farrell, from 326 East Thirty-third street, the same district and ward; Thomas Bradburn, 498 Third avenue, 14th district, 21st ward, (the right name, he said, was Dickas;) Lewis Bullman, 484 Third avenue, (his right name was William Mulligan,) 14th district, 21st ward. These names I took down in shorthand, and are now given from those notes. Pierce examined the registers or copies of them in the office at the time with myself. We looked over the books together, and found three, if not four, of those names there as registered and voted.

6687. Q. Did he give the names before you examined the registry and poll-list?

A. He gave the names before we examined the registry and poll-list.

6688. Q. And you found them on the registry and poll-list as he had stated?

A. Yes, sir; he stated that these men had not any money, and that he had loaned them some, and had spent his time in finding them and getting them to be willing to testify, because they were afraid to do so, and he wanted to be paid for it. He had made this request on several occasions, but never received anything, to my knowledge. Subsequently, or about that time, I paid Mr. Glassey \$5, which, he informed me, he had paid Pierce. I had the charge of all the expenditures in the Union League Club committee in that office. That night Pierce wanted \$50. We told him he could not have it; that we would give him \$20 for his time and trouble, and that was all we should give. He said he would be damned if he would take \$20, and stopped for some time in my office, during which time I paid no kind of attention to him; finally he said, well, if I would give him \$30 he would go away and would not bother me any more, and I gave him that amount, and that, with the \$5 before mentioned, is all the money which he ever received from the club committee. From the time he got that \$30 he never was at the office but once, and then came in company with Mr. Weiss, a long time afterward, having broken his appointment to bring the four men there in order that they might be examined. We never knew him until he appeared with Mr. Weiss. He was the *xyz* of an unknown quantity until he came and stated that he had this information, and if it was of any value to us he could produce it.

6689. Q. State if any suggestion was made to him to procure false testimony.

A. Never, in any way, manner, or shape.

By Mr. Ross :

6690. Q. What office did you hold in the League ?

A. I was secretary of the sub-committee and counsel and attorney of that committee in the matter of investigating the election frauds.

6691. Q. What time did you receive that appointment ?

A. About the 5th or 6th day of November.

6692. Q. Have you been in the employment of the Union League ever since ?

A. I suppose so, to a certain extent. My signs were taken down, and I no longer acted as secretary, some three or four weeks ago.

6693. Q. You are still in the employ of the League, are you ?

A. I have never had any settlement with them as yet.

6694. Q. You understand that you are still in their employ ?

A. I understand that I am, for certain purposes.

6695. Q. For what purposes ?

A. For the purpose of managing the matter of getting the registry and poll-books compared in reference to certain houses and certain men, and other matters of that kind.

6696. Q. You are also employed as clerk of this congressional committee, are you not ?

A. Yes, sir.

NEW YORK, *January 11, 1869.*

WILLIAM H. COOK sworn and examined.

To the CHAIRMAN :

6697. I reside in the 6th ward.

6698. Question. What do you know of persons voting more than once in that ward in the last presidential election ?

Answer. I know nothing, sir.

6699. Q. In what business are you engaged ?

A. I am superintendent of wharves, piers, and slips in the city of New York.

6700. Q. From whom is your appointment derived ?

A. From the street commissioner.

6701. Q. Can you furnish any means to enable us to ascertain whether repeating was done in that ward ?

A. No, sir.

6702. Q. You have no information that would enable us to ascertain ?

A. No, sir.

6703. Q. Do you know Lawrence Farrell, alias William Pierce ?

A. No, sir ; I do not know the person. I know a witness by the name of Lawrence Farrell, alias something, who testified here to-day. I know him as a witness ; that is all I know about him. I acted in the capacity of a sort of adjunct to our democratic friends here, and therefore I have seen him, and that is the only means I have of knowing.

By Mr. Ross :

6704. Q. If you know of any republican frauds we would like to hear of them.

A. No, sir. I only know one circumstance ; it is not precisely fraud, but it looks very much like it.

[Circumstance stated and excluded as irrelevant.]

NEW YORK *January 11, 1869.*

FRANCIS MURRAY sworn and examined.

To the CHAIRMAN :

6705. I reside in the 8th ward, 102 Green street.

6706. Question. State if you voted at the last presidential election in this city.

Answer. I believe I did.

6707. Q. How often ?

A. I voted three times, I believe. I was pretty full.

6708. Q. What wards ?

A. The 7th and 8th.

6709. Q. In different districts ?

A. I could not tell you as to that. I was pretty full of whiskey, to tell the truth about it.

6710. Q. Where did you procure the names and numbers to vote upon ?

A. They came to my house, a party of them.

6711. Q. Who came to your house ?

A. I could not give their names. There were about fifteen of them, I should think. They wanted me to go out with them. I was pretty full, and went along with them, and I could not tell you where it was—betwixt what streets I voted—to save my soul from the gallows; and I don't want to tell any lies about it.

6712. Q. Did this party vote on their own names or false names ?

A. That is something I could not tell you.

6713. Q. Did you vote under different names ?

A. No, sir; I did not as I recollect.

6714. Q. What name did you vote on ?

A. The name I gave here.

6715. All the times ?

A. Yes, sir; I think I did, if I am not mistaken; I am not positive, however.

6716. Q. State what you saw, if anything, about slips of paper with names and numbers on them.

A. There was a slip of paper handed me; I could not tell the name or the number; I was under the influence of liquor.

6717. Q. Where did you get it ?

A. At the corner house where I live, 102 Greene street, right on the corner.

6718. State if any of these other persons had slips of paper with names and numbers.

A. I could not say whether they had or not.

6719. Q. With which political party did you act ?

A. The democratic party.

6720. Q. What ticket did you vote ?

A. I voted the democratic ticket.

6721. Q. What ticket did those other men that were engaged with you vote ?

A. I could not tell you; I did not look.

6722. Q. One of the votes you gave I suppose was a legal vote ?

A. Yes, sir; I was entitled to one vote.

6723. What compensation were you to have for this service ?

A. I was to have some money—five dollars.

6724. Q. Who proposed to pay that ?

A. I could not tell you; it was betwixt the party; they were to make it up betwixt them. They got me pretty well liquored up. That is

something I am not in the habit of doing; I am a poor boy and have got a mother and two sisters to support, and work pretty hard to support them.

By Mr. Ross:

6725. Q. You were pretty drunk, were you?

A. Yes, sir; I was pretty full, to tell the truth and no lie. I don't want to tell no lie whatever.

6726. Q. What time in the day did you get drunk?

A. I got drunk early in the morning. I was drunk all day.

6727. Q. Were you so drunk that you had no distinct knowledge of what you were doing?

A. Yes, sir; I do not recollect the party; I don't recollect the names; I could not tell you to save my life.

6728. Q. Can you recollect whether you voted more than once?

A. I recollect voting once, my own legal vote.

6729. Q. Is that all the time you have any recollection of voting?

A. I am pretty certain I voted three times.

6730. Q. Still you were not sober enough to know certainly whether you did or not?

A. No, sir; I would not swear to a thing I am not positive of.

6731. Q. Did somebody tell you you voted more than once?

A. Yes, sir.

6732. Q. That is what made you think so?

A. Yes, sir; I know I was at the polls a second time, and the man gave me a ticket and I walked up to the polls and put it in; I think I did anyhow, that is the second time.

6733. Q. Were both times at the same place?

A. Yes, sir; in the 8th ward. I put in two votes in the 8th ward and one in the 7th.

6734. Q. Was it at the same polling place?

A. Yes, sir; I think it was. I am not positive, but I think it was.

6735. Q. You have no distinct recollection of what transpired that day, have you?

A. Yes, sir; but not a great deal, to tell you the truth.

6736. Q. You were pretty boozy?

A. I had been drinking considerable.

6737. Q. You did not intend to do anything wrong?

A. No, sir; I did not.

6738. Q. You don't know whether you did vote more than once or not?

A. I think I voted the second time; I think I can recollect that; but after that I could not recollect more.

6739. Q. After the second time you were so drunk you cannot recollect anything about it?

A. No, sir; I was pretty drunk.

6740. Q. You have no knowledge what ticket you voted?

A. I voted the democratic ticket. I would not vote the republican ticket, I never did and never would. I am democratic to the back-bone.

6741. Q. Who paid you the \$5?

A. That I could not tell.

6742. Q. Did you get the \$5?

A. I did, sir; it was made up betwixt the party, and a fellow came and slipped it in my hand.

6743. Q. You took the \$5.

A. Yes, sir.

6744. Q. Was it on Saturday you went over to Jersey City?

A. I went over to-day.

6745. Q. Have you not been over there before in relation to giving your testimony ?

A. No, sir; not before.

6746. Q. Did you get \$5 before you started, or after you came back ?

A. No, not upon this; I didn't get anything, not a cent.

6747. Q. Who got you to go over there ?

Q. I went over there of my own free good will; I heard about it; there was no man asked me whatever; I heard them talking of it where I lived; they were talking about what was going on; that they were looking to get the men that voted twice or three times to go over and testify about it, and I thought I would take pains to go over on my own responsibility, and nobody hired me; I would not be hired for any such thing as that.

6748. Q. How many went over there with you ?

A. I went over alone.

6749. Q. How many were in the room where you made your statements over there ?

A. Three, I think; two or three; I am not certain.

6750. Q. About what time was it ?

A. Betwixt 10 or 11, or 11 and 12; I am not sure.

6751. Q. What promises did they make over there ?

A. They made no promises whatever.

6752. Q. What did they say to you ?

A. Nothing, only they asked my name and residence, and how many times I voted, and I told them to the best of my knowledge.

6753. Q. Did they promise you any protection against prosecution ?

A. No, sir.

6754. Did't they tell you that you should not be prosecuted if you would testify ?

A. No, sir; not a word about it.

6755. Q. Did you see any money paid over there to anybody ?

A. No, sir, I did not; not a cent.

6756. Q. How long have you been here at the building ?

A. I have been here ever since about 1 o'clock, I think.

6757. Q. In Marshal Murray's room ?

A. Yes, sir.

6758. Q. How many of you were in there ?

A. I could not tell you how many there was; it was full most of the time, but I could not say whether they were witnesses or what they were.

6759. Q. Did you talk with Marshal Murray about it ?

A. No, sir.

6760. Q. What did Colonel Wood say to you ?

A. He did't say anything to me; I did not speak to Colonel Wood.

6761. Q. Where did you see him ?

A. I saw him below here, but I did not speak to him or he to me.

6762. Q. You saw him to-day ?

A. Yes, sir.

6763. Q. Was he over at Jersey City when you were there ?

A. I could not say whether he was over there or not; I don't think he was; I don't recollect seeing him there.

6764. Q. Who administered the oath to you over there ?

A. I suppose it was his clerk.

6765. Q. Colonel Wood's clerk ?

A. Yes, sir.

6766. Q. How long have you lived in the city ?

A. Going on the last three or four years ; pretty much all the time in the same place.

6767. Q. How long have you lived at 102 Greene street ?

A. A year and a half or two years.

6768. Q. What business are you in ?

A. I work on the docks ; anything that I can get hold of.

6763. Q. Are you married ?

A. No, sir, I am not ; I am a single man and have a mother to support ; I live with Johnny or Jimmy Shay ; mother lives there with me and two sisters.

6770. Q. How long has Jimmy Shay been living there ?

A. That is something I could not tell you.

6771. Q. Does he keep the boarding-house ?

A. Yes, sir.

6772. Q. Did you know it was wrong to vote more than once ?

A. Well, I don't know that I could say I knew it was wrong, because I cannot read or write ; I always had to work hard for what I got.

6773. Were you willing to commit a criminal offence for the sake of getting five dollars ?

A. No, sir ; I would never have done it if I had not done it under the influence of liquor.

6774. Q. Have you drank any liquor to-day ?

A. I have not drank any liquor to-day.

6775. Q. Not a drop ?

A. None, whatever.

6776. Q. How long have you been known by the name of Francis Murray ?

A. I have been known by that name a good while ; it has always been my name.

6777. Q. Were you ever called by any other ?

A. No, sir.

6778. Q. What was that charge they had against you before the court here ?

A. No charge against me whatever.

6779. Q. Were not you over on the island a while ?

A. No, sir ; not over on any island whatever. I was never convicted, never arrested, never had a warrant served on me in my life. I don't want to get into any scrape whatever ; but I came to tell the truth, the whole truth, and nothing but the truth. I never had a warrant served on me yet.

6780. Q. Whom do you work for ?

A. I work for anybody I have to work for.

6781. Q. Have you any regular employment from anybody ?

A. No, sir.

6782. Q. How long have you been out of employment, if at all ?

A. I could get work to-day, but I left it to come up here ; on the pier,
47 East river.

6783. Q. What were you to have for your day's work ?

A. I was to have two dollars, that is if I was to work on the dock.

6784. Q. What were you to have for coming here ?

A. Nothing said about it.

6785. Q. Nothing said about five dollars, or about pay ?

A. Nothing whatever to me.

By the CHAIRMAN :

6786. Q. Do you understand that an oath was administered to you over in Jersey City, or did you make a statement of what you knew ?

A. I made a statement of what I knew.

By Mr. Ross:

6787. Q. Did you swear to that?

A. No, sir; I was not sworn at all; I just made a single statement, and that was all.

NEW YORK, *January 11, 1869.*

JOHN McCABE sworn and examined.

To the CHAIRMAN:

6788. I live at 26 Monroe street. I voted at the last presidential election in this city, three times at Madison street and in the Bowery; three times in Centre between Jackson and Monroe; and two or three times, I could not say which, in Bayard street and Hester, near the Bowery. I voted under my own name, not every time, sometimes under other names.

6789. Question. How were you furnished with names to vote upon?

Answer. They were given to me on a slip of paper. There was a party promised to meet me on the day of election.

6790. Q. Where were you the night before election?

A. I was in the house. I came from working and went round to a few friends until 10 or 11 o'clock, and then went home.

6791. Q. State what you know about other persons voting more than once on the day of election?

A. These parties, I could not tell you the names, but I met them on the corner of Roosevelt and the new Bowery, four or five of them, they gave me tickets and told me to go and vote, and they would give me \$10 if I would vote those tickets; and they fetched me round and gave me drink, and I got so drunk I didn't know what I was doing after a while.

6792. Q. How often did they vote?

A. I could not say; they voted two or three times in each place.

6793. Q. Each one of the men?

A. Yes, sir.

6794. Q. What ticket did you vote?

A. The democratic ticket; it was supposed to be democratic; I did not look at it.

6795. Q. Where were slips of paper furnished to you?

A. At the polls, the corner of Roosevelt and the new Bowery, in the 4th ward.

6796. Q. Do you know who gave you the slips?

A. I do not.

6797. Q. Do you remember any of the names you voted upon except your own?

A. No, sir, I do not.

By Mr. Ross:

6798. Q. You say you were pretty drunk that day?

A. Yes, sir.

6799. Q. What time in the day did you get drunk?

A. About 8 o'clock in the morning.

6800. Q. How drunk were you?

A. I was so drunk that I had to be carried home; I did not know where I was when I was in the house.

6801. Q. What time in the day did they help take you home?

A. I could not tell, and I could not tell who fetched me home, or nothing about it.

6802. Q. Were you right drunk all day?
A. Yes, sir, I was drunk all day.
6803. Q. Then you cannot recollect much of what did transpire?
A. No, sir, I cannot.
6804. Q. You do not know with any accuracy how often you did vote?
A. No, sir, I may have voted 30 or 40 times for aught I know; I was too beastly drunk.
6805. Q. You know whether you voted more than once?
A. Yes, sir; I voted as many times as I have stated; I am certain about that.
6806. Q. Do you know any of the parties that were with you?
A. No, sir, I don't; I know them by sight, but nothing more than that.
6807. Q. How do you know what ticket you voted?
A. They gave me the tickets in my hand and told me they would give me ten dollars to vote for this party; they did not tell me what it was. It was supposed to be the democratic ticket; they gave it to me as the democratic ticket.
6808. Q. Don't you know that the republicans were getting democrats drunk that day and getting them to vote their ticket?
A. No, sir, I don't know anything about that.
6809. Q. You are a democrat, I suppose?
A. Yes, sir.
6810. Q. You would not vote the republican ticket if you were sober, I suppose?
A. I don't believe I would.
6811. Q. You would be just as likely to vote the republican ticket when you were drunk?
A. Yes, if I was beastly drunk.
6812. Q. As drunk as you were that day?
A. Yes, sir; just as likely to vote the republican ticket as any, but I don't believe the parties were voting the republican ticket themselves.
6813. Q. When were you to have the five dollars for voting that day?
A. It was ten dollars.
6814. Q. Were you to have the five dollars for going over to Jersey City before you went over, or after you came back?
A. I don't know nothing about that; I heard men talking about it, but I didn't hear when I was to get it.
6815. Q. Whom did you talk with about that?
A. I talked with the clerk over there.
6816. Q. Did not somebody tell you that they were paying something to get men to swear to frauds?
A. No, sir.
6817. Q. What did you hear when you went over?
A. I was going past and I heard men talking of some people that were over there and got some money, and I thought I would go over myself and see what it was about.
6818. Q. It was trying to make testimony to prove frauds, was it?
A. Yes, sir.
6819. Q. How many went over there with you?
A. No one went over but myself.
6820. Q. How many were in the room when you were examined?
A. There were two or three.
6821. Q. What room were you in at Jersey City?
A. I could not say.
6822. Q. When did you go over to Jersey City?
A. I went over there Saturday morning; I staid there for about two hours.

6823. Q. They did not pay you the five dollars?
A. No, sir.
6824. Q. Did you go over again to-day?
A. No, sir; not to-day.
6825. Q. Where have you been to-day?
A. I have been at home pretty much all day; I was up at a wedding nearly all night last night, and I did not feel well.
6826. Q. Who was it that swore you over in Jersey City?
A. A young man; I did not know who he was.
6827. Q. Did you see anything of Colonel Wood?
A. No, sir.
6828. Q. You know him, don't you?
A. No, sir, I don't.
6829. Q. Where have you been since you have been here in this building?
A. I have been outside.
6830. Q. In the first room at the left, in Marshal Murray's office?
A. I suppose so; it was the first room at the left.
6831. Q. How many were in there with you?
A. Two more.
6832. Q. When are you to be paid for coming here?
A. I heard I was to be paid to-day—over in Jersey City.
6833. Q. Do you know who is to pay you?
A. No, sir, I don't.
6834. Q. Are you swearing false now?
A. No, sir; I am not.
6835. Q. How long has your name been McCabe?
A. It has been that ever since I have been born.
6836. How old are you?
A. Twenty-two years of age.
6837. Q. Where were you born?
A. New Haven, Connecticut.
6838. Q. How long have you lived here?
A. Ever since I have been two years of age.
6839. Q. How long have you lived at 26 Monroe street?
A. Two or three or four years, I could not say.
6840. Q. Whom do you live with?
A. I live there with my father; my father is a laborer.
6841. Q. You are a single man, are you?
A. Yes, sir.
6842. Q. What have you been engaged in lately?
A. A printer.
6843. Q. Where have you been working?
A. At Nesbit's printing office, the corner of Pine and Pearl streets.
6844. Q. Are you working there now?
A. No, sir; I have not been working there these last couple of days.
6845. Q. You have been absent from your work for two days?
A. Yes, sir.

NEW YORK, *January 12, 1869.*

JOHN GUNN sworn and examined.

To the CHAIRMAN:

6846. I am bookkeeper for Mr. George Wilkes, editor of the Spirit of the Times. He is in very poor health, and went to Paris for the improvement of his health. He sailed from here on the 28th of November last, direct for Paris, and was there on the 18th of December—the last time I heard from him.

NEW YORK, *January 12, 1869.*

JOSEPH GAILLARD sworn and examined.

To the CHAIRMAN:

6847. I do not know where William Dorin, a witness summoned to appear before the committee, is now. I saw him here in the hall last Saturday; he was standing near a man named George something. Dorin called to me and I was going over to him when a deputy sheriff named Moore put his hand on my shoulder and shoved me back, saying that I could have no talk with that man. He said he was under arrest. I went to the United States marshal's office and told my chief, Colonel Wood, and Marshal Murray, that Dorin was arrested. I saw Deputy Sheriff Moore take him out of the hall and through the New City Hall; I have not seen Dorin since. I do not know where he is to be found. I went to his house yesterday to notify him to come here, but his wife told me he was not there; I made no further search than that.

NEW YORK, *January 12, 1869.*

JAMES DENNIS sworn and examined.

To the CHAIRMAN:

6848. I was register and inspector at the last presidential election in the 7th district of the 21st ward. I know of two cases of fraudulent naturalization papers in that district. In one case the man (I do not know his name) swore that he had been in the country only two years, had never appeared in any court, had never taken out any papers, and that he had got his naturalization paper at the corner of Second avenue and Thirty-second street. The other swore that he got his paper at the corner of Twenty-fourth street and Second avenue, and had never been to any court, nor made application for citizenship.

By my challenging all of them who came up, most of them backed out. I believe that many of them swore falsely to their having taken out their first papers and to their residence. I was very active in keeping out illegal registering, even at the peril of my life. I had to keep a revolver loose in my pocket all the time, and they knew it. I apprehended peril from the gangs of cut-throats, vagabonds, and robbers, who were going around registering; but I was regardless of their threats. The police captain had to send policemen home with me from the registering place every night. I am a republican; those who threatened me acted with the democratic party. On election morning, when on my way to the polling place, I was arrested by two men claiming to be deputy sheriffs. They showed me a paper purporting to be a warrant for my arrest, signed by Judge Mansfield, for assault and battery committed on a man the Saturday previous. I was taken down to Ludlow street jail and locked up until 11 o'clock. In the mean time a large number of my friends started in pursuit of me with bail, and I sent a report of my arrest to headquarters, Fifth avenue, to the State committee. About 11 o'clock I was taken before Judge Mansfield, and admitted to bail; I have never been prosecuted for the assault; I demanded of the judge to produce the person who filed the affidavit against me; but he could not do so. I am satisfied, in my own mind, that no person made any such affidavit. The person who purported to have made it gave his address at the number of a street in which there was no such number. I had not committed any assault, and no evidence was produced against me. Judge Mansfield denied knowing anything at all about the warrant, although it purported to have been issued by him the Monday previously.

To Mr. Ross:

6849. My republican colleague was Jacob W. Cooper, and my democratic colleagues were a Mr. Yard and a Captain Mullaly. I believe I kept away from the registry over 200 illegal votes. They would come in gangs of 10 or 15, and when I would commence challenging the others would back out. There were 404 votes registered in that district and 362 votes polled. When I got to the polls on election day the illegal votes which I had marked for challenge had all been put in. My republican associate did not have the backbone to challenge them.

To the CHAIRMAN:

6850. The warrant which I read charged me, along with Charles H. Rogers, with beating and assaulting this man on the 31st of October. I had not seen Mr. Rogers for over a week. He was arrested the night before, and was also locked up. He was also a register in another district. He was a republican. I cannot call to mind any person who has been punished in this city for illegal voting.

NEW YORK, *January 12, 1869.*

ABRAHAM VOORHEES recalled.

To the CHAIRMAN:

6851. I have examined applications for naturalization in the superior court of this city from September 30, 1868, to October 10, with the exception of the 9th. I present to the committee a tabular statement, giving the number of times each day when the same witnesses appeared for a number of applications for naturalization. I also present to the committee a statement showing the total number naturalized in the superior court on September 30, October 1, and October 2, showing an aggregate of 1,224, of which there were 1,006 naturalized as minors. It is very difficult to examine these naturalization papers in the superior court for want of office accommodation, though the officers of the court furnished us all the facilities they could. This last paper also shows the whole number naturalized in that court from October 3 to October 10, both days inclusive, (except on the 9th, the papers for which day I have not yet examined.)

The papers are as follows:

Names of witnesses.	Sept. 30, 1868.	Oct. 1, 1868.	Oct. 2, 1868.	Oct. 3, 1868.	Oct. 5, 1868.	Oct. 6, 1868.	Oct. 7, 1868.	Oct. 8, 1868.	Oct. 9, 1868.	Oct. 10, 1868.
Patrick McCaffrey	16	11	44	37	26	.....	8	17	.....	.....
Patrick Goff	16	10	22	6	4	4	.....	1	.....
James Goff	2	.....	8	8	7	19	9	.....	.....	2
B. La Brown	3	2	2	3	7	6	.....	2	.....	8
Michael Culligan	5	23	21	22	2	3	.....	6
Channey Gray	2	4	12	5	8	11	10	.....	1
Frank Brondage	25	7	.....	.....	.....	.....	2
John Ward	7	18	25	16	23	25	29	.....	4
John Gallagher	15	11	6	20	1	.....	2
E. Goldstein	2	3	.....	2	2	.....	2	.....	.....
John Moran	32	23	.....	81	18	27	17	.....	39
R. Curry	14	3	21	3	.....	.....	.....
John McGinniss	9	.....	.....	25	.....	.....	.....
John Carpenter	26	9	.....	.....	.....	4
James Reilly	26	6	1	.....	.....	.....
Daniel Day	17	5	.....	.....	.....
Thomas Wheeler	18	.....	3
Henry Jacobs	5	4	6	14	.....	3
James O'Donnell	14	.....	9
William J. Gorman	2	.....	.....	6	.....	6
Solomon Bertimer	8	6	2	.....	8
Joseph Ferguson	7	15	6	.....	3

SUPERIOR COURT, NEW YORK CITY.

Whole number naturalized, 1868: September 30, October 1 and 2, 1,224; minors, 1,006; not complete. October 3, 781; minors, 652. October 5, 1,354; minors, 1,125. October 6, 1,317; minors, 1,075. October 7, 1,321; minors, 1,074. October 8, 1,125; minors, 965. October 10, 812; minors, 731.

To Mr. Ross:

6852. There may be ordinary mistakes in the calculation. There must be 20,000 papers tied up there, but they have kept them in pretty good order. For four or five days I had the whole run of the office to myself. Mr. Sweeney told the clerks to give me a desk, and to clear out; and even his deputy was turned out for that purpose. If there is any mistake at all in the paper it is that there are not enough cases set down.

NEW YORK, *January 12, 1869.*

WRIGHT BANKS sworn and examined, (called by Mr. Ross.)

To Mr. Ross:

6853. I reside at White Plains, Westchester county, and am deputy county clerk of the county. I produce the book containing the records of naturalization of that county.

6854. Question. Turn to the names of David Welsh, John Lee, John Rogers, Patrick Haley, Thomas Fitzgerald, Wm. Lawler, Wm. King, and John Courtney.

Answer. David Welsh was naturalized August 26, 1868, his witnesses being John Lee and Hugh Ward; John Lee was naturalized August 26, 1868, his witnesses being Hugh Ward and Thomas Smith; John Rogers was naturalized August 26, 1868, his witnesses being John Lee and Hugh Ward; Patrick Haley was naturalized September 19, 1868, his witnesses being Michael O'Donnell and Thomas Smith; Thomas Fitzgerald was naturalized October 17, 1868, his witness being Lewis C. Platt; Wm. Lawler was naturalized August 26, 1868, his witnesses being John Lee and Wm. King; Wm. King was naturalized August 26, 1868, his witnesses being John Lee and Wm. Lawler; and John Courtney was naturalized September 19, 1868, his witnesses being Daniel Daly and Michael Higgins.

6855. Q. Are all naturalization records kept in a book in that way?

A. Yes. They are recorded at the time of naturalization. Each applicant and witness has signed his name in this book, or made his mark.

6856. Q. State generally what you know of any fraudulent naturalization papers being issued from that court or office.

A. I do not; not in a single instance.

6857. Q. State what has been the practice in that court on the subject of naturalization in reference to parties appearing in open court.

A. For five or six years, and up to the latter part of August last, the practice was to have the witnesses sworn by the clerk in the clerk's office, and the papers were always understood to be issued on the authority of the judge, though not in his presence. In August, or early in September, 1868, Judge Cochrane, the present county judge, directed that the clerk should examine and record the application for naturalization in the open court-room, in his presence; and with the exception of about 50 of the naturalizations in 1868 all were examined and naturalized in that way in open court, the judge being present and judging of the qualifications of each applicant.

6858. Q. Had those 50 been naturalized prior to that order?

A. Yes, sir.

6859. Q. And all since that order have been examined in open court?

A. Yes.

6860. Q. State what means you have of knowing what the practice has been in previous years.

A. In 1850-'51 I was a clerk in the clerk's office in Westchester county, and had charge of naturalization as one of my perquisites. At that time the business was invariably done in the office, with or without the presence of the judge. I remained in the office about two years. I had some business connected with the office again in 1868, when, I am aware, the practice existed; and again in 1865-'66, up to the present time.

6861. Q. You know of your own knowledge that that is the way the business has been conducted?

A. I do.

6862. Q. When did this judge come into office?

A. The 1st of January, 1868.

6863. Q. To what political party is he attached?

A. The democratic.

6864. Q. Who were the judges previous to his administration?

A. John W. Mills, in 1850-'51. For 12 years prior to the 1st of January, 1868, Judge Wm. H. Robertson was judge of that court. He is now a member of Congress. Judge Mills was a democrat and Judge Robertson a republican.

6865. Q. Was that the practice under Judge Robertson?

A. Yes, sir.

6866. Q. With his knowledge?

A. Yes.

By the CHAIRMAN:

6867. Q. Between pages 220 and 236 of the book which you have produced I find the record of naturalization of persons, whose names, with date of naturalization and date of cancellation of certificate, are as follows:

Names of persons naturalized.	Date.	When cancelled.
Daniel Murphy.....	August 21, 1863.	October 3, 1863.
Patrick Slaven.....	do	do
Michael Donohoe.....	August 29, 1868.	do
Thomas Darnely.....	do	do
Michael Cashman.....	do	do
Thomas Kelly.....	do	do
John Grady.....	do	do
Edward McCarty.....	do	do
Timothy Keily.....	do	do
Patrick Kiley.....	do	do
Thomas McCarty.....	do	do
Thomas Moran.....	do	do
Edmund Burke.....	do	do
James Dean.....	do	do
Michael Donnelly.....	do	do

Across the face of each one of these records of naturalization are found these words: "Certificate cancelled by order of the court, October 3, 1868. J. M. S., clerk." State why that entry of cancellation was made.

A. I cannot state why in all instances. It was made on an order to show cause, which was granted on the application of some parties, the certificate having been informal or defective in some way.

6868. Q. Was not that done after the people had begun to complain of the mode in which things were done in that court?

A. I think not; I think the contrary.

6869. Q. On page 230 of this book I find a record made up, dated August 29, 1868, signed "J. M. Smith, clerk," in two places, with the words written across it: "Cancelled by order of the court, October 3, 1868. J. M. S., clerk;" and two erasures where the blank is found for the signature of the applicant; nothing, therefore, being left to indicate who signed the name which has apparently been erased. State why that alteration of the record has been made.

A. I did that myself on application of one of the witnesses, (Patrick Mara,) stating that the applicant (Patrick Kearns) was not entitled to be naturalized. I made the erasures at Mara's instance, without the order of the court.

6870. Q. Did you feel authorized to obliterate the record of the court?

A. I did; I felt authorized to correct an error. The certificate of naturalization had issued, but I destroyed it and tore it up, as I would any other paper, and threw it into the waste basket.

6871. Q. By what authority do you claim the right to alter and obliterate the record of the court, without the knowledge or order of the court?

A. I recognize the right of any clerk or officer to correct his own error. This error which I corrected was my own.

6872. Q. Were these orders of cancellation written across there, with or without the knowledge of the judge?

A. With the knowledge of the judge.

6873. Q. Who called his attention to it?

A. I cannot tell.

6874. Q. Was process issued against the parties naturalized?

A. An order to show cause was.

6875. Q. Do you not know that complaint was made about the mode in which things were done in the court?

A. Not at this date, I think.

6876. Q. Who made the representation to the court that these persons had improperly procured certificates of naturalization?

A. I am not positive; but I think some of the applicants themselves.

6877. Q. Because they felt alarmed, did they?

A. Perhaps they did; I cannot say what induced them.

6878. Q. On page 204 I see some blanks left; for what purpose?

A. Possibly a mistake in turning over the leaf.

6879. Q. At page 384 I find about one-third of the leaf cut out; for what purpose was that done?

A. I did that in order to send the form of the affidavits used to some gentleman who applied to know the rules and regulations.

6880. Q. I find the leaves between pages 381 and 384 cut out; for what purpose?

A. That was done before my time.

6881. Q. I find other leaves cut out of the back of the book?

A. I think I tore out from both forms.

6882. Q. I find on all these records that the jurat to the affidavit says: "Sworn in open court." Is that record true or false?

A. In the instances I have spoken of I think I should be safe in saying that it is true. It was done by authority of the court.

6883. Q. Is it true in those cases where the work was done in the clerk's office, without the knowledge of the judge?

A. I think it is; I think it is done in open court if the judge orders it to be done in the clerk's office. I think the meaning of the statute is that the judge shall have the control of the matter. There is no instance in my record there that was not done in open court by the authority of the judge, according to my judgment.

6884. Q. By being done in open court you mean that naturalizations taken before the clerk, with applicants and witnesses sworn before the clerk, in a room where the judge is not sitting, and where he knows nothing of them at all, are made in open court?

A. I think so.

6885. Q. In those cases the judge was not present, and did not see the applicants or witnesses sworn?

A. There were very few such instances in Mr. Smith's administration.

6886. Q. If Mr. Smith stated that this work was done in the clerk's office, without the judge knowing what persons appeared as applicants and what persons as witnesses, did he state the truth or not?

A. As to some part of it he did; I do not know that I gave certificates in such cases; I think I did, but I do not know of any instance of it.

6887. Q. Present to the committee, and make part of your testimony, a copy of the record of one of those naturalizations of a person who came to the United States after he was 18 years of age, and of one who made what is called a minor's application, having come to the United States before he was 18 years of age.

A. I present such forms. They are as follows:

STATE OF NEW YORK, *Westchester County*.

In the matter of John Rogers, on his naturalization.

STATE OF NEW YORK, *Westchester County, ss* :

John Lee, Hugh Ward, being severally duly sworn, each for himself, say that they are well acquainted with the above named applicant, and that the said applicant has resided within the United States for the continued term of five years, at least, next preceding the present time, without being at any time, during the said five years, out of the territory of the United States, and within the State of New York one year at least immediately preceding this application; and that during that time he has behaved as a man of good moral character, attached to the principles of the Constitution of the United States, and well disposed to the good order and happiness of the same.

JOHN LEE.
HUGH WARD.

Sworn in open court, this 26th day of August, 1868.

J. MALCOLM SMITH, *Clerk*.

I, John Rogers, do solemnly swear that I will support the Constitution of the United States, and that I do absolutely and entirely renounce and abjure all allegiance and fidelity to every foreign prince, potentate, state or sovereignty, whatever, and particularly to Victoria.

JOHN ROGERS.

Sworn in open court this 26th day of August, 1868.

J. MALCOLM SMITH, *Clerk*.

STATE OF NEW YORK, *Westchester County.*

In the matter of John Courtney, on his naturalization.

STATE OF NEW YORK, *Westchester County, ss :*

John Courtney, the above-named applicant, being duly sworn, says that he has arrived at the age of twenty-one years; that he has resided in the United States three years next preceding his arrival at that age, and has continued to reside therein to the present time; that he has resided five years within the United States, including the three years of his minority, and one year at least immediately preceding this application within the State of New York, and that for three years next preceding this application it has been his bona fide intention to become a citizen of the United States.

JOHN COURTNEY.

Sworn in open court this 19th day of September, 1868.

P. M. SMITH, *Clerk.*

STATE OF NEW YORK, *Westchester County, ss :*

Daniel Dailey and Michael Higgins, being severally sworn, doth, each for himself, depose and say, that he is well acquainted with the above-named applicant; that the said applicant has resided in the United States for three years next preceding his arrival at the age of twenty-one years; that he has continued to reside therein to the present time; that he has resided five years within the United States, including the three years of his minority, and in the State of New York one year at least immediately preceding this application; and that during that time he has behaved as a man of good moral character, attached to the principles of the Constitution of the United States, and well disposed to the good order and happiness of the same; and deponent verily believes, that for three years next preceding this application it has been the bona fide intention of the said applicant to become a citizen of the United States.

DANIEL DAILEY.

MICHAEL ^{his} + HIGGINS.
mark.

Sworn in open court this 19th day of September, 1868.

J. M. SMITH, *Clerk.*

STATE OF NEW YORK, *Westchester County, ss :*

I do declare, on oath, that it is my bona fide intention, and has been for three years next preceding this application, to become a citizen of the United States, and to renounce forever all allegiance and fidelity to any foreign prince, potentate, state or sovereignty whatever, and particularly to the Queen of Great Britain and Ireland.

JOHN COURTNEY.

Sworn in open court this 19th day of September, 1868.

J. W. SMITH, *Clerk.*

I do solemnly swear that I will support the Constitution of the United States, and that I do absolutely renounce and abjure all allegiance and fidelity to any foreign prince, potentate, state or sovereignty whatever, and particularly to Victoria, Queen of Great Britain and Ireland.

JOHN COURTNEY.

Sworn in open court this 19th day of September, 1868.

J. M. SMITH, *Clerk.*

6888. Q. State if you issued certificates of naturalization in the mode you have described while you were a minor.

A. I did. I signed the clerk's name to them; not to a great many of them. At that time, before these books came in vogue, the papers were filed.

6889. Q. How many persons can be naturalized in an hour, to do it fairly and properly?

A. It depends upon what clerical force there is; the principal labor is with the clerk in making up the record and certificate. I think I could naturalize 10 or 11 in an hour.

6890. Q. Can a judge make proper examination and naturalize more than 10 persons in an hour, doing it right?

A. If all the applications were of men who had their first papers and produced them as evidence, a judge might naturalize 25 or 50 in one group; he would examine the papers and satisfy himself of those facts, and the witnesses would be sworn as to the five years' residence.

6891. Q. Should not the witnesses identify each applicant?

A. They do that invariably.

6892. Q. Can a judge naturalize more than 10 or a dozen in an hour, examining each witness as to the identity of the applicant?

A. One man may be witness for a dozen; the questions can be asked and answered very rapidly.

6893. Q. How many can a judge properly naturalize in an hour of persons who had not their first papers?

A. I should think not more than 10 or 12 or 15.

By Mr. Ross:

6894. Q. Those sheets of paper which the chairman called your attention to as having been cut out of the book, was anything written on them?

A. Nothing at all. I may have filled the forms in pencil for the information of some gentleman who wrote to us to ascertain the form of naturalization; I probably did.

6895. Q. It was no naturalization paper that you cut out?

A. No, sir.

NEW YORK, *January 12, 1869.*

JOHN M. ROWEL sworn and examined, (called at the instance of Mr. Ross.)

To Mr. Ross:

I reside at White Plains, Westchester county, New York. I am clerk in the county treasurer's office. I have been deputy county clerk in the county of Westchester for eight and a half years, from 1859 to July, 1867. I had charge of the business of naturalization.

6896. Question. State what was the practice of the court during that time, in the naturalization of foreigners, in reference to the parties being in open court.

Answer. When I first took possession we used to bring the parties in open court; that was in 1859-'60. But the numbers became so great that, under the direction of the court, (both the supreme court judge and the county judge,) we took the persons into the county clerk's office, which was most convenient. We took them there in consequence of the noise and confusion which they created in court. It was very rarely, after that, that we naturalized in the court-room proper; I do not recollect a single case of the kind; all of it was done, under the direction of the court, in another room.

6897. Q. Under direction of what judges was this business done in that way?

A. I cannot tell exactly the judges who were holding terms of court at that time. Judge William H. Robertson was the only judge under whom I naturalized any person.

6898. Q. Was it done in that way under his direction and authority?

A. It was. He even gave us more latitude than that; he directed us that the county court was open for the purpose of naturalization, he not being present himself.

6899. Q. Were naturalizations made in his absence, in that way, under his directions?

A. They were.

6900. Q. For how many years?

A. Four or five years, I should think—up to the time when he ran for Congress. At that time, under the influence of some outside parties, he countermanded his order; this was while he was running for Congress. After he countermanded the order we did not naturalize unless he was present.

6901. Q. How long was that before he left the bench?

A. About five or six months, I should say; it was while he was candidate for Congress. He was elected in November, and his term of office as judge expired the following January. He continued to hold the office of judge up to the 1st of January, 1868.

6902. Q. Do you know of any fraudulent naturalization papers being issued from your office last fall?

A. I do not.

6903. Q. State if there were any precautions taken to prevent frauds.

A. There were.

By the CHAIRMAN:

6904. Q. With what political party do you act?

A. The democratic.

6905. Q. With what political party did the clerk in office prior to the time of Smith act?

A. The democratic.

NEW YORK, *January 12, 1869.*

JAMES SMITH sworn and examined.

To the CHAIRMAN:

6906. I reside at 163 Greene street, New York. I voted often at the last presidential election. I voted twice in Greene street, near Spring; once in Prince street, between Greene and Wooster; and twice in Bayard street, between Elizabeth street and Bowery. I got intoxicated afterwards and do not recollect what I did.

6907. Q. What ticket did you vote?

A. The democratic ticket, as I understood.

6908. Q. Did you vote in your own name?

A. I voted on my own name once. I do not recollect the other name on which I voted. Slips were furnished to me near the polls, containing the name and residence of the persons on whose name I was to vote. There were eight or ten in the gang at first, but when we got in front of the Atlantic Garden we got quite a crowd, and we then went together. I knew some of the persons by sight, but not by name. I was promised a reward for voting, but did not get any. I was promised ten or fifteen dollars. I do not know the name of the person who promised it to me.

To Mr. Ross :

6909. I have been living about eight months at 163 Greene street. I used to live at 65 Spring street, about two and a half years ago. I drive a coach for Morgan L. Phillips, of 94 Mercer street. I have been driving for him, off and on, about four years—probably little over two years in all. I am at work for him now. I have lived in the city all my life time. I never went by any other name than my own. I never was convicted of any criminal offence. I always worked for a living. I am a married man. I can read and write. I did not take notice what tickets I voted; we were rather in a hurry and did not pay much attention to the tickets, but I am very well aware that it was the democratic ticket. I never could find the man who promised me money for voting. I gave my statement in Jersey City last Saturday; I went over there alone and paid my own passage; I went to Taylor's Hotel, the other side of the ferry; there were two other men with me in the room; I do not know them; they gave their statements ahead of me, and I gave mine afterwards; I was paid nothing for it, and do not know that I am to be paid anything. I do not know Colonel Bliss nor Mr. Baker.

6910. Who administered the oath to you ?

A. A young man sitting at a table wrote out my statement. I did not kiss the book or take any oath, that I saw. I came over from Jersey City alone, about five minutes after I had made my statement. I have been waiting here to-day and yesterday in the marshal's office.

By the CHAIRMAN :

6911. Q. Were you challenged on the day of election at any time ?

A. No, sir.

6912. Q. Who furnished the drinks that day ?

A. That I cannot say. I did not see any money paid. We would merely go into a place and one of the gang would mention the name of some one who would make the thing good.

NEW YORK, *January 12, 1869.*

CHARLES FERGUSON sworn and examined.

To the CHAIRMAN :

6913. I live at 16 Eldridge street. I voted at the last presidential election 14 or 15 times, to the best of my knowledge. I cannot say what ticket I voted, but I suppose it was the democratic ticket. I voted in Bayard street three times; twice in Hester street, near Forsyth, and seven or eight times, I guess, in the 8th ward.

6914. Q. Were you challenged at any time ?

A. No, sir. We were furnished with slips of paper containing the name and residence of the person on whose name we were to vote. I do not know the name of the person who furnished them. I cannot recollect any of the names I voted on. There were between 20 and 25 in the gang. We had plenty of drink. There was a leader in the gang who "put up" everything.

To Mr. Ross :

6915. I can read and write. I did not notice what ticket I voted. I suppose the rest of the party voted the same ticket that I did; but I do not know what that ticket was. I have been in the city seven or eight years. I am a cabinetmaker. I am not at work at present. I have been out of work since before Christmas. I had sufficient funds to support me since then. I last worked for a man named Taylor, on Eighth avenue, near Thirty-second street. He is in the furniture business. I

first made this statement yesterday morning in Jersey City. I did not get anything for it, and was not promised anything. I am 25 years of age. I have been living at 16 Eldridge street since September last. The woman who keeps the house is Mrs. Lehman. She keeps furnished rooms and a few boarders. I attended bar at 111 Spring street last winter for a man named James Alfred. There was no promise whatever made to me for making this statement about voting the democratic ticket. A young man took me over to Jersey City yesterday morning. He said to me, "If you want to get square with them come with me to Jersey City." We had been promised pay for repeating, but did not get it. The idea was to have satisfaction. I was promised \$20 for repeating, and the money was shown to me; but after it was all through with I did not get a cent. There were others with me in Jersey City. I suppose they were repeaters. I suppose they were got together for the purpose of testifying before the committee. I do not know that any of them were paid. I did not see anything paid. Nothing was promised to me. It was said that we should be protected for coming over to testify, that there would be no legal proceedings taken against us for illegal voting.

6916. Q. Did they give you any written paper on that ?

A. I believe it was written on paper; I do not know.

NEW YORK, *January 12, 1869.*

JOHN HUGHES sworn and examined.

To the CHAIRMAN :

6917. I voted at the last presidential election in this city, three times at one place, three times at another, and twice at another; I do not know what ticket I voted; I got the ballots and put them in.

6918. Q. With what political party do you act ?

A. I do not know.

6919. Q. You know what party you act with ?

A. No, sir.

6920. Q. Did you vote on your own name ?

A. Yes, on my own name; I voted on other names after that; I was intoxicated; there were 20 or 25 others voting in the same way; I got the tickets and the slips of names from men whom I met at the polls; all hands were drinking; a man who was with us furnished the drink; I do not know him by name; I might know him if I saw him.

6921. Q. Were you challenged ?

A. No, sir.

To Mr. Ross :

6922. I do not know what ticket I voted, or the others voted; I do not know how many times they voted; I was to get \$20 or \$25 for it; I got about \$10, I guess, from the man who had the party; I do not know his name, and never heard it; I never saw him after that; I got so intoxicated that I did not know what I was doing; I got intoxicated about 3 o'clock; I was drinking all the time, but after that I do not recollect; I have been in the city about five years; I have been engaged in butchering; the last place I worked was in the Third avenue, No. 228, with Mr. Campbell; I worked there six months; I worked for a spell in Brooklyn; I have been out of the city for a month or two at a time, and was working in Brooklyn for 19 months, as a laborer in the ship-carpentering shop in the navy yard; I worked in the navy yard under my own name; I first made this statement yesterday in Jersey City; no inducement was offered to me to make

it ; I met a man at the dock (I knew him by sight but not by name) who asked me to take a drink, and who said I would do a favor for a friend of his if I would make a statement to that effect ; he did not say who his friend was ; this man had never done me any favor that I know of ; I was under no obligation to him ; he did not go over to Jersey City with me.

6923. Q. Are you of an accommodating disposition in that respect ?

A. When I can do a man a favor I do it ; I do not expect any practical benefit to follow ; I live at 25 Elizabeth street, and board in the nearest saloons ; Mrs. Williams keeps the house ; it is a private house ; she furnishes lodgings for gentlemen ; I have lodged there for the last three or four months ; I did not know exactly that it was wrong to vote as I did on election day ; I suppose it was wrong ; I had no special interest in the election any more than that I was to be paid for what I did ; I was not particular which of the parties succeeded ; I am a native of this country ; I got no pay for going to Jersey City or coming here.

NEW YORK, *January 12, 1869.*

JOHN KAGLE sworn and examined.

To the CHAIRMAN :

6924. I live at 6 Pike street ; I voted four times at the last presidential election, twice at the corner of Canal and Ludlow, and twice at the corner of Market street and East Broadway ; I forget the names I voted on ; I was under the influence of liquor ; I voted the democratic ticket all through ; there were about 25 of us altogether ; they were repeating ; I was not challenged ; I cannot say that any of our party was ; I do not know who furnished me with the names ; I am a native of this country.

To Mr. Ross :

6925. I am sure it was the democratic ticket I voted ; I was told so ; that is all I know about it ; I have not been in the habit of repeating at other elections ; that was the first time I went into it ; a young man whom I associated with got me into it.

6926. Q. What kind of men do you associate with ?

A. I suppose they are gentlemen ; they pretend to be so.

6927. Q. Do "gentlemen" here follow repeating ?

A. They did then.

6928. Q. "Gentlemen" of high standing ?

A. Yes, sir.

6929. Q. Of moral integrity and worth ?

A. They are supposed to be.

6930. Q. How many of that class of men were engaged in repeating ?

A. About 25 or 30.

6931. Q. Give me the names of those men who were with you.

A. I do not know any of their names.

6932. Q. Not a single one of them ?

A. Not one, except a man named Johnson, who follows the sea for a living.

6933. Q. And still you say you know them all to be gentlemen of good moral standing and character ?

A. They pretend to be so ; they look well.

6934. Q. Did the whole of them get drunk ?

A. Yes ; they all got drunk. I commenced voting about half-past 10, and I got drunk about 2 o'clock, so drunk that I left and went home ; I am a carman, and drive a horse and cart ; my stand is 62 and 64 Rutgers

slip; I drive for the firm of A. J. Briggs, who lives in Henry street; I am not at work now; I have been ill for three months; I have been rather "hard up," and have been living on the bounty of relatives—aunts and uncles; I have had no other name besides John Kagle; I am living with my wife and child at my uncle's (Frederick Smith) at 6 Pike street; I was never convicted or prosecuted for any criminal offence; I first made the statement about repeating last Saturday, in Jersey City; I went there in order to retaliate; I wanted to get square for the way I was used; some of the repeaters got something, but I got nothing, and expected the same chances as the rest.

6935. Q. Are there many men in this city who can be got to swear almost anything for pay?

A. That I cannot say.

6936. Q. Are you in the habit of attending gambling places?

A. I go to them once in a while; I am generally lucky.

NEW YORK, *January 12, 1867.*

ROBERT COSTELLO sworn and examined, (called at the instance of Mr. Ross.)

To Mr. Ross:

6937. I reside in 219 Sullivan street. I voted at the last presidential election seven or eight times. I voted the Grant and Griswold ticket. I voted at the 8th district, 15th ward. There was a whole crowd of us going around—about 20. They all voted the same ticket. They voted about as many times as I did. A man asked me to go with him, and said he would pay me \$10.

To the CHAIRMAN:

6938. I do not know who the man was; I never saw him before. I was pretty drunk that day. I cannot think of the names of the men I was with, or of any of them. I have lived at 29 Sullivan street about 10 years. I am a harness-maker. I used to work at Trainor's, corner of Broadway and White streets. It is four years since I worked there. I am not working now. I drove a car on the Broadway railroad for four months. I left that work about three months ago. Nobody asked me to come here and testify. I was not summoned; I came voluntarily. Nobody asked me to come here and testify. I never went by any other name than that I now go by.

NEW YORK, *January 12, 1869.*

JOHN CLARK sworn and examined, (called at the instance of Mr. Ross.)

To Mr. Ross:

6939. I live at 99 West Houston street. I voted at the last presidential election. I voted for Grant and Griswold. I voted five times at least in the several districts of the 8th ward. I was short of money at the time and could not find any easier way of getting money. I was with a gang of seven or eight. They voted as I did. I cannot tell how many times they voted. I voted in Greene street, Thompson street, and Renwick street. A man whom they called Charlie furnished us with slips containing the name and residence of the person on whose name we were to vote.

To the CHAIRMAN:

6940. I looked at the tickets which I voted. I voted the republican ticket right through. I was paid five dollars every time I voted. I never saw the man before or since. A man of the name of Glennon voted in this

gang. I cannot tell where he can be found. I cannot tell any name that I voted on. I do not know the number of any district where I voted. I know where they are situated. I was not summoned here. I saw in the papers that they were taking evidence here. I have always been a republican. I have been doing nothing since I came from sea last August.

NEW YORK, *January 12, 1869.*

JOHN GLENNON sworn and examined, (called at the instance of Mr. Ross.)

To Mr. Ross:

6941. I voted at the last presidential election. I voted the republican ticket. Several of my friends came around saying that money could be made easy, and that no one would know anything about it. I voted in the 15th, 9th, and 16th wards. I do not know how many times I voted—eight or nine times. There were about a dozen in the party with me. I only know one of them; I think his name is Frost. He handed me the republican ticket to use.

To the CHAIRMAN:

6942. I am a cabinet-maker. I am not working at my trade now; I am bar-tender at 182 Blecker street. I have been seven months there at that business. Prior to that I worked at cabinet-making at Yonkers. I did not go by the name of Evans. I do not know the names I used on election day. I voted in the 2d precinct of the 15th ward. A man of the name of John Burtis was with me voting; I do not know his residence; also Jacob Rome; he lives in Mercer street, near Spring; he keeps a bar-room and dance place; I do not know his politics. My feelings are with the republican party. I was not summoned to come here. I was asked to come here by a man named Greene, who owns the bar-room in the opera house on 14th street; I do not know his politics. The paper now produced to me containing my statement, was written in a little office across the street, close by the sheriff's office. It was written about two hours ago. Jacob Rome was there. I do not know anything about Cook. I got nothing for going there, and no promise of anything.

The chairman offered to prove the hand-writing of the memorandum.

Mr. Ross objected, and withdrew the memorandum saying that it was his private paper and that he had only shown it through courtesy.

NEW YORK, *January 12, 1869.*

JACOB ROME sworn and examined, (called at the instance of Mr. Ross.)

To Mr. Ross:

6943. I live at 87 Mercer street; I voted at the last presidential election nine or ten times, in the 8th and 15th wards; I voted the republican ticket; I voted on different names; they were furnished on slips of paper; I do not know who gave them to me. There were some 15 or 20 in the party. I cannot say how many times they voted. I suppose they voted as often as I did; perhaps more. It was the republican party that we were trying to help. I do not recollect any of the names that I voted on.

To the CHAIRMAN:

6944. I did not tell anybody that I knew about repeating. I never spoke to anybody about it. I do not know where the memorandum was written that Mr. Ross had in his hand when he was examining me. I am bar-tender at 87 Mercer street. I have been there about four months.

Before that I worked at gas-fitting for Mr. Young, of 112 Prince street, and at silversmithing for Mr. Hughes, 104 Fulton street. I am a native of New York. I do not know John Burtes, nor John Glennon, nor a man named Evans. I was not promised anything for coming here. I am 28 years of age.

NEW YORK, *January 12, 1869.*

EDWARD CLARK sworn and examined.

To the CHAIRMAN:

6945. I live at 46 Essex street, with George Hyam, a soap manufacturer. My business is card-writing. I voted at the last election 15 or 18 times. I voted in the 10th and 11th wards, and in different wards afterwards. I voted the democratic ticket—the Seymour ticket. The evening previous to the election I was met by two men, who asked me if I wanted to make a few dollars. They said there was no risk in it. They furnished drink, and liquor, and cigars. I put in my first vote next morning at the barber's shop in Christie street, near Broome. I voted in the name of Karsch. Between Christie and Forsyth streets I put in a vote by the name of John Cutter. We had drinks between each voting. I put in two votes at the next place, changing my hat and coat after all the rest had voted. Then we came to East Broadway, and I put one vote in there. They promised to give me \$10 for each vote; but they got me so drunk that I did not know what I was about. I found them next morning in the bar-room of the New England Hotel, and asked why they did not pay me. They said, "You have put in 28 votes, and we have paid you \$28. I am a native of Prussia. I cannot tell the names of any of the gang. I know one or two by sight. There were five besides myself engaged in voting.

To Mr. Ross:

6946. I have lived at my present place of residence over a year. I have no family. When I asked for the money for voting they licked me. That is the reason I make this statement. I want satisfaction. I got nothing for repeating except what I had to eat and drink. My politics are republican. I do not like the democrats much. I have got a grudge against them. I have been in the army, and fought for a different party altogether than the party I voted for. I made this statement this morning in Jersey City. A young man, who peddles cigars, told me to go over there. I do not know his name. I wrote a dozen or 25 cards for him some time ago, but I have forgotten his name. I was not to have anything for going to Jersey City. I did not vote at all in my own name; and yet I am a good republican. I did not vote because I was not registered. I have been naturalized. I would not have voted the democratic ticket only for the money that was promised me.

NEW YORK, *January 12, 1869.*

EDWARD COBB sworn and examined.

To the CHAIRMAN:

6947. I live at 19 Hester street; I voted at the last presidential election between 15 and 16 times at least; I voted the democratic ticket; the night before the election some gentlemen picked me up and got to talking to me, and treated me; and in the morning they gave me names to vote, and said that after I was done voting they would give me \$30; I voted in the 8th ward, in Renwick street, eight or nine times; in the 4th ward four times; and in the 6th ward, in Bayard street at a

barber's shop, near Bowery; I voted there by the name of Edward Wilson, 30½ Bowery, (the New England Hotel;) they gave me considerable drink; there were 20 in the party, and they all repeated at the same time; I saw Alderman Cuddy eight or nine times that day; he had a gang with him—repeating, I suppose; I saw W. H. Cook on election day; he gave me a slip to vote on at Bayard street, in the name of Edward Wilson; he was with Cuddy that day; I saw Cuddy all the day; he was leading a gang of repeaters around; Cook and Cuddy act with the democratic party, I believe.

To Mr. Ross:

6948. I cannot recollect voting more than 15 or 16 times; I voted between eight and nine times in succession at the one place in Renwick street, near Spring; I put them all in between 15 and 20 minutes; I recollect only one name that I voted on—the name of Edward Wilson; I am a jeweller by trade, and have been working, until within the last two weeks, at Ball & Black's, Broadway; I had no recollection next morning of what I had done till I was told by different parties; I know it was the democratic ticket I voted, for I was with democrats all the day; I first made my statement in Jersey City; I did so for satisfaction because I had been promised \$30 for voting and got nothing; I had always voted the republican ticket until that day; my father is an old republican, and I always follow his ways; I have been always a republican in principle; I voted once that day in my own name at No. 11 Suffolk street, in the 12th district of the 11th ward; I live near there at 19 Hester street; I voted the republican ticket.

To the CHAIRMAN:

6949. I was not challenged at any of the polls that I can recollect; there were a great many others repeating that day; I saw between eight and nine that day; there were 10, 15, 20, 8, 3 and 4 in the various gangs; I did not know of any republicans repeating that day; I got no pay.

To Mr. Ross:

6950. I have a pretty bitter spirit against the democrats; I never voted the democratic ticket before; my father is a deacon in the Presbyterian church; I was very strictly brought up; I sustain a good reputation.

NEW YORK, *January 12, 1869.*

JOHN H. MCCUNN recalled.

By Mr. Ross:

6950. Question. Do you know why the population of the 6th ward decreased from 1860 to 1865?

Answer. That is easily explained; the reason why the population of the lower wards of the city, including the 6th, decreased is this: Stores have crept in where the tenement houses were before; in fact, the tenement houses have nearly all been pulled down and stores erected on their sites; with the exception of the porters who stay in the stores at night, and some clerks, there are no persons residing in those stores; these men of course vote from those places; one of these wards with a population of say 18,000 may in this way have 4,000 voters—very few families living there; a much larger proportion of the population, therefore, has a right to vote than in the up-town wards where families live.

6951. Q. Can you approximate the relative strength of the foreign and of the native population?

A. I could do so by examining the statistics; the foreign population very largely predominates; not only that, but the Irish part of it understands politics better than any other class of people that comes here; consequently they devote more attention to politics.

6952. Q. State how many men the city of New York sent to the war.

A. I find from a "report of the special committee on volunteering in the county of New York," signed by Orison Blunt, Wm. M. Tweed and Wm. R. Stewart, that the whole number of men furnished from first to last, during the rebellion, by the city and county of New York was 148,676; I furnished 1,600 Irishmen to the 37th New York volunteers, and never received one cent from the government, city, State or federal; that was my contribution to the war, and I challenge its equal in this city.

6953. Q. State some facts in relation to the right of citizenship given by enlistment.

A. The fact of enlistment, if the men were only a day in the service and were honorably discharged, entitled them to vote if they had only lived here a year; the law shows that; the men who went into the army from the city were principally foreigners; a very large number of those who were naturalized last fall were soldiers, and men who had taken out their first papers; the naturalizing of such persons occupied only two or three seconds, because they had certificates of previous declaration of intentions, or of an honorable discharge from the army.

NEW YORK, *January 12, 1869.*

The following named witnesses were sworn and examined as to the character for truth and veracity of Henry Lyle, one of the witnesses previously examined, viz: Samuel Watson, his brother-in-law, who testified as to the dissipated habits of Lyle, which he said made him ready to do almost anything; Henry K. Murray, deputy collector of the port of New York, who testified as to Lyle having been a clerk in the New York custom-house and having been dismissed on account of repeated absences from his desk, but that he knew nothing of him which would make him disbelieve him under oath; John Horner, cashier, and Moses S. Roberts, chief book-keeper of the Western Union Telegraph Company, in which office Lyle had been employed as clerk, and whose testimony was to the same general effect; and Cornelia A. Lyle, his sister, who testified to her brother's habits of dissipation, which had been increased since her mother's death last spring, though he had promised her on her death-bed to reform, but who knew no reason why he should not be believed. The last witness also testified to Judge McCunn having been at her house inquiring for her brother Henry, and for her brother-in-law Samuel Watson. John Horner and Moses S. Roberts testified, also, that a telegram purporting to have been sent from New York, 1st July, 1869, to Dan Noble, in Elmira, (signed William P. Wood,) in these words, "That will do. Come on at once," was written on the regular blanks used by the company, but they could not otherwise identify it.

NEW YORK, *January 13, 1869.*

JOHN MULLALY sworn and examined, (called at the instance of Mr. Ross.)

To Mr. ROSS:

6954. I was inspector of registry and election last fall in the 7th district of the 21st ward. I do not know of any fraudulent registry or voting at that precinct. Native-born citizens were registered without

question. Naturalized citizens had to produce their papers, and some of them were rejected when there was a suspicion on the part of the board. My republican colleague, Mr. Dennis, was put under arrest on election day on account of some charge that was preferred against him. He made his appearance about 12 or 1 o'clock.

6955. Q. State if you and your other two colleagues used the same precautions while Mr. Dennis was absent that you did while he was there.

A. Yes, sir.

6956. Q. Do you know of any illegal votes that were given?

A. Not one.

6957. Q. State if many were sworn either at registry or voting.

A. A great number were sworn at the registry.

6958. Q. How was it at the voting?

A. Any who were challenged at the polls were sworn; but went generally according to the registry.

6959. Q. State whether any violence was used to Mr. Dennis, or any threats of violence.

A. Not that I know. Mr. Dennis was a very obstinate man, and he intimidated persons who were legal voters by his questioning and cross-questioning them. I do not know that any were rejected who were sworn.

6960. Q. Do you know of Mr. Dennis keeping out 200 illegal voters?

A. I know that he did nothing of the kind. He would question voters as to the names of persons boarding or living in the same house; and I thought that some of the questions were uncalled for. One man who had lived in the same house with me for 12 months did not know me, although I was an inspector. There are a great many persons constantly coming into the 21st ward and living there, but who are often absent boating and working.

6961. Q. Is it not true that in the city men often live in the same house without knowing each other?

A. Yes, sir; men live in the same house who never get acquainted.

6962. Q. Do you know of any gangs of 10 or 15 repeaters trying to vote?

A. Not in that district.

6963. Q. State whether Mr. Dennis, by his challenging and cross-questioning so many, kept honest and legal voters from voting?

A. I cannot say actually; but I have not the slightest doubt of it. There were about 60 votes that were registered, but not polled.

To the CHAIRMAN:

6964. I act with the democratic party. All who were registered and who came to vote on election day had an opportunity to do so.

NEW YORK, *January 13, 1869.*

The following statement was directed to be placed on the record:

The New York Directory for the year ending May 1, 1869, contains the name of John Moran at the following residences, and the following occupations are given, as also their places of business:

JOHN MORAN:

1. House 86 Cannon.
2. Agent, Eleventh West Twenty-third; house Madison avenue, corner East Fiftieth.
3. Boilermaker, house 635 East Twelfth street.
4. Boilermaker, house 394 Eight street.

5. Carpenter, 118 East Forty-first street.
6. Carpenter, house 124 Tenth avenue.
7. Driver, house 302 West Tenth street.
8. Laborer, house 404 Cherry street.
9. Laborer, house 336 East Twenty-fourth street.
10. Laborer, house 352 East Thirty-second street.
11. Laborer, house 73 Goerck street.
12. Laborer, house 397 Madison street.
13. Laborer, house 81 Sullivan street.
14. Laborer, house 8 Vandewater street.
15. Laborer, house 431 West Eighteenth street.
16. Laborer, house 213 West Fifty-first street.
17. Marbler, 136 West Thirty-eighth street; house 221 West Thirty-sixth street.
18. Plasterer, house 602 West Thirtieth street.
19. Plasterer, house 245 West Thirty-third street.
20. Police, house 39 Clarkson street.
21. Seaman, house 131 Leroy street.

NEW YORK, *January 13, 1869.*

JACOB W. COOPER sworn and examined, (called at the instance of Mr. Ross.)

To Mr. Ross:

6965. I was inspector of registry and election in the 7th district of the 21st ward. Mr. Dennis was one of the registers; he was absent nearly the whole of election day.

6966. Q. Did you and his colleagues, during his absence, try to prevent illegal votes?

A. We had no means of knowing who were not entitled to vote; I do not know that there were any persons sworn; I am not aware that any were challenged.

6967. Q. If anybody was challenged you would swear him?

A. I suppose so.

6968. Did you see any disposition evinced by any of the board to get in illegal votes?

A. I cannot say that I did any further than there not being any challenged; anybody had a right to challenge if he was willing to take the risk, which I was not. All the voters had time to vote, and a number voted after the time for closing the polls, which I protested against. After the time to close the polls there was a party of four or five or more entering the door. I ordered the chairman to close the polls, but he being somewhat intoxicated, let them in and let them vote. I protested against it, and so marked it on my book.

NEW YORK, *January 13, 1869.*

JOHN FOX sworn and examined, (called at the instance of Mr. Ross.)

To Mr. Ross:

6969. I voted four or five times at the last presidential election, in the 8th, 9th, and 15th wards; I believe I voted the republican ticket; I do not know the names that I voted on. I got the name and address on a slip of paper. There was a crowd with me, but I cannot say whether they voted or not.

To the CHAIRMAN:

6970. I did not make the statement to any one before now; I did not know the gentleman who employed me to vote more than once; I never

saw him before or since. He gave me, I guess, about \$10. I did not hear of anybody else voting more than once that day. I am a paper-hanger by trade; I am not working at it now, nor since last May. I do not gamble; I was not summoned to come here; I saw it in the papers and thought I was in duty bound to come here and give testimony. I did not tell anybody what I knew; nobody knew that I was coming here; I do not know Sheriff O'Brien or any of his deputies; I have been at 81 Mercer street about three years.

NEW YORK, *January 13, 1869.*

CHARLES MCCARTHY sworn and examined, (called at the instance of Mr. Ross.)

To Mr. Ross:

6971. I live at 57 Grand street; I voted at the last presidential election in this city between seven and eight times; I voted the republican ticket. There were as many as a dozen with me; they all voted the same ticket; I voted in the 4th district of the 8th ward, in the 1st district, and in fact in pretty nearly all the districts of the ward. I voted once on my own name, once in the name of Jeremiah Sullivan, once in the name of Charles O'Conner; the other names I do not recollect. They were furnished on slips of paper.

To the CHAIRMAN:

6972. I gave no information of what I knew to anybody; I saw in the papers what was going on, and thought I might as well come down. I am a piano-forte maker; I have not worked at my trade since about a year ago. I was driving an ice wagon all last summer for the Commercial Ice Company. I was born in the house where I live, and have been living there all the while—22 years.

NEW YORK, *January 13, 1869.*

PAUL VOLMER sworn and examined, (called at the instance of Mr. Ross.)

To Mr. Ross:

6973. I live at 121 Bleecker street; I voted four times at the last presidential election, in the 15th ward; I do not recollect the places. I voted the republican ticket; I got \$10 for it; I was intoxicated at the time; I do not recollect any conference on the subject with any leading republican. There were about ten of us in company; they all voted the republican ticket; the others voted as often as I did, and perhaps oftener.

To the CHAIRMAN:

6974. I have lived a year and a half at the place where I now live; I was a conductor on the Broadway railroad—the Greene street line—till two days before New Year; I had been there for five months. I told nobody about what I knew; I saw an advertisement in the papers and came down.

6975. Q. What paper did you see the advertisement in?

A. In the Herald.

6976. Q. What did it state?

A. I saw an advertisement about illegal voting.

6977. Q. How long ago?

A. A couple of days after the election.

NEW YORK, *January 13, 1869.*

PETER LOFTUS sworn and examined, (called at the instance of Mr. Ross.)

To Mr. Ross :

6978. I live at 108 Thompson street. I voted three times at the last presidential election; I voted the republican ticket; there may have been five or six in the gang; they were all repeaters; they voted the same ticket that I did; I voted in the 4th district of the 8th ward, in Grand street; that is my proper district; I voted in the 1st district, in Greene street, and in the 6th, in Prince street. The names were furnished to me through other hands; I cannot recollect the names. I was paid \$8; I cannot say who paid it to me.

To the CHAIRMAN :

6979. I do not know any prominent republican that was engaged in repeating or that knew of repeating. I did not talk with any republican about it. I voted for Grant and Griswold and also for Robinson. I was not summoned to come here; I felt it my duty to come; I came with a friend of mine, who came to state the same thing; his name is Charles McCarthy; he lives in Grand street. I lived at my present place of residence two weeks; before that I lived at 61 Grand street; I follow the seafaring business; I was at sea about a month ago.

NEW YORK, *January 13, 1869.*

JAMES ALLEN sworn and examined, (called at the instance of Mr. Ross.)

To Mr. Ross :

6980. I live at 659 Hudson street; I was engaged last presidential election in repeating in the interest of the republican party; there were four or five in the company; they were all repeaters; they repeated four or five times; I only repeated three times myself; I cannot tell the names I voted under; slips, with name and residence, were furnished; I knew by sight the men who were voting with me; I did not know their names; I have not seen them since the election; a man named Frost paid me \$5; I do not know where he lives; I never saw him before or since; I have been living at my present residence 10 or 11 years; I was in the butchering business; I have been out of it since January last; I was not summoned here as a witness; I came of my own accord.

NEW YORK, *January 13, 1869.*

CORNELIUS DOHERTY sworn and examined, (called at the instance of Mr. Ross.)

To Mr. Ross :

6981. I live at 87 Mercer street; I voted eight or nine times at the last presidential election; I voted in Perry street, Washington street, Hudson street, twice in Prince street, in Fourth street, near Jay, in Crosby street, Greene street, and Spring street; I voted for Griswold; I voted the full republican ticket; I guess there were 20 or 22 in the gang; they all voted the same ticket; some of them voted 18 or 20 times; I left in the afternoon at 2 o'clock; I voted once under the name of Williams; that is the only name I can recollect; I was promised \$25 for voting, but I did not get it.

To the CHAIRMAN:

6982. I was not summoned to come here; I came of my own accord; I saw in the Herald that the committee was sitting here; I cannot name any prominent republican who knew that repeating was going on; I am an iron moulder by trade, but I have been out of business since last winter; I have attended bar since then for Jacob Rome, 87 Mercer street; he has been sergeant-at-arms for the common council of this city; he will not speak to me because I acted with the republican party.

6983. Q. Is not Rome a democrat?

A. So they say; but he has got a brother-in-law a republican. I know that Rome voted the republican ticket for sheriff last year. There are girls at his place. He keeps a dance-house. I live there with a girl.

6984. Q. Is she a prostitute?

A. Yes, sir.

6985. Q. You are one of that sort of men?

A. I live with her for my pleasure.

6986. Q. Rome was sergeant-at-arms for the city council?

A. He is now, I believe.

6987. Q. And the members of the common council are democrats, are they not?

A. A great part of them are.

NEW YORK, *January 13, 1869.*

HENRY A. GUMBLETON sworn and examined.

To the CHAIRMAN:

6988. I am assistant deputy county clerk in the county clerk's office in this city. The county clerk is also the clerk for the supreme court. I have been in the office nearly four years.

6989. Question. Who signed the name "Charles E. Loew, clerk," to the certificates of naturalization issued from that court during the year 1868?

Answer. I suppose that John B. McKean signed them.

6990. Q. Who signed the name of Charles E. Loew to the applications and affidavits of witnesses and applicants?

A. John B. McKean, Joseph Coach, Edward H. Kent, Isaac Heymann, Daniel Scully, and, in a few instances, myself.

6991. Q. In what room was the name of Charles E. Loew signed to the certificates of naturalization?

A. In the court-room proper, where the witnesses appeared. They were not signed until the applications were endorsed by the court; then the clerk issued the certificates of naturalization.

6992. Q. Where was the name of Charles E. Loew signed to the applications and affidavits?

A. I should say in the large room of the county clerk's office. It is in another building from that where the court-room is.

6993. Q. Will you furnish to the committee a copy of the appointment of deputy county clerk?

A. I will when I am able to find it; I have not yet been able to find it.

6994. Q. Do you know that there was a written appointment?

A. I do.

6995. Q. Who is the deputy county clerk?

A. Edward V. Loew.

6996. Q. Is there a special deputy county clerk under the law regulating special deputies?

A. There is not.

6997. Q. Does the law authorize the appointment of a special deputy?
 A. So I understand the law.
6998. Q. Has any appointment of special deputy been made?
 A. There has not been, to the best of my knowledge.
6999. Q. Do the other clerks have any written appointments?
 A. Some of them have. Others, like myself, hold over from the previous county clerk.
7000. Q. What is Edward V. Loew's business?
 A. Deputy county clerk.
7001. Q. How much time has he devoted to the business of the office for the last three months?
 A. I can state that he has been there, but as to the length of time he devoted to the office I cannot say.
7002. Q. Has he any other business?
 A. Yes; he is a real estate agent, I believe.
7003. Q. Has he devoted any considerable time to the clerk's office, or has his time been mainly devoted to the real estate business?
 A. I cannot state as to the latter part of the question, but as to the former, he has devoted not an inconsiderable portion of his time to the county clerk's office.

NEW YORK, *January 13, 1869.*

JOHN KENNEL sworn and examined.

To the CHAIRMAN:

7004. I live at 57 Vesey street; I am one of the firm of Hall & Kennell, hatters; I was inspector of election in the 2d district of the 3d ward; there were some 290 odd votes registered there, and some 260 or 270 polled.
7005. Q. Do you know Barney Aaron?
 A. I have seen him.
7006. Q. What is he?
 A. He is one of the great prize fighters.
7007. Q. Did you see him on election day?
 A. I think I did. I saw him in the ward somewhere; where I cannot state.
7008. Q. Did he vote at your poll?
 A. I cannot swear that. His name is not recorded on our poll-list as having voted. If I am not mistaken I saw him in front of our poll-box. There were some 25 men with him. I cannot say that any of them voted there.
7009. Q. With what political party do you act?
 A. With none, I guess.
7010. Q. What ticket did you vote?
 A. I voted a split ticket.
7011. For whom did you vote for President?
 A. For U. S. Grant for President, and for John T. Hoffman for governor. I do not know as to the balance of the ticket. I believe I voted the straight democratic ticket. I was appointed school trustee last year by Mayor Hoffman.
7012. Q. Do you know Barney Aaron's reputed politics?
 A. If you offer him five dollars to vote the democratic ticket and another person offers him ten dollars to vote the republican ticket he will vote the republican ticket. That is his politics. I do not believe that a man like him has got any principle at all.

To Mr. Ross :

7013. So far as I know, the inspectors of registry and election tried to do what was right. There were very few who came there to be registered who were not challenged. They all swore in. When a man swears in he must be registered.

By the CHAIRMAN :

7014. State whether, toward the close of the polls, a crowd of persons came there and voted on the unappropriated names ?

A. That was not allowed. The clerk had charge of the unappropriated names.

By Mr. Ross :

7015. Q. It was not the intention to have it done ?

A. No, sir.

7016. Q. And was not done, so far as you know ?

A. No, sir.

By the CHAIRMAN :

7017. Q. Can you state if there were men going about in gangs on the day of the presidential election ?

A. I saw one gang. That was with Barney Aaron and some friends of his. There were 20 or 25 of them. Where they were going or what they were doing I do not know.

NEW YORK, *January 13, 1869.*

CHARLES H. ROGERS sworn and examined.

By the CHAIRMAN :

7018. Question. What office did you hold at the last election ?

Answer. I was inspector of registry and election, in the 8th district of the 21st ward.

7019. Q. Were you present all day on election day ?

A. Not all day. I was arrested the night before and did not get released until 12 o'clock that day.

7020. Q. For what were you arrested ?

A. It was said that a man swore that Mr. Dennis and I knocked him down and kicked him in the head. Mr. Dennis and I had not seen each other for ten days before ; and I had made no assault upon anybody. The charge was wholly groundless.

7021. Q. Why were you kept so long in custody ?

A. I can only conjecture as to that. As soon as I was arrested I demanded to be taken before Justice Kelly. The officers said they would take me there. But as soon as they got me 100 feet from the house they both grabbed me and took me to the Second avenue cars and to the Eldridge street jail, and there I was locked up. About 10 o'clock next morning I was taken before Judge Mansfield. He asked us what we had to say to the charge: We told him it was wholly groundless and he let us go on our recognizances to procure bail. I went and procured bail and gave it and went to the election.

7022. Q. What are your politics ?

A. Republican.

7023. Q. Who arrested you ?

A. I do not know ; they claimed to be deputy sheriffs.

7024. Q. State to what extent you had made challenges while the registration was going on ?

A. I challenged quite a number. When these new naturalization papers came in the democratic inspectors generally turned them over to me, saying that if I was satisfied they were. I questioned them and if

I considered them too doubtful I challenged them. Some of them swore in, and some of them would not swear at all.

7025. Q. What do you know of threats being made against republican inspectors?

A. I received an anonymous letter that I must look out or I would be arrested.

7026. Q. What business are you engaged in?

A. I am inspector of sewers at present.

7027. Q. Do you know anything of persons being arrested for illegal voting?

A. Not at the last presidential election. I challenged a man who came to vote under the name of Elijah Baker. I told the young man he was not Elijah Baker; as I was acquainted with Elijah Baker, who lived in the same house with me. He persisted in voting, and he was sworn in and voted. Then I made out a warrant for his arrest and the democratic inspectors would not sign it; it therefore fell to the ground. Another young man came to vote in the name of Frederick Eevers, of 483 Third avenue, whom I also knew. I told the young man that I was acquainted with Frederick Eevers. He persisted that he was the person; but I cannot really say whether he voted or not.

7028. Q. State what you know of men going about in gangs on election day?

A. There were a number of gangs. About 12 o'clock there was quite a rush. There had not been any considerable number of votes polled for some time, but there came in then at once 25 or 30 men. I challenged some of them. Some of them would not swear their votes in; others did. In the afternoon there was another rush; and then, about three minutes before the polls closed, there was a large rush—so many that only two or three got their votes in, because there was not time.

7029. Q. Can you state what ticket the men composing these gangs voted?

A. By the endorsement on the tickets, they were mostly democratic. I do not recollect taking a republican ticket from one of these gangs. I may have done it.

By Mr. Ross:

7030. Q. Have you any knowledge of any illegal votes having been given at your polling place?

A. Only that one given in the name of Elijah Baker, of 242 East Thirty-fifth street—the house where I live. I saw Elijah Baker after election, and he told me he did not vote that day. I cannot swear that there were any other illegal votes cast. Most of the voting was done before I got there. All the names that I had checked on my register as doubtful (10 or 15) had been voted before I got there.

7031. Q. How many persons were at the polls when they were closed who could not get in their votes?

A. In the last rush that came I should think there were from 16 to 20. It wanted about three minutes of the time to close the polls, and I think that only about six or eight voted. There may have been 10 or 12 who could not get their votes in.

NEW YORK, *January 13, 1869.*

ADAM GILLESPIE recalled.

To the CHAIRMAN:

7032. I am assistant naturalization clerk in the superior court. Joseph Meeks is the deputy clerk. I am not aware that there is any special

deputy clerk. There are six of us altogether. Thompson and I are assistant naturalization clerks. The others are docket clerks.

7033. Q. Who signed the name of James M. Sweeney, clerk, to the certificates of naturalization issued from the superior court during the year 1868?

A. I was in the habit of signing them up to about the 1st of October. From the 1st of October to the 23d of October Joseph Meeks signed them. On ordinary occasions it is Thompson's business and mine to sign them. At present we do so, under the authority of Mr. Sweeney.

7034. Q. Did Meeks sign any certificates of naturalization till the first of October?

A. I rather think not.

7035. Q. In what room did Meeks sign the name of Sweeney to the certificates?

A. There were several rooms—first, the chamber of the board of aldermen; next, the chamber of the board of councilmen; and next, in what is called the old sheriff's office. The court was not held in any of these rooms.

7036. Q. State if you signed any certificates of naturalization in the room where the court was held.

A. Not during the month of October. Prior to that we signed them in room 18, City Hall; not in the room where the court was held.

7037. Q. Who signed the name of James M. Sweeney, clerk, to the applications of naturalization?

A. They were signed by six or eight of us—by Syl. Nolan, Tom. Bennett, John A. Thompson, O. E. McNearney, Edward Keeffe, and myself.

7038. Q. In what room were they signed?

A. Generally in room 18; and in the evenings we all assembled together in the chamber of the board of aldermen, and signed them.

7039. Q. None of them were signed in the room occupied by the court?

A. No, sir.

NEW YORK, *January 13, 1869.*

7040. WILLIAM WARD, called by Mr. Ross, being sworn, testified that he had inquired for John Hughes, at 25 Elizabeth street; for Edward Clark, at 46 Essex street; for John Kagle, at 6 Pike street; for Charles Ferguson, at 16 Elizabeth street; and for James Smith, at 163 Greene street, (the persons named having been witnesses to prove repeating and having given those addresses as their respective residences,) and that no such persons resided or were known at any of the places indicated.

7041. Witness, in reply to the chairman, stated that he was an officer of the superior court, appointed by the four judges of that court. None of the judges had talked with him about this matter. He had been merely sent as a messenger.

NEW YORK, *January 13, 1869.*

JOHN HEATH sworn and examined.

To the CHAIRMAN:

7042. I live at 34 Gouverneur street. I voted the democratic ticket at the last presidential election, at 68 East Broadway, and in Canal street twice. There were about 25 in the party, and they all voted, I suppose, a couple of times.

To Mr. ROSS:

7043. I voted four times. I met the party about 11 o'clock, and got drunk about 3 o'clock. I voted on slips given to me. I do not know the

man who gave them to me. I suppose he was a democrat. The whole crowd was drunk. Two or three of them were "fighting drunk." I am 22 years of age. I was born in this country. I never "repeated" before. I was promised money or I would not have done it. I got no money. My father is a republican. If I had not been drunk I would have voted the republican ticket. I have been over to Jersey City and made a statement. I got nothing for it, and do not expect to get anything. I have been living at 34 Gouverneur street for two years. I am a printer. I am not working at present. I worked last at 41 Centre street, with Mr. Studolf. I have never been convicted of any criminal offence. I do not make a regular practice of gambling. I never made anything by gambling, and never had much to lose. I worked in Studolf's printing office 18 months.

NEW YORK, *January 13, 1869.*

WILLIAM R. W. CHAMBERS sworn and examined, (called at the instance of Mr. Ross.)

By Mr. Ross :

7044. Question. Are you acquainted with M. R. Levenson, who has been a witness before this committee ?

Answer. I have known him for some time back. I was employed in the city inspector's department, and he used to be in and out of the office. I always knew him as Lawyer Levenson.

7045. Q. Do you know his general reputation for truth and veracity ?

A. Yes; his general reputation is bad.

7046. Q. From that general reputation would you believe him under oath ?

A. No, sir; I would not.

By the CHAIRMAN:

7047. Q. With what political party do you act ?

A. The democratic.

7048. Q. How long have you known Mr. Levenson ?

A. I was in the city inspector's department 11 years, in one position, and he was in the habit of coming in, two or three years prior to the abolition of the department, which was in 1866. I have known him five years by general reputation. I never had any personal conversation with him. I never heard anybody outside of the city inspector's department speak of his reputation for truth. We used to call him "shyster" there. I am in Sheriff O'Brien's office as clerk. I have been there about five days. The sheriff never spoke a word to me on the subject of this testimony.

7049. Q. Do you know Mr. Levenson's handwriting ?

A. No, sir; I never saw it to my knowledge.

7050. Q. Do you know that Mr. Levenson is a scientific gentleman, to whom a book has been dedicated in these words: "*À Montague Richard Levenson, au courageux défenseur du droit, le proscrit; à l'homme loyal et généreux; l'ami au penseur libre. L'Auteur.*"

(Question objected to by Mr. Ross; objection overruled.)

A. I do not know Mr. Levenson in connection with any book.

7051. Q. How long back have you known Mr. Levenson ?

A. About a year before the city inspector's office was abolished. That was in 1866.

7052. Q. Are you sure you knew him in the year 1865 ?

A. Yes, sir; he was in and out of the office in 1865.

7053. Q. Do you not know that he was in England during the whole of 1865?

A. No, sir; I do not know anything about it.

7054. Q. Do you not know that Charles Francis Adams, our minister to England, employed him in the service of the Union cause during the whole of 1865?

A. I do not.

NEW YORK, *January 14, 1869.*

MARCUS C. STANLEY sworn and examined.

By the CHAIRMAN:

7055. Question. Where do you reside?

Answer. No. 226 West Thirty-ninth street.

7056. Q. State if you had any interview with Marshal Murray at the Fifth Avenue Hotel with David Hogan, John Jones, Hiram B. Ferguson, or either of them, a week or two before the last presidential election in this city, or about that time?

A. I have not spoken to Marshal Murray since he sent me to Fort Lafayette, in 1864 or 1865, nor have I had any communication with him, directly or indirectly, upon any subject whatever. I have no recollection of those other names, and I have had no interview with such persons to my knowledge. I certainly never had any business with them.

7057. Q. State if you were at the Fifth Avenue Hotel with George Wilkes, editor of the Spirit of the Times, about that time?

A. I saw Mr. Wilkes several times at the Fifth Avenue Hotel, but never in company with either of those persons or with Marshal Murray.

7058. Q. State if any arrangement was made, to your knowledge, at the Fifth Avenue Hotel, or at the Hoffman House, by you, or Marshal Murray, or George Wilkes, or either of you, with any of those persons named, or with any other person, in reference to "repeating," as it is termed?

A. Never.

7059. Q. State if you saw any money paid at the Hoffman House, or if you know of any money having been paid by a man with black whiskers, or by any other man, to Hogan, Jones, or Ferguson, or to any other person, prior to the last presidential election in connection with, or about the business of repeating?

A. Never.

7060. Q. What was the condition of the health of George Wilkes prior to the presidential election?

A. Some two weeks previous to the election Mr. Wilkes was seized with violent vertigo. He consulted Dr. Mott and Dr. Flint as to his mental and physical condition and was prohibited from all excitement, even from reading the newspapers. I saw him daily. Frequently when I called he was not in a condition to converse with me upon matters relating even to his own private affairs.

7061. Q. Do you know to what extent he went out during the day, or at night, after he was attacked with this disease?

A. We rode every fine day in the park, but he went out very rarely on an evening.

7062. Q. Where is he now?

A. On the 28th of December he was in Paris.

7063. Q. Did you see any money paid to David Hogan at the Hoffman House, or at any other place, prior to the presidential election?

A. I did not. I do not know any such person.

7064. Q. State whether you had any conversation with any of these persons upon the subject of repeating prior to the presidential election.

A. I had no conversation with these persons upon that subject.

7065. Q. With which political party have you been generally in the habit of acting ?

A. I belong to no political party, to no association or ward committee ; I have not been to a political meeting for 11 years.

By Mr. Ross :

7066. Q. You say you are not much of a party man ?

A. Not by any means ; I vote for a democrat, if I like him. I voted for John T. Hoffman last election, and I voted for A. Oakey Hall, both democrats, and I voted for the republican electors.

7067. Q. What connection have you with the republican organization in this city ?

A. None whatever.

7068. Q. What was it that Marshal Murray had you in prison for ?

A. The charge was that I was causing soldiers to be mustered from one regiment into another to the detriment of the public service. I have never seen the affidavit upon which my arrest was based. All I know is that I was sent to Fort Lafayette and was discharged after the examination, and had a letter from Mr. Seward regretting the mistake that he had made in tapping his little bell.

7069. Q. Do you know whether Marshal Murray had any authority to arrest you ?

A. I do not know that he had ; I guess that he is in the habit of exercising a little authority ; I sought to learn, but was never able to ascertain.

7070. Q. How long did he keep you there ?

A. Nine days.

By the CHAIRMAN :

7071. Q. Do you know of any republicans who were engaged in repeating at the last presidential election ?

A. I do not.

7072. Q. Do you know of any person being employed, authorized or requested to repeat at the last presidential election by a republican ?

A. No, sir ; nor by a democrat either.

7073. Q. State if you are acquainted with James Gorrey, a canvasser in the 15th district of the 18th ward.

A. I think I was introduced to a man of that name at the police headquarters in Mulberry street by Scannel previous to the election.

7074. Q. State if you asked him his politics.

A. I did not.

7075. Q. State if you said anything to him about making a mistake in counting up the votes.

A. My conversation was not upon that subject at all.

7076. Q. State what offers of money you made to him.

A. I made no offers to him ; he asked a favor from me.

7077. Q. State if at any time you made a request of Florence Scannel that he should register names for republicans to vote on ?

A. No, sir.

7078. Q. State if Scannel made any request about getting canvassers appointed in his interest ?

A. He handed me two names upon a paper, one of which, I believe, was Gorrey. I took the names and went to Mr. Mannierre, one of the

police commissioners. These men were not appointed. Scannel gave me these two names upon a paper, and requested that I would have them appointed as canvassers, with a promise that if I did so a number of men whom he had registered should not vote. I asked him his object. He said he wanted the canvassers for his election in December as assistant alderman. He wanted the Tammany Hall nomination, which had been refused him, and then he wanted to run on an independent ticket. I presented those names to Mr. Mannierre. He declined to appoint them, upon the ground that they were indicted in Philadelphia, having been carried there by Scannel to vote at the October election. I returned to Scannel with that message from Mr. Mannierre, and he said, in his familiar way: "Boss, you must get me out of this thing, because I have got to go to Philadelphia every spring to buy horses."

By Mr. Ross: .

7079. Q. What benefit was to accrue to the republican party from this arrangement?

A. He was to vote for the republican assemblyman in that district, to beat Jim Irwin, whom he had previously shot in a bar-room fight.

7080. Q. Was he, or not, to vote the entire republican ticket?

A. No, sir; I had no such understanding with him. I was simply obliging him, as I have frequently done upon many other occasions.

7081. Q. Whom did you vote for for President?

A. I voted for the republican electors.

7082. Q. Did you promise this man that you would try and get such canvassers as he suggested appointed?

A. The best evidence that I did so is that I took the names that he offered me and went and solicited their appointment.

7083. Q. Do you know of his having any conference with any other republicans to have canvassers appointed in his interest, or in the interest of the republican party?

A. I have never been present at any interview between Scannel and other republicans. I have seen him speaking to republicans at the Fifth Avenue Hotel, but I do not know the subject of the conversation.

7084. Q. Was he not running at that time with the republicans, as against the regular Tammany nominee, the republicans supporting him?

A. No, sir; he was supporting the democratic nominee, but his personal hostility to Irwin, and the refusal of the democratic party to give him canvassers that he thought he was entitled to as a councilman, made him hostile.

7085. Q. Were the republicans sympathizing with and aiding him?

A. They were willing to do so.

7086. Q. State whether you saw him in frequent conferences with leading republicans.

A. I do not think I did; I have seen him in a miscellaneous crowd in and around the Fifth Avenue Hotel.

7087. Q. Were you at the Fifth Avenue Hotel an evening or two before the election, when the registry books were brought in and examined?

A. I was there almost every evening.

7088. Q. Do you recollect the night when the registry books were brought in?

A. There was a room appointed for that purpose, but not being an inspector or canvasser, I do not know anything about it.

7089. Q. Did you get to see these registry books at the Fifth Avenue Hotel?

A. I never examined any books there.

7090. Q. Do you know they were there?

A. I know that what purported to be copies of the registry were there; my impression is that the originals were left at police headquarters; I went there to examine them.

7091. Q. Were they not also at the Fifth Avenue Hotel?

A. Not that I am aware of; I understood those to be copies.

NEW YORK, *January 14, 1869.*

HENRY E. SWEETZER recalled.

By Mr. ROSS:

7092. Question. State whether you have examined those tables made by General Foster which I presented to you.

Answer. Yes, I have examined them. They seem to be accurate so far as the calculation goes. I fail to see that they prove anything what ever.

7093. Q. State if you know of any cause why there should be a very considerable increase in the vote of the city of New York at the last presidential election?

A. Yes, sir; two causes. One is a very large influx of people from the south, which is estimated at from 10,000 to 30,000; it might be 20,000, I have no means of knowing accurately; and the other is the large number of people entitled to naturalization since the war, people who had not been naturalized during the war on account of their liability to be drafted.

7094. Q. How was it in regard to those people who had come here under 18 years of age; did they postpone naturalization on account of the war?

A. That I do not know. I know that a great many failed in being naturalized during the war on account of their liability to be drafted; and when the war was over, of course there was an end to that apprehension.

NEW YORK, *January 14, 1869.*

JOHN J. MULLEN sworn and examined.

By the CHAIRMAN:

7095. Question. Where do you reside?

Answer. No. 67 Grand street.

7096. Q. State what you know of persons registering on false names prior to the last presidential election in this city.

A. On the first registering day I was going down Cortlandt street, near the corner of Washington, when I met a young man, whom I recognized as Matthew Strip; he keeps a grocery store in Albany street. He requested me to go in and register. I stated that I did not belong to that district. He said it made no difference. I went in and registered under the name of J. J. Mullen, of 156 Greenwich street. The registering clerk knew me, and knew that I did not reside there. He gave me a wink that it was all right. His name is Michael Loftus. He keeps a livery stable in Washington street, between Liberty and Cedar. While I was in there, some 18 or 20 persons came in with papers and registered from 41 Vesey street. The other clerk, who was opposed to it, passed an insinuation that it must be a very large house, as some 40 had already registered from there. I came out from there about 6 o'clock in the evening, and was requested to go down to Washington street, near Albany, where they were registering. There I registered again. I met

Strip again there, and Dennis Hogan, brother of the Police Justice Edward Hogan; they asked me if I had registered there yet. I told them no; they told me to go in. I asked what number I would give; they told me to give 117 Washington street. I went in and registered, and then Hogan said it was all right. I made a mistake and gave the number as 115 Washington street, and Strip went in and told the landlord there. From there I went with Strip and Hogan to 34 Greenwich street and registered there, giving my residence as No. 12 Washington street. Then I went to Patrick Moore's, brother to Alderman John Moore, and had a drink. I had to write there the names and places that I had registered under, and gave the memorandum to the bartender and he put it behind the bar for future reference. Then I started up town, and informed Captain Pettit, of the fifth precinct, that Alderman Moore was issuing naturalization papers, and requested him to send Detective Field to seize them. Alderman Moore in my presence issued out, I suppose, over 200 naturalization papers, taking them two by two out of a cigar box. He would draw the men aside and instruct them, and told them that the judge (meaning Judge Hogan) was there to protect them, and that they could get into no trouble. Hogan saw me registering there, although he knew that I lived in the 8th ward. He saw me registering again at 99 Greenwich street, and he said nothing.

7097. Q. How many persons were engaged in registering at the time you speak of?

A. The street was crowded with men waiting for their turn to come in, long-shore men, steamboat men, farmers and greenhorns. They got a few glasses of drink and were instructed that on election day they were to get \$2 apiece for every time they voted.

7098. Q. Where were the headquarters of the gang that you belonged to?

A. There were two headquarters; one at Morris Power's, in Albany street, between Greenwich and Washington; and the other, I think, was at 57 Greenwich street, Alderman Moore's place. Power is married to the alderman's sister.

7099. Q. How many gangs were there at these headquarters?

A. I went in one gang of ten, in another of seven, and in another of four or five. The alderman told me two places in the 2d ward where I could register. I told him I did not know the names or numbers, and he said he would fix that for me. They would go into a building where they knew anybody, and would tell the people there to say that so-and-so boarded with them; and when an officer went to inquire whether a person who had registered did reside there, they would always answer yes. I registered twice under the name of Miller, and twice under the name of Mullen. I registered altogether ten times. The names I do not recollect, but they were written down and sworn to at police headquarters. I registered under the names of Murphy, Morgan, Moran, Gannon and Gray. I went with a gang of 18 from Allen's place up to the 15th ward to register. We all registered from a hotel up there. I took one man's name who had registered from the same place last year, and the clerk looked at the registry book and said: "that man voted last year; it is all right;" no questions were asked; I went back to the hotel and had some more drinks, and I gave the bartender there also the list of our names. Then I registered in King street, No. 7, near Sullivan, giving the name of J. J. Mullen, and giving my residence as 59 Sullivan street, which is a lager-beer saloon. John O'Neill was the clerk there. He knew me, and knew that I did not reside there. The other clerk was Charles Fairchild. I gave this statement to Inspector Wallen at police headquarters. Mr. Marsh, the stenographer, wrote it out.

7100. Q. What are the politics of Matthew Strip, Dennis Hogan, Polic Justice Hogan, Patrick Moore, and Alderman Moore?

A. They are democrats.

7101. In the interest of which political party was this registration being made?

A. The democratic party.

7102. Q. State if any violence has been threatened to you by reason of your having communicated these facts to police headquarters?

A. Not many nights ago my wife and I were walking along near Sullivan street, in Broome street, and I got a blow that knocked me senseless. I heard a voice singing out: "That is the son of a bitch who sold us! kill him! kill him!" My wife screeched "murder!" two colored women threw themselves on the top of me, and two colored boys shouted "murder!" I do not know where the police were. When I came to I ran to the station-house. My wife lost her hat and cloak. They knocked her down for howling, and it appeared that these colored women were the only persons to save me. I went up in the morning and made a complaint against Higgins and his brother, and several other persons whose faces I recognized. I thought I saw a knife, but I have been since informed it was a revolver. I know there is a hole in my hat; but whether it was made by a bullet, or by a knife, I do not know. I went to Police Justice Dodge in the morning, and stated the case to him just as it occurred. He told me to go to Judge Dowling, at the Tombs, as I lived in the 5th precinct. I went to Judge Dowling, and he told me to clear out.

7103. Q. What are his politics?

A. He is a democrat; so is Dodge. Then I went down to the district attorney's office. There were two clerks in there and Mr. Gunning S. Bedford, now city judge. I stated the case to them, and they told me that if Dodge & Dowling took no notice of it they would not. I told them I would appeal to the public for protection. I came up and went into the News office to have a statement written out, but they would not publish it, and would not have anything to do with it. I am registered at 96 Amity street; as James Gannon at 245 Thompson street; at 32 Grand street as J. J. Mullen, residing at 403 Canal street; I am registered in Prince street, between Wooster and Greene, in the name of Jas. Gray, residing at 99 Prince street, and other places I forget; but the list of them is up at police headquarters.

7104. Q. State if any of those men engaged in this false registration have been indicted or punished, to your knowledge?

A. I do not know that any of them have been.

By Mr. Ross:

7105. Q. How long have you been living at 67 Grand street?

A. A week yesterday; I have had to move three times from those parties who followed me.

7106. Where did you live before that?

A. At No. 4 Varick street.

7107. Q. What is your business?

A. I am a canvasser for Mr. Purrington, 28 Barclay street, for a patent carpet sweeper.

7108. Q. Have you ever been engaged in any other business?

A. Yes; I have been a canvasser for another company. I have lived in this city 28 years. I was born in Ireland. I never have been naturalized. I never voted but once. I did not vote last election at all.

7109. Q. Did you know it was unlawful to register in that way?

A. Yes.

7110. Q. What made you do it?

A. To get in with these parties, and to find out what kind of a swindle was going on, in order that I might expose them.

7111. Q. Who put you up to do this?

A. Superintendent of police John A. Kennedy; he told me to find out all that I could.

7112. Q. When did Kennedy tell you this?

A. He told me on Sunday morning before election; it was too late then to capture those papers.

7113. Q. Did you see Kennedy the second time?

A. Yes, sir; I was five hours in the building, while they were taking my statement.

7114. Q. What did Kennedy tell you to do?

A. He gave Inspector Walling instructions to take me in hand, and furnish me with money to go and obtain those papers from those parties. I went into a house in Hudson street, Mitchell's place, where I understood papers were being given out. Whether the parties suspected something or not, I do not know; but they said I had been registered often enough, and that they did not want me any more. They said I had put in 10 votes, and that I would realize \$20 on it. I got from Inspector Walling, at police headquarters, \$10 to spend with these parties and to get all the information I could. I told Walling that if I had some money I could procure information where there were 400 or 500 of those naturalization papers stored away; that I could get those parties tight and sift it out, and that he could send down a force and seize upon the papers.

7115. Q. Was that the first conference you had with Kennedy?

A. No; it was the second.

7116. Q. When had you the first?

A. On Sunday morning before the election; I had the second the next day.

7117. Q. Where did you see him that day?

A. At police headquarters.

7118. Q. Did he send for you?

A. No; I was ordered to come up next morning. I did not spend 10 minutes with Kennedy at that time; he sent me up stairs in the reporter's room.

7119. Q. What other money did you get?

A. Not a cent.

7120. Q. How much were you to have?

A. I was not to have anything; I was never offered anything. I asked for the loan of \$5 up there, and they would not give it to me.

7121. Q. Which other republicans did you have a talk with in regard to this matter?

A. I never had a talk with anybody.

7122. Q. How did you come here?

A. I read an account in the New York Herald the other day about the investigation of this committee, and I came to Marshal Murray and asked him if he did not recollect when I came to him and offered to work this thing up for a little money. As I was a canvasser I could get into the confidence of long-shore men by giving them a few glasses of rot-gut, and could coax them and ascertain where the papers were.

7123. Q. Did Marshal Murray recollect the talk you had with him?

A. He did.

7124. Q. Did he recollect giving you money?

A. He did not give me any. That conversation was four or five days

after the election. He said he had no money appropriated from Washington.

7125. Q. What did he say about the prospect of getting some ?

A. I do not recollect that he said anything. He said he had been enough out of pocket already, and he would not be any more out of pocket. He said if the authorities would not give him money to investigate this thing, he was not going to investigate it out of his own pocket.

7126. Q. What encouragement did he give you about getting money in future ?

A. He did not give me any. I dropped the subject and never went near him until yesterday. He asked me why I was not here before, and told me to go up to police headquarters and see Inspector Walling. I saw Inspector Walling last night, and met him down here this morning.

7127. Q. Did you have any talk with the marshal this morning ?

A. No, sir. The inspector instructed me not to tell anything but the plain facts, so that there could be no contradiction. He told me to be very careful and very cautious, and to tell nothing but the truth, but to take my time and deliberate upon it, so that I would not make any mistake.

7128. Q. Who told you that this morning ?

A. Inspector Walling.

7129. Q. Did you have any talk with Mr. Kennedy to-day ?

A. No, sir.

7130. Q. Or with Marshal Murray ?

A. No, sir. He called me in this morning, and told me to sit down and wait, as the inspector would be down very soon. I sat down in the public room.

7131. Q. How long have you been known by the name of Mullen ?

A. I never had any other name that I know of.

7132. Q. How many times have you been convicted of criminal offence ?

A. I have been convicted twice ; that is all I recollect.

7133. Q. No more than twice ?

A. I have been convicted twice for assault and battery and twice for petty larceny.

7134. Q. What was the punishment for the assault and battery ?

A. One month in the Tombs the first time, and two months the second time.

7135. Q. When were you convicted first of larceny ?

A. In 1866.

7136. Q. What did you steal that time ?

A. I did not steal anything. I was a city messenger, and got a package to deliver ; I lost my receipt-book, and got intoxicated, and was brought to the Tombs. They tried me seven different times in the court, and each time remanded me. I told the judge at last that if I was innocent he should discharge me, and if I was guilty he should punish me, and he gave me six months in the penitentiary for my impudence.

7137. Q. What did you steal the other time ?

A. There was a poor girl in Hudson street living a life of prostitution, and she applied to me to get her clothes from the washwoman to go home. When I went for them the washwoman was out ; and I shoved the door in and took the girl's clothes and went and pawned them, and then started with my wife to give the girl the \$2 I had raised in the pawn office. It was for stealing these clothes I was convicted ; it was the wrong clothes I took. My wife was arrested for it, and I went up and said it was I who took the goods, and they let my wife go and held on to me.

7138. Q. You were convicted of larceny at that time ?

A. Yes.

7139. You were tried by a jury ?

A. Yes.

7140. Q. And found guilty ?

A. Yes; of petty larceny.

7141. Q. What was your sentence ?

A. Six months' imprisonment, and \$100 fine.

7142. Q. Did you serve out your six months ?

A. Yes.

7143. Q. How long have you been in the penitentiary altogether ?

A. About two years.

7144. Q. And how long at the Tombs ?

A. I suppose about three months.

7145. Q. Are these the only times you have been arrested ?

A. The only times.

7146. Q. You have been engaged in a good many such things ?

A. No, sir; I have always borne a good reputation.

7147. Q. You now sustain a good reputation in the city of New York ?

A. Yes, sir; and I hope to continue so.

7148. Q. Are you moving in the best society ?

A. No, sir.

7149. Q. But you have a good reputation ?

A. Yes.

7150. Q. An unblemished one ?

A. Yes.

7151. Q. You did not think there was anything particularly wrong about registering ?

A. Yes; I knew it was wrong, but my intentions were good. I did not intend to vote.

7152. Q. Who induced you to go into registering ?

A. The first who induced me was Strip.

7153. Q. Did Strip give you anything for it ?

A. No, sir.

7154. Q. How long have you known Strip ?

A. Since I was a baby.

7155. Q. You and Strip are old cronies ?

A. Yes.

7156. Q. Was Strip ever in the penitentiary with you ?

A. No, sir. He was always an honest, hard-working boy, and he maintains a good reputation.

7157. Q. Had he ever done anything for you ?

A. No.

7158. Q. How came you to be accommodating to Strip ?

A. I did it so as to get into the secrets of the parties.

7159. Q. Do you know what party Strip belongs to ?

A. Yes; he belongs to the democratic party.

7160. Q. What party do you belong to ?

A. I do not belong to any that I know of. I hardly know the difference between a democrat and a republican.

7161. Q. That is the only inducement you had ?

A. Dennis Hogan induced me, and so did his brother; and James Dolan, who keeps a large liquor store on the corner of Thompson and Amity streets, came with me, and gave me a name and number, and took me to the place and had me registered in Amity street. Eighteen of that gang were all registered. James Dolan is a notorious character and a professional thief.

7162. Q. Do you associate with men of that character ?

A. No, sir.

7163. Q. You feel above that ?

A. Yes.

7164. Q. What kind of a thief are you ?

A. I am no thief. I never stole the worth of that paper that I know of. When I get intoxicated I am unconscious of what I am doing, and I do anything.

7165. Q. A man who only steals a few times is not a professional thief in New York ?

A. A man who does not make a living by it is not a professional thief.

7166. Q. Do you really think that anybody should pay attention to what you say ?

A. I give my affidavit and run the risk, and no man can contradict it.

By the CHAIRMAN :

7167. Q. After you had been registered in the way you have stated, you saw Superintendent Kennedy ?

A. Yes.

7168. Q. How did you happen to see him after you registered ?

A. I went first to the 5th ward station-house, and told Captain Petty how these parties were working. He told me to wait till Detective Field would come in, and he would send him with me. I waited for a whole day, but Field did not come. Then I went to the 3d ward station-house and notified Captain Ullmann. He told me I had better start up to police headquarters, and notify Superintendent Kennedy. Then I went to police headquarters. I started down to Moore's and had a drink there, while I was in there, Alderman Moore, brother to Patrick Moore, came running in and said, "Some God damned son of a bitch has been up and told Captain Ullmann that we were issuing papers by the hundred to all who came along." The alderman then rushed in behind the bar and grabbed hold of a cigar box where the papers were kept. I was sitting at a round table in the back room, where I suppose there were over 200 of us. He upset a table in his haste to get up stairs with these naturalization papers, and ran up stairs, and I immediately sneaked. The alderman's brother said, "If I knew the son of a bitch who did that he would not leave the ward with his life." I knew then it was Captain Ullmann who gave me away. I went up to accuse him to his face. I said to the officers there, "He has been down there and betrayed the whole secret, and I am going up to police headquarters to make a complaint against him." I started to the 8th ward station-house, but I could get nobody to assist me. I then went up to police headquarters and saw Superintendent Kennedy, and a reporter wrote down my statement, and I swore to it.

7169. Q. Then you had no communication with Superintendent Kennedy until after the registry ?

A. No, sir.

NEW YORK, *January 14, 1869.*

JOHN H. WHITE recalled.

By the CHAIRMAN :

7170. Question. State if you know Larry Farrell, *alias* Wm. Pierce.

Answer. I do.

7171. Q. What interviews have you had with him recently ?

A. I have had quite a number of interviews with him within the last month; not any, however, within the last two weeks. He called upon

me at my office, first in company with a young man named West. West I had known some few weeks, but this man, Pierce or Farrell, I had never known previously to that time. He desired to inform me that he was privy to election frauds; that he knew of parties who had been called "repeaters;" that they had procured their tickets and their names at a certain headquarters; and he went on and gave an explanation of what he knew. He said he had four men under his charge who were repeaters, and that he could prove by them that they procured their fictitious names from Sheriff O'Brien; that he was present when O'Brien gave the names to be registered upon at Jackson Hall; that, although these parties were not willing voluntarily to be witnesses, still, if I would have them arrested, they would, using his own term, "squeal," and tell all about it. I told him I would take the matter into consideration. I think he called upon me as many as ten times after that, at my office, at my house, and at various other places, wanting to make the arrangement, but desiring to be paid a certain sum of money, I think \$150, as he said, to cover his time and expenses. I made inquiries, then, into the character of the man, and I found that he was a disreputable person, and had a bad reputation, and I told the gentlemen who were acting with me not to have anything to do with him, and I dismissed him myself. That is, substantially, all that transpired with this man Farrell. He stated that he had actually expended for the board of those persons some \$25 or \$30, and as he had been kept in abeyance somewhat by my own action, I thought it was not improper that he should be reimbursed.

7172. Q. You have testified in relation to an alleged interview between you and Gifford & Darling, on the sidewalk, near the Union League club house, in this city, which interview is alleged by them to have taken place two weeks ago last Tuesday night. State where you were that night at the time of the alleged interview.

A. Two weeks ago last Tuesday, in the afternoon, I had a meeting of New York merchants, creditors of a party, who met respecting a failure. I should think there were at least 40 gentlemen present at 3 o'clock in the afternoon. The interview continued until it was so dark that they adjourned in consequence of the darkness. It was held at my office, 169 Broadway, corner of Cortlandt street. After the meeting had substantially adjourned, two or three of the party remained talking over the events of the afternoon, and it was not until near 8 o'clock that I left my office to go up town to my home. I think that about one-quarter before 8 o'clock I took a Sixth avenue car at the Astor House, and went to my house, 32 West Thirty-fifth street. I reached there, I should think, about 20 minutes past 8 o'clock, and did not leave my house that night. I have not been at the Union League club rooms but twice since Christmas. A week ago last Tuesday evening, about 7½ or 8 o'clock, I went to the Union League club rooms from the direction of Fifth avenue, crossing along the Park and Madison avenue. As I got about midway across Madison avenue I overtook Sheriff O'Brien and bid him good evening, and he returned the salutation. We passed on to the front of the Union League entrance, on Twenty-sixth street. I said, "Well, sheriff, you had better come in here, and we will make a good republican of you." He remarked that it was too late. I said to him in badinage, "You had better come in." He said he guessed not to-night. We bid each other good night, and he passed on, and I went to the club. I have not been there since that time. He was the only man whom I ever met outside of the club-rooms, to my knowledge.

7173. Q. What disposition is made, by law and usage, of the registry books after they are made out?

A. During the time that the registration is taking place each registrar keeps his own book; and an extra copy, if the law be strictly carried out, should be made for the purpose of being hung up in the room for public inspection. The registrars keep their books, and, on election day, use them—becoming then inspectors. Then there is a poll-list made out with the names of the voters taken down on another book by the poll clerk; and these books are given, one copy to the metropolitan police, and another copy filed with the county clerk, or with the board of supervisors—depending upon whether the office for which the election was held is a city or a county office.

7174. Q. Then certain of the copies are kept by the registrars themselves?

A. Yes, sir.

7175. Q. Do they permit persons to see them?

A. The whole object is that they may be examined by any one, that all citizens may have access to them to see what names are registered, and to verify the correctness of it if they desire to do so.

By Mr. Ross:

7176. Q. Does the law require any of these registry books to be deposited at the Union League headquarters?

A. No, sir.

7177. Q. By what authority are they deposited there?

A. The registry books were not there. We had books there which we had made up ourselves. I had charge of that matter.

7178. Q. What time did you have the meeting when the hackman took a load of books to the Union League headquarters for inspection and examination?

A. There never were any registry books examined there.

7179. Q. What connection have you had with the republican party during the past year in an official capacity?

A. I hold no official position; I have been a member of what we call the republican general committee.

7180. Q. Have you been in the employment of the party?

A. No, sir; any more than other citizens.

7181. Q. Have you been acting as attorney for it?

A. No, sir.

7182. Q. Have you got any pay from it?

A. Not a dollar.

7183. Q. State if you did not try to get Farrell to trump up testimony?

A. No, sir; any statement of that kind is utterly false. He proposed to furnish testimony and I would not have it.

7184. Q. Have you not been engaged in sending those thieves and pickpockets over to Jersey City to manufacture testimony?

A. No, sir.

7185. Q. Do you know who has done it?

A. No, sir; I have had nothing whatever, directly or indirectly, to do with it.

7186. Q. Do you know that Col. Wood has been doing it?

A. I do not know Colonel Wood.

7187. Q. Do you know this man Dan Noble to whom Wood telegraphed to come to Elmira and help hunt up this case?

A. I know Dan Noble by reputation.

7188. Q. What is his reputation?

A. I think it is bad.

7189. Q. Is he a suitable man for the republican party to call to its aid?

A. He is known as a very strong democrat in his operations here.

7190. Q. Do you know of his having been sent for ?

A. No, sir.

7191. Q. Was it with your advice or consent ?

A. No, sir ; I never heard he was sent for.

7192. Q. Do you know that there has been a string of thieves and cut-throats in here ?

A. I understand that there have been some of those "repeaters" examined.

7193. Q. Do you not know that they are thieves and pickpockets generally ?

A. I do not know them personally ; I know that generally men who will perpetrate frauds on the elective franchise may not be regarded as very honorable men.

7194. Q. You are at the head of the republican party in this city ?

A. No, sir ; I have not any such honor.

7195. Q. How many attorneys has the party got employed to work up this case ?

A. All who have been employed I employed myself.

7196. Q. Who are they ?

A. I employed Mr. John A. Foster and Mr. Samuel J. Glassey.

7197. Q. As attorneys for the Union League ?

A. No, sir ; to assist me in this matter ; I had not the time.

7198. Q. You feel yourself responsible for the prosecution of this matter before the committee ?

A. No, sir ; I have had very little to do with it.

7199. Q. You hired these men because you had not time to attend to it yourself ?

A. I selected these gentlemen because I had not time to give the matter my personal attention.

7200. Q. And they are acting as attorneys ?

A. They are assistants, anyway.

7201. Q. In whose employment are they ?

A. I employed them.

7202. Q. For whom ?

A. I employed them because I was authorized by the committee that was appointed to investigate these naturalization frauds. The committee consists of William E. Dodge, Moses H. Grinnell, John Jay, Horace Greeley, Isaac H. Bailey, Marshall O. Roberts, Legrand Cannon, Isaac Sherman, and myself.

7203. Q. For what salary are these attorneys working ?

A. They are not under any salary at all ; it is a matter entirely for future consideration.

7204. Q. Was it a part of the duties of these men when you employed them that they should testify as well as work ?

A. No, sir ; it was not their duty to testify unless they had some information to communicate ; unless it was necessary and became their duty.

7205. Q. It was not a part of their duty that they should be witnesses as well as lawyers ?

A. Not unless they had information which they thought would be important. I selected these men because they have as high a reputation, as young men, as any in the city and county of New York.

7206. Q. Is not that generally the case with members of the republican party ?

A. I think they compare favorably with members of the democratic party, as a general thing.

NEW YORK, *January 14, 1869.*

ADAM GILLESPIE recalled.

To the CHAIRMAN:

7207. I now produce, as directed by the committee, a statement of the number of persons naturalized in the superior court of the city of New York, from 1856 to 1868 inclusive. It is as follows:

Year.	Number.	Year.	Number.
1856	6,014	1863	871
1857	2,134	1864	6,540
1858	1,887	1865	3,274
1859	2,090	1866	6,558
1860	5,414	1867	10,814
1861	968	1868	27,897
1862	903		

JOSEPH MEEKS,
Deputy Clerk Superior Court.

NEW YORK, *January 14, 1869.*

JOHN R. BRADY sworn and examined.

By the CHAIRMAN:

7207½. Question. What office do you hold in this city?

Answer. Judge of the court of common pleas.

7208. Q. How long have you held that position?

A. For 13 or 14 years; I think I was elected in 1856.

7209. Q. What has been the mode of naturalization in your court?

A. The process has been to have parties appear before the judge in open court. He examines the witness, and sometimes the applicant; sometimes more than one witness, as the case may be; of course, it varies in different cases.

7210. Q. Is the examination oral?

A. The examination is always oral. The witness is asked from the bench the necessary questions; to see that he understands the oath that he is to take, and that he has the necessary information or knowledge to justify him in taking the oath. Sometimes, when I have entertained a doubt about the age, as stated by the party, I have had the party inspected by bystanders, and have asked them to give their opinion upon the subject. Sometimes I have held cases for reflection for half an hour, or an hour, or an hour and a half.

7211. Q. What is the practice as to requiring evidence of the identity of persons applying to be naturalized?

A. Nothing more than the question to the witness: "Do you know this to be the person?"

7212. Q. What has been your practice as to naturalizing persons in gangs or batches—more persons than one at a time?

A. I never did it; I never knew it to be done in the court of common pleas.

7213. Q. Can more than one person be naturalized at the same time, so as to comply with the requirements of the law?

A. In my opinion, decidedly not.

7214. Q. What length of time will it require, fairly and properly, to naturalize an applicant?

A. The time employed depends very much upon the intelligence of the witness. Sometimes it has been done in from three to five minutes;

sometimes it will take more, because it involves the examination of the applicant and the witness, and perhaps a re-examination of them, to see if the two stories are harmonious. It might be done, in some cases, in two minutes, if the witness is intelligent. I should say it might be done, on the average, in from three to five minutes; I can probably run through the process by my watch and give you an idea of it. (After a calculation by his watch.) I should think from three to five minutes; I cannot give a closer estimate; it might exceed that; it depends so much upon the intelligence of the parties. This is in the naturalizing of the persons who have come here under the age of 18 years. In reference to applicants whose application is founded upon declaration of intention, it takes a little less time, but it also depends very much upon the intelligence of the witness. Sometimes the answers of the witness are not satisfactory, or the answers of the party are in conflict with those of the witness, and sometimes it involves an examination and re-examination of both the witness and the party, to satisfy the court that the application is proper. As to the class of soldier applications, I should say it occupies about the same time on the average. Sometimes they present a certificate of a counsel, declaring that the papers have been sent to Washington, in order to procure the man a pension. I think the average would be from three to five minutes.

By Mr. Ross:

7215. Q. How many questions do you usually have to ask a witness for naturalizing?

A. I ask him sometimes: "What is your name? Are you a citizen of the United States?" (this I do not do in all cases.) "How long have you been in the country? How long have you known the applicant? Do you know him to be so and so? How long has he resided in the United States?" The witness may give an answer that may lead to these questions: "Where has the applicant resided for the last year? How do you know that?"

7216. Q. Upon an average, how many questions do you ask?

A. I should think about six questions.

7217. Q. How many answers would that involve?

A. Certainly six answers.

7218. Q. Computing by seconds, how long do you think it would take to ask a question?

A. (After computing by his watch.) About four or five seconds.

7219. Q. And it would take about the same length of time to answer.

A. If the answer is direct, it may be answered in the same time; but that rarely occurs.

7220. Q. According to your computation, then, it would take 48 seconds to ask six questions and to have them answered?

A. Oh, no; I say it would take about four seconds, according to my watch, to ask one question; and I say that, if the question is answered directly, it can be answered in the same time; but that is rarely the case. Sometimes questions have to be repeated, and sometimes additional questions have to be asked in reference to the same subject-matter.

7221. Q. If you have a reasonably intelligent class of witnesses and applicants, and if the business is pressing, and you are very desirous of naturalizing people as rapidly as you can, how long do you think it would take you to naturalize a man and do it fairly?

A. If you should come in to me, and I should ask you the same questions, I suppose I might naturalize you in a minute.

7222. Q. Could you not do it in half a minute?

A. Yes, I could, under those circumstances; and I suppose I have naturalized persons in half a minute. I have had sometimes a lawyer, whom I knew to be a gentleman, come in with his paper signed, containing the necessary statement to justify naturalization, and I have simply said to the witness: "You know this gentleman? You have read this affidavit? It is correct?" and I would order the oath to be administered. It could be done in half a minute and be done properly.

7223. Q. You think that when a judge desires to do it as rapidly as he can, and has intelligent witnesses, he may get them through as fast as two a minute?

A. I would not like to say that; I should say one in a minute.

7224. Q. It is not necessary to delay the court to swear the witnesses after they have been examined?

A. No, sir; that is done by the clerk. It would not create any delay whatever.

7225. Q. The parties can then pass right on and others come in?

A. Yes; they are naturalized sometimes in this way: The applicant and the witness are before the court, the applicant standing a little back, and the witness being examined by the judge, and there is another person waiting to take his place the instant the order is signed directing him to be made a citizen of the United States. The other person is then called to take his place, and so the examination goes on from one to another.

7226. Q. What would be the objection to swearing half a dozen applicants and half a dozen witnesses together, provided they are examined separately?

A. I cannot see any objection to that.

7227. Q. The oath is the same to all: "you shall true answers make to such questions as may be demanded of you?"

A. Oh, yes; fifty might be sworn at a time, if they could put their hands on the book.

7228. Q. And it would be a legal, good swearing?

A. Oh, yes, certainly; I do not think it is the best practice, but such a thing might be done, and done lawfully; if it is done in such a way as that each person understands the oath that is taken, I do not see any illegality in it.

By the CHAIRMAN:

7229. Q. In your estimate of time for naturalizing, do you include the time occupied by administering the final oath of allegiance?

A. No, sir.

7230. Q. In naturalizing a person who came to the United States under 18 years of age, state if the applicant is also sworn to certain facts in addition to the witness.

A. Yes, sir; the applicant makes oath that he has arrived at the age of 21 years; that he has been in the country five years; and that for three years he has had the bona fide intention to become a citizen of the United States, and has resided in the State for one year.

7231. Q. He is examined orally as to these facts?

A. Yes; except as to his intention to become a citizen of the United States; that I have rarely examined about.

By Mr. ROSS:

7232. Q. Are not the questions to the witness these: "Do you know this man; how long have you known him; do you know that he has expressed his intention to become a citizen of the United States?"

A. I very rarely ask the latter question; nor do we ask, as a general thing, about his moral character.

NEW YORK, *January 14, 1869.*

WILLIAM WARD recalled.

By Mr. ROSS :

7233. Question. State if you made an examination at 34 Gouverneur street for John Heath.

Answer. Yes ; I went there and inquired in the liquor store. They did not know him, and they referred me up-stairs. I went up-stairs and found that there were four families living in the house ; I went all through and inquired of all of them ; none of them knew such a man.

7234. Q. Have you been observing the witnesses here, who testified about repeating, as they went in and out ?

A. Yes, sir.

7235. Q. State what you know in regard to their character and standing.

A. I am not personally acquainted with any of them ; but on Monday afternoon, at 5½ o'clock, I saw the sergeant-at-arms of this committee go to the marshal's room and fetch two young men down here. Two policemen stood at the door, and, as the witnesses passed them, they hung their heads down.

7236. Q. Do you know anything about our sergeant-at-arms having kept those men up-stairs ?

A. I have seen him fetch witnesses from the marshal's office here.

7237. Q. State whether he has or has not been keeping the witnesses who were summoned here by the majority of the committee, in Marshal Murray's office.

A. Yes, sir ; there have been men kept there every day.

7238. Q. By our sergeant-at-arms, Mr. Le Barnes ?

A. I do not know who put them there ; but I have seen him take them out.

NEW YORK, *January 14, 1869.*

M. RICHARD LEVERSON recalled.

By the CHAIRMAN :

7239. Question. When did you come to the United States ?

Answer. In January, 1867.

7240. Q. Are you acquainted with W. R. W. Chambers ?

A. I never heard the name, and have no idea of the person.

7241. Q. State whether you had any interview or business with him in the office of the city inspector's department.

A. I never heard of the city inspector's department till this day.

7242. Q. Did you have any business in the city inspector's department ?

A. Never.

By Mr. ROSS :

7243. Q. You have been a practicing lawyer here a good while ?

A. No, sir ; I was only admitted to the United States bar in the month of May last.

7244. Q. Since that time you have been practicing lawyer for the Union League ?

A. No, sir. I have had a little business in the United States court. I had no business of importance until I was retained by the citizens' committee of the Fifth Avenue Hotel. I have had no business at all for the Union League.

NEW YORK, *January 14, 1869.*

JOHN NORTON, Jr., VICTOR BISHOP, and M. J. NEWMARK, were severally sworn, and testified to the fact that the last witness, M. Richard Levenson, did not come to this country till January, 1867.

NEW YORK, *January 14, 1869.*

WILLIAM DAVISON sworn and examined.

By the CHAIRMAN :

7245. Question. Where do you reside ?

Answer. No. 187 Spring street.

7246. Q. State what was said to you last evening about testifying before this committee.

A. I went down last evening to get something to eat in a basement in Thompson street, between Spring and Prince. There came down there a party of about six. One of them was Charles McCarthy, and another Pete Loftus. One of them came to me, and said he : " Scotty, do you want to make five dollars ?" (That is a kind of name that I am known by among them.) Said I : " What with ?" Said he : " Go before the committee to-morrow, and I will get five dollars into your hand." Said I : " What have I got to say ?" Said he : " All you have got to do is to go before the committee and tell them how many times you repeated last election for the republican party, that you voted five or six times for Grant, and that you got five dollars each time ; that is all you have got to do." I said I could not say that. McCarthy, I believe, was here yesterday afternoon, and so was Pete Loftus, and I believe they got five dollars apiece.

7247. Q. Did they tell you that ?

A. Yes, sir. They got five dollars apiece. They said it was a gift, in their strange way of talking.

7248. Q. Did they tell you what they testified to ?

A. They testified to the same thing.

7249. Q. Did they say whether what they had told was true or not ?

A. They did not, on account of my not wishing to interfere with them.

7250. Q. Has Pete Loftus any other name ?

A. That is the only name I know him by. I believe he had got down Alfred.

7251. Q. Has Charles McCarthy any other name ?

A. Not that I know of.

7252. Q. What are these men called ?

A. They have nicknames ; one of them is Skid, and another is Slips. They have a good many nicknames. We never think of hearing right names anywhere.

7253. Q. Has McCarthy got a nickname ?

A. Not that I know of.

7254. Q. What is the character of these men ?

A. When they get any work, they work ; I know them to run around from one night to the other, loafing here and there.

By Mr. Ross :

7255. Q. How many names have you got ?

A. They call me Scotty.

7256. Q. Are you known as well by the name of Scotty as by that of Davison ?

A. Among a kind of a class of people.

7257. Q. Do those whom you associate with call you Scotty ?

A. Yes, sir.

7258. Q. Is that the only other name you have ?
 A. That is all.
7259. Q. What is your business ?
 A. I am a boatman, and I sometimes go to sea.
7260. Q. How long have you lived in this city ?
 A. I came here about three years ago.
7261. Q. How long is it since you went to sea ?
 A. I quit going to sea two years ago.
7262. Q. What have you been doing since ?
 A. I had the chills and fever last summer.
7263. Q. Is that all you have been doing ?
 A. I have been attending bar once in awhile in the 4th ward for Ed. Flynn. He keeps a sailors' boarding-house. I attended bar for him about 18 months.
7264. Q. What wages did you get ?
 A. I got my board and clothes.
7265. Q. How many times have you been convicted ?
 A. Never in my life ; I am certain of that. I do not gamble any. I have got a wife, but no children. She lives with me at 187 Spring street. We keep house there.
7266. Q. You do not know anything against McCarthy or Loftus ?
 A. No, sir.
7267. Q. They are men of good character, so far as you know ?
 A. Yes, sir.
7268. Q. Of good reputation for truth and veracity ?
 A. Yes, so far as I hear.
7269. Q. From their reputation, would you believe them under oath ?
 A. I cannot say. All that I know of them is that they run around at night, and people give them a pretty bad name.
7270. Q. Do you run around with them ?
 A. I do not.
7271. Q. Who brought you in here to impeach these witnesses ?
 A. I came myself. I told a friend who got licked the other night, and he told me to come up here.
7272. Q. State whether you do not make your living by stealing.
 A. I do not.
7273. Q. Would you be willing that the police should see you and say whether you are a thief or not ?
 A. Yes, sir.

NEW YORK, *January 14, 1869.*

GEORGE F. HALLAM, (called by Mr. Ross,) was sworn, and testified that he had made inquiries for J. J. Mullen at 67 Grand street, and that no such person lived there.

In answer to a question by the CHAIR, witness said that he was a messenger in Judge McCunn's court.

NEW YORK, *January 14, 1869.*

TERENCE FOLEY was sworn, and testified that he inquired at 157 Laurens street for Michael Edwards and for George Thompson, and that neither of those persons lived there.

In reply to a question by Mr. Ross, witness stated that Colonel Wood had sent him up there.

NEW YORK, *January 14, 1869.*

WM. H. BOGART was recalled and testified that he had taken subpoenas to serve upon Cornelius Dougherty, 87 Mercer street, and James

Allen, 659 Hudson street, and that no such persons lived at either of those places.

In answer to a question by Mr. Ross, witness stated that he was in employment of the Union League committee, as writer and messenger.

NEW YORK, *January 14, 1869.*

P. F. TUPPER sworn and examined.

By the CHAIRMAN:

7274. Question. What is your occupation?

Answer. I am a stenographer.

7275. Q. State if you took down the statements of persons who appeared recently at Taylor's Hotel, Jersey City, and if so, what precaution you used to have the statements made truly.

A. I did take down most of those statements. As to the precaution that was used, that was a matter for Colonel Wood more than for me. I know that Colonel Wood said to several of them in my hearing that he wished them to tell nothing but the truth. He said furthermore, that he did not wish any bribing; but that, of course, he would pay those men for the time they lost in attending to this matter. I took the statements of 58 or 59 persons as to repeating. I think there were about 15 statements taken besides. Those statements were all taken between a week ago Monday and to-day.

To Mr. Ross:

I am engaged in the office of Warburton, Bonyng & Devine, stenographers. They do business at 39 Park Row. Mr. Warburton brought me over to the marshal's office and introduced me to Colonel Wood. I was not told at the time what the business was, only that it was a matter to be kept secret. Colonel Wood told me that. I do not know whether that was in the presence of Marshal Murray. I think Mr. Warburton told me the same thing before going into the marshal's office. Colonel Wood was in the marshal's office when I went there with Mr. Warburton. Wood and Murray were talking together. Nothing whatever was said about this matter. Mr. Warburton simply introduced me as a stenographer who would do the work that was to be done. There was nothing whatever said about the work they wanted done.

7276. Q. Why did they say they wanted it kept secret?

A. Colonel Wood did not give me any reason for it. He told me that before he told me what the business was.

7277. Q. Did he not tell you afterwards that he wanted it kept secret?

A. I think he repeated his instructions afterwards.

7278. Q. Was Colonel Wood over at Taylor's Hotel when you took those statements?

A. He was, part of the time. I think he was in the room when I was taking the first five or six statements, and occasionally after that he would come in when I was taking the statements of other witnesses.

7279. Q. What part did he take in the matter?

A. At first he put the questions to the witnesses, in order to get their statements in the shape in which he wanted them, and after I got familiar with the mode of putting the questions he directed me to put them.

7280. Q. How did you manage to get witnesses before you?

A. I had nothing to do with that.

7281. Q. Did you pay the witnesses?

A. I had nothing to do with anything of that kind.

7282. Q. Do you know who did pay them?

A. I do not know that they were paid. Colonel Wood said in my

presence once or twice that he would pay them for their time, but that he did not wish any bribery. He was very particular about that.

7283. Q. Do you know how they were paid and who paid them?

A. I know nothing further than what I have stated about that.

7284. Q. Did Colonel Wood tell you who was to act as paymaster?

A. No, sir.

7285. Q. What was the class of witnesses you had before you?

A. I can give you my opinion about it.

The CHAIRMAN. You need not state your opinion.

By Mr. Ross:

7286. Q. State the character of the witnesses, from their appearance, as they appeared before you to give their statements.

(Objected to, and objection sustained.)

7287. Q. What was the appearance of the men before you.

A. Some of them were rough-looking men; others appeared pretty respectable—one or two in particular.

7288. Q. Were any of them under the influence of liquor?

A. That is a question I find it difficult to answer. I do not think that any men whose statements I took were intoxicated.

7289. Q. Did you swear them?

A. No, sir; they were not sworn.

7290. Q. Did you not know at the time that you were taking the statements of a lot of thieves and pickpockets?

A. I have no personal knowledge that any of them were thieves.

7291. Q. State, if you know, the general reputation of any of them.

A. I do not. I do not know that I ever saw any of them before, or heard of one of them before.

7292. Q. Was there not quite a number of them pointed out, at the time you took their statements, as thieves and pickpockets?

A. No, sir.

7293. Q. What other persons connected with the republican party visited your office while you were over there?

A. Marshal Murray was there once. He was there on Tuesday or Wednesday last week, I think.

7294. Q. What was he doing there?

A. He was in the room where I had been taking statements, and where I was writing out my notes.

7295. Q. Who came with Marshal Murray?

A. I do not recollect that any one came with him. I think Colonel Wood was there, and perhaps came over with him.

7296. Q. Were Colonel Wood and he in the room in conference together?

A. Yes, they were talking about this business.

7297. Q. What did Marshal Murray say about it?

A. I do not recollect what he said.

7298. Q. State any remark that was made between them in reference to this business.

A. I do not recollect anything that I could state positively. There was something said about naturalization frauds.

7299. Q. How long did Marshal Murray stay there?

A. Fifteen or twenty minutes, perhaps.

7300. Q. Who was in the room at the time besides Wood and Murray?

A. No one, I think. Perhaps one of the operators in the secret service came in at the time; it is not at all unlikely.

7301. Q. Is that the only time you saw Marshal Murray over there?

A. Yes.

7302. Q. Do you recollect any other republicans over there ?

A. No.

7303. Q. You said something about the secret service that Colonel Wood is engaged in—what is it ?

A. He is chief in the secret service division of the United States.

7304. Q. Where does he hold his office ?

A. In Washington ; he has a room at Taylor's Hotel. I think he also stops there.

7305. Q. Do you know why these witnesses were taken over there ?

A. I suppose it was because Colonel Wood's headquarters were there. I do not know any other reason. There are two or three others stopping at the same hotel, who are operators in the secret service division, and who are under his orders, I suppose.

7306. Q. Who examined the witnesses over there ?

A. I examined most of them.

7307. Q. What instructions did you have to make their testimony bear in a particular direction ?

A. I had no instructions of that kind. Colonel Wood told me several times that he wished me to impress upon these men, if I could, that he wished the truth, and nothing but the truth.

7308. Q. Did any of them state to you that they were thieves and pickpockets ?

A. One man, in answer to a question of Colonel Wood, as to what his occupation was, said, "I steal for a living when I get a chance."

7309. Q. Was his statement taken ?

A. His statement was taken.

7310. Q. And forwarded over here ?

A. I suppose so. The name he gave was Harris.

7311. Q. Colonel Wood made no objection to taking his testimony ?

A. No, sir.

By the CHAIRMAN :

7312. Q. Was that fact put down on his statement ?

A. No, sir. This question was not put as a regular question to the witness.

NEW YORK, *January 14, 1869.*

JAMES COLLINS sworn and examined, (called at the instance of Mr. Ross.)

By Mr. Ross:

7313. Question. State if you know anything about fraudulent naturalization papers.

Answer. Only in this way: I had been "knocking around" the City Hall, off and on. I got a situation there once in a while. At the time these naturalization papers were coming up Councilman Gilmore came and asked me if I would naturalize men for him. I said I would do so—the same as the rest of the men were doing. He asked me how that was. I told him to fetch me the men and I would get them naturalized for two dollars apiece. I said, "If you get the witnesses, I will make the application." He said, "I have got no witnesses; I want you to go witness." Next day he came to me, and I told him I would naturalize for all that he wanted. I have naturalized from 500 to 700; that is, I said I knew the men so long. Some I had never seen before; some I had. That is all that I did in the naturalization business.

7314. Q. For what political party did you do this ?

A. The republican.

To the CHAIRMAN:

7315. I have lived at 122 Prince street two months. I do business in Washington Market.

7316. Q. You were a witness for 500 applicants for naturalization?

A. Yes, sir.

7317. Q. In what court?

A. In the supreme court, the superior court, and the court of common pleas.

7318. Q. In what month?

A. It was while the naturalization business was going on. I do not know what month. I think it was November.

7319. Q. You are sure of that, are you?

A. Yes.

7320. Q. How many times did you appear as a witness before Judge McCunn?

A. Not a great many times.

7321. Q. Two hundred times?

A. I suppose so.

7322. Q. Two hundred times in the month of November?

A. The naturalization business was only going on for three or four weeks?

7323. Q. Was not that in November?

A. I do not know when it was.

7324. Q. Were you a witness some 200 times before Judge McCunn?

A. Not before Judge McCunn alone. There were McCunn, Garvin, and Jones. I have been in that court, I guess, 200 times.

7325. Q. Did the three judges all sit together when they were naturalizing?

A. Sometimes two would sit, and sometimes one judge would sit.

7326. Q. Which one of the judges naturalized most while you were a witness in the superior court?

A. Judge McCunn.

7327. Q. How many times did you appear as a witness before Judge McCunn?

A. I should say over 100.

7328. Q. Are you sure of that many?

A. Yes.

7329. Q. What other judges did you appear before?

A. Garvin and Jones.

7330. Q. How many times before Judge Garvin?

A. Seventy-five or eighty, or may be more. I am sure of 80 anyhow.

7331. Q. For how many persons were you a witness before Judge Jones?

A. Not a great many. I guess 75 or 100.

7332. Q. You are sure of 75?

A. Yes.

7333. Q. What other judges did you appear before?

A. Judge Barnard.

7334. Q. How many times before him?

A. I cannot count.

7335. Q. About how many?

A. Between 200 and 300.

7336. Q. Did you sign the affidavits?

A. No, sir.

7337. Q. Did you sign any affidavits at all?

A. No, sir, except blanks.

7338. Q. Where did you sign the applications for naturalization?

A. In the court where we used to get them.

7339. Q. How did you sign your name?

A. Sometimes as Mara, and sometimes as Collins.

7340. Q. Always one or the other?

A. Yes, sir.

7341. Q. No other name?

A. No, sir; Michael Mara or James Collins.

7342. Q. Did you know that you swore falsely?

A. Certainly; I had to do so. Some of the men I did not know; some I did know.

7343. Q. And you swore falsely?

A. Yes.

7344. Q. And you sit here now and acknowledge that you committed perjury?

A. Yes.

7345. Q. And you think that people believe your oath here now?

A. No, sir. I came here to tell the truth. I went into court to make a living. I had nothing else to do at that time.

7346. Q. Do you know Judge McCunn?

A. Only by sight.

7347. Q. Does he know you?

A. No, sir.

7348. Q. You signed your name as a witness in all these cases in the court itself, did you?

A. No, sir.

7350. Q. Where?

A. At No. 1 Centre street, in the basement. I think they gave me the papers over there. I signed some in the City Hall and some there; I guess they were about equal.

7351. Q. What room in the City Hall?

A. In the basement, where the old sheriff's office was. (Witness, by direction of the chairman, wrote the two names, Michael Mara and James Collins.)

7352. Q. Whom did you know at No. 1 Centre street?

A. I did not know any one, except one by eyesight. I heard people call him Judge Gale. I believe he had charge of the office. I was in there every day—in and out.

7353. Q. Did he see you there signing papers as a witness?

A. No; I do not think he did. His clerks attended to the business.

7354. Q. Did Gales's clerks take the papers to the court?

A. No, sir; we took them to the court ourselves.

7355. Q. Did you know anything about the men for whom you were a witness?

A. No, sir; only what Councilman Gillmore told me. He said they were old citizens who never took out their papers.

7356. Q. You knew nothing about their politics?

A. Only what Councilman Gillmore said at No. 1 Centre street, or at the basement in the City Hall. He worked very hard at those places.

7357. Q. Did he devote a good deal of his time at those places?

A. Yes, sir; he used to be there before I got there.

7358. Q. How long had you known Councilman Gillmore?

A. Two or three years. He was councilman in the 20th ward.

7359. Q. You got acquainted with him two years ago?

A. Not so thoroughly acquainted as to go up and speak to him.

7360. Q. When did you first get acquainted with him well enough to speak to him?

A. Just before the election for governor.

7361. Q. How many days before ?

A. Three or four days.

7362. Q. Did you ever speak to Councilman Gillmore about naturalization business till three or four days before the election for governor ?

A. No, sir.

7363. Q. You are certain of that fact, are you ?

A. Yes.

7364. Q. Did you ever have any conversation with Councilman Gillmore until two or three days before the presidential election ?

A. No, sir; not to my knowledge.

7365. Q. Did you use red tickets ?

A. Yes. Councilman Gillmore furnished the tickets. He sometimes gave me white tickets and sometimes red.

7366. Q. Most generally red ?

A. About equal, I guess.

7367. Q. Have you spoken to Councilman Gillmore since the presidential election ?

A. No, sir.

7368. Q. What business are you engaged in now ?

A. None at present.

7369. Q. How long is it since you have been engaged in any business ?

A. About a month, I guess. I was then a conductor on the Tenth avenue railroad. I was in that situation four months, I guess. Before that I kept a stand in Washington Market. I was in the produce business, potatoes and vegetables. I was there 14 or 15 years continuously. I was in the street department after I left Washington Market, working in the streets.

7370. Q. Were you in the street department the whole five years between your leaving Washington Market and getting a position as conductor ?

A. No, sir.

7371. Q. What were you doing that whole five years ?

A. Living off my money.

7372. Q. How long were you in the street department ?

A. Four or five months, I should think.

7373. Q. What time was that ?

A. In 1866—in the summer of 1866.

7374. Q. What were your wages ?

A. Two dollars and fifty cents a day.

7375. Q. What were you engaged at for the balance of the five years ?

A. I was on the Bleeker street railroad as conductor. I worked there about four or five months. For three or four months I did not have anything to do.

7376. Q. Do you know that if you should swear falsely about what Councilman Gillmore said to you, you would be liable to indictment for perjury ?

A. Yes, sir; but I did not come here to swear falsely.

7377. Q. Did you not go into court to swear falsely ?

A. No, sir.

7378. Q. Did you not do it ?

A. No, sir.

7379. Q. Did you not swear that you knew men whom you did not know ?

A. Yes, sir.

7380. Q. You swore falsely there, did you not ?

A. Yes.

7381. Q. And you went there to do that, did you not ?

A. Yes.

7382. Q. When you worked on the Tenth avenue railroad what hours did you work ?

A. I used to go to work about 5 o'clock in the morning and stay at work till half-past 9.

7383. Q. Did you stop for any length of time between those hours ?

A. No, sir; except for half an hour two or three times a day.

7384. Q. When you got the red tickets at No. 1 Centre street and in the basement of the City Hall in the old sheriff's office, did you give them to the officers of the court ?

A. No, sir; we gave them to the men who had the papers. Red tickets were mostly used.

7385. Q. Did you vote at the last presidential election ?

A. Yes; in Green street near Spring. I did not vote myself. They did not let me vote; somebody voted for me.

7386. Q. Then when you said just now that you voted, you did not state the fact ?

A. I did not get there in time to vote. When I got there somebody had voted for me. I think it was in the 2d district of the 8th ward that I registered my name. It was near Spring street in Green. I registered as James Collins, 122 Prince street. I have a wife; I have been married some three years and have been living with my wife all the time.

7387. Q. You were acquainted but with very few of the men whom you appeared as a witness for ?

A. Very few.

7388. Q. Do you know anything about their politics ?

A. No, sir.

By Mr. Ross :

7389. Q. State if it was for republicans and in the interest of republicans that these certificates of naturalization were got ?

A. I suppose so. I suppose Mr. Gillmore would not be working the other way.

7390. Q. Is he a republican ?

A. Yes, sir.

7391. Q. You got in such men as he wanted ?

A. Yes.

7392. Q. How did it happen that you used the red ticket of the democrats ? Did you commit a fraud upon them by getting their tickets ?

A. I do not know about that.

7393. Q. You could not get them without getting them fraudulently by pretending that the persons to be naturalized were foreigners ?

A. I never asked how they got them. This republican gave them to me. Part of them were red tickets and part white.

NEW YORK, *January 14, 1869.*

EDWARD HOGAN sworn and examined, (called at the instance of Mr. Ross.)

By Mr. Ross :

7394. Question. What is your official position ?

Answer. I am a police justice in this city.

7395. Q. Do you know John J. Mullen ?

A. There was a John J. Mullen who was in controversy some time since with the commissioner of public charities and correction, this man charging the commissioners with bad treatment of prisoners on Blackwell's island.

7396. Q. State whether you know of any person registering illegally in this city ?

A. I do not.

7397. Q. Were you present at the registry at 34 or 95 Greenwich street.

A. I have no doubt that I was in both places.

7398. Q. Did you see any man register there who you knew did not live in the precinct ?

A. I did not.

7399. Q. Did you see John J. Mullen register at 34 or 95 Greenwich street ?

A. I did not.

7400. Q. Or at any other place ?

A. I did not. The man whom I refer to is a professional thief. He was committed by me, I think, three or four times within four or five years.

7401. Q. You did not see him register anywhere ?

A. I did not.

7402. Q. Did you give him any encouragement to register illegally anywhere ?

A. I have never spoken to him outside of the court-room to my knowledge.

7403. Q. Did you give encouragement to any person to register illegally ?

A. I did not.

7404. Q. Do you know whether your brother Dennis Hogan was going around with a company, including this Mullen, and registering illegally ?

A. I cannot say of my own knowledge, but I should say not. I would not expect to see him in such company.

7405. Q. Do you know Patrick Moore ?

A. I do.

7406. Q. And Alderman Moore ?

A. Yes.

7407. Q. Do you know whether they were engaged in illegal registering ?

A. I never heard it so stated.

7408. Q. State what you know in reference to this Mullen ?

A. I can only say that I know him as a professional thief for four or five years.

7409. Q. Are you acquainted with his general reputation ?

A. I should say that I am.

7410. Q. Do you know what his general reputation is for truth and veracity ?

A. It is bad.

7411. Q. From that general reputation would you believe him under oath ?

A. I would not.

By the CHAIRMAN :

7412. Q. Did you ever hear anybody speak of his reputation for truth ?

A. Yes, sir.

7413. Q. Who ?

A. Isaac Bell, junior.

7414. Q. What did he say ?

A. He said he was an infernal liar.

7415. Q. When was that ?

A. Sometime between two and three years ago.

7416. Q. Do you know the witness who has just left the room—James Collins?

A. I do.

7417. Q. How long have you known him?

A. About three years.

7418. Q. Where?

A. About the City Hall.

7319. Q. What is his reputation for truth?

A. I never heard it questioned.

7320. Q. What is his character?

A. I know nothing about it.

By Mr. Ross:

7321. Q. Was this man, Mullen, ever brought before you for any criminal offence?

A. My best recollection now is that he was brought before me four or five times for stealing, and for assaulting his wife at a house of prostitution; she being the complainant. He beat her there because she would not give him the money which she earned by prostituting her person. That was the charge.

The committee here adjourned its sittings at New York.

The following testimony was taken before a sub-committee consisting of Mr. Dickey:

PEEKSKILL, WESTCHESTER COUNTY,
January 12, 1869.

HUGH MCKEE sworn and examined.

By Mr. DICKEY:

I reside in Centre street, in Peekskill.

7322. Q. Please tell us what you know about naturalization at the last election?

A. All that I knew about it was that I got the papers from Timothy Dwyer; I went to his house for them.

7323. Q. Were you in any court to get them?

A. No, sir; I never left the work.

7324. Q. Have you got those papers with you?

A. No, sir; they are in New York; I was examined in New York; I was examined before the election before Marshal Murray.

7325. Q. Did you ever take any oath of allegiance?

A. No, sir; I never took an oath in my life, but this one and the one in New York.

7326. Q. How long have you been in the United States?

A. I guess I have been here now about 18 months.

7327. Q. You gave that paper he gave you to Marshal Murray?

A. Yes, sir.

7328. Q. Where does Dwyer live?

A. I cannot tell the name of the street; he lives in this town.

7329. Q. Did you register on that paper?

A. Yes, sir; I got registered; but I thought I was not entitled to vote and did not do it.

7330. Q. You registered under the advice of some of these people?

A. Yes, sir.

7331. Q. Under whose advice did you register?

A. I came along with Mr. Dwyer, who was entitled he told me to furnish papers; I did not know at the time but the papers were all right.

PEEKSKILL, *January 12, 1869.*

TIMOTHY DWYER sworn and examined.

By Mr. DICKEY :

7332. Question. Where do you live ?

Answer. I live in this village—Peekskill.

7333. Q. Did you deliver a naturalization paper, preceding the last election, to Hugh McKee ?

A. Yes, sir.

7334. Q. Where did you get it ?

A. I got it at the Peekskill democratic club-room.

7335. Q. Who gave it to you ?

A. Well, if I was on my oath at the present time I could not tell whether it was Elias Coffin or Mr. Laird ; it was one or the other.

7336. Q. Had you given them the name of McKee before ?

A. No, sir ; I never knew anything about his papers until there was such a crowd around the table, and somebody asked if anybody knew Hugh McKee ; I said I did, because I worked with him in the flour works.

7337. Q. Were there any other papers given out at that time ?

A. I expect there was ; I didn't see no more given out ; because him and me worked together and I took his papers down to the house with myself ; and I came to him to-morrow and told him I got the papers from the club-room.

7338. Q. You had your papers regularly ?

A. Yes, sir ; I got my first papers two years before that ; and I got my papers in the house this night—in the democratic club-room.

7339. Q. You got your first papers in court ?

A. Yes, sir ; I got my first papers in the city of Leavenworth, Kansas.

7340. Q. Did you go to a court to get your second papers ?

A. No, sir ; I didn't go to court at all ; they were handed to me in the club-room ; I had given my name about six months before.

7341. Q. Whom did you give your name to ?

A. I cannot say for certain which one took down my name.

7342. Q. You never took any oath with the last papers ?

A. No, sir ; I never did ; I never took any oath for them or went into the court for them.

7343. Q. What court were they from ?

A. The supreme court in the city of New York, in the State and county of New York.

7344. Q. You gave McKee his papers ?

A. Yes, sir ; it was after a day's work, after going home.

7345. Q. Do you know of any other cases of your own knowledge ?

A. No, sir.

PEEKSKILL, *January 12, 1869.*

WILLIAM COUL sworn and examined.

By Mr. DICKEY :

7346. Question. Where do you reside ?

Answer. In Peekskill.

7347. Q. What is your occupation ?

A. A tailor.

7348. Q. Please state what you know about naturalization papers being obtained and distributed here last fall.

A. I don't know but very little about where they came from ; Thomas

Harrington came to me and asked if I wanted my papers, and I told him yes; he gave them to me some days afterwards—ten days for aught I know; I didn't keep them—not ten hours; it was before the election; I am pretty sure it was in October; I did not register on them.

7349. Q. Whom did you return them to?

A. I burned them.

7350. Q. Where did they purport to be issued from?

A. The supreme court of New York.

7351. Q. Of the city and county of New York?

A. Yes, sir.

7352. Q. How long have you been in the country?

A. Eighteen years next June.

7353. Q. Did you ever file your first papers?

A. No, sir; I have a soldier's discharge.

7354. Q. You never made any application to any court for the papers?

A. No, sir.

7355. Q. You never took any oath in court to get the papers?

A. No, sir.

PEEKSKILL, WESTCHESTER COUNTY,
January 13, 1869.

MITCHELL LAIRD sworn and examined.

CALVIN FROST, attorney and counsellor-at-law, appeared before the committee, at the request of Mr. Ross, for the purpose of suggesting questions.

To Mr. DICKEY :

7356. I reside in Peekskill. I acted with the committee in this town. I took about 60 or 70 men to New York city to get their naturalization papers. I took them down in the steamboat in the morning, and took them to the City Hall. I had their papers properly made out. Another gentleman, whom I did not know, took charge of them. That gentleman told me it was unnecessary to bring the men down in the present state of things; that they could procure the papers without. On that a list of names was furnished, and I delivered them to a person whom I did not know. This gentleman, who spoke to me about it, told me to send the names; which I did of about—well, I think, somewhere near 150 names. Then as I was passing in the street one evening another person, different from the one I handed the names to, one I had never seen before, a stranger to me, came up to me and handed me a roll of papers done up in brown paper, addressed to me. I took it to my office and opened it, and it was these naturalization papers. On these men calling for them, I took them to the club-room, and there they were distributed by several parties. I might have handed out a few of them myself.

7357. Q. Did the first 60 or 70 whom you took down go into court to get their papers?

A. This party I gave in charge of this man. I don't know what he did with them. He took them and I handed them, these papers. He said he would attend to them, and I went off.

7358. Q. Was he connected with any naturalization committee in New York?

A. That I do not know. He was a stranger to me. I met him on the steps of the City Hall. He came up to me and spoke to me.

7359. Q. He knew you?

A. No; only he saw me come down with these men.

7360. Q. When these 150 additional names were sent down, were any witnesses sent down as vouchers, or only the names of the persons to be naturalized ?

A. Just the names of the persons and their residence.

7361. Q. Were they all got from Peekskill or its vicinity ?

A. I think from this vicinity. The names were furnished me by other people.

7362. Q. To you, as chairman of your naturalization committee here ?

A. Yes.

7363. Q. The democratic naturalization committee ?

A. Yes, sir.

7364. Q. Did you send down the 150 names to a committee or to an individual ?

A. It was in a list, and I handed that to an individual.

7365. Q. You went down again then ?

A. Yes, I don't know his name, and never saw him after that.

7366. Q. What court did these papers purport to be issued from ?

A. They purported to be issued with the seal of the supreme court.

7367. Q. Was it the same man that you first saw that got these parties through that you gave the names to the second time ?

A. The man I gave the papers to was the same, but the man who handed me the papers was a different man. They ascertained my name from the fact that I took down those names, in some way. I never knew either of the men.

7368. Q. These 150 papers were taken to the club-room and distributed to the parties there ?

A. Yes, sir.

7369. Q. I suppose a majority of those men registered but did not vote on these papers ?

A. I don't know any of them that voted. When I found out that these papers were illegal, I took a good deal of pains to go to a good many of these men, when I knew personally their names, and told them the papers were fraudulent, or I understood they were said to be so, and they had better not vote on them; and they did not. They had registered but did not vote.

7370. Q. There were arrests made about that time previous to the election ?

A. Yes; but I advised a good many of these men before any arrests were made. I advised, I think this man McKee, who told me he had not been in the country but four years.

7371. Q. He testified he had been here but 18 months ?

A. Then it was some other man, who had been here only four years. He asked me if he had a right to vote, and I told him I presumed not.

7372. Q. Were these names furnished to you personally or left at the club-room ?

A. Some of them were furnished by men who came to the club-room themselves and gave their names there; others by men sending them in.

7373. Q. Do you know anything of the number of similar papers procured for residents of this town ?

A. I have no personal knowledge; but on information and belief I should say there were about 100 more.

7374. Q. Furnished in the same way the same kind of papers ?

A. Yes.

7375. Q. They did not pass through your hands ?

A. Through the hands of other parties.

PEEKSKILL, *January 13, 1869.*

CHARLES SNYDER sworn and examined.

To Mr. DICKEY :

7376. I live at Verplank's Point; I work in the cove now, in the brick-yard.

7377. Q. Did you get a naturalization paper last fall ?

A. I had one, but I heard it was not good, and gave it to the children to play.

7378. Q. Who gave it to you ?

A. An old man at Verplank's Point; Barney is his first name; I don't know the second name.

7379. Q. Were you ever in court before a judge ?

A. No.

7380. Q. Did you ever take any oath ?

A. No, sir; I never was in court.

7381. Q. This paper was handed to you at Verplank's Point ?

A. Yes.

7382. Q. Did you vote ?

A. I heard right away it was not good, and I would not vote with it. I am long enough in this country.

7383. Q. Did you ever get your first paper ?

A. No; I never had my first paper, but the men told me I could go down and get the first and second together. I would not go; it would be lost time. Every working day is so much money, and the little money I needed; I had a big family.

7384. Q. How long have you been in this country ?

A. Nearly seventeen years.

PEEKSKILL, *January 13, 1869.*

ADAM HORSFELT sworn and examined.

By Mr. DICKEY :

7385. Q. Where do you live ?

A. At Verplanek's Point.

7386. Q. Did you get citizen papers last fall ?

A. Yes, sir.

7387. Q. Who gave them to you ?

A. They were given to me on the Point, in Barney Skelly's.

7388. Q. Was it Barney Skelly that gave them to you ?

A. No; I know the man, but I don't know his name.

7389. Q. Was it in Barney Skelly's place ?

A. Yes.

7390. Q. Were you ever in court before a judge, to be sworn ?

A. No.

7391. Q. How long have you been in the country ?

A. I am something over five years in the country.

7392. Q. Did you ever file your first papers ?

A. No; none.

7393. Q. What did you do with the citizen paper ?

A. I guess I have it at home yet.

7394. Q. What court does it come from ?

A. I don't know; I can't read it. I can't read any English.

7395. Q. Did you vote ?

A. No.

7396. Q. Did you register it ?

A. No; we went up here to Peekskill to register, and they said the

papers were of no use because we didn't get the papers ourselves, and so we went home again. We couldn't swear that we had got the papers ourselves, and so we went home.

7397. Q. Verplanck's Point is in the same town ?

A. Yes.

PEEKSKILL, *January 13, 1869.*

BERNARD SKELLY sworn and examined.

By Mr. DICKEY :

7398. Question. Where do you reside ?

Answer. At Verplanck's Point, in Westchester county.

7399. Q. Please to state all that you know about any naturalization papers being brought to your neighborhood without the parties going to New York for them ; and how many you know of ?

A. I could not exactly state how many I know of ; I know there were papers sent to my house, but to say whether they went for them or didn't, I could not say.

7400. Q. About how many papers were sent to your house, to the best of your judgment.

A. I suppose there was between 50 and 100.

7401. Q. Where were they sent from to your house ?

A. I cannot tell, sir.

7402. Q. Who brought them there ?

A. I don't know ; but they were sent directly to my care.

7403. Were they sent by mail ?

A. No, sir ; they were not sent in my mail ; they were sent in a package to me with my name outside on it, and then there was a bit of a note left to deliver those papers to the owners.

Q. You gave them to such persons as had their names upon them ?

A. No, sir ; I gave them to no one person. I only opened the package and seen such and such names on them, and the men that I knew I told them their papers were there at my house, and to go for them.

7404. Q. They went there for them ?

A. I don't know ; I suppose they did.

7405. Q. Are there any there yet ?

A. No, sir ; they must be taken away.

7406. Q. Did you hear any one state at Verplanck's Point that if these men would give their names to send them to New York they might get their papers ?

A. No, sir ; a gentleman came there and we held a meeting one night there, and we called a meeting for any man that was entitled to papers to go to New York and get them, and every man put down his name ; and these gentlemen called on every man that came and was entitled to his paper, according as some said they were in the army and had got a lawful discharge, and wanted to know whether they could vote on that discharge, and he said no ; he said the law would not remedy that, but he was entitled to his papers, and to put down his name ; and a man 10 or 15 years in the country was entitled to his papers ; I seen some coming up that had been here 20 years ; and I seen some that was not five years in the country ; and I seen that man object to that and said they could not vote and could not get their papers ; and that is all I have any knowledge of in the world.

7407. Q. Did the same men who gave their names at the time that Coffin addressed the meeting, come to your house for papers ?

A. Some of them was, I think ; and some of them was not.

7443. Q. Will you please to describe, as near as you can recollect, the method by which parties were naturalized in this county preceding the last presidential election, and the number of naturalizations?

A. I presume there were somewhere about six hundred, perhaps over and perhaps less. They were brought to the office, the most part of them. Some were taken to the court-house; when the court was in session they were taken to the court-house; when it was not, the judge, as a general thing, came round mornings to the office, and they were naturalized there.

7444. Q. Were they examined by the judge, or by you?

A. When the judge was present he examined them; when he was not, they were either examined by me or by the clerk.

7445. Q. What proportion of them were examined by you and the clerk, and what proportion by the judge?

A. That would be rather difficult for me to state.

7446. Q. Which did the most of it?

A. The clerk did the most of it.

7447. Q. Did the court sit any particular hours for this purpose, or did you do it as part of the current business of the office?

A. There was no particular hour set for it.

7448. Q. It was done whenever parties applied at the clerk's office, the same as you would any other current business?

A. Yes, sir.

7449. Q. What proportion of these cases did a man by the name of Haggerty act as a witness upon?

A. A considerable amount of them.

7450. Q. About how many, by hundreds?

A. I should think between one and two hundred. I should judge so.

7451. Q. Did these parties that came forward pay for their own papers, or were they paid for by the political parties?

A. A portion of them paid for them themselves, and a portion were paid for by the political parties.

7452. Q. Both parties?

A. A political party, I should have said.

7453. Q. What political party?

A. The democratic party.

7454. Q. Was the judge at the clerk's office every day on which they were naturalized?

A. I do not think he was.

7455. Q. Some days he was not there at all?

A. No, sir.

7456. Q. When he did come round, how long would he remain?

A. Sometimes he would stay an hour, and sometimes longer.

7457. Q. In making out these naturalizations, did you examine the party and the witnesses, or did they simply subscribe the printed affidavits according to the printed form?

A. I usually examined them. I asked the regular questions.

7458. Q. What questions did you ask?

A. They were asked how long they had been in the country, and when they had procured their former papers—that is, if they had not their papers, and made their affidavit they had not the papers. They were asked how long they had the first papers, and different questions that would arise; I cannot state the questions exactly now.

7459. Q. When a party appeared without his first papers what did you require?

A. We required the affidavit of him, and a witness that he had had his papers.

7460. Q. Then you granted naturalizations upon the affidavit of the party, and a witness that he had had previous papers ?

A. Yes, sir.

7461. Q. You did not require any certified copy of the former paper ?

A. No, sir.

7462. Q. What proportion of these papers were issued or lost, or alleged lost, papers ?

A. I should presume probably a hundred of them that were granted, and probably more, on papers stated to be lost.

7463. Q. Without the production of any record, or any duplicate of such certificate ?

A. Yes, sir.

7464. Q. To what political party does this man Haggerty belong ?

A. That would be a hard matter to state. I think it very likely any party could get him that would pay for it. I have been told so. I do not know it of my own knowledge.

7465. Q. To what political party do you belong ?

A. I have always belonged to the democratic party.

7466. Q. When you granted a certificate of naturalization, by whom was the paper signed ?

A. All that I signed, I signed my own name to.

7467. Q. As deputy clerk ?

A. Yes, sir.

7468. Q. You granted naturalizations yourself when the clerk was absent ?

A. Yes, sir.

7469. Q. What proportion were granted by you, in the absence of the clerk ?

A. As nearly as I could judge I should think one-third of them ; probably not so many ; maybe more.

7470. Q. What proportion of them were taken into court ?

A. There were considerable many papers taken into court. I could not tell you what proportion. Every court that sat last season there were more or less papers taken into court. Probably one-third of them were granted at the court, and two-thirds out of court. That is a mere matter of judgment, I mean.

RONDOUT, ULSTER COUNTY, *January 14, 1869.*

PATRICK M. HAGGERTY sworn and examined.

To Mr. DICKEY :

7471. I reside in Rondout. I am an officer—a constable.

7472. Q. State whether you were present at any naturalizations at Kingston last fall.

A. I was.

7473. Q. Who did the business of naturalizing ?

A. The clerk and deputy clerk.

7474. Q. State in how many cases you were present, as near as you can.

A. Well, it was over a hundred ; I could not be positive now without counting. I was there several days, occasionally once a day, sometimes twice a day, and sometimes there would be probably from ten to fifteen, twenty, twenty-five ; I do not think there were any more naturalized at one time in my presence.

7475. Q. For how many parties were you witness ?

A. I would not be positive, but quite a number ; I would not like to say without looking over the clerk's records.

7476. Q. We will take the best of your judgment.

A. In the neighborhood of a hundred, more or less, probably; I would not be right positive whether more or less.

7477. Q. What proportion of those that you know of being naturalized on lost papers?

A. The principal part of them were naturalized on the affidavit of losing their first papers?

7478. Q. With what party were you associated or connected, politically?

A. I always sided with the democratic party, except on two occasions. I believe the only two occasions that I ever voted for republicans was for one supervisor last spring, and for Thomas Cornell last fall.

7479. Q. You voted the democratic State and national tickets?

A. I did, sir. I always have identified myself with the democratic party.

7480. Q. In what month were the naturalizations that you spoke of made?

A. The principal part of them were in October. Some in November; September and October.

7481. Q. In these cases, when they were naturalized by the clerk and deputy clerk, was there any court—any judge present?

A. I saw a judge there on some occasions. He might have been there every day for aught I know. I saw him there once when the naturalization was going on; I saw him there one morning.

TROY, NEW YORK, *January 14, 1869.*

GEORGE R. OLNEY sworn and examined.

To Mr. DICKEY:

7482. I am studying law at Catskill, Green county.

7483. Q. Were you one of the clerks or deputy clerks of that county during any portion of the past year?

A. Yes, sir; from the 1st of January until about the middle of November.

7484. Q. Are you familiar with the mode in which naturalization was conducted in that county?

A. Yes, sir; I had a little experience. The parties to be naturalized appeared before the clerk at the court-house—at his office in the court-house—and the clerk would inquire if he had any witnesses with him; whether he was a discharged soldier, and if so he would show his discharge paper, and on that he would be granted his papers, having been over one year in the State.

7485. Q. Without a witness?

A. I would not say as to that, because there were only two or three cases where they were naturalized on these papers; but in other cases he would appear with two witnesses; he would swear that he had been in the country so long, if he did not show his first papers, and that he was over the age of 21 years.

7486. Q. In case he did not show his first papers, they took affidavits to supply them?

A. Yes, sir; they took affidavits of these men, the witnesses.

7487. Q. Was there any judge present in these naturalizations?

A. Not that I remember.

7488. Q. It was not done in open court then?

A. No, sir; it was in the clerk's office.

7489. Q. Did the clerk attest the papers?

A. I don't know that I ever read over these blanks; he had blank forms, and he would fill them up.

7490. Q. What are your politics?

A. I have always professed to be a democrat; it would have been impossible, I presume, to get the position of deputy clerk if I were not.

7491. Q. The fact is that you are a democrat?

A. Yes, sir.

7492. Q. Was any oath administered to the applicants except the oath of allegiance?

A. I think they had to take an oath that they had been in the country so long.

7493. Q. There was no other examination except what was contained in the printed affidavit?

A. No, sir; the form of the oath was taken from Hull's Treatise; the form is laid down there, and the oath put to the witnesses was taken from the same.

7494. Q. Have you ever naturalized any yourself as deputy clerk?

A. Yes, sir.

7495. Q. In the absence of the clerk?

A. Yes, sir.

TROY, NEW YORK, *January 14, 1869.*

OLIVER BURKE sworn and examined.

To Mr. DICKEY:

7496. I reside at Catskill, Green county; by occupation I am a post-master at present; I was present there acting as witness for some few that were naturalized; it was done in the manner which my friend, Mr. Olney, states; there was no judge present; it was done in the clerk's office by the clerk; nobody present, I think, but the clerk at the time.

TROY, NEW YORK, *January 14, 1869.*

IRVING HAYNER sworn and examined.

To Mr. DICKEY:

7497. I am a lawyer; my residence is in this city—Troy, New York; I was present at two or three different times at the justice's court, in the city of Troy, prior to the last election; I saw applicants for naturalization brought in there in squads or schools of 10, 15, and 20 at a time; the clerk of the court was usually present with the book of oaths, as it is called; the book of preliminary declarations, signed by those who testified that they came to this country under 18 years of age; they would start a file along, each party would sign his name or make his mark in the book of preliminary oaths, and pass along in that way until the whole squad had signed their names; the clerk would then tell them to hold up their right hands, and mumble over some kind of oath; some of the men, most of them, perhaps, would hold up their hands; some would not; just as it happened; the clerk would pay no attention whether they observed the formula or not; he would then make out a list of names from the book and hand it to some democrat in attendance there who seemed to be overseer of the naturalizations; he would bring the squads there, coming from different portions of the country or adjoining counties, make out a list of names, and the leader would take it to the justice of the court; the justice would sometimes be in his office, south of the court-house, in a separate building from the court-room, and sometimes in some of the saloons adjoining the court-house—in there.

with his friends drinking; the party would take the list of the names and march the candidates out; the justice would tell them to hold up their right hands, and administer the oath without examining the parties, or questioning them in his office or in the saloon, as the case might be; I have no doubt that one-half or two-thirds of all the naturalizations were done in that way—that is, in the manner of swearing by the justice; the justice's court-room is in the basement of the court-house.

7498. Q. After administering the oath, what became of these parties and the list?

A. They would go out to the street, on the right hand of the court-house, and the clerk, as soon as he had time, would take the list from the leader who marched them over, and the clerk would take the names and make out the certificates, and the leader of the squad would take the certificates and distribute them among the men.

7499. Q. Were the applications bound in a book?

A. Yes, sir; they are the records of the court; the clerk would not fill up the blanks at the time, or before the oath was administered; all the writing in the blanks would be the name of the alien, and sometimes the country from which they came, Canada or Ireland, as the case might be.

7500. Q. The oath, attestation, &c., was filled up afterwards?

A. Yes, sir; all that was left blank at the time, and probably a couple of hundred pages of that book were not filled up until a week or two after election day; I was present in court from day to day, and saw the clerk filling up these blanks for a couple of weeks after the election.

7501. Q. Then the dates could only be ascertained from memory?

A. From memory or memoranda made in the naturalization book, where they entered the dates of naturalization certificates, &c.

7502. Q. Did the judge, when he handed back these lists of names sent to him by the clerk, make any endorsement upon it to show that he had administered the oath?

A. He would usually put the initials of his name on.

7503. Q. On the whole paper, or on each name?

A. On the whole paper. Several of these papers were brought in and thrown upon the floor of the court-room. I have looked at them, but did not preserve any of them.

7504. Q. How many were naturalized in this court, and in what time?

A. The whole number naturalized by the Troy justices' court during the year 1868 was 2,358. I should think during the months of September and October two-thirds of them—three-fourths probably—and, perhaps, a larger proportion. Out of this number, the number naturalized who swore that they came to this country under the age of 18 years was 2,002. The number who made previous declaration—two years previous—and those who were soldiers of the United States army and were honorably discharged after one year's service, was 356; of that number perhaps one-third were soldiers. I saw men who had the appearance of being 50 or 60 years old swear that they came here as minors. Perhaps along about the 20th or 23d of October they would come from Washington county and Columbia county, in squads of 30 or 40, and perhaps more, whose names would appear on the naturalization book, one following the other, for pages, all swearing, without exception, that they came here under the age of 18 years. As a rule, all these squads that came on such days swore, without exception, that they came under the age of 18 years.

7505. Q. How many were naturalized from adjoining counties?

A. The number from Washington county naturalized under 18 was 257; over 18, 10, who were soldiers. From Columbia county, under 18,

108; over 18, 3, and I think one of them was a soldier. From Cohoes, under 18, 160; over 18, 21. I examined the records to find how many of the aliens who were naturalized were witnesses for each other. I find there were 595 and upwards; for some cases, of course, I missed in the examination, for it is pretty difficult to examine such a long list to see who are witnesses for each other and aliens. There are a few cases where one of the judges was a witness, and some cases where the clerk was a witness in a case where he issued the paper himself. The names of those who were witnesses for each other appear on the naturalization book, following one right after the other in succession, showing that it was all done at the same time. All the party would sign the book of preliminary oaths, and the clerk would enter in the naturalization book the name of a principal and ask him, "who is your witness," and he would mention some party right at hand under the heading of witnesses. He then asked the next party "who is your witness," and he would give him the name of one of the same party to be naturalized; and thus the names would be mentioned right along, one being witness for another, and then the whole batch would be sent to the judges and all swear together.

7506. Q. What portion of the time, while you were present, was the judge in the clerk's office when the naturalizations were going on?

A. I never saw the judge there more than two or three times while I was in the court from time to time. It was seldom that he remained there while the naturalizations were going on. I kept no memorandum of the names; but I saw the clerk engaged in having aliens sign the books, administering oaths, and making out the papers, and that was done frequently when there was no justice present in the court. I have seen the memorandums of names by the clerk handed to Darius Allen, chairman of the naturalization committee here, perhaps oftener than to anybody else. He was the main man apparently that conducted the naturalization process. He would take the parties, march them out from the court-room, up to the office where the justice was, and there the oath was administered and the initials of the judge marked on the slips. Sometimes those slips would be brought back and thrown on the floor, and I have looked at some of them. The clerk would usually write the name of the alien, and write "app.," meaning applicant, I suppose, and they would have upon them the initials "W. D." or "T. N.," signifying to the clerk, I suppose, that they had been sworn.

7507. Q. In what room was the clerk when these naturalizations were going on?

A. I have seen him in both rooms. The justice's court is in the basement of the court-house. There are two rooms, one adjoining the other. One is occupied as a court-room, and the other is a record room and clerk's room. The rooms communicate with each other by two doors on opposite sides. I have seen the clerk making out naturalization papers in the court-room proper and in the clerk's room, both in the absence of any justice.

7508. Q. Is the justice's room in the same building that they took them to to be sworn?

A. No, sir; that is a separate building. There is a vacant lot between; it is his private office. I have seen these parties sworn in the justice's room by the justice when he happened not to be in the court-room. I have seen them in one or two instances, perhaps more, sworn in Neary's private office, across the way.

7509. Q. Did the parties thus sworn by the justice receive naturalization papers?

A. From my personal knowledge I cannot say, but I saw the same parties come back afterwards and saw the chairman of the committee give back the paper containing the list of names and go back into the court-room.

7510. Q. Were those parties you saw go with Allen with the list of names the same parties who were afterwards sworn in your presence and signed their names in the book?

A. Yes, sir; some of them were. Some of them would remain outside and others would go into the court-room and sit down and wait there, or stay around in the clerk's room until the papers were ready.

7511. Q. Do you know whether these parties had been previously sworn in the justice's court-room by the justice himself?

A. There were parties who would swear that were not sworn in the justice's court-room previously; men whom I saw sign their names to the books and go out with Allen, or other party under whose leadership they were, and would shortly afterwards come back; sometimes the whole batch of papers would be given to Allen; in some cases to the applicants themselves. They were men I noticed particularly; I could not mention their names, but from curiosity I kept track of some of them; I should judge there were between one and two hundred pages of the book of oaths at the time I examined it, page after page, where all the writing in these blanks was the name of the applicant—either his name or a cross—and the name of the country of his nationality, either from Canada or Ireland. [Witness produced a slip of paper containing names of applicants, handed him by J. and B. Smith, and referred to by him in his testimony subsequently.]

7512. Q. (Suggested by Mr. Smith.) Is it not the practice when persons are naturalized for the party to stand up, and the witnesses to stand up opposite, and for the clerk to write down the name of the party and the names of the witnesses, ranging them in order round where the clerk sat, and then to swear each one in the order in which they came, the witnesses and the parties? And did they not make such slips of paper for the purpose of arranging them so that they could go through the ceremony with accuracy and despatch?

A. If that has been the custom my observation has never convinced me of it.

7513. Q. Do you know whether it was the habit to range the parties in line, each applicant and the witnesses, and furnish him with a ticket, so that the names would be properly called?

A. I should think not.

7514. Q. Do you know of anything of that kind?

A. In some cases I know it was not.

7515. Q. In any case did you know it to be done in that way?

A. Yes; in individual cases. They were furnished with a ticket, but it was the custom when a squad was marched in for the leader of it to take the list of names on one paper and march them out. By individual cases I mean when there was but one and his witnesses appeared; I would not swear that a list was taken in all cases.

7516. Q. You have stated that you find from the books that upon the same day when many persons were naturalized they were witnesses for others to be naturalized?

A. Yes, sir; I have the names here of 595 parties who were witnesses for each other and aliens; that is, for about two months, from August 15th to October 24th. There was a case that came under my observation showing the laxity of doing business; I find that on October 23d a squad came up purporting to be from Columbia county; I stood by the

desk and saw the apparent leader of that squad sign his name to the book of preliminary oaths; it was John M. O'Shaughnessy, I think. He then went back and sat down in the court-room, and staid there a little while, and when there were two or three around the desk, he came round to the front of the desk and asked the clerk for his naturalization papers. The clerk looked at him and asked him if he had been in this country five years, and he said no; whether he came here under the age of 21 years, and he said no. The clerk told him that he was not entitled to his papers. He stood round a few moments and then went out of the court-house. I found on inspection of the records that papers were issued to him that same day. Mr. O'Shaughnessy was not sworn by the clerk while I was in the court-room, that I saw. He signed his name and skulked off back in the court-room and sat there.

7517. Q. Was there more than one clerk to this court?

A. No, sir; no deputy.

7518. Q. Are you sure that the O'Shaughnessy who received the papers was the same man?

A. I did not see the papers granted; I only knew it was the same name and on the same day. If I remember right, on the book of oaths it is filled up that he came to this country a minor under the age of 18 years.

7519. Q. Were there a large number of persons naturalized on that day?

A. Yes; there was a large squad that came up from Columbia county, and he appeared to be the leader; I could not swear as to the number of the squad, but probably there were 15 or 20, and perhaps more.

7520. Q. How many in all were naturalized on that day, as near as you can recollect?

A. I did not count the number on any particular day, but probably there were as many or more on the 23d and 24th of October than on previous days.

TROY, NEW YORK, *January 14, 1869.*

JAMES P. BUTLER sworn and examined.

To Mr. DICKEY:

7521. I reside at Saratoga Springs. I am attorney-at-law. On the 23d of October, prior to the election, Pat Brannegan was arrested for obtaining fraudulent naturalization papers at Troy. A list appeared of about 25 who had put in their first declaration at Ballstown, at the county court of Saratoga county, and then within two years had come down here, the large body of them, and had all been naturalized here. This Pat Brannegan was among those; and he, among others, was arrested. He had his name registered, and voted, and swore in his vote. I was not present at the time he swore in his vote, but I was counsel at the time of the trial, and the records of the justices' court here were produced by James J. Jennings, the clerk. On inspecting those records I found from page 1 to page 338 of the book of aliens' declarations, No. 10, with three declarations on a page, were then filled up. The blanks were all filled up complete. It extends from the 7th of October to the 17th of October, 1868. From page 339 to page 486, all the declarations, at the time of the trial, were left blank, except Pat Brannegan's and one or two others. He was naturalized, according to the record, on the 23d of October, 1868, and the blank had written in these words: "that I landed in the United States a minor under the age of 18 years."

7522. Q. Did it appear, from the other blanks, whether the applicants were minors or not?

A. I could not observe anything to intimate what their condition was, whether minors, soldiers, or otherwise. On the other book, the book of naturalization, I think there were about 1,682 names.

7523. Q. Did those names correspond with the blank applications?

A. As I estimated them there were 134 more naturalized than there were oaths or declarations on that book; but I suppose it was accounted for by those that had put in declarations at other places. Most of them that I saw, however, were filled up that they had arrived here before they were 18 years of age.

TROY, NEW YORK, *January 14, 1869.*

JOHN D. B. SMITH sworn and examined.

To Mr. DICKEY:

7524. I reside in Troy. I have been a member of the capitol police force, and lately have been employed as detective by the republican central committee.

7525. Q. Go on and state, without being specially interrogated thereto, any knowledge you have of any frauds or irregularities in reference to naturalization in this county, preceding the last presidential election.

A. The information that I have is information from those that have been arrested. I was looking for the paper, [produced by Mr. Hayner, a previous witness;] it was a man that was naturalized in the Troy justices' court. The clerk gave the man this small piece of paper with the name of the applicant—O'Brien, I think his name was—which was marked soldier, and the name of the witness, and he went out. There was no justice in the court at the time. He came back and handed it to the clerk, and the clerk gave him the naturalization papers on that. There was no application oath in the court, except by the clerk.

7526. Q. The clerk administered the oath on his application, and gave him the paper with the names of himself and the witnesses upon it, and he took that away, and brought it back, and the clerk gave him his naturalization papers?

A. Yes, sir; I was present, and was there for the purpose of noticing. I picked up this paper and gave it to Mr. Hayner.

7527. Q. Were you dismissed from the police force?

A. I was not. I offered my resignation, and it was accepted; at my own suggestion.

TROY, NEW YORK, *January 14, 1869.*

THOMAS NEANY sworn and examined, (called at the instance of Mr. Smith, who was present at the request of Mr. Ross.)

To Mr. DICKEY:

7528. I reside in Troy. I was born here. I am police justice and one of the justices of the justices' court of the city of Troy. I have held that position for the last four years. I had previously been clerk of the justices' court for six years.

7529. Q. State the practice in granting naturalizations preceding the last presidential election, and make any explanation that you desire with regard to previous years.

A. The practice has been in said court for the applicant to sign the book of declarations, and make his declaration by oath either before the justice, if the clerk was not present, or the clerk if present. Then his name, with the witnesses, were inserted on the book of naturalization records, and the witnesses were sworn by the justice together with the final oath being administered by the justice to the applicant. This has

been done sometimes in the justices' court-room, the room adjoining, the police court-room up stairs in the court-house, and in the office of the justice adjoining the court-house. If the justice was not present in the court-room, the clerk would send the name of the applicant, together with the names of the witnesses, to the office of the justice adjoining the court-house, with the request that the said justice administer the oath to the parties. That is the proper oath for naturalization. The justice after administering the oath would mark the word "sworn," with his initials, on the slip of paper—it made no difference which side—and returned it by the messenger to the clerk, who would proceed to enter the names in the naturalization book, and deliver to the applicant his final papers of naturalization. The form of the oath to the witnesses is as follows:

You do swear that you have known John Doe (or whatever the name may be) to reside within the limits and under the jurisdiction of the United States for the five years last past, the last year within the State of New York, and during all that time he has behaved as a man of good moral character, attached to the principles of the Constitution of the United States, and well disposed to the good order and happiness of the same.

7530. Q. Did you repeat the oath to the parties, or did they merely sign it?

A. I repeated the oath in all cases. I required the parties to hold up their right hands, and I repeated the oath in these words. I then administered to the applicant himself the oath prescribed by the act of Congress. I wish to say that this has been the practice for years in our court, and also in the county court of this county.

7531. Q. It has been stated here in evidence that the clerk did not fill up the character of the applicant, the date of the application, and the jurat, in the application book at the time of the application, but did so afterwards at his leisure?

A. Yes; I know that to be a fact. He administered the oath, though, and for the minors he made a memorandum upon the book. He inserted the word "minor" in the blank at the time, so that he would know which were minors. That was the rule always. [Corrected subsequently.] There got to be such a crowd that it took a week or two afterwards to fill up all the blanks.

7532. Q. What was the proportion of naturalizations this year compared with previous years?

A. I do not think the increase is 200, compared with the presidential elections of previous years. We do not commence the naturalization business until about the first of October. We have naturalized 1,200 or 1,300 frequently heretofore during campaigns—every presidential term. The greatest number is always naturalized at that time.

7533. Q. You think the increased number of citizens naturalized, and of minors naturalized, was owing to the reluctance to being naturalized from the liability to the draft?

A. Yes, sir; I know of my own knowledge that large numbers of minors and others refused to be naturalized on that account during the war.

7534. Q. Can you give me any reason why large numbers should come here from Washington, and Columbia, and Saratoga counties, to be naturalized, their courts being in session at the same time?

A. As I understand it, the reason they came here was that they could get naturalized more readily, and it was more convenient for them to come. It has been our practice for ten years to naturalize large numbers from those counties at every fall election.

7535. Q. How long did it take the clerk to fill up these blanks, and why did it take him so long?

A. It took him several weeks to write up these declaration blanks; and this was for the reason that his time in a great measure is occupied in court with other business, and he had been subpoenaed in numerous cases throughout Washington county and Saratoga county, with his records, and was not allowed time to write them out. He could have written them up in less than a week; yes, he could have written them up in three days if he had occupied the whole time. He is a very fast writer; the fastest in the country.

7536. Q. How long was it after the election that he commenced to write them up?

A. Right away. He commenced the next morning, some, but had to do it off hours. It would not do for any other person to fill the records up.

7537. Q. Will you state the practice of the county court during the vacations?

A. It is the practice of the county court to naturalize at all times, whether the court is in session or not. It is done by the clerk administering the preliminary oath, and writing the name of the applicant and the witnesses on a slip of paper, and sending the applicant to the judge to be sworn, and he returns the paper to the clerk with his initials, the same as we do in our court. The county judge for the last 12 years has been in the habit of practicing in the same manner. Judge Robertson has held the office for the last 12 years, and he has been a leading republican in this county and chairman of the republican central committee. He was formerly one of the justices of the Troy justices' court, and held the position of police justice which I now occupy.

7538. Q. When did you see this book of oaths, in which the word "minor" was written in?

A. I saw it every day.

7539. Q. Was it the uniform practice to write in the word "minor"?

A. Not uniform. It was indicated either by that or by some remark written in, some little check-mark, or simply a tick, I think, the clerk had, or some scratch of the pen.

7540. Q. Was there anything to indicate the date of the naturalization?

A. Yes, sir; he would start for the day with dating the first declaration, and he would date no others until the next day.

7541. Q. The several justices of this court were each by the law competent to hold a separate court?

A. A separate court.

7542. Q. Could they run three courts at one time?

A. No, sir.

7543. Q. But one of them could hold a court at the same time?

A. Yes, sir. We took turns by a private understanding. One would stay until he got tired and call somebody else in.

7544. [Book No. 10, containing the naturalizations last fall, produced by witness, and after examining the book and consulting with the clerk, the witness stated that he did not know how the minors were designated by the clerk.

The explanation of the clerk is that in filling the blanks wherever the name of the country of the applicant appeared in the concluding part of his application, he was not a minor. In all other cases he filled them up as minors.]

7545. The blank form is as follows:

STATE OF NEW YORK, RENNELAER COUNTY, } Alien's declaration.
Justices' court of the city of Troy, ss :

Be it remembered, That on the — day of —, in the year of our Lord 186—, I, —, a native of —, appeared in the justices' court of the city of Troy, the said court

being a court of record having common law jurisdiction and a clerk and seal, and made oath in open court that it was *bona fide* my intention to become a citizen of the United States, and to renounce forever all allegiance and fidelity to every foreign prince, potentate, state or sovereignty whatsoever, and more particularly to the _____ of _____.

Sworn to before me this — day of —, 186—.

ROCHESTER, NEW YORK, *January 15, 1869.*

JOSEPH L. LUCKEY sworn and examined.

To Mr. DICKEY:

7546. A. I am attorney and counsellor, and reside in Rochester. I made a count yesterday of the number actually recorded as naturalized from January 1, 1868, to January 1, 1869. This count was made from the book kept in the clerk's office, in which the names were recorded as they were naturalized or supposed to be. The whole number is 1,256. I did not make an actual count, but probably 1,200 of these were naturalized during the campaign, after about the 20th of September; I think there were none after the 3d of November. I was only present in the court on two occasions when they were naturalizing in open court. At that time they were holding the court in what is called the judge's chambers, across the hall here, (in the court-house,) and the court was conducted by the county judge, Judge Fuller, and one of the session justices. On one of these occasions the county judge asked two or three questions, and the sessions justice asked two or three, I think. On the other occasion I think there were no questions asked at all.

7547. Q. Was the party sworn to the preliminary affidavits?

A. They were sworn by Mr. Foster, I believe. He is a deputy county clerk.

7548. Q. By whom was the final oath of allegiance administered?

A. My impression now is that it was by Judge Fuller, but I could not say positively as to that. I have seen them naturalizing in the county clerk's office several times during the campaign; the exact times are not in my memory. I have seen men come in there and swear before Mr. Bardoe or Mr. Foster, the deputy clerks; no judge there and no court; simply in the clerk's office. They have been in the habit of doing it. That has been the habit, I think, for several years.

7549. Q. Is it the practice in your State to do judicial acts without a judge?

A. Those judicial acts, in this county. It has been the practice, I believe, for three or four years, to some extent. I had occasion, as clerk of the county central committee, to examine the naturalization papers after they were filed, in making out a list of naturalizations, which was published in the papers.

7550. Q. What proportion of these naturalizations were minors, what proportion were soldiers, and what proportion had declared their intentions?

A. My examinations in that respect were confined almost entirely to those who had been naturalized under democratic auspices. The papers on the other side I did not examine. My impression is that considerably more than half were upon papers declaring that they arrived in this country under 18; and I should think perhaps an eighth or a tenth were discharged soldiers.

7551. Q. Was the record of these naturalizations, whether done in the clerk's office or the court, completed at the time the party received his certificate?

A. Of those papers that I examined I do not think one-fifth were completed—in fact I doubt very much whether a tenth of them were; that is, completed as far as the jurat and signatures of the clerk to the order

were concerned. For some three weeks, while these examinations were going on, it was impossible for the clerk to sign them, because he was sick. Some of them, however, were signed by the deputy clerk. They were signed by Mr. Bardoe, who is an assistant deputy clerk. Neither of these men are what they call clerks to the court. The clerk appoints what he calls special assistant deputy clerks for the courts, of which Mr. Benjamin is one and Mr. Knabit is one. Messrs. Bardoe, Cutler, and Foster are assistant deputy clerks in the office.

7552. Q. At the time these assistant deputies transacted the business was the clerk or his deputy in the office?

A. The clerk was not, but I suppose the deputy was. From Palmyra, in Wayne county, we found two papers issued to Timothy Cosgrove on the same day. One of them we found was issued on a declaration that he came to this country under the age of 18 years, and the other on the first paper of a man by the name of Ryan, I think. So Mr. Cosgrove had two papers.

7553. Q. Were these aliens witnesses for each other?

A. Yes. There are numerous instances of that kind. I am copying a paper now, of names from Avon, in which there are numerous instances of that character; and I will produce it.

ROCHESTER, N. Y., *January 15, 1869.*

JEROME FULLER sworn and examined.

To Mr. DICKEY :

7554. Q. I reside at Rockport, in this county. I have been acting as county judge since the 1st day of January a year ago.

7555. Q. Please to state the mode in which naturalizations have been granted in your court during the past year.

A. I think I naturalized one or two men last spring, (I do not recollect the time,) in my chambers. By the statute of this State, the county court is always open, except for business where notice is required. I did nothing in relation to the naturalization of any person after that until the 8th day of October last. I had a consultation with some one of my associates on the criminal side of the county court, who is also a member of the court above; and he told me they were naturalizing in the clerk's office below. I had heard rumors of that kind before; and Judge Smith had had his attention called to it. I advised him to go down and tell them it was all wrong, and should be stopped, and was afterwards informed by him that he did so. Then to relieve the pressure on the circuit court above I opened my court on the following day, which was the 8th, for the purpose of naturalization. I kept it open for that purpose most of the time (I missed one or two days) until and including the 24th of October, which was the last day on which they could be naturalized and vote at the coming election. When I commenced I was wholly unacquainted with the business of naturalization, and never had read the statutes on that subject; and I had to spend a considerable part of the time, for the first day or two, in looking up the law and becoming familiar with that. During that time a considerable number of persons were naturalized; and it was done, I presume, rather loosely. I am informed that in one or two cases papers got by without sufficient scrutiny; and we passed, without discovering it, one or two when the declarations of intention had been made less than two years, having a few days yet to run. There was considerable pressure on the court. They came in in schools, and the room was frequently crowded. Most of the naturalizations took place the first hour in the morning after the court was opened, at 11 o'clock. Sometimes there would be 15 or 20

waiting for their turns, with all their witnesses, which filled the room up. It was difficult, therefore, to give the papers that scrutiny which was required, in every case; but we aimed to scrutinize them. I called to my assistance the associate justices in the court of sessions. I had other judicial duties pressing upon me to be performed at the same time; and when there was considerable pressure on the court one of these would, ordinarily, look over the papers and hand them to me and say whether they were right or not; and the clerk would swear the witnesses, and I would examine them while they were looking over the papers. We facilitated the business in that way; and when I was engaged in other business my associates examined the papers and questioned the witnesses also.

7556. Q. Are they associates of this court for naturalization purposes?

A. No, sir; they are not on the civil side of the court; they are justices of the sessions on the criminal side of the court. When naturalizations took place, I opened my court at 11 o'clock in the morning. A good deal of naturalization was done before my court was open in the morning; there the same course was pursued. Judge Smith would not stop his business to attend to it; and the justices of the sessions attended to it there. The court of sessions had been adjourned, not from one day to the next, but a day or two later; and when the day of adjournment came round I kept it open. My opinion is, as a judge and a lawyer, that the court of sessions has as much power to naturalize as the county court. The county court has no original common-law jurisdiction whatever; none but appellate. The court of sessions has original common-law jurisdiction over all crimes where the punishment is less than death or imprisonment for life; and the court of sessions has civil jurisdiction in some cases. There is a class of *quasi* criminal cases, which are really civil cases, as in the case of bastardy, in which it has jurisdiction. Had I not been aided by my associates I should either have had to neglect the naturalization business or my other judicial duties.

7557. Q. In your court were the parties and witnesses subjected to a preliminary examination? If so, what was the character of that examination?

A. There were three classes of persons offering themselves to be naturalized. One class comprised those who claimed to have migrated to this country before they were 18 years old; another class claimed to be naturalized on a previous declaration of intentions; the third class were discharged soldiers, who had, or claimed to have, honorable discharges. In the first class the first thing which was done was to administer the preliminary oath, and examine the applicant as to his age, and as to the time of his migration to this country; and after the first day I think we made that examination a rigid one. A large majority of those who offered themselves for naturalization claimed to have migrated to this country before they were 18 years old. The naturalizations upon previous declarations of intentions were comparatively very few. There was a considerable number of discharged soldiers. If we were satisfied from the examination, in the first class, that the applicant had migrated to this country before he was 18, we then allowed his witnesses to be sworn as to his five years' residence, and one year's residence in the State of New York, and we then examined them, except in all cases where the discharge from the army showed that they had been discharged more than a year, as they did in all cases. We were not very particular about it then, because we considered the discharge itself evidence that they were in the country more than a year before. If satisfied as to the residence, we allowed the oath to be administered.

7558. Q. What proportion of those that applied were rejected, if any?

A. I could not tell you the proportion, because we kept no record of those that were rejected. We rejected a good many because we were satisfied, although they had made an affidavit to that effect, that they did not migrate to this country before they were 18. A large proportion of those that we rejected were of that class. We were satisfied that a good deal of fraud was being committed in that way, and we were more particular and rigid in the examination in relation to that than anything else.

Q. So far as you could reach it, you rejected them ?

A. Yes, sir; and I would say further that it struck me very forcibly that the applicant's oath on that subject was a very loose way of proving his age and time of migration to this country, and that it opened the door to an immense amount of fraud which there was no possible means of detecting. In a number of instances I rejected them on view; I could see for myself that they must be either swearing falsely or mistaken. I am informed that the business of naturalization, before I came into office, had chiefly been done in the clerk's office, and when it was stopped, in the way I have described, there was a good deal of criticism because it was not allowed to be done in the same way that it had been before. The papers were drawn before they came into court. There were very rarely any papers drawn in the court. I paid no attention to the record, or form of record, or anything of that kind. I allowed the clerks or lawyers to do that to suit themselves. I know that the clerk signed the jurats in the court, but the matter of making up the record and giving the certificates of naturalization I paid no attention to. The clerk in this county has a deputy, Mr. Cutler. He has a special deputy, Colonel Benjamin, whose whole business it is to attend on the courts. He attends as a clerk to the courts. Neither Mr. Cutler nor Colonel Powers ever attends the court as clerk there. That is the whole business of Colonel Benjamin, and he attends on the courts as deputy clerk, and has an assistant, Mr. Knabit. The first day Mr. Knabit was sent down after I opened court, but we concluded that on the whole that would hardly be sufficient. He officiated the first day, but after that he officiated no more. After that, so long as the circuit court was in session, they sent up an assistant deputy from the clerk's office below. Sometimes it was Mr. Foster and sometimes it was Mr. Bardoe. We had considerable trouble to get a clerk, and a good deal of the time we had to wait. In one instance, I recollect, I went down into the clerk's office, because we could not get a clerk up there. After Judge Smith adjourned his court upstairs, which was during the last week, Colonel Benjamin officiated as the special deputy to attend upon the courts.

7559. Q. Has it been the practice for county judges in this county to naturalize at chambers ?

A. My impression is that the practice in this county was to naturalize in the clerk's office, without going to chambers at all; but in one or two instances I naturalized at chambers last spring. In three instances that came under my observation, certificates of declaration were presented which had been altered, and the time of the declaration changed. In the first instance I discovered that a six had been changed to a cipher. The last day of naturalization was the 24th of October, and the date October 26, two years before, had been changed to October 20. I discovered that myself, and rejected it; but I was not smart enough in that case to keep the paper. In the next case I do not recollect what figure had been changed. I examined the man very closely. He denied being able to read, and denied knowing that it had been altered at all, or anything about it. I kept the paper, and rejected the application.

ROCHESTER, NEW YORK, *January 15, 1869.*

JOSEPH L. LUCKEY recalled.

To Mr. DICKEY:

7560. I have copied the names and dates of persons naturalized from the town of Avon, Livingston county, and of the witnesses, from the papers themselves, as they appear in the records in the county clerk's office of Monroe county. On examination of the record, I find that there were 475 persons naturalized in this county from the 1st of September to the 28th of October.

The witness produced the copy above referred to, which is as follows:

List of persons naturalized from Avon, Livingston county, in the Monroe county clerk's office.

Date.	Names of parties.	Names of witnesses.	
Sept. 26	Biser, Anthony	William E. Pattee and Michael O'Brien.	
	Dowd, Michael	William E. Pattee, other name not legible.	
	O'Brien, Michael	William E. Pattee and Michael Dowd.	
	Rook, Michael	William E. Pattee and Michael Dowd.	
	Sooney, John	William E. Pattee and Michael O'Brien.	
29	Duffy, Thomas	James Kearny and M. Kearny.	
	Coyne, Peter	John Tighe and Richard Torpey.	
Oct. 1	Kelly, John	Peter Coyne and Richard Torpey.	
	McCarley, James	Edward McAvoy and P. J. McAvoy.	
	McAvoy, Edward	P. J. McAvoy and James McCarly.	
	McAvoy, Patrick J.	Edward McAvoy and James McCarly.	
	Tighe, John	William E. Pattee and Richard Torpey.	
	Torpy, Richard	William E. Pattee and John Tighe.	
	Murtha, John	Thomas Murphy and Barney Goggins.	
	Wall, Richard	William E. Pattee and John Tighe.	
	3	Agan, John	William E. Pattee and Thomas Duffy.
		Boyle, Francis	Thomas Duffy and John Boylan.
		Agan, James	Thomas McHugh and Andrew Leary.
		Cullins, John	Thomas McHugh and John Welch.
		Kelly, Michael	John McGraw and Thomas Looney.
		Kelly, James	Thomas Duffy and John McGraw.
		Leary, Andrew	John Agan and Thomas Duffy.
		McGraw, John	Thomas McHugh and Thomas Mooney.
		Mooney, Thomas	William E. Pattee and John Welch.
		Rourk, Thomas	Thomas Duffy and Thomas McHugh.
		Sheridan, Thomas	Thomas Duffy and Bradley Tully.
		Tully, Bradley	William E. Pattee and Thomas McHugh.
	10	Watson, Alexander	William E. Pattee and Thomas Looney.
		Welch, Thomas	William E. Pattee and John Agan.
		Welch, John	William E. Pattee and Thomas Rouch.
		Burke, Peter G.	John Coffee and Edw. Mahan.
		Garvey, Edward	Lovel Hamlin and J. H. Yerkes.
		Haynes, James	Barney Goggins and Daniel Sullivan.
		Hannatz, Pete	John McGraw and Thomas Looney.
		Kelly, Thomas	William E. Pattee and Thomas Duffy.
Landers, Jerry		William E. Pattee and Thomas Duffy.	
McMara, John		William E. Pattee and John O'Connor.	
McGrath, William		William E. Pattee and Thomas Duffy.	
11		Givens, Thomas	William E. Pattee and Thomas Duffy.
	Darby, Thomas	William E. Pattee and P. Curran.	
22	Grany, William	Patrick Leahy and Charles Chustie.	
24	Collins, Michael	William Brown and Andrew Kelly.	
	Kelly, Andrew	Christopher Rockafellow and Edw. McIntyre.	
26	Careny, Edward	William E. Pattee and Michael Rook.	
	Dickson, William	William E. Pattee and Michael O'Brien.	

ROCHESTER, NEW YORK, *January 15, 1869.*

CALVIN KNOWLES sworn and examined.

To Mr. DICKEY :

7561. I am an attorney practicing law and farmer ; I reside in Avon, Livingston county ; I was inspector of elections of the 2d election district of the town of Avon, and one of the registrars at the election last fall.

7562. Q. State anything you know of the registry of illegal voters or fraudulent naturalization papers in your town.

A. I can state what persons who were challenged swore to. Bradley Tulley swore, "I am 35 years of age ; I have been in this country about 14 years ; this is my first set of papers." Thomas Mooney swore, "I suppose I am 40 or 41 years of age ; I have lived in this country 20 years ; I was born in Ireland ; this is my first set of papers ; I have never been in the service of the United States, either army or navy." Michael Dowd sworn, says, "I am about 45 years of age ; I was born in Ireland ; I have been in the United States 25 years." I do not think he stated that was his first set of papers, but from the published list in our town—I did not examine the record myself—I have no doubt of it ; William Dixon sworn, says, "I was born in Ireland ; I am about 40 years of age ; I cannot give my exact age ; I have been in the United States 15 years and no longer ; this is my second set of papers ; I made my application at Geneseo about eight years ago." There were several persons who offered to register who were not entitled to from their papers.

7563. Q. From whom did those papers purport to be issued ?

A. From the clerk of the court of Monroe county.

7564. Q. Which is the most convenient place to register from Avon—the county town of Livingston county or Rochester ?

A. It is 10 miles to Geneseo by railroad, and it is 18 miles to the city of Rochester.

7565. Q. Please look at this list [produced by Mr. Luckey, the previous witness,] and say whether any of the parties you have named are on that list.

A. There are three election districts in the town ; part of the names on this list voted in the election district of which I was inspector ; probably about 20 of them registered, and 15 of them voted.

7566. Q. State whether the same parties were witnesses and applicants, aliens being reciprocally applicants and witnesses for one another.

A. Yes, sir ; they stated that their papers were all made out together at the clerk's office, and they were all sworn and naturalized at the same time.

ROCHESTER, NEW YORK, *January 15, 1869.*

ANTHONY BISER sworn and examined.

To Mr. DICKEY :

7567. I live in Avon, Livingston county ; I work by the day.

7568. Q. Did you come to Rochester last fall to be naturalized ?

A. Yes.

7569. Q. How many came with you ?

A. I don't know ; about seven or eight.

7570. Q. Where did you go to when you first came here ?

A. I go with the rest of them to an office—a lawyer's office ; I don't know where it was.

7571. Q. What did you do when you got there ?

A. Taking my paper out.

7572. Q. Was Michael Dowd one of the party?

A. Yes.

7573. Q. Michael O'Brien, Michael Rook, John Tooney? [Reading names from the Avon list, September 26.]

A. Yes; that was all I guess; I showed my first paper, and he made out a paper for me and I thought it was all right; he asked me some questions, but I did not understand what he said.

7574. Q. Where did you go to then?

A. I came up here, I suppose; [to the court-house;] down stairs.

7575. Q. Who went with you?

A. I suppose Michael O'Brien and Billy Pattee did.

7576. Q. O'Brien was naturalized and got his papers at the same time you got yours?

A. Yes.

7577. Q. Were the papers read over to you?

A. He read over, but I could not understand what they speak.

7578. Q. How long had you had your first paper?

A. Just a year.

7579. Q. How long had you been in the country?

A. About 17 years.

7580. Q. Did you give up your first paper?

A. Yes; I gave it to the clerk and he gave it to me back, and I took it along home.

7581. Q. You were naturalized because you came here before you was 18, I suppose?

A. I don't know whether he asked that or not.

7582. Q. He gave back your first paper?

A. Yes; and made out another one.

7583. Q. How old were you when you came to this country?

A. O, I was old—about 42, I guess.

ROCHESTER, NEW YORK, *January 15, 1869.*

JAMES B. ADAMS sworn and examined.

To Mr. DICKEY:

7584. I live in Geneseo, Livingston county; I am district attorney of that county at present; the almost uniform practice in that county is for the county judge to examine the witnesses wherever he happens to find them, usually at his chambers, and to give a slip of paper when he admits them to citizenship, addressed to the clerk ordering him to admit them; there is no clerk present; the judge there holds that the county court is wherever the county judge is; I have been acquainted for the last twelve years with the practice of naturalization as conducted by the county court there; during the administration of Judge Hastings, who was a democratic judge, from January 1, 1856, for eight years, he was in the habit of travelling around the county—little more than ten days before the election—for the purpose of affording facilities to parties to be naturalized in that manner; our present county judge—Judge Hubbard—was elected from Dansville, the extreme southern town of our county, quite a large village; and he has been in the habit since his election of spending one day of the week at Dansville for the purpose of attending to business there; he had an office there and has been in the habit of naturalizing at Dansville parties from that part of the county, and giving an order upon the county clerk at Geneseo, 18 miles distant, to give them their naturalization papers; the clerk of Monroe county is a democrat, and the judge is a republican.

ROCHESTER, NEW YORK, *January 15, 1869.*

WILLIAM S. FOSTER sworn and examined.

To Mr. DICKEY :

7586. I am special deputy county clerk in Monroe county ; it has been the practice here in years gone by for naturalizations to be granted in the clerk's office by the clerk or his deputy, as the case might be, whichever was there, without the presence of the judge.

7587. Q. Without any formal opening of a court ?

A. Without any.

7588. Q. It was done as part of the current business of the office ?

A. Yes, sir.

7589. [Witness produced the application of Anthony Biser on the ground that he came to this country under the age of 18 years, and showing that papers were issued to him as having so come ; the witnesses being William E. Pattee and Michael O'Brien.]

To Mr. DICKEY :

7590. The practice has been the same here for a number of years.

7591. Q. Were all the naturalization papers thus granted indexed and entered in a book ?

A. Yes, sir ; they are filed and entered in a book we call the naturalization ledger.

7592. Q. Do you know about the number granted during the last year ?

A. I do not ; I entered them myself ; all that were in the office were entered.

7593. Q. Were they all retained in the office regularly and entered ?

A. Yes, sir ; I don't think there was ever one taken from the office.

The following testimony was taken by the full committee in Washington, District of Columbia :

WASHINGTON, D. C., *January 25, 1866.*

HOWARD T. MARSTON recalled.

By the CHAIRMAN :

7594. Question. State if you made any examination of the applications for naturalization for the month of October, 1868, in the supreme court of New York city ; and if so, to what extent you found papers equal to the number of persons alleged to have been naturalized.

Answer. Yes, sir ; I did. I present to the committee a table showing the days in October on which witnesses appear on applications for naturalization in the supreme court, and the number of times each witness appears in the naturalization papers as follows :

Days on which witnesses appear and the number of times each witness appears on the naturalization papers filed in the supreme court, county and State of New York, during the month of October, 1868, from the 8th to the 23d of said month, inclusive.

[About 200 soldiers' papers in all.]

Names of witnesses.	October 8 and 9.	October 10.	October 12.	October 13.	October 14.	October 15.	October 16.	October 17.	October 19.	October 20.	October 21.	October 22.	October 23.	Total.
Patrick McCaffrey	14	60	7	1	1	84	2	.....	.....	4	23	38	17	251
John Ward	31	9	*26	40	22	44	15	14	16	21	22	24	40	324
John Moran	18	24	*24	43	57	13	112	.....	20	21	54	44	25	455
James Goff	*11	.....	.....	.....	.....	.....	.....	.....	4	8	19	12	14	68
Patrick Goff	*75	*55	11	83	52	63	20	8	44	24	10	9	.....	454
Thomas Selkald	9	27	13	9	.....	31	15	12	25	20	12	25	5	203
Bernard Lachman	2	10	5	3	.....	7	6	2	3	2	1	2	1	44
James McCabe	.....	9	7	30	38	16	18	22	4	27	3	18	.....	192
Michael Marrow	2	*12	*25	11	8	6	.....	10	7	23	8	7	1	120
John McGinnis	3	.....	3	13	27	26	24	42	11	9	14	.....	.....	172
Joseph Moore	31	2	10	24	28	44	.....	27	.....	20	17	2	.....	205
James O'Donnell	.....	13	13	.....	1	6	.....	.....	.....	1	.....	.....	.....	34
David Sanford	11	.....	.....	.....	.....	5	.....	.....	.....	.....	.....	.....	.....	16
John McCarthy	12	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	12
John Gallagher	.....	*37	.....	9	7	.....	1	.....	.....	1	.....	.....	.....	55
Philip Wiley	11	.....	.....	10	.....	8	4	1	3	.....	7	2	.....	46
James Gallagher	.....	.....	.....	1	.....	.....	.....	.....	1	3	1	1	1	8
Philip Cooney	.....	.....	.....	.....	.....	3	.....	1	12	.....	.....	2	2	20
Jeremiah Coffey	.....	.....	.....	.....	.....	.....	13	.....	19	.....	.....	.....	.....	32
John W. White	.....	.....	.....	.....	.....	.....	.....	.....	12	.....	.....	.....	.....	12
Thomas Fox	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	25	.....	1	26
Total	230	258	144	277	241	356	230	139	181	184	216	186	107	2,749
Number of papers examined	†1,089	700	915	766	557	841	788	617	933	909	755	659	564	10,093
Number of minor papers	1,053	670	851	742	541	813	757	595	899	874	726	642	548	9,711

* Numbers marked thus * show a difference from the paper heretofore sworn to, for the reason that said paper was made a part of the evidence before all the naturalization papers of the dates therein were examined, except as to James Goff and Patrick Goff, when the one was taken for the other.

† 590 of October 8th and 9th were examined by Mr. Glassey.

In the cases of James Goff and Patrick Goff, I had in the other table I presented James Goff alone. But that was a mistake simply as to the name. The result of the two is the same, but in the first case set down to the credit of the wrong man. I give in this table the total number of papers I examined each day, and the total number of papers taken out by minors each day, and about 200 soldiers' papers.

7597. Q. By applications of minors, you mean persons who came into the United States under 18 years of age, as appears by the papers in the court ?

A. Yes, sir. Out of the 1089 papers on the 8th and 9th, 590 of them were examined by Mr. Glassey. Those examined by him I know nothing about.

7598. Q. State what proportion or number of the applications described in your table are what are called minor applications.

A. 9,711 appear as minor papers out of 10,093. About 200 are soldiers' papers.

By Mr. KERR :

7599. Q. Did you examine all the papers in the supreme court ?

A. I examined all the papers that were given to me, except 590 on the 8th and 9th days, I believe.

7600. Q. And you found that of all those applications about 9,711 were minors ?

A. Yes, sir.

7601. Q. The whole number being 10,093 ?

A. Yes, sir.

7602. Q. Who aided you in making this examination in the supreme court; you made none anywhere else, did you ?

A. No, sir; I had no aid except a man in the clerk's office who took the papers, as I passed them over to him, and filed them and put them back in their places in the office. He did not aid me further than that.

7603. Q. With that exception you had no assistance ?

A. No assistance, except as to the 590 papers that I had nothing to do with.

7604. Q. How did you examine these; what was the process ?

A. I looked to see if the judge's signature was on all of them, the signature of the clerk on the proper number of times, and where parties appeared as witnesses a great number of times I noted that, and where I believed it to be the same handwriting from a person giving a different residence, I noted that.

7605. Q. In the case of these numerous witnesses, did you give any special attention to the examination of the handwriting to each application where the same name appeared as witness ?

A. Yes, sir; I did.

Q. What did you find to be the case ?

A. I found a good many of these witnesses in the same handwriting, and I found them in different handwriting; sometimes the same name would appear written back-handed; sometimes the same name and a different place of residence; sometimes, for instance, I found Patrick Goff, and sometimes P. Goff, and sometimes I found Patrick Goff's cross with the same handwriting all through the papers. In his case it was a frequent occurrence.

7606. Q. In what proportion of the applications signed, for example, by John Ward, as a witness, did you find the name written with a cross ?

A. I do not think I found his name; if I did it is in my notes. The only person that I remember particularly as to that was Patrick Goff.

7607. Q. Did you examine all the signatures purporting to be the signature of John Ward, with a view to determine whether each one had been written by the same hand or not ?

A. Yes, sir; that was my intention when I looked at the signature to see if it was the same handwriting, and if it was designated by the same house or place of residence.

7608. Q. What did you find to be the result as to John Ward ?

A. I think he registered all the time from one house.

7609. Q. I am speaking now of the handwriting; the absolute identity of the handwriting in the signature in each case.

A. Well, I believe it to have been written by the same man; that was my opinion about it upon examination. I only took that which I believed to be the same hand.

7610. Q. Did you reject any that were in the same name ?

A. No, sir, I do not mean to say that I did.

7611. Q. Do you mean to say that every signature of John Ward was absolutely the same as every other in the handwriting ?

A. No, sir; I only mean to say that in my judgment it was.

7612. Q. What experience have you had in the comparison or detection of similarity in handwriting ?

A. Well, I have been used to writing all my life, and reading it. I never had any business for the purpose of detecting writing, but I have examined a great many different handwritings.

7613. Q. Such as came up in your business only ?

A. Yes, sir.

7614. Q. How was it as to the signatures of John Moran in the particulars to which I have referred ?

A. His name was a signature. In one case it was written exceedingly well, and in another case exceedingly bad.

7615. Q. It might be written by different hands.

A. I think his signature might or might not; I could not tell.

7616. Q. How about Patrick Goff?

A. The same—the same handwriting; sometimes he made a cross.

7617. Q. Did he sometimes sign with a cross, and sometimes without?

A. Yes, sir, and sometimes P. Goff and sometimes Patrick Goff.

7618. Q. What proportion of the signatures of that name were with a cross?

A. Well, there were a great many with a cross; I should think there were from 50 to 75, perhaps more.

7619. Q. Do you have any distinct recollection of Thomas Selkald?

A. Yes, sir.

7620. Q. How was his name executed, with a cross or in handwriting?

A. In handwriting; I do not remember seeing that with a cross.

7621. Q. How was it as to continual identity of the signature in form?

A. That name, I think, was continual right through; I think that is one of the plainest of any as to being in one handwriting. A great many of the papers were right through except the signature of the clerk, and any person who was any judge at all of handwriting could not help seeing it at a glance.

7622. Q. Do you remember the name of James McCabe?

A. Yes, sir; I do.

7623. Q. What do you say about that?

A. I take them to be the same handwriting right through.

7624. Q. Were they in crosses?

A. I think some of them were in crosses and some were not.

7625. Q. How was it with the name of John McGinnis?

A. They appeared to be in the same handwriting.

7626. Q. Have you any distinct recollection about it at all?

A. No, sir; not so much as I have about some of the other names.

7627. Q. What is your recollection about the name of Joseph Moore?

A. That name appeared to be in one handwriting as many times as I noticed.

7628. Q. How many did you notice with a view to detect that fact—the similarity of the handwriting?

A. I noticed every paper with his signature under it, for that purpose.

7629. Q. How much time did you give in all these cases to a comparison of each name as you went along?

A. I averaged, I think, examining between 700 and 800 papers a day, from 9 to 4 o'clock, in the county clerk's office, with a half an hour for lunch; so that I had about six hours' work each day. In that time I did between 700 and 1,000.

7630. Q. You did two or three a minute?

A. Yes, sir; it would seem so. But, perhaps, I might modify that a little. When I would come to a paper that had not the proper witnesses on I just passed it one side; but when I came to papers with the witnesses on I gave it more time than the others. I simply looked at the clerk's or judge's signature, or any other peculiarity that I might happen to see, and passed them one side.

By Mr. Ross:

7631. Q. You stated something about John Moran. Don't you recollect that his name was written in two or three different handwritings, and registered at different places?

A. I recollect that his name was written, in some cases, in very excellent handwriting and in other cases in very bad handwriting.

7632. Q. Apparently quite different ?

A. Yes, sir.

7633. Q. And registered from different places ?

A. I am not sure about his registering from different places.

By the CHAIRMAN :

7634. Q. State if you examined the applications for naturalization with a view to ascertain any irregularities or defects, and if so, state any that you can now remember.

A. I have a good many noted, but it would take a good while to go over them.

7635. Q. Will you furnish the committee with a statement of these irregularities, to be appended to your testimony ?

A. I will.

The statement is as follows :

7636. In the matter of the application of Henry Miller, 411 Cherry street, filed October 15, 1868, to become a citizen, &c. Clerk's signature wanting to the oath to support the Constitution and abjure foreign princes, &c.

7637. In the matter of the application of Robert Hoage, 41 East Tenth street, filed October 20, 1868. Clerk's signature wanting to his intention to become a citizen and to the oath of allegiance.

7638. In the matter of the application of Michael Nolan, 400 First avenue, filed October 22, 1868. Clerk's signature wanting to the oath to support the Constitution, &c.

7639. In the matter of the application of Hugh Bracken, Goerck street, no number, filed October 22, 1868. Clerk's signature wanting to the oath to support the Constitution, &c.

7640. In the matter of the application of John Burke, 34 City Hall place, filed October, 1868. Clerk's signature wanting to the oath to support the Constitution, &c.

7641. In the matter of the application of Charles Miller, 297 Stanton street, filed October 23, 1868. Clerk's signature wanting to the oath to support the Constitution, &c.

7642. In the matter of the application of Michael Greene, 24 City Hall place, filed October 13, 1868. Judge's signature wanting to the order, &c.

WASHINGTON, D. C., *January 25, 1869.*

JOHN I. DAVENPORT recalled.

By the CHAIRMAN :

7643. Question. State if you know what inquiry and search were made for applications for naturalization in the superior court in September and October, 1868, particularly as to those alleged to be missing ?

Answer. Having been appointed one of the committee to make the investigation in the superior court, or more properly one of the committee under whose supervision the investigations were to be made, I, with the other members of that committee, appointed Mr. Callan and Mr. Voorhies to do the actual work in the court in the presence of the clerk or his deputy. On Saturday morning last they completed their labors and reported the number of papers found by them. As Mr. Sweeney had acted very fairly throughout the whole investigation, and given every assistance possible, I thought it was but right that he should have some knowledge of the fact that a large number of the papers were not found,

that he might explain it in any way that he desired. I went to his office and not finding him, saw Mr. Meeks, his deputy, who was in charge of the office, and stated to him that the report showed some 8,000 papers short of the number testified to by Mr. Westlake. He said he did not see very well how that could be; that there must be some mistake about it. I suggested to him that I was going to Washington that evening, and that it would be best to see if they could not find those papers. He and I went into the naturalization office, where we found Mr. Thompson and Mr. Westlake. Mr. Meeks stated to them what I had said to him, and I repeated it to them, stating also that on the 12th some 1,800 papers had been sworn to by Mr. Westlake, and our men reported over 2,000 found, whereas they had sworn the 14th was the day on which there were over 2,000. I desired to know whether there were over 2,000 on both days. They said it was the 14th that was the heavy day. I said suppose we count the papers now and see. A pile of papers were brought out, and Mr. Meeks asked if they were all the papers for the 12th. He was informed they were. I began counting and Mr. Thompson asked me if I would take his count; I told him I would. He sat down beside me and Mr. Westlake did the same, one on each side of me, and we each took a package and began counting. Mr. Thompson took an envelope, and as each one of us finished counting, we stated the number found in the package by us, which Mr. Thompson marked on the envelope. We found 1,060 papers. "There," said he, "you see there must be some mistake about it; your men must have made some mistake; it must be the 14th." I replied Mr. Westlake testified there were nearly 1,800 papers on this day, and there certainly must be some mistake here. He said, "No, these are all the papers we can find, and you can see for yourself," taking me into a closet where he said they were kept and repeating these are all of the papers for the 12th; there is where they were kept, and there is the vacancy out of which this bundle was just taken. I said I would return to my office and see my clerks and they must return there and explain the matter, for they had reported over 2,000 papers, when now 1,060 appeared to be all the papers on file. Just as I was going out one of the clerks came in and going into the little room brought out another bundle, and said, "Thompson, here is another bundle." Mr. Thompson, with great apparent surprise, said he didn't know where they were, and that they must have been put away. Then those papers were taken out and counted, and we found 2,033 in the two bundles—that is, those in this last bundle added to the 1,060 in the other bundle made 2,033. We did not open these papers, but counted them as they were tied up in the bundles; and that is the number we found on that day.

By Mr. HOPKINS :

7644. Q. Did that number correspond with the investigation made by your clerks?

A. It exceeded it a little. Their report was 2,015, and ours 2,033. I then asked them if they could give any explanation in regard to the deficiency. They said they could not unless it occurred in this way: they did not in the first instance count the papers; they counted 100 and put them in a bundle with a rubber band around them, and laid them on a table. They then took a lot of papers and laid them alongside of this bundle, and when they thought they matched evenly, and amounted to what they estimated to be a hundred, they did that pile up in the same way, and so on with each successive bundle. They said the trouble must have been in these estimates; that accounted for the 8,000

short. "To be sure," they said, "it is a large number, but we cannot account for it in any other way." "But," I said, "on one day, the 9th, according to your statement, there must have been nearly 18 bundles; there were 1,760 papers reported by Mr. Westlake; consequently in laying them out in bundles there must have been 18 bundles. Our men found but 601, which would make but six bundles. Certainly there could not have been a mistake of that difference in bundles that day. They said they could not account for that at all. There were several other days when there were 800, or 700, or 600 short.

7645. Q. You say that the clerks in the office of the superior court accounted for the deficiency by the way they estimated them in bundles?

A. Yes, sir.

7646. Q. But your clerks counted them separately?

A. Yes, sir; all that were produced. Mr. Westlake testified as to his counting of them; but the clerks in the office told me that was the way the count was made up, they believed.

7647. Q. How many days had they been indexed?

A. Indexed, I think, only the first four days.

WASHINGTON, D. C., *January 25, 1869.*

SAMUEL J. GLASSEY recalled.

By the CHAIRMAN:

7648. Question. In the examinations you made of the applications for naturalization, in October, 1868, in the supreme court of New York city, state what you observed.

Answer. I examined nearly 600 of those papers in the county clerk's office on the 2d and 5th days of January. I observed that nearly all the persons whose papers I examined were naturalized upon affidavits stating that they were under 18 years of age when they came to this country. I mean all of them were of that kind. And a number of persons, whose names I became familiar with by having seen evidence of their appearing as witnesses in the superior court, were witnesses in a large number of cases in the supreme court; in a number of instances the same person appeared to have written the names of a number of the witnesses. In quite a large number of cases in which two persons, Patrick and James Goff, were witnesses, the signature of the witness in each appears to be in the same handwriting. The same thing appears as to some other parties. The number of papers which I personally examined, according to a memorandum I made at the time, is 590. I may possibly be in error as to a very few. The number may be a little over or a little under that, but cannot vary more than five or ten from that number.

By Mr. HOPKINS:

7649. Q. You are a lawyer?

A. Yes, sir.

7650. Q. What advantage would the applicant derive from stating in his application for naturalization that he came to this country under 18 years of age?

A. It dispenses with the necessity of producing evidence of his having filed his declaration of intention two years before.

By Mr. KERR:

7650. Q. Did you make a return of the examination you made to this witness, Mr. Marston.

A. I stated the number that I had examined, and, I think, the number of times that certain persons appeared as witnesses in those cases.

7651. Q. Do you know whether you did, or did not, make such a statement to him ?

A. I know that I did state to him the number, and I am pretty certain also the number of times these persons had appeared as witnesses on the papers I examined.

7652. Q. Do you mean to state that what you stated to him was true, or not ?

A. What I have stated here is according to my recollection of what I said to him, and I meant to tell the truth both times.

7653. Q. Do you mean to say that what you told him is correct, whether it be consistent with what you have stated to the committee or not ?

A. I know it to be correct, and am not aware of any discrepancies between my statements.

7654. Q. You speak now with confidence as to the number of times these witnesses executed their names with different hands ?

A. That was a matter of which I made only very general statements to him. I had my notes before me at the time.

7655. Q. Didn't you give him a list of the number of times the names appeared in that way ?

A. Yes ; the number of times that certain persons appeared as witnesses—that is to say, on the papers which I had examined.

7666. Q. Did you give him a list of the number of times that these several witnesses had their names executed by different hands upon those various applications ?

A. No, sir ; I think not. I had some conversation with Mr. Marston on that subject.

7667. Q. Did you tell him how often in those cases those names were executed with a cross ?

A. No, sir ; not to my recollection. I may have.

7668. Q. Did you tell him how often, in any of those applications, the entire filling up seemed to be in the same hand except the signature of the clerk ?

A. I do not think I gave him any exact number.

7669. Q. Did you keep an exact number yourself ?

A. No, sir ; not all. The first 40 or 50 papers I examined I took pretty full notes, and I then went over them rapidly and took notes only in a few cases. I have not a distinct recollection myself as to the number of times. I have notes of some 25 or 30 cases—notes which I made at the time.

WASHINGTON, D. C., *January 25, 1869.*

CHRISTOPHER CALLAN, sworn and examined.

By the CHAIRMAN :

7670. Question. State if you have made any examinations of the applications for naturalization on file in the superior court in the city of New York, for the year 1868, and if so, with what result.

Answer. I present a table on which is a list of the names of persons appearing as witnesses on applications for naturalization in the superior court, and opposite to their names are the dates in September and October on which they appeared as witnesses, with the number of applications on which each witness appeared on each of those days. The table is as follows :

Names of persons who appeared as witnesses on application for naturalization in the superior court, in the city and county of New York, from the 30th of September, 1868, to the 23d of October, 1868, inclusive.

Names of witnesses.	Sept. 30.	Oct. 1.	Oct. 2.	Oct. 3.	Oct. 5.	Oct. 6.	Oct. 7.	Oct. 8.	Oct. 9.	Oct. 10.	Oct. 12.	Oct. 13.	Oct. 14.	Oct. 15.	Oct. 16.	Oct. 19.	Oct. 20.	Oct. 21.	Oct. 22.	Oct. 23.	Total.
Patrick McCaffrey	16	11	44	37	26		14	20	50		16	2		10		3		3			252
John Moran		32	23		85		28	22	16	3	39	33	3	4	5	1	3		1	2	299
John Ward		7	18	25	17		23	25	32	4	4	7		7	2	2	9	2	6	3	195
James Goff	2		8	8	7		23	9	3		2	2		2		3	3	1		1	77
Patrick Goff		16	10	22	6		4	5		1		3									67
Chauncey Gray		2	4	12	5		8	11	10		1	1	1	1				1			58
John Ey										4	1	1	5	2	6	2	4	4		5	33
Henry Jacobs					5		4	6	14	8	3	29	16	23	4	13	4	5	2	2	128
Bernard Lachman	3	2	2	3	7		6		2		8	8	12	16	8	4	8	1	8	2	102
John Burns																	8	8		1	9
James Collins											5			13	2		1				20
Charles Tules											11	8	12		12		4	1	1	12	61
Solomon Berliner						8	6	2	2	8	20	4	6	3	1	4	8	7	7	5	91
Patrick McMahon											21	24	22		11	5	3	7	9	2	104
Joseph Fabien												5	5	2		8	2			1	23
Jacob Hoffman											18	3	2	1	1	7	8	3	3	4	50
James Jones											4					9	1	8		3	25
Michael Marrow																					1
William Devlin																	11				11
Philip Wiley											16						3				22
George Williams													18	4	1						28
James O'Donnell								14	7	9					3	4					86
James Scott											29										9
Joseph Ferguson					7		15	6		3	13	9	6	2							65
James McEvany											8	8	6	2	2				1		19
Jeremiah Coffey											5	5		13	3						30
Thomas Wheeler								18	4	3	7	11	1		1	2				1	42
Michael Calligan			5	23	21	22	2	3	5	6	6	6	2	2	2				2		106
Charles A. Skell											6			3	2						11
James Tracy											15	6	13	2	11	7					77
Richard Curry											2					1		5			8
Frank Brundage				14	3	21	3			5											49
John Golligher				25	7		2														34
E. Goldstein				15	11	6	20	1	2	2											57
John McGinnis		2	3		2	2		2													1
John Carpenter																	2				37
James Riley				9			25		3												48
					26	9			7	4											41
					26	6	1		5					2		1					
Total number of papers.		1, 224		781	1, 354	1, 317	1, 321	1, 128	601	812	2, 015	1, 392	1, 551	777	583	720	516	428	451	601	17, 572
Minor applications		1, 066		652	1, 125	1, 073	1, 074	965	437	731	1, 417	992	1, 143	573	438	503	346	999	298	407	13, 541
Naturalized on first papers and soldiers' papers.		158		129	229	242	247	163	164	81	598	400	408	204	145	217	170	129	153	194	4, 031

Total number of times on which the several persons as witnesses for naturalization herein appeared as such in the superior court, in the city and county of New York, 2,379, from the 30th of September, 1868, to the 23d of October, 1868, inclusive.

7672. Q. State what number of applications you found on file for the days indicated in the table.

A. Seventeen thousand five hundred and seventy-two, from September 30 to October 23, 1868, inclusive.

7673. Q. State if there is any date in October not included in the statement.

A. Yes, sir, the 17th of October; we could not find our memorandum of the number of papers we examined that day. I remember making out that day; and, as far as I can judge from memory, the applications on that day for naturalization papers were from 500 to 600.

7674. Q. Will you state if you made any representation to the clerks in charge of the office of the superior court as to the number of applications for naturalization which were said to have been approved; as to whether that number of applications could be found, and if any of the applications were not found, what reason was assigned for their non-production.

(Question objected to by the minority of the committee. Objection overruled.)

WITNESS. On each day that we examined the papers we found them all tied up in bundles, or else (from the 16th up to the 23d of October) we found them in pigeon-holes. We found them ranging from the 5th up to the 16th of October; very large on each day, but from the 16th to the 23d they were very small, averaging 400, 500, or 600 each day. I asked one of the clerks there (I think his name is Wesley) if there were any more papers on those days, and he said that they were all there. Mr. Wesley, whom I asked, has charge of the applications for naturalization. Mr. Thompson is the chief clerk, and Mr. Wesley is his deputy, as I understand it.

7675. Q. State the total number of applications for naturalization which you found and examined in the office for September and October, 1868.

A. Seventeen thousand five hundred and seventy-two.

7676. Q. State if you found any except that number, as shown by the table which you have presented to the committee.

A. I did not.

7677. Q. State what inquiry and search you made for any others.

A. All the inquiry and search I made was that I asked the deputy there, Mr. Wesley, about it, as I have stated.

7678. Q. State if you made inquiry of anybody else about the matter?

A. No, sir, I do not think I did.

7679. Q. State what proportion of these applications for naturalization had on them the initials of Judge McCunn?

A. I should think about eight-ninths; the others were between Judge Robinson and Garvin.

By Mr. KERR:

7680. Q. Who examined these papers with you?

A. Mr. Voorhies.

7681. Q. Were you always together, or did you examine separately?

A. We examined together and separately both.

7682. Q. And reported to each other?

A. And reported to each other.

7683. Q. Is Mr. Voorhies here?

A. No, sir, not that I know of.

7684. Q. How did you report to each other?

A. By counting up the numbers of papers. He took one bundle and

I took another; we would count them, and then report together; I was right at the same desk along with him.

7685. Q. You did this work at the same desk?

A. Yes, sir.

7686. Q. Your table, then, is made upon what you yourself ascertained upon personal examination, and what you were informed by him?

A. Yes, sir; from these papers and from him.

7687. Q. You do not know whether his examinations were correct or not?

A. No, sir; I could not swear, of course, only so far as I saw the papers and to the best of my knowledge.

7688. Q. How did you ascertain the proportion of applications endorsed with the initials of Judge McCunn?

A. Well, I examined a greater part of the papers myself, and I found Judge McCunn's name on that proportion that I examined. That I would swear to.

7689. Q. How many did you examine?

A. By referring to the memorandum I find I examined on the 5th, 6th, 7th, 8th, 9th, 10th, 12th, 13th, 14th, 15th, part of the 16th, 20th, 21st and 22d days of October.

7690. How many did you examine between those dates?

A. I examined 13,377.

7691. Q. With a view to see the judicial endorsement?

A. Yes, sir. I took each paper as I examined it, opened it, looked at the names of the applicants and the witnesses, and at the judge's and clerk's signature.

7692. Q. Did you ever see the clerk of this court, James M. Sweeney, in reference to these papers that were supposed to be withheld, or not found?

A. No, sir; I never saw him that I know of.

7693. Q. Whom did you see on that subject?

A. Mr. Wesley, the deputy in the office.

7694. Q. Repeat again what he said?

A. When I came to the 16th of October papers, and afterwards, I saw that the number of the papers ranged very small—some four, five, or six hundred, and so on—smaller than they had ranged on previous dates. When I came to these papers I asked him where the papers of the 16th of October were, and he showed me right up over the desk where I was examining the papers, in a pigeon-hole. I said: "Is this all the papers that are here." He said they were all there for those days.

7695. Q. Did you inquire if all the papers for that day were in that pigeon-hole?

A. Yes, sir; and I made the remark, "these days are very small," and he said they were all there. He said he knew nothing about them except they were all there. I think he made that remark.

7696. Q. Did you ask him to make inquiry of other clerks, or the chief clerk?

A. No, sir.

7697. Q. Did you tell him that there was any inconsistency between the number found there and the reported number taken on that day?

A. No, sir.

7698. Q. Did you have a list before you of the number reported by the clerk previously, to have been taken on that day?

A. No, sir; I did not have any report of the clerk at all. I never had.

7699. Q. When you were going over this list with a view of determining the number of applications in each of which any one person appeared

as a witness, did you take pains to examine the handwriting of that witness to each of these applications?

A. Yes, sir.

7700. Q. What do you say about it?

A. I found that several of the parties were witnesses a great many times on those different days, from the same place, the same number and street in New York city, and in the same handwriting. I compared the handwriting, and became familiar with it, so that I would swear, to the best of my knowledge and judgment, that the handwriting was the same in each case where the number and the street were the same.

7701. Q. I did not inquire so much about that as about the identity of the handwriting. You may have been persuaded from the other facts, in connection with that handwriting, that it was the same, I now ask you to express your judgment on the handwriting alone?

A. On the handwriting alone, all the notes I have made I will swear to—to the handwriting of the different parties who were witnesses.

7702. Q. You state in the list that the name of Patrick McCaffrey appears as a witness 251 times. I ask you now if you examined these 251 signatures?

A. No, sir; I did not—not all of them; but I can tell you what I have examined.

7703. Q. You can tell how many you have examined?

A. Yes, sir, by going through the papers. I examined 13,377 papers out of that proportion found on file.

7704. Q. I want to know, now, whether, in all those you did examine, you can swear that the handwriting of Patrick McCaffrey to each one was written by the same hand?

A. In one or two cases his signature was changed; but it was always the same name and from the same place.

7705. Q. I want to disconnect the idea of the name from the place entirely. I am simply talking about the style of handwriting.

A. I would swear to that—that is, to his handwriting—I mean to the handwriting as witness to the applications.

7706. Q. But you do not know anything about him, and cannot swear to his handwriting?

A. I mean, from my examination of the papers.

7707. Q. You will swear to what?

A. That I found his name so many times.

7708. Q. You found the name of Patrick McCaffrey signed to the papers, but was the name of Patrick McCaffrey in each instance signed by the same handwriting?

A. I would say it was.

7709. Q. In each instance?

A. Yes, sir; except in two cases.

7710. Q. Did you give any special attention to the comparison of hands in the examination of these signatures?

A. Yes, sir; I did.

7711. Q. Was not Patrick McCaffrey's name sometimes signed with a cross?

A. I do not remember it.

7712. Q. Were not a good many of the names signed with a cross?

A. Some were; for instance, the name of Patrick Mahan was signed with a cross frequently.

7713. Q. Any others?

A. The greater part of the others were in handwriting without any cross.

7714. Q. Didn't you find a great deal of disparity between the hand-writings of these witnesses?

A. I did in some cases. I did in one name that appears very often.

7715. Q. What name is that?

A. John Moran. I find that name hailing from different places, and in different handwritings.

7716. Q. How was it with the name of Solomon Berliner?

A. It was always the same handwriting, I should say.

7717. Q. How with the name of Henry Jacobs?

A. The same.

7718. Q. Do you recollect anything about John Ward?

A. Yes, sir.

7719. Q. How did that name run?

A. In that name the signature was changed considerably.

7720. Q. Wasn't that often signed with a cross?

A. I do not remember seeing it signed with a cross, but always in handwriting.

7721. Q. When you were making any of these examinations were any of the clerks by and assisting you?

A. No, sir; those in the clerk's office never assisted me.

7722. Q. Did you make the examinations in the office, or take the papers out?

A. In the office.

7723. Q. How long were you in making those examinations?

A. About two weeks; a little over that, I think.

7724. Q. Why didn't you go to Mr. Sweeney, the chief clerk, and inquire for any other papers there might be in the office?

A. I could not state any reason why. I was ordered to go there and make an examination of these papers. I had no order to the contrary, and I did not seek to inquire there at all.

7725. Q. Who procured your services to make these examinations?

A. Mr. Glassey.

7726. Q. What is his first name?

A. I do not know.

7727. Q. In whose behalf did he hire you to do it?

A. He hired me in behalf of the Union League club, I think.

7728. Q. What is your business?

A. A lawyer by profession.

7729. Q. Where do you practice?

A. I do not practice anywhere at present.

7730. Q. What is your business now, then?

A. My business is in their employ now.

7731. Q. You mean you are not practicing otherwise than in the service of the club?

A. Yes, sir.

7732. Q. How long have you been in their service?

A. Three weeks, to-day.

By the CHAIRMAN:

7733. Q. State if you made any memoranda of any irregularities or deficiencies in the applications for naturalization which you examined; and if so, state what they were.

A. I did; the memorandum I made is as follows:

Same handwriting all through: October 22, 7; October 21, 10; October 20, 3; October 19, —; October 16, 7; October 15, 7; October 14, 13; October 13, —; October 12, 41; October 10, —; October 9, 3—judge's and clerk's names not signed; October 8, 15—clerk's name not signed; October 7, 2—clerk's name not signed; October 7, 1—judge's name not

attached, but clerk's is. Witnesses' name not signed to affidavit: October 22, 2; October 21, 1; October 20, 2; October 19, 4—parties' papers made out by one man, J. Coffey; October 16, 1; October 15, 3; October 14, 1; October 13, 5; October 12, 8; October 10, 2; October 9, 1; October 8, —.

By Mr. KERR:

7734. Q. Do you mean that you and your associate found these irregularities?

A. No, sir; they are taken from my special notes. I have not taken them from my associate's notes at all, because I could not swear to his notes.

7735 Q. What was your business before you studied law?

A. I never had any business. I was at college all my lifetime until I studied law.

7736. Q. Was it ever any part of your business to give special attention to the comparison of handwritings, the detection of similarities or discrepancies in handwritings?

A. No, sir; I never had any special business of this kind before, only so far as I was conversant with different signatures and different handwritings.

7737. Q. Do you know whether any final certificates were ever issued upon these applications not signed by the judge or clerk?

A. I could not swear to that. All I can say is, I found the papers there.

7738. Q. Did you take the names of the applicants of those papers?

A. Yes, sir.

7739. Have you a list of them?

A. I have.

7740. What are they?

A. The list I took is as follows:

OCTOBER 12, 1868.

John Ey	1	Jeremiah Coffey	5
Solomon Berliner.....	20	Bernhard Lachman	8
Jacob Hoffman	18	Thomas Wheeler	7
John Nixon	1	Charles Tules	11
Philip Wiley	16	Michael Culligan	11
James O'Donnell	29	Charles A. Skell	6
Patrick McMahon	21	James Collins	5
George Williams.....	5	James Tracy	15
Jacques Smitz	4	John Ward	1
James Flynn.....	2	Patrick Gallagher	1
Henry Jacobs	29	Richard Curry.....	2
Patrick McCabe	4	Patrick McCaffrey	16
James Scott	9	John Ward.....	6
Joseph Ferguson	13	Chauncey Grey.....	1
John Moran	33	Patrick Goff.....	3
James Jones	4	James Goff.....	2
James McEnany.....	8		

Franz Kafka, same writing all through, by Solomon Berliner.

James McCarron, same writing all through.

John Mackey, same writing all through.

Thomas Dunn, same writing all through.

Thomas Ross, same writing all through.

Patrick Farley, same writing all through.

Joseph Kemp, same writing all through.

Hugh Sullivan, witness's name not signed to affidavit.

Michael Corregan, witness's name not signed to affidavit.

Michael Conroy, witness's name not signed to affidavit.

John Campbell, same writing all through.

Jeremiah Sheehan, same writing all through.

Patrick Fitzgibbons, same writing all through. } Same hand.

Thomas Madagan, same writing all through. }

Edward Fenton, same writing all through.
 Edward Sands, signature of witness for Jeremiah Abern written by J. Ward.
 Edward Mulrooney, same hand all through.
 John Walsh, same hand all through.
 Samuel McCracken, same hand all through.
 Patrick McDermott, same hand all through.
 James Flannen, affidavit and witness's name written by J. Ward.
 Albert Thilhom, same hand all through.
 Thomas Burke's, witness's name not signed to affidavit.
 Jeremiah Hastings, same writing all through, written by J. Tracy.
 John Hagety, same writing all through.
 Patrick Sullivan, same writing all through.
 Jeremiah Corekran, same writing all through.
 Thomas Shea, J. Coffey, witness, and J. Tracy: seems to be the same identical handwriting.
 Felix McCarthy, same handwriting all through.
 James Hannaks, witness's name not signed to affidavit.
 John Hastings, same hand all through, by J. Tracy.
 John Cantwell, same hand all through.
 Thomas Lawler, same hand all through Jeremiah Coffey, witness.
 James Gorman, same hand all through, by J. Tracy.
 Patrick Boylen, same hand all through.
 Patrick Bourkis, witness's name not signed to affidavit.
 Mark Brennan, same handwriting all through.
 John Egan, witness's name not signed to affidavit.
 John O'Keefe, same hand all through.
 James Coleman, same hand all through.
 John Hardyman, same hand all through.
 John Sheehan, same hand all through.
 James Reilly, same hand all through.
 Hugh Cassidy, same hand all through.
 Rupert Kiltman, same hand all through.
 John O'Brien, same hand all through, by J. Tracy.
 Patrick King, same hand all through.
 Michael Kattel, same hand all through, by J. Tracy.
 Bernard McGuckin, same hand all through, by J. Tracy.
 Dennis Nugent, same hand all through, by Jeremiah Coffey.
 Ernst Jansen, witness's name not signed to affidavit.

WASHINGTON, D. C., *January 27, 1869.*

ABRAHAM VOORHEES recalled and examined.

By the CHAIRMAN:

7741. Question. State what examination you have made in the superior court of the applications for naturalization and affidavits of witnesses on file in that court, in the city of New York, for the months of September and October, 1868.

Answer. I have examined the applications for naturalization and the affidavits of witnesses in the superior court in New York city for the 30th day of September, the 1st, 2d, 3d, half of the 16th, the 19th, and 23d of October, 1868.

7742. Q. State if you correctly reported to Christopher Callan the number of applications for those days, so that he might embody them in a tabular statement.

A. Yes, sir, I did, and I have the original papers here upon which I made the count.

7743. Q. Did you observe any irregularities?

A. I did; I have a list of some such.

7744. Q. State if you observed any deficiencies or irregularities, and describe them.

A. I did not examine all the papers with a view of finding defects upon them. I did not take time to do that; indeed did not have time enough so to do; but I discovered the following noticeable defects: On the 5th day of October—and I may say that I have looked over a large

number of the papers of days other than those I have previously mentioned as having been examined by me—I found three papers to which there was no witness's signature, and two papers with no judge's signature; also four papers that I remember with no applicant's signature. On the same day there are nine, at the least calculation, I am confident. There were more papers, however, where the names of the witness and applicant were both written by the same hand. There were dozens upon dozens where the witness's signature and the applicant's signature were written in the same hand and a mark made. On October 7th there are three papers to which there are no witness's signature, and one with no applicant's signature. On October 8th there are five papers with no witness's signature. On October 10th there are four with no witness's signature; nevertheless the judge's signature is there. On the 4th there is a George Washington, an Andrew Jackson, and a John Morrissey, all naturalized on the same day. On the 13th of October there are nine papers without the witness's signature. There were also four without any applicant's name in. On the 14th of October there were ten without any witness's signature; on the 15th, four; on the 16th there were three; on the 21st, two; October 23d, six. This you understand is only what I remember to have seen from my partial examination.

By Mr. Ross:

7745. Q. Do you know whether any final certificates issued on these papers?

A. I could not say. I know these are original applications, and I have seen them issue on similar papers.

7746. Q. Do you know whether there were certificates issued on these papers?

A. I could not tell, of course.

7747. Q. Who employed you to make this examination?

A. Mr. Samuel J. Glassey.

7748. Q. Who is Mr. Glassey?

A. A lawyer in New York. I first assisted him, but after a day or two went at it myself alone, so far as he was concerned.

WASHINGTON, D. C., *January 29, 1869.*

JOHN McCLUSKY sworn and examined.

By the CHAIRMAN:

7749. Question. Where do you reside?

Answer. No. 132 White street, in the city of New York.

7750. Q. How long have you lived there?

A. About 44 years.

7751. Q. What connection, if any, have you had with any of the courts in that city?

A. I have been a police officer and a clerk—have been first clerk to the city judge.

7752. Q. When were you clerk to the city judge, and for how long a time?

A. For the last six years; five years under one judge, and one year prior to that as secretary to another.

7753. Q. State if you were in the supreme court in New York city in the month of October last, at any time when persons were being naturalized.

A. I have been in there several times.

7754. Q. Do you know what was the last day on which naturalizations were made in that court, prior to the presidential election?

A. Which way do you mean by that?

7755. Q. I understand that naturalization closed on the 23d of October—that was the last day I believe. State if you know how that is.

A. If that was the day, it is well known to the committee. I was there on the last day—on the last evening.

7756. Q. Well, where?

A. In the supreme court.

7757-8. Q. State which room you were in, or if you were in more than one, state that fact.

A. The supreme court is all one; there may be different apartments.

7759. Q. What judge was presiding when you were there?

A. Judge Barnard, I think.

7760. Q. What was he engaged in?

A. I can't answer that; just at that time he might have been performing a dozen different duties.

7761. Q. State what you saw him do?

A. State what I saw him do?

7762. Q. State if you saw him have any papers?

A. I saw him talking with friends present; shaking hands with persons in a very friendly manner.

7763. Q. Was any court in session any time when you were there?

A. Not for hearing causes; I don't think it was, at least.

7764. Q. State if it was in session for any purpose?

A. I think the court was open for the purpose of naturalizing men—making citizens of parties.

7765. Q. State if you saw a man named McCaffrey there that night.

A. Am I bound to answer those questions?

7766. Q. Yes, sir, you are. (Question repeated.)

A. I think I did.

7767. Q. Did you see a man named Moran there?

A. There might have been a dozen men there by the name of Moran.

7768. Q. Did you see any one there by that name that you knew?

A. Yes, sir.

7769. Q. State if you saw a person named Repper, Frederick Repper, get any naturalization papers there that night.

A. I saw a man there who is called by that name.

7770. Q. State if he got any naturalization papers through that night.

A. That is a statement I could not make on oath. I saw him have those papers in his hand.

7771. Q. How many?

A. Standing eight or ten feet from him, I could not count them.

7772. Q. Well, about how many? Describe, as near as you can, the size of the package?

A. Might be five or ten, more or less.

7773. Q. What were these persons doing that were in the court-room that evening? I mean McCaffrey, John Moran, and Frederick Repper.

A. What were they doing?

7774. Q. Yes, sir.

A. That is too far fetched; I can't recollect what they were doing just at that time.

7775. Q. How many others were in the court-room that evening.

A. There might have been—I can't tell how many—well, say from 10 to 20 or 30; no, there must have been nearly 40—say from 10 to 40.

7776. Q. What were they engaged in?

A. I did not see them engaged in anything.

7777. Q. State if any of them were sworn as witnesses.

A. Am I obliged to answer all those questions?

7778. Q. Yes, sir; and you must answer more promptly than you do. I now repeat the question.

A. Yes, sir.

7779. Q. For what?

A. That I can't tell; they were sworn.

7780. Q. How much light was there in the court-room at that time?

A. Gas-light.

7781. Q. How much? How many burners?

A. I can't tell that; I don't go into a room to look at gas-burners.

7782. Q. Was the room well lighted, or otherwise?

A. It was well lighted around the front part, by the judge's desk.

7783. Q. State if Judge Barnard left the court-room at any time or times while you were there.

A. I think he did.

7784. Q. How often?

A. Once I am positive of.

7785. Q. How long was he absent?

A. From a minute and a half to five minutes; I can't tell exactly.

7786. Q. Where did he go?

A. I could not tell you where he went.

7787. Q. Did you have any blank applications for naturalization with you that evening?

A. I had rather not answer that question; I think it would criminate me, perhaps.

7788. Q. That is no excuse, sir; you must answer.

A. I had some applications there; they could not have been blanks, for they were filled up.

7789. Q. On blank printed forms?

A. Yes, sir.

7790. Q. How many did you have?

A. Well, probably 10 or 15 or so.

7791. Q. Where did you get the blanks?

A. In the county clerk's office.

7792. Q. From whom?

A. I can't say who it was.

7793. Q. Did you procure any certificates of naturalization that evening from the judge or from the clerk or from the court?

A. No, sir.

7794. Q. Did you procure certificates of naturalization from that court any time in October?

A. Yes, sir.

7795. Q. When?

A. The day after I left my blanks.

7796. Q. From whom did you get them?

A. From the clerk of the court.

7797. Q. Which clerk?

A. Mr. McKean.

7798. Q. How many certificates of naturalization did you get from him?

A. I can't give the exact number.

7799. Q. State as near as you can.

A. About 40, sir.

7800. Q. State if they were certificates of naturalization to real persons or the names of fictitious persons.

A. They were persons I imagined wanted naturalization papers.

7801. Q. Where did they reside?



A. I can't tell.

7802. Q. Do you know that there were persons of real names corresponding to those for whom you procured certificates of naturalization?

A. Yes, sir.

7803. Q. Where did they reside?

A. These names I passed in did not want any papers.

7804. Q. Where did you get the certificates of naturalization for them?

A. I will have to decline answering that.

[Mr. Kerr, to the chairman, insists that the witness shall not only answer the question, but shall be made to answer promptly and clearly, and without hesitating or trifling with the committee. The chairman so instructs the witness, and the question is read by the clerk.]

WITNESS. Must I answer that?

7805. Q. You will have to answer. State whether you made out a list of names, and if for those names you received certificates of naturalization issued by the court.

A. I made out such a list; yes, sir.

7806. Q. What did you take it from; simply from your imagination, or how?

A. Partly imagination, partly otherwise.

7807. Q. Did you know of the existence of persons having those names?

A. Some I think I did.

7808. Q. How as to others?

A. Some not.

7809. Q. You say you procured certificates of naturalization for all those names; did any applicants appear before the judge or the clerk or the court to get those certificates?

A. I was not there to see, sir.

7810. Q. Do you know of any persons making application for them?

A. There was none to my knowledge.

7811. Q. Have you any information which leads you to suppose any person did make such application?

A. Well, parties might have—some of them whose names I handed in might have come and I not know anything of it.

7812. Q. Did any applicants for naturalization ask you to hand in those names?

A. Yes, sir.

7813. Q. Who?

A. A man named Oakley gave me two names.

7814. Q. Give Oakley's full name.

A. Alfred or Al; I don't know which.

7815. Q. Did any person in whose name a certificate of naturalization was granted ask you to make application for him?

A. Yes, sir.

7816. Q. How many?

A. One.

7817. Q. Is that all?

A. Yes, sir, that is all.

7818. Q. Did any witness appear to testify for the issuing of any one of those 40 or more certificates of naturalization which you procured?

A. I was not there to see whether any witnesses appeared or not.

7819. Q. Had you then, or have you now, any knowledge of any witness appearing for those papers?

A. They might have appeared without my knowledge; I don't know about that.

7820. Q. Can you state any fact tending to show that any witnesses did appear in those cases?

A. I should judge that was the court's province to prove that; I can't prove what belongs to the court's province; I took no witnesses there.

7821. Q. Do you know of any other persons having any connection with the procurement of the certificates issued for those applications which you took there but yourself?

A. From hearsay I have; I have heard of others getting out papers, but I would not like to mention their names; it is only hearsay.

7822. Q. Do you know, I ask, of any other person than yourself being engaged in obtaining or assisting in obtaining those certificates of naturalization which were given to you?

A. I saw one person there.

7823. Q. Who was it?

A. His name was Harris.

7824. Q. Give his full name.

A. I can't tell his given name.

7825. Q. Did he tell you, or do you know, that he was getting out any of those papers which you procured, or was he getting out other papers?

A. He was not getting out any that I procured.

7826. Q. Then you know of no one who assisted in getting out any of the papers procured by you?

A. No one got any of my papers.

7827. Q. How did you pay for those certificates of naturalization?

A. With tickets.

7828. Q. What sort of tickets?

A. Red tickets.

7829. Q. Where did you get them?

A. It might be No. 1 Tryon Row or No. 1 Centre; it is on the corner of Tryon Row and Centre; it is generally called No. 1 Centre street.

7830. Q. In what room were those certificates of naturalization delivered to you?

A. In the supreme court room.

7831. Q. In the room where Judge Barnard presided and held his court?

A. Yes, sir; he was sitting on the bench then.

7832. Q. State if you know anything of persons procuring certificates of naturalization in a room across the hall from that court-room in which you say he was presiding.

A. I don't know across the hall. I never was in the room across the hall except in chambers.

7833. Q. What ward do you reside in in the city of New York?

A. The 6th ward?

7834. Q. State if you were at the polls on the day of the last presidential election.

A. I was there.

7835. Q. In what district?

A. The 10th district of the 6th ward.

7836. Q. State if you saw any slips of paper with the names of persons written on them, and numbers of houses and names of streets.

A. Yes, sir.

7837. Q. Did you have any yourself?

A. Yes, sir.

7838. Q. How many?

A. I can't tell.

7839. Q. State as near as you can.

A. From 40 to 60.

7840. Q. State if you furnished those slips to any person that day.

A. I gave out plenty of tickets.

7841. Q. Did you furnish those slips to any person ?

A. To some.

7842. Q. Did you give out all the slips you had ?

A. Not quite all.

7843. Q. How nearly all ?

A. Well, considerably lacking.

7844. Q. Did you see Police Justice Dowling there that day ?

A. No, sir.

7845. Q. Did you see Captain Jourdan there that day ?

A. I don't remember seeing him.

7846. Q. What political party were you representing that day ?

A. The party I have always represented.

7847. Q. What was that ?

A. The democratic party.

7848. Q. State if you observed men voting more than once at that poll that day.

A. Are those fair questions to be asked ?

7849. Q. Yes, sir.

A. Yes, sir, I did.

7850. Q. How many of them ?

A. Two or three.

7851. Q. State if you know of others being engaged in the same business.

A. Yes, sir.

7852. Q. State if you have been familiar with the voting population of the 6th ward.

A. Has that got anything to do with the last November election ?

7853. Q. Yes, sir. We want to know if you have been familiar with it in years past, so as to enable you to know what it should have been this last year.

A. I know they polled the heaviest vote there last November that they ever polled.

7855. Q. State if you have been familiar with the voting population of that ward for some years past.

A. I think the largest vote it ever polled was when Mat. T. Brennan, its favorite candidate, ran for comptroller. He got an almost unanimous vote—having about 180. We made extra exertions that year to bring out the vote.

7856. Q. From your knowledge of the voting population of that ward, and your knowledge of it at previous elections, will you state how many legal voters there are in that ward ?

(Mr. Kerr objected ; the objection was overruled.)

A. I can't tell anything about that. If there is five thousand come in there ten days prior to election, they are voters.

7857. Q. State if you have means of judging as to the number of legal voters of that ward.

A. A man's judgment varies, and mine is not any better than any one else's, and not as good as some.

7858. Q. State if you have means of judging what is the voting population ?

A. I have no more means than a man who has lived there three years; although I have lived there more than forty. I am no census taker.

7859. Q. State if you have such means of knowledge as will enable

you to form an estimate of somewhere near the number of legal voters in the ward.

A. That question should be asked of some one who puts himself up for office and not of me.

7860. Q. State if you know.

A. I don't know the total vote of the ward.

7861. Q. State what are your means for knowing.

A. I have no means of knowing what the population of the ward is.

7862. Q. State if you were summoned to appear before this committee when it sat in New York.

A. Well, what if I was?

7863. Q. You must answer my questions. Was there a summons served on you?

A. There was one.

7864. Q. Any more?

A. Yes, sir.

7865. Q. State if you attended before this committee or failed to do so.

A. Business prevented me from attending.

By Mr. KERR:

7866. Q. Where do you live in New York?

A. White street.

7867. Q. What is your number?

A. No. 132.

7868. Q. How long have you lived there?

A. Eleven years next May.

7869. Q. In the same place and number?

A. Yes, sir.

7870. Q. You say you are clerk of the city judge?

A. I was until the 1st of January last. Indeed I have not yet been notified of my removal.

7871. Q. You were acting then as his clerk until the 1st of the present month?

A. Yes, sir.

7872. Q. Who is the city judge?

A. Judge Russell was then.

7873. Q. And who now?

A. Judge Bedford is now.

7874. Q. What were your duties?

A. Attend to office business, and attend the judge at court.

7875. Q. How long do you say you were in that service?

A. Five years.

7876. Q. What were you doing before that time?

A. I was one year with Judge McCunn; that makes six years.

7877. Q. You say you have not been notified of your discharge?

A. I don't think it is a legal discharge, if he has appointed any one in my place.

7878. Q. You mean you were clerk of the court?

A. My position was clerk. In court I acted as an officer of the court; I was detailed on special duty.

7879. Q. Who appointed you?

A. Judge McCunn first.

7880. Q. Who appointed you last?

A. Judge Russell.

7881. Q. What were your duties?

A. I was clerk in his office.

7882. Q. Not the clerk of his court?

A. No, sir; Mr. Vandervoort and Mr. Sparks are the clerks of the court.

7883. Q. You were the individual clerk of the judge?

A. I was the clerk of his office, his individual clerk—yes, sir—not the clerk of the court.

7884. Q. And you think you have a right to serve Judge Bedford in the same capacity?

A. Not being notified of my discharge, there is doubt about it yet.

7885. Q. Why did you not obey the order of this committee while it was in New York?

A. I had some other special business to attend to.

7886. Q. Who advised you not to come before the committee there, but to wait until it came here?

A. No one advised me not to go before it there.

7887. Q. Did no one advise you to wait until the committee returned here, and then to come before it and testify?

A. No, sir, no one.

7888. Q. Who employed you to come here and give this testimony?

A. No one employed me.

7889. What compensation do you expect for testifying here?

A. I expect no compensation except my proper witness fees—expenses.

7890. Q. How did you happen to come over here?

A. I was subpoenaed.

7891. Q. By whom?

A. Yesterday afternoon at 6.30.

7892. Q. Who by?

A. A man named Barnes, I think. [Mr. Le Barnes is the special messenger of the sergeant-at-arms to this committee.]

7893. Q. What did he say to you?

A. He came to my house and subpoenaed me, and said that the committee had had a great deal of trouble about me, and I would get myself into difficulty if I did not take care, and that I had better go right on to Washington now in accordance with my subpoena.

7894. Q. Do you know Colonel Wood?

A. No, sir.

7895. Q. You say you got blank applications for naturalization from Mr. McKean?

A. No, sir, I did not say any such thing; I got them from the county clerk's office; that is what I said.

7896. Q. I misunderstood you. Of whom in the clerk's office did you get them?

A. A young man.

7897. Q. Do you know the chief clerk of that court in which you got these applications?

A. I got them in the county clerk's office; he is the clerk of the supreme court.

7898. Q. Do you know the clerk?

A. I know Mr. Loew personally.

7899. Q. Do you know any one else in his office?

A. No, sir.

7900. Q. Did you get these papers of him?

A. No, sir.

7901. Q. When did you get these blank applications?

A. Some time in October; I don't know the day.

7902. Q. What did you say to the clerk of whom you got them?

A. I told him I wanted some minor papers.

7903. Q. Did you tell him you were going to use them unlawfully?

A. No, sir; never.

7904. Q. Did you tell any one you were going to use them unlawfully?

A. No, sir; I never did.

7905. Q. From whom did you get your red tickets?

A. I could not name the party.

7906. Q. Where did you get them?

A. No. 1 Centre street; on the corner of Centre street and Tryon row, in the basement.

7907. Q. What did you get them for?

A. To make use of.

7908. Q. What did you state was the purpose you had in getting them?

A. To cover the expense of making the applications.

7909. Q. You wanted the tickets to pay the cost of getting the certificates?

A. Yes, sir; they represented the cost of the certificates.

7910. Q. Did you tell any one you wanted them to pay the costs on papers unlawfully obtained?

A. The application showed I wanted tickets.

7911. Q. Did you tell any one you wanted them to pay the costs on papers unlawfully obtained?

A. They made no such inquiry.

7912. Q. Did you give them any reason to suppose you wanted those tickets to pay for fraudulent naturalization papers?

A. No, sir.

7913. Q. You procured some final certificates of naturalization?

A. Yes, sir.

7914. Q. How many?

A. Somewhere near 10 or 40.

7915. Q. And I understand that you say that for these certificates you procured blanks and filled them out fraudulently?

A. That question was not asked of me in that way. I filled out the blanks, or caused them to be filled out, and left them there and received my papers.

7916. Q. You left them where?

A. At the clerk's desk in the supreme court room.

7917. Q. In whose hands did you leave them?

A. In Mr. McKean's hands.

7918. Q. What did you tell him?

A. I said they were all "sworn to"—were "all right."

7919. Q. Is that all you told him?

A. That is all I said, save that I wanted to know when I could get them.

7920. Q. Did you tell him that the witnesses or applicants would come there?

A. No, sir.

7921. Q. Where was this desk to which you refer?

A. In the court-room.

7922. Q. When you said to him, "They are all right; they have been sworn to," did you mean they were "all right" because they had been sworn to before the court by proper parties? (Mr. Dawes objected to the question, but subsequently withdrew his objection.)

A. I made no distinction whatever. I said, "There is a package. Can I have them to night? They have been all sworn to and are all right."

7923. Q. What did he say?

A. He said, "No, sir; to-morrow you can have them."

7924. Q. Don't you know that he understood from what you did say that those papers had been sworn to before the court so that he might pass upon them?

A. I can't tell what he thought.

7925. Q. Did you say anything to him that could have led him to believe that was not what you meant?

A. Nothing but what I have told you.

7926. Q. Directly or indirectly, by words or signs, did you give him to understand that the persons named in those applications represented persons who did not exist?

A. I said nothing to him but what I have stated. I don't know what he thought.

7927. Q. Did you give him to understand that those were fraudulent papers that you desired him to put through?

A. I have told you all I said to him; no, sir.

7928. Q. Do you know whether he knew you were practising fraud upon the court?

A. I can't tell his opinion or his knowledge.

7929. Q. Well, now, I would like you to be a little more particular in stating what you did say to him when you handed him those papers.

A. I said, "Here is a bundle of papers; I want to get them as quickly as possible."

7930. Q. Had you been engaged in this business long?

A. Last year was the first.

7931. Q. I mean during that time—for days before this particular time of which you are speaking?

A. On two days.

7932. Q. Before?

A. No; only two days in all?

7933. Q. Had you been there on the preceding day—the day before?

A. I think I was there on the 21st, and I know I was there on the last day. If you say the last day was the 23d, that was the last day I was there.

7934. Q. You think, then, you were there the day before this conversation took place?

A. No; two days before.

7935. Q. Did you have a similar conversation on that day?

A. There was no conversation. I merely tied up the bundle and left it there, saying, "Get them through."

7936. Q. Did that conversation take place on two successive days?

A. Once only in succession.

7937. Q. In order to get these applications through the court so as to hand them to the clerk did you procure the signature of the judge in any way?

A. No, sir.

7938. Q. Do you know whether his name was to those applications in any way?

A. No, sir.

7939. Q. Do you mean to say that the judge's signature was not upon those applications?

A. I saw him signing his initials on the back of papers. They might have been those of mine. The way the business was done was for parties to hand the papers to the clerk, and he generally told them to come the next day.

7940. Q. You say you got these papers—applications—filled them up, and took them to the court; that there they were handed to some of the court officials, and passed from one to another until they reached the judge, and after being passed upon by him they went into the hands of the clerk?

A. No, sir; that was not asked me. In the court-room there were eight or ten clerks; five or six anyhow. These clerks generally took the applications from parties and handed them to the judge. When the papers were properly endorsed on the back naturalization certificates were made out.

7941. Q. Do you mean, then, that this committee shall understand by what you have said that those papers were fraudulently passed and endorsed by Judge Barnard that you say you procured?

A. I can't prove perjury, or anything like that. I have told you how I got the papers. The committee must draw its own inferences. The papers I passed to the clerk had not been signed by the judge.

7942. Q. Did Judge Barnard know that you were trying to practice fraud upon the court?

A. I can't tell what he thought.

7943. Q. Do you know?

A. I can't tell that.

7944. Q. Did you tell him or intimate to him that you were so engaged?

A. No, sir.

7945. Q. Did you go into the court alone, or in company with some one?

A. Alone.

7946. Q. Who were in the court-room when you went there?

A. I saw some that I knew and a great many that I did not know.

7947. Q. How many did you see that you knew?

A. Well, five or six, eight, ten or twelve, that I knew. There were two or three hundred waiting around to get their papers.

7948. Q. Was there such a crowd there every time you was there?

A. I went once to get my papers when the court was in session.

7949. Q. That was the time you got them from the clerk?

A. Yes, sir.

7950. Q. Well, this time you were speaking of, you say you saw numerous persons you knew and some two hundred or so you did not know?

A. Three to four hundred.

7951. Q. Is it true that you got through a single paper—one of those applications of which you have spoken—without some person, either falsely or honestly, went before the judge as an applicant, and some other person, either falsely or honest, went before the judge as a witness?

A. I got nobody. No one went before the judge for my papers.

7952. Q. Do you mean to say that a single one of those applications you so procured—or upon which you procured naturalization certificates—was passed by the judge and approved by the court where some person calling himself or acting as an applicant, and some other person calling himself a witness, did not appear before the judge and pass an examination?

A. Yes, sir.

7953. Q. State precisely how that was done.

A. You drew that out of me in the first place.

7954. Q. Well, I want you to state it again and carefully.

A. I went up and handed in a roll of papers—blanks that were filled

up—minor papers, and the next day I went and got the citizen papers therefor.

7955. Q. To whom did you hand them ?

A. Mr. McKean.

7956. Q. What was that roll; how many papers ?

A. I can't tell that. It was a roll of minor papers—applications of minors for citizenship.

7957. Q. When did you hand those to him—about what day and what hour of the day ?

A. From the 18th to the 23d of October—about the 21st.

7958. Q. About what hour of the day ?

A. It was in the afternoon—I can't state the hour exactly—say from one to four.

7959. Q. Do you mean to say that that roll of papers handed him at that time were mere applications filled up but not endorsed by the judge ?

A. They were simply filled up by me or dictated by me.

7960. Q. Dictated to whom ?

A. There was a young man in Judge Russell's office to whom I dictated the names.

7961. Q. You dictated the names to this young man and he wrote them in the papers ?

A. He filled some up and I filled some up. There were two different handwritings, so as to make them look genuine, and we changed our handwriting sometimes, and sometimes signed with a mark.

7962. Q. Were all these papers so filled up in Judge Russell's office ?

A. Yes, sir, all done there.

7963. Q. Give me the name of this young man ?

A. Theodore Taylor, but I can state that he had no knowledge of what was going on; he is a very young man and knew nothing about it.

7964. Q. Where does he live ?

A. I don't know.

7965. Q. How long have you known him ?

A. I know he lives somewhere in Harlem, but I don't know where.

7966. Q. How long, I ask, have you known him ?

A. A year, or 18 months.

7967. Q. What was his business ?

A. He was a clerk.

7968. Q. Do you mean a clerk in the court or Judge Russell's private clerk ?

A. The city judge is allowed clerks by the city and county. I was one clerk of his and Taylor was another.

7969. Q. What were Taylor's duties ?

A. He had nothing to do but to sit in the office and copy papers.

7970. Q. Did you two fill up all those applications upon which you obtained certificates ?

A. No, sir. A young man named Edward Ritter filled some up.

7971. Q. What excuse did you make to them for asking them to fill up those papers ?

A. I told them that it was none of their business.

7972. Q. Did they know you were in this fraudulent business ?

A. I think I told Ritter so.

7973. Q. Did he approve of the business you were engaged in ?

A. I don't know whether he approved of anything of the kind or not. He is quite a young man, only just a voter.

7974. Q. Did he make objections to doing this work ?

A. No, sir.

7975. Q. Did Mr. Taylor?

A. No, sir; he knew no more about what was going on than a boy 10 years of age. I told him to fill up one portion of the paper and I would fill up the other. That is all he knew about it.

7976. Q. Did you sell these applications?

A. No, sir.

7977. Q. What did you do with them?

A. I gave them to various people.

7978. Q. Foreigners?

A. Some.

7979. Q. Can you recollect their names?

A. No, sir.

7980. Q. Did you give them to foreigners or citizens?

A. I gave them to both classes.

7981. Q. Did you give them away or sell them?

A. I gave them away. I never sold one of them in my life; never got a penny nor a dollar for them.

7982. Q. When you handed that roll of papers to McKean did you tell him they were naturalization papers?

A. No, sir.

7983. Q. Did he know it in any way?

A. I can't tell what he thought.

7984. Q. Had they the judge's initials upon them?

A. No, sir.

7985. Q. What did you go back the next night for?

A. I went back the next day—not night—and got the certificates.

7986. Q. The business you did in court the other night was entirely different business?

A. Then I saw them endorsed by the judge.

7987. Q. These same applications?

A. Yes, sir.

7988. Q. This was the subsequent evening you saw this?

A. Not the subsequent evening; no, sir. One or two days intervened. The time I handed them in was in the afternoon.

7989. Q. At that time, then—whenever it was—after you handed in your applications, you saw the judge endorse them?

A. Yes, sir.

7990. Q. And you mean to say that no persons personated applicants or witnesses, or appeared before him so to do?

A. In my direct examination—

7991. Q. I want you to answer my question.

A. The answer to that is very difficult to give. If you will allow me I will explain, if you will not have it taken down, and then when I am through the substance of what I state may be taken down.

7992. Q. No; it must all go down.

A. Very well, then. Judge Barnard came in from the other room, where he was naturalizing, and sat down and said, "Have these papers all been sworn to?" and then signed them, an officer attached to the court having said, "Yes, sir."

7993. Q. What officer said that?

A. I don't know his name.

7994. Q. Do you know the names of any officers about that court?

A. Very few of them.

7995. Q. Can you describe that officer?

A. I can describe him.

7996. Q. How did he look? How tall was he? What age?

A. About 28 or 30.

7997. Q. Color of his hair ?
A. Dark.
7998. Q. Go on, sir, and describe him.
A. He was dark complexion, low-sized person.
7999. Q. Is that the only way you can describe him ?
A. Yes, sir; that is about all.
8000. Q. You say the judge was absent from the court-room from a minute and a half to five minutes ?
A. Yes, sir.
8001. Q. What had he been doing in the court-room ?
A. Swearing in regular voters.
8002. Q. You mean naturalizing persons ?
A. Yes, sir; naturalizing them. The clerk's business was to get them in rotation, and call the names of the principal and witness. They would all stand around the book—the Bibles. I went in and helped for a while to get them in line and order, and then they would swear.
8003. Q. In that way your papers as well as the others were put through ?
A. Not quite.
8004. Q. What was the difference ?
A. Well, sometimes the clerk swore one gang in and the judge another; but no one was sworn for my papers.
8005. Q. Were men being sworn as you have just described at the same time ?
A. Not at all.
8006. Q. Which was the first operation ?
A. I don't know which was first or which was last.
8007. Q. Was this swearing all done in the same room ?
A. No, sir.
8008. Q. In different rooms ?
A. Yes, sir.
8009. Q. In adjoining rooms ?
A. Yes, sir.
8010. Q. When these men whom you say were sworn by the clerk were being put through were they not sworn for the purpose of passing through your list ?
A. I did not inquire. After leaving my list I went away.
8011. Q. Were there not persons there for the purpose of passing your list ?
A. No, sir; not for my list.
8012. Q. Was there no one there to pass through your papers ?
A. No, sir; not to my knowledge; no, sir.
8013. Q. Could it have been done without your personal observation ?
A. I can't say it could not have been done. It might have been done. I have no knowledge of it.
8014. Q. Where did you stand while this was being done ?
A. To one side of the bench.
8015. Q. How near to the judge ?
A. The judge was not present when this was being done.
8016. Q. How near to the clerk ?
A. About five or six feet. I stood at one end of the judge's bench and the clerk in the centre. I should say about five feet.
8017. Q. When this gang came in what did the clerk say to them ?
A. The gang were in when I went in.
8018. Q. Had your papers been put through before you went in ?
A. No, sir.

8019. Q. What did the clerk say when yours were put through ?

A. I urged him to put them through quick.

8020. Q. What did he say to this crowd or gang ?

A. He called off some names and they would answer promiscuously. I don't know whether they were their right names or not. Sometimes one, or two, or three, would answer for the same name.

8021. Q. You don't know, do you, whether the same one would answer twice, or whether some man would answer as a witness when the name of the applicant was called and he had answered ?

A. No, sir.

8022. Q. What hour in the night was this ?

A. Between half-past six and eight o'clock.

8023. Q. After dark ?

A. Yes, sir.

8024. Q. By gas-light ?

A. Gas-light ? Yes, sir.

8025. Q. Did you not know when you engaged in this business that you were violating the laws of the State of New York and the laws of the United States ?

A. Yes, sir.

8026. Q. And yet you did it without any reward or promise of reward ?

A. Without any hope of reward, or any reward, or promise of reward.

8027. Q. Did you ever before engage in any such business ?

A. Not naturalization.

8028. Q. Have you engaged in fraudulent practices of any kind before ? [Objected to by Mr. DAWES, a vote taken, and objection sustained.]

8029. Q. I ask you to state whether you are a gambler by profession or engaged in that kind of business ?

A. No, sir.

8030. Q. Do you not habitually visit faro banks ?

A. No, sir.

8031. Q. Were you ever prosecuted in any of the criminal courts for any violations of the laws of the State of New York ?

A. Never.

8032. Q. Who told you that if you came here to testify before this committee you would be exempted from punishment ?

A. My own common sense.

8033. Q. You state here that you have violated certain laws both of the State of New York and of the United States; is it your opinion you are liable to punishment for violating those laws ?

A. I violated no law.

8034. Q. Will you have the kindness to explain that ?

A. If I write out a certain lot of applications here and present them subsequently to a court and go there the next day and get certificates of naturalization, no one being sworn for the papers, I think I violate no law. It is not perjury and it is not bribery.

8035. Q. That is your construction of the law ?

A. I think that way.

8036. Q. You think there is no fraud or violation of law involved in filling in names of applicants and procuring certificates therefor.

A. There is where there is money involved. There was no money involved there.

8037. Q. On that ground you think you go free ?

A. Yes, sir.

8038. Q. Very well, I only want to get your construction of the morality of this thing. You say you were also engaged in the business of repeating ?

A. I never voted more than once, that is at any general election. Do you mean at a primary ?

8039. Q. How many of these slips did you distribute yourself ?

A. I can't say certainly.

8040. Q. About how many ?

A. Say ten.

8041. Q. To whom did you give them ?

A. I can't name one person to-day.

8042. Q. Did you give them to strangers or persons you then knew ?

A. I gave them to those I knew were willing to take them. I knew them at the time by sight and know them now by sight.

8043. Q. Did you hear them called by no name ?

A. Their names would be too numerous to mention. I could not go through that ordeal.

8044. Q. You have forgotten them all ?

A. Yes ; I guess so.

8045. Q. Say if you are acquainted with a fellow by the name of William H. Travis, and if you can't think of some others of those you gave these slips to ?

A. I think I know a man ; no, sir, I do not know William H. Travis. I do not know any such man.

8046. Q. Do you know a man by the name of Peter Norton ?

A. Yes, sir.

8047. Q. Did you give him any ?

A. Not to my knowledge.

8048. What candidate for office procured you to distribute those slips, and secure votes that way ?

A. No candidate.

8049. Q. Were you not promised reward if you would do that ?

A. No, sir.

8050. Q. Were you in the company of any candidate when you distributed these slips ?

A. No, sir.

8051. At what district poll did you distribute those fraudulent slips ?

A. The 10th district of the 6th ward.

8052. Q. Anywhere else ?

A. No, sir.

8053. Q. Do you live in that district ?

A. Yes, sir.

8054. Q. No. 132 White street is in that district ?

A. Yes, sir.

8055. Q. You say the vote of that ward was very large this year ?

A. Yes, sir ; I said the vote of the ward was large. Did you ask me of the ward or the district ?

8056. Q. The ward. What was the vote of the 6th ward ?

A. The vote of the 6th ward topped 5,000 a little.

8057. Q. Were you ever engaged in the business of taking a census or count of the citizens or voters of that ward ?

A. No, sir.

8058. Q. Did you say you were once a police officer ?

A. I don't think I said so, but I was once a police officer ; I don't remember stating it before.

8059. Q. When were you on the police force ?

A. In 1856, 1855, 1854, and 1853.

8060. Q. How many years were you on the force ?

A. Five or six ; I was on two years and then off one, and then from

1852 I was on until the old police force busted. I was on the old force with his honor Fernando Wood, whom I saw down-stairs to-day; I left when he left.

8061. Q. You don't mean he was on the police force ?

A. No, sir; he had charge of it.

8062. Q. Are you acquainted with Robert Murray, marshal of the district court of the United States for New York ?

A. I never spoke to him in my life.

8063. Q. Are you acquainted with him ?

A. I know him when I see him.

8064. Q. Are you acquainted with General John A. Foster ?

A. I don't know him.

8065. Q. Are you acquainted with John H. White ?

A. I never spoke to him to my knowledge.

8066. Q. Are you acquainted with Samuel J. Glassey ?

A. I know the person.

8067. Q. Have you seen him lately ?

A. I saw him a few days ago.

8068. Q. What day ?

A. Yesterday, I think it was.

8069. Q. Where did you see him ?

A. William street.

8070. Q. Who was with you ?

A. No one.

8071. Q. Did you have any conversation with him ?

A. Not one word more than " Good day."

8072. Q. When did you last have a conversation with him ?

A. When I was with Judge McCunn; about six years ago.

8073. Q. Not since then ?

A. I have never had a conversation with him except to say " Good day," or " How do you do ?" since that time.

8074. Q. I want you to be certain now, if you can, whether when you got these fraudulent papers in the manner in which you have stated, you gave Clerk McKean to understand, in any way whatever, that you were engaged in the business of getting fraudulent papers.

A. He did not know what I was doing; I simply told him I wanted those papers, and what I have already stated.

8075. Q. You know him well ?

A. Pretty well.

8076. Q. How long have you known him ?

A. Two or three or four years, by meeting him often around the court; would generally say " How do you do, John ?" and pass the compliments of the day.

8077. Q. Are you familiar with him particularly ?

A. Not familiar with him, no, sir; nor an associate of his.

8078. Q. Did you ever give Judge Russell to understand, in any way, that you were engaged in this unlawful business ?

A. Are you trying Judge Russell or me; which ?

8079. Q. Answer my question.

A. I think he knew of it.

8080. Q. Answer my question, will you ?

A. I think he knew I was engaged in unlawful business.

8081. (To the clerk.) Read the question to the witness again.

A. I told him I was doing extra work.

8082. Q. What else did you tell him ?

A. Nothing that I can recollect at this time; I told him I was doing a little extra work.

8083. Q. Did you explain to him what that meant? I want you to answer more promptly.

A. I have got to think; it is some time ago. I told him I was getting out naturalization papers; he walked away and shut the door, and I had no more conversation with him.

8084. Q. Did you tell him you were getting out naturalization papers fraudulently?

A. No, sir.

8085. Q. Did you explain to him what your expression "extra work" meant?

A. No, sir.

8086. Q. Did you explain what you meant by saying you were "getting out naturalization papers?"

A. I did not.

8087. Q. What did you say that would lead him to think you were doing it fraudulently?

A. I don't know that he thought so; I simply said that because he saw me bothering around with papers; filling them up and the like of that.

8088. Q. Did you ask him to be relieved from your regular duties so that you might attend to this business?

A. No, sir.

8089. Q. What was it you said to him that makes you believe that he knew you was engaged in this business fraudulently?

A. I don't know that he believes it.

8090. Q. What made you then or makes you now believe it?

A. Because I told him I was doing extra work. That is all the reason.

8091. Q. Did you advise with him about the matter—whether it was right or wrong, or with any person?

A. No, sir; I got no advice from any person.

8092. Q. Are you in the habit of becoming intoxicated at times?

A. Sometimes I take a load of ale aboard.

8093. Q. Were you sober or intoxicated when you got these papers?

A. I don't think that I had drank a drop of liquor of any kind in almost five months.

8094. Q. Have you been intoxicated since then?

A. I have been under the influence of ale, or liquor if you so choose to call it. I have not been intoxicated or drunk.

8095. Q. Do you mean to say you have been drunk since that election; how is the fact?

A. I have been under the influence of ale, but not drunk, and before the time I took out those papers; at that time I had not tasted liquor for about five months.

8096. Q. Did Judge Russell allow you to remain in his office and service until his term expired.

A. Yes, sir.

8097. Q. What compensation did you receive for that service?

A. \$100 a month.

8098. Q. Have you a family?

A. I have, sir; four children and a wife—a wife and four children; I put the wife first.

8099. Q. You are engaged in no business now?

A. Not at present.

8100. Q. What is Ritter's full name?

A. Edward.

8101. Q. His residence?

A. I can't tell.

By the CHAIRMAN:

8102. Q. You have stated that you procured on the last occasion about forty certificates of naturalization. Who signed the names of persons purporting to be applicants and witnesses to the applications upon which those certificates were issued?

A. Those two young men I spoke of and myself.

8103. Q. Theodore Taylor, Edward Ritter, and yourself?

A. Yes, sir.

8104. Q. What other certificates of naturalization did you get besides those on this last day, the 23d of October; I mean how many did you get the first time, which you say was about the 21st.

A. From 12 to 15 or 18.

8105. Q. Were those issued to fictitious persons also?

A. They were names of men that I knew, most of them; but I put them down as I thought of them.

8106. Q. Had any one asked you to procure certificates for any of those names?

A. Two or three, I think.

8107. Q. How as to the others?

A. No person.

8108. Q. State what the purpose was of procuring those certificates of naturalization for those persons in the manner in which you have described?

A. My purpose was to spread them around to swell the vote up.

8109. Q. State how many voters reside at No. 132 White street, New York?

A. There is a person there by the name of J. H. Owens and myself, (John McCluskey;) that is all.

8110. State what names were registered at the last presidential election from that house?

A. I don't know.

8111. Q. State how many voters lived at 130 White street?

A. I think there were two; there might have been three; I am positive of two. Mr. Monahan lives there, and another man whose name I am not certain of.

8112. Q. State who lived at No. 134 White street; voters, I mean.

A. Mr. Napoleon Wooldridge and Mr. Reagan.

8113. Q. Did any such persons as Owen Cavanagh, John Dwyer, Arthur Campbell, Owen Cavanagh, and Roger Murphy live at No. 132 White street?

A. No such persons at all.

8114. Q. Did any such persons as James Brady, Hugh Mitchell, or Thomas Kerrigan reside at No. 134 White street?

A. I can't answer as to who lived at other persons' houses.

8115. Q. Do you know any such persons as those?

A. I do not.

8116. Q. Did James Boyle, Thomas Higgins, or Adam Hahn live at No. 130 White street to your knowledge?

A. I can't tell; but they did not to my knowledge.

8117. Q. Do you know of any such persons ever living there?

A. I don't know any such persons; no, sir.

8118. Q. Who signed the names of applicants and witnesses to the first batch of applications on which you procured certificates?

A. I have answered that. They were not done by real applicants or witnesses.

8119. Q. The names of the witnesses you say were not signed by real witnesses but by some other person?

A. By some other person. Yes, sir.

Re-examined by Mr. KERR:

8120. Q. Do you mean to say that you procured two batches of final certificates, or only one?

A. On two different occasions I received certificates.

8121. Q. One you have fully described as having happened at night; was the other before or after that?

A. Before that.

8122. Q. How long before?

A. Two or three days or four days.

8123. Q. When you took these applications to the clerk for the first batch what did you tell him?

A. I have got some papers I want fixed up.

8124. Q. What clerk was it you told that?

A. Mr. McKean.

8125. Q. What did he say?

A. He asked me if they were "all right," and I said, "Yes."

8126. Q. What did he mean by that?

A. I can't tell.

8127. Q. What did you mean by that answer?

A. To give him to understand it was all right.

8128. Q. In what particulars did you mean he should understand they were all right?

A. He asked if they were "all sworn to" and were "all right," and I said, "Yes."

8129. Q. He meant sworn to before the judge?

A. I can't tell that.

8130. Q. Where was he sitting when you handed them to him?

A. Standing at his desk in the supreme court.

8131. Q. Was the court in session?

A. I can't remember whether it was or not.

8132. Q. How many persons were about at the time?

A. There may have been four or five or six.

8133. Q. How many more?

A. There might have been more sitting around there.

8134. Q. How many were there in the court-room?

A. It is hard to get a man to tell how many men are in chambers—the lawyers running in and out and people going to and fro all the time.

8135. Q. You can approximate?

A. No, I can't.

8136. Q. Were there as many as 100?

A. I don't think there were.

8137. Q. Seventy-five?

A. I don't think there were.

8138. Q. Fifty?

A. I hardly think there were.

8139. Q. Forty?

A. Well, along in that neighborhood—from 15 to 40.

8140. Q. When you handed the clerk these papers you did not say to him they were fraudulent?

A. No, sir.

8141. Q. Or give him any intimation that they were not all right?

A. I said they were "all right."

8142. Q. Who filled up this first batch of 16 or 18?

A. I think it was those young men I spoke of—Taylor and Ritter—and I think I had a hand in it.

8143. Q. They were filled up by the same men?

A. We all changed our different handwritings.

8144. Q. Did you put the signature of the clerk to them, too?

A. No, sir.

8145. Q. How did you get that?

A. I don't know how that got there. They were all filled up and complete with the exception of being sworn to and putting in the clerk's name and the judge's name.

8146. Q. Did you stay to see them put through?

A. I did not. I left them with the clerk and then went away. I got them the next day.

8147. Q. This in the daytime or at night?

A. In the daytime.

8148. What time of day?

A. Between 1 and 4 o'clock.

8149. Q. How long did you stay?

A. From two to five minutes—may have been ten minutes.

By Mr. ROSS:

8150. Q. Was the court then open for naturalization?

A. They did not naturalize in the supreme court in the daytime; at least I didn't see them.

8151. Q. McKean sat by the side of the judge?

A. No, sir.

8152. Q. Who did?

A. I don't know.

8153. Q. McKean was in the same room with the judge?

A. I don't know whether the judge was there when I handed McKean the papers.

8154. Q. This was the same court-room?

A. Yes, sir.

8155. Q. Where was the clerk sitting?

A. On the right hand side of the judge's seat.

8156. Q. You gave him 18 papers?

A. Some 15 or 18.

8157. Q. What did he say?

A. Asked me if they were "all right."

By Mr. KERR:

8158. Q. Did you take any witnesses with you?

A. No, sir.

8159. Q. Did you know the parties?

A. No, sir.

8160. Q. You got the papers the next day signed by the clerk and the judge?

A. I got naturalization papers then.

8161. Q. Was the judge's name on them?

A. I think not; I don't know. I would not like to answer positively about that; I think only the name of the clerk of the court.

8162. Q. The seal of the court?

A. Yes, sir.

By Mr. ROSS :

8163. Q. You say that you saw the judge write on your papers?

A. I saw him put something on the back of papers; I don't know what it was he put on—he might have done nothing. He made a motion with his pen, I know.

WASHINGTON, *February 1, 1869.*

JOSEPH MEEKS recalled, (at the instance of Mr. Kerr.)

By Mr. KERR :

8164. Question. State to the committee what you know and how you came to know it, as to the number of persons who were naturalized during the month of October last, by the superior court in the city of New York.

Answer. As I stated before, I had charge of naturalization in the superior court for the month of October, 1868, and signed the certificates that were issued from that court. When parties were naturalized and received their certificates they handed in a ticket. At the close of each day's work these tickets were handed to me and I took charge of them. I counted them and put them up in packages of 100 each, and put the packages in my office. As the tickets accumulated I put them up in bundles of 1,000 each. After we got through naturalization, in order to arrive at the number naturalized, I counted all the tickets that were received for naturalization, and made the count some little over 18,000. I furnished that information to Mr. Sweeney, clerk of the court, that that was the number naturalized. On my previous examination I swore that we had naturalized 18,000. When the statement was presented to me showing that we had naturalized a larger number, I was surprised at the increase over my count. I then made inquiry as to the manner in which that count had been made. At that time Mr. Glassey, I think, or some person representing this committee, had asked permission to allow a count to be made in the office. After the count had been made Mr. Glassey informed me of the discrepancy between the count as rendered by Mr. Westlake and the count as made by the clerks representing this committee. I then directed Mr. Gillespie to make an actual count of each and every paper in the office, which he did and furnished me with the result. In consequence of the statement which Mr. Gillespie furnished me, I found that the count which I had originally made was correct, and found that it agreed with the search made by the clerks sent by this committee. These clerks made the count over 18,000, and on actual count Mr. Gillespie made it 18,432.

8165. Q. If you know what the report of the examiners sent by this committee was, you may state it.

A. I made the count originally and furnished it to Mr. Sweeney. In consequence of moving I was not at the office for the space of one week, and when I went before this committee I did not know that any other count had been made, or that any statement had been sworn to. I then swore to over 18,000 naturalization certificates, and when I was shown a statement of 26,000 I was very much surprised and could not account for it. When I went back to the office I thought I discovered the reason, and subsequent investigation has proved to me that I have.

By the CHAIRMAN :

8166. Q. Did you count personally yourself the tickets which you received?

A. I did; I counted them and put them up in bundles of 100 each.

8167. Q. Have you counted the applications for naturalization yourself ?

A. I have not.

8168. Q. Are Mr. Gillespie's means of counting the number any better than those of Mr. Westlake, who made the count before ?

A. I do not know that Mr. Westlake made the count before.

8169. Q. If Mr. Westlake made the count and swore to it are, not his means of making a correct count as good as those of Mr. Gillespie ?

A. Just as good if it was made in the same way, but it was not made in the same way.

8170. Q. Did you not just now state that you did not know that Mr. Westlake made a count ?

A. I did not know at the time I gave my testimony.

8171. Q. Then do you know anything about how he did it ?

A. I do not know personally. I was not there at the time.

8172. Q. Did you call on Mr. Westlake to make any count since you testified before ?

A. No, sir.

8173. Q. Is he still a clerk in the office ?

A. Yes, sir.

By Mr. DICKEY :

8174. Q. There was no index made at the time Westlake made the account ?

A. The index was only for a few days; there was nothing but the papers.

By the CHAIRMAN :

8175. Q. Is the index—the list of names naturalized in the superior court—yet complete ?

A. I do not know.

By Mr. DICKEY :

8176. Q. At the time this count was made for the committee previously who had charge of the papers ?

A. They were in charge of the clerks in the naturalization office, Mr. Gillespie and Mr. Thompson.

8177. Q. Then how did it happen that Mr. Westlake was in charge of them ?

A. Because I was away from the office and he acted in my place as deputy, and went in and directed them to make the search.

8178. Then both searches were made by the same parties ?

A. Yes, sir; but in a different way.

8179. Q. Were there any persons naturalized in the superior court of New York except those who were naturalized on party tickets—were there none naturalized who paid for their own papers ?

A. Very few.

8180. Q. How many do you suppose paid for their own papers ?

A. I do not suppose there were thirty.

8181. Q. How many of the tickets were Tammany and how many republican tickets.

A. I suppose that about ten to one were Tammany tickets.

By the CHAIRMAN :

8182. Q. Were you present all the time that naturalization was going on—every day and every hour ?

A. Every day and every hour.

8183. Q. Did you receive the tickets from the applicants for naturalization ?

A. Not personally.

8184. Who did receive them ?

A. One of the clerks who sealed. There was a basket put by the seal, into which the tickets were thrown.

8185. Q. Are you personally able to state that you saw all the tickets that were delivered?

A. Yes, sir; for the reason that no man could get his papers without a ticket.

By Mr. DAWES:

8186. Q. If you did not give the papers and take the tickets how do you know?

A. I sat quite close to the clerk who took them.

8187. Q. You mean to say that you did not see anybody who did not give a ticket when he got his papers?

A. I mean to say that nobody got his papers without giving his ticket, because I gave instructions to that effect, and I was watching the whole proceedings. I was watching to see that the seal was put upon the papers and that tickets were given for them.

8188. Q. You mean to say that you did not see anybody who got his papers without a ticket?

A. I mean to say that nobody got them without the ticket.

8189. Q. Have you any other knowledge except that you did not see anybody take papers without his ticket?

A. I have this knowledge, that if a man appeared without a ticket, the clerk would demand of him the money, and if he did not pay for his papers he did not get them.

By Mr. DICKEY:

8190. Q. I understood you to say on your previous examination that you were not in court when the papers were passed upon?

A. No, sir.

8191. Q. You only issued certificates when the applications were presented to you endorsed by the initials of the judge?

A. That is all.

8192. Q. Did you keep any register, index, or memorandum of any kind of the certificates that were issued from your court?

A. No, sir.

8193. Q. Then do you know, or have you the means of knowing, that the applications now in the rooms of the naturalization clerk are the same applications on which you issued papers?

A. I certainly do not.

8194. Q. Then you do not know whether these papers that have been counted are really the same papers on which you issued certificates?

A. I only know that the clerk examined all the papers to see that they were genuine papers.

8195. Q. But are there any means of telling whether these are the same papers on which you issued certificates of naturalization; there was no record kept of the naturalizations that you issued?

A. There was no record kept at the time; it could not be made out. The record is being kept now because we are taking those papers to index them.

By the CHAIRMAN:

8196. Q. In the forms used in your court there was no fiat or order of the judge directing that the applicant be admitted to citizenship?

A. No, sir; other than the initials of the judge put upon the margin of the application in all cases.

8197. Q. There was no order on your forms at all?

A. No regular order.

8198. Q. Or irregular order ?

A. Nothing but the judge's initials.

8199. Q. There was no printed order ?

A. No, sir.

By Mr. DICKEY :

8200. Q. There was nothing done except the filing of these papers—there was no record of the evidence kept ?

A. The clerks are indexing the papers now. So far as they have got there is a perfect record of the name of the applicant, the place of birth, the name of his witness, residence, and everything else.

By the CHAIRMAN :

8201. Q. Is there anything else ?

A. His name, age, place of birth, residence, and the name of his witness.

8202. Q. That is all ?

A. That is all; and then there are the original papers with the applicant's oath and the oath of the witness, and the fiat of the judge.

8203. Q. There is no fiat ?

A. There is the same fiat as there is on a great many court papers. It is simply the initials of the judge. I do not mean to say that there is a regular order. By the fiat I mean the initials of the judge. There are orders after orders granted in that court every day in the general term of the court in the same way.

8204. Q. There are no journal entries made on the minutes of the court ?

A. No, sir; the names are being entered now in the books.

By Mr. DICKEY :

8205. Q. You are making it up from the applications ?

A. Yes.

8206. Q. But you do not know that those papers are the same ones on which certificates were issued ?

A. I know it as well as I know anything else.

8207. Q. Did you put any file-marks on those papers in your handwriting ?

A. Not in my own handwriting.

By the CHAIRMAN :

8208. Q. How long were you away from the clerk's office ?

A. Four or five days.

8209. Q. When.

A. Between Christmas and New-year.

8210. Do you know that Patrick McCaffrey was about the office where these naturalization papers were, very frequently ?

A. I only know from what Mr. Davenport or somebody else called my attention to.

8211. Q. You did not see him ?

A. No, sir; I have no recollection of seeing him.

8212. Q. Do you not know that he was expressing great solicitude about the papers there ?

A. No, sir. I think that Mr. Glassey called my attention to the fact. I then went into the office and gave directions to the clerk not to allow McCaffrey or any other man to overlook those papers or stay in the office.

8213. Q. How many clerks are there in your office ?

A. I suppose about a dozen.

8214. Q. And all have access to the naturalization papers ?

A. No, sir.

8215. Q. How many of them have ?

A. Two.

8216. Who are they ?

A. Mr. Gillespie and Mr. Thompson. They are responsible for the papers. As deputy clerk, I have access to all the papers. But Mr. Gillespie and Mr. Thompson are in the naturalization office. They are the only clerks in it, and they are responsible for the papers in it.

By Mr. KERR :

8217. Q. When you speak of the whole number of persons naturalized what time do you cover by that expression ?

A. The month of October, from the 1st to the 23d, inclusive.

8218. Q. State to the committee whether you have any knowledge, directly or indirectly, by hearsay or of your own knowledge, that any of those applications, since the naturalization of the persons named in them, have been lost or misplaced or abstracted or otherwise disposed of.

A. No, sir.

8219. Q. Have you any reason to suppose that any of them have been ?

A. I have not ; and I am confident that none of them have been.

By Mr. DAWES :

8220. Q. Have you seen any of the testimony that was taken before this committee.

A. I have seen my own—no other. I asked Mr. Kerr to get me a copy, to see whether I was reported correctly. I did not see it till this morning. My own was all that I saw.

By the CHAIRMAN :

8221. Q. Did you get the whole testimony or only your own ?

A. I got the book.

8222. Q. You had possession of the whole testimony ?

A. Yes ; but only for a few minutes. I asked Mr. Kerr to let me look at it. I did not have it more than 5 or 10 minutes, and did not read any of the testimony except my own. I just looked over my own to see how I had sworn as to the 18,000 naturalizations, and I found that I then testified that I had counted the number and that it was 18,000.

WASHINGTON, *February* 1, 1869.

ADAM GILLESPIE recalled, (at the instance of Mr. Kerr.)

By Mr. KERR :

8223. Question. State to the committee whether, within the last few days, you made a count of the entire number of applications for naturalization in the superior court of the city and county of New York ; and, if so, what the result was.

Answer. I have. The result has been that the whole number of applications on which certificates of citizenship were issued in the superior court from the 1st to the 23d of October, inclusive, was 18,432.

8224. Q. When did you make that examination ?

A. About a week ago.

8225. Q. By whose direction ?

A. By the direction of Mr. Meeks and Mr. Sweeney.

8226. Q. How did you make it ?

A. By counting each paper.

8227. Q. Who has charge, and has had since the commencement of this business in October last, of these applications ?

A. I have.

8228. Q. State whether any of these applications, since they were placed in the court and became files of the court, have been lost or mislaid or abstracted or destroyed.

A. I can safely swear that none have been destroyed or abstracted, and that all are at present on file in the office of the superior court—all that ever were there.

8229. Q. State how the custody of these papers has been kept since the business was done and since they were executed and left in the court by the respective parties.

A. They were locked up.

8230. Q. Were you present during the examination made of them by the persons appointed by the committee ?

A. I was present the greater part of the time.

8231. Q. Was any other clerk present ?

A. Yes; one of the clerks always remained in the office during my absence; at dinner, for instance. I speak of the examination by Mr. Glassey and others.

8232. Q. State to the committee if you know how this error in the original count was made. I mean in the count reported to the committee by Mr. Westlake.

A. There were some four or five engaged in making the first count. It was done in a very hasty manner and under the impression that it was an estimate of the number that was required by the committee. It was done in a few hours, at night, in about three or four hours after business hours had closed.

8233. Q. State who were present.

A. Mr. Edward B. Heath, Mr. Owen Westlake, Mr. Owen McNeirney, Mr. Jessé Oakley, and myself.

8234. Q. How could this error have occurred ?

A. I do not know of my own certain knowledge how it could have occurred; I can only presume that it occurred by counting some papers over a second time. The place where these papers were counted is a very small office or room, about the size of this table. I suppose that the papers were counted over a second time. They were not counted singly or separately. There was a package put up containing 100 papers, and the remainder of the papers were put up in packages approximating the size. I now present to the committee a statement of the number of applications for naturalization, according to my count, which statement shows the number of applications each day from the 1st to the 23d of October, inclusive.

By the CHAIRMAN :

8235. Q. How did you count these papers the last time ? Did you do it all yourself ?

A. No, sir.

8236. Q. Who helped you ?

A. Mr. Westlake, Mr. John A. Thompson, and Mr. James Early.

8237. Q. You know nothing about the correctness of their count ?

A. Yes, I do, for I assisted in counting.

8238. Q. Did you count each paper yourself ?

A. No, they were assisting me.

8239. Q. What proportion of them did you count ?

A. I presume about one-fourth. I counted the rest in 100 packages, after the others had counted them.

By the CHAIRMAN :

8240. Q. Who has charge of the office ?

A. Mr. John A. Thompson is the principal [in charge of the office ; I am an assistant.

8241. Q. What time does he come there in the morning ?

A. Sometimes at 10 o'clock ; sometimes as late as 11 o'clock.

8242. Q. What time do you come there ?

A. Nine o'clock.

8243. Q. Have you always been there before him ?

A. Not always ; in a few instances he happened to be there before me.

8244. Q. Since the October election has he been often in the office while you were not there ?

A. Occasionally, when I would be at lunch.

8245. Q. Has that been the case within the last two or three weeks ?

A. Yes.

By Mr. DICKEY :

8246. Q. You say that in the first count you put the papers up in piles of 100 each, estimated. How did you get the odd numbers each day in the report ?

A. After putting up each package approximating to the original one in size, whatever papers remained we counted singly.

8247. Q. Wherein did that count differ from this one ; you say that you put these papers up in hundreds also ?

A. Yes ; but in the first instance the papers were not counted at all.

8248. Q. Could there be any such discrepancy as one-third of the whole number in sizing piles of 100 each ?

A. We found the discrepancy by counting them all the second time.

8249. Q. Do you know that all of them were counted over the second time ?

A. I am not absolutely certain of it, but my impression is that they certainly were.

8250. Q. How did these papers get into that little office where they are kept ?

A. They were carried up there by me and one or two other clerks.

8251. Q. What other clerks ?

A. Mr. Heath assisted me, but generally I carried them all up myself from the sheriff's office during the month of October.

8252. Q. Where were they kept in the sheriff's office ?

A. They were kept behind the desk on the table after the certificates of citizenship were issued on them.

8253. Q. Did you take them up every day ?

A. Every day.

8254. Q. How often in the day ?

A. When there were a large number twice a day, but when there was a small number I carried them all up together in the evening.

8255. The following is the count produced and testified to by the witness :

October 1, 1868.....	426	October 14, 1868.....	1,569
2, 1868.....	723	15, 1868.....	934
3, 1868.....	785	16, 1868.....	581
5, 1868.....	1,363	17, 1868.....	418
6, 1868.....	1,272	19, 1868.....	709
7, 1868.....	1,415	20, 1868.....	517
8, 1868.....	1,133	21, 1868.....	428
9, 1868.....	877	22, 1868.....	459
10, 1868.....	804	23, 1868.....	618
12, 1868.....	2,017		
13, 1868.....	1,384		<u>18,432</u>

WASHINGTON, D. C., *February 3, 1869.*

HENRY JOHNSON sworn and examined.

By the CHAIRMAN :

8256. Question. Have you appeared before this committee in New York ?

Answer. I did not appear before the committee.

8257. Q. State if you were in the room where the committee sat.

A. No, sir.

8258. Q. State if you were in the building where the committee held their session—the United States court room, on Chambers street.

A. Yes, sir.

8259. Q. Did you notify me, or any member of the committee, of that fact ?

A. No, sir ; I had no opportunity.

8260. Q. At what time were you there ?

A. Between two and three o'clock in the afternoon of Thursday, the 14th of January ; the last day the committee were in New York. I was subpoenaed on Wednesday.

8261. Q. State if the subpoena did not require you to appear on the 13th.

A. I cannot state that. The subpoena, as well as I recollect, required me to appear forthwith. That subpoena I received on Wednesday.

8262. Q. Did you appear on Wednesday at all ?

A. No, sir ; I proposed to do so.

8263. Q. Did you propose to do so to any member of the committee ?

A. No, sir ; I proposed to do so to the officer who served the subpoena on me.

8264. Q. Who was it ?

A. That I cannot tell you. He said he was authorized by the sergeant-at-arms to serve it on me, which he did about two o'clock Wednesday afternoon.

8265. Q. In which part of the building in which the committee were sitting did you go the next day ?

A. I went in on the first floor, at the entrance on Chambers street, and then up-stairs, where I was told by some one the committee were sitting.

8266. Q. Did you notify any member of the committee, or any one whom you saw there, that you were there ?

A. I asked one or two persons. I was an entire stranger about the United States court room, and did not know where to go to. There were a great many persons in the hall—several police officers. I asked two or three persons where the committee were sitting, and they told me in the court-room. I tried the door and found it locked.

8267. Q. Did you not know that the committee had not sat in the court-room for a week or more ?

A. Not at that time ; I knew it the next day.

8268. Q. You knew, the next day, that the committee sat in the grand jury room ?

A. No, sir; I did not know where it was.

By Mr. DICKEY :

8269. Q. Did you go to 258 Broadway, and state to Mr. Glassey that you were afraid to appear before the committee ?

A. When I was subpoenaed at 2 o'clock on Wednesday afternoon, I offered to proceed with the officer at once, as I had voluntarily offered to do two or three days before, to a prominent republican of the ward. I told the officer the summons required me to appear forthwith, and he said it was unnecessary for me to go that day; that I was to meet him the next day at 11 o'clock, at the rooms of the Union League, 258 Broadway. I went there at 11 o'clock, met him and had some conversation with Mr. Glassey in regard to the number of votes that had been polled, &c.; I did state to Mr. Glassey that unless it was absolutely necessary for me to appear before the committee I should prefer not to appear, unless the matter was to be kept secret; for there were persons who, subsequent to the charter election, when fraudulent votes had been cast, and I had made a correct return and they a false one, meeting me on the street had threatened to take my life.

8270. Q. What did the officer say to you at 258 Broadway, about your appearing before the committee ?

A. We stayed there half or three-quarters of an hour, until about 12 o'clock. He said there would be no trouble in consequence of my appearing before the committee, that it was only an election excitement that had since died away. I agreed to go with him before the committee. He said he would go over and see if the committee were ready to take my testimony that day. He went, and Mr. Glassey left the room very soon after that. I remained there as much as an hour, and no one returned. I then went to the foot of the stairs and remained there until about 2 o'clock; after which I went to Chambers street and asked the questions I have already stated.

8271. Q. And went to the wrong room, as you have subsequently ascertained ?

A. Yes, sir; the next morning, having been out of employment for some time, I was delayed on that subject until half past 9 or 10 o'clock, when I saw Dennis McLaughlin, and asked him in regard to my attendance on the committee; to which he replied that the committee had adjourned *sine die*, and returned to Washington. There was never but one subpoena served upon me, and that I have carried in my pocket most of the time since.

By the CHAIRMAN :

8272. Q. Were you subpoenaed to come here at this time ?

A. No sir.

8273. Q. State if you secreted yourself in New York to avoid the service of a subpoena upon you within the last few days.

A. I did not.

8274. Q. Did you secrete yourself to avoid arrest ?

A. No, sir.

8275. Q. Do you know where 5½ Centre street is ?

A. No, sir.

8276. Q. Did you tell any one that you were going out of the way of the officer ?

A. No, sir.

8277. Q. Did you write to no one that you were ?

A. I did write to a gentleman that I was; that I was keeping out of the way of an officer until I heard from him, previous to that evening.

8278. Q. Did you secrete yourself then?

A. No; I did not go to look for the officer; but I went my usual course.

8279. Q. What office did you hold in connection with the late presidential election, in New York city?

A. Poll clerk in the 3d election district, 4th ward.

8280. Q. With which political party were you acting, appointed as poll clerk to act with?

A. The first time I was appointed poll clerk was in 1865 or 1866, when I was appointed by a democrat; since then I have been re-appointed without any questions being asked.

8281. Q. And you have not since changed your politics?

A. I voted for General Grant for President, and John T. Hoffman for governor; I don't know whether that makes me a democrat or not.

8282. Q. State if you were present during all the time votes were being received on the day of election in your district.

A. I was not present during all the time; votes were being received during the day. I went out to dinner, and once in the afternoon, and at supper time. The other poll clerk did the same, and we kept the books running for each other.

8283. Q. State if you know anything of the names of persons being put on the poll list in excess of the actual number of persons who voted at that polling place that day, and if so state what the number was.

A. I do; before stating, however, I would like to ask of the committee whether anything I say here as tending to criminate myself can be used against me.

[Witness was informed that his testimony before a committee of Congress could not be used against him in a criminal prosecution.]

WITNESS. There were names added to the poll-list during the day of persons who had not voted—85 names in that district. The total vote returned was 682; the number of votes actually polled was 597.

By Mr. DICKEY:

8284. Q. Were ballots put in to represent these votes?

A. If you will allow me I will state the whole circumstances. During the afternoon names were taken from one of the registers of one of the district inspectors to the number of 85; and 15 or 20 at a time were added to the voting list, while there was a lull in the rush of voters. In the evening the counting of the presidential vote was delayed until about half-past 11 or 12 o'clock, for some purpose which at that time was unknown to me, now well known; the democratic canvasser insisting upon counting the vote of each of the 35 electors separately, and making out a tally-list for each; and the republican canvasser insisting upon taking each ticket with 35 votes, and making out a single tally-list, which would have taken three-quarters of an hour, while the other way would have taken eight or ten hours. By that time the republican canvasser had become pretty well intoxicated, and during the evening there were 85 tickets, containing each of the democratic candidates, obtained from some of the booths outside, and when the tickets were shoved out on the table to be counted by the canvassers these additional tickets were thrown in so as to make the number correspond with the number of names registered.

8285. Q. Was Mr. Costello an inspector in that district?

A. He was inspector and had to be taken home by the police for safety.

8286. Q. For what reason?

A. There were registered in the district over 800 voters. About 150 were remaining outside unable to cast their votes when the poll closed and they blamed him for it. They were mostly Germans and Irish; very excited, and a great many had been drinking. They charged him with delaying the voting by unnecessary challenging for the purpose of decreasing the democratic vote. A captain came over with a number of policemen and took him first to the station-house and afterwards, as I understood, home. He retired at sunset.

8287. Q. What were Mr. Costello's politics?

A. Republican.

8288. Q. What was the purpose of delaying the canvassing of the votes?

A. I only know from hearsay from the democratic canvasser and one or two others.

[The statement of the witness of what he heard was objected to by Mr. Kerr.]

Witness. From the time of the closing of the polls the republican and democratic canvassers were wrangling as to the propriety of counting the votes, as I have stated. At half-past nine or ten o'clock the democratic canvasser asked me if I had any objection to keeping the tally. I told him I was simply there as clerk along with the other poll clerk, and subject to his orders, but I did not like to remain there all night; but if they directed that to be done, I should certainly do it. They went on and tallied about 500 votes, when two or three gentlemen came in, called him one side and whispered to him. He came back and agreed to the terms proposed by the republican canvasser. I then asked him why he had been objecting to that all this time. He said that two years ago the republicans in the interior defeated John T. Hoffman by holding back until they had heard from the city, and that now he meant to be even with them and to hold back the count until the interior had been heard from.

By Mr. KERR:

8289. Q. What was the name of the man who said this?

A. I think his name was Dumphy.

8290. Q. Are you not sure of it?

A. No, sir; I am not. I never saw him before that day.

By the CHAIRMAN:

8291. Q. Do you know who the men were who came in and whispered to Dumphy, the canvasser?

A. I do not. I saw them round the polls all day, and have seen one or two of them several times since. They were the same parties who were sending in liquor during the whole evening.

8292. Q. To whom was the liquor sent?

A. To the canvasser and poll clerks.

8293. Q. State what you know, if anything, of threats being used during the day against the republican inspector Costello?

A. One of those men who came in at night and whispered to the canvasser, as I have stated, came into the voting room about four o'clock in the afternoon, probably half or three-quarters of an hour before sunset, when the polls closed. Mr. Costello ordered him to leave the room saying that no one was to be admitted there during the day. He claimed to be a magistrate and seemed to be somewhat under the influence of liquor at the time. He told Mr. Costello that he had taken him up when he was a barefooted boy and given him a position in the Herald estab-

ishment, and that he would see that he was dismissed before night. During the afternoon a letter came to him from James Gordon Bennett, jr., I think, threatening him with dismissal unless he stopped delaying the vote.

8294. Q. State if you are acquainted with Alderman Curran.

A. I am not personally acquainted with him; I heard his name mentioned frequently during the day; but I cannot state anything of my own knowledge.

8295. Q. State if threats have been used towards you to deter you from testifying before this committee here, or in New York.

A. After the committee had returned to Washington I met three or four ward politicians in the 4th ward, in Pearl street, near Peck slip; they told me they had heard I intended to appear before the committee; that if I did they would have satisfaction, or some expression of that kind; I do not remember exactly the language used.

8296. Q. State if any one visited you at your house after you received the subpoena.

A. Not after I received the subpoena; the day before, I think it was, they made the usual threats; I do not remember what was said; threats of violence in case I testified before the committee.

8297. Q. Who made the threats?

A. I cannot tell you the man's name; I know a great many persons in that neighborhood whom I see around the polls by the name of Bob, and Jim, and Harry; but I do not know any more about them.

By Mr. KERR:

8298. Q. Where do you reside?

A. At 33½ Bowery.

8299. Q. How long have you lived there?

A. Since September last; and for four months previous to that during the interval of two or three months I lived at 122 Leonard street.

8300. Q. How long have you lived in New York?

A. Since May, 1864.

8301. Q. Where did you live before you went to New York?

A. In Dayton, Ohio.

8302. Q. What is your business now?

A. Varnisher and stainer; I have been out of employment, however, for six or eight weeks, until Monday.

8303. Q. Where did you work before that?

A. I commenced work last March and continued until the middle of June at the bedstead factory, 48 New Bowery; the bedsteads were manufactured in Vermont and sent down there where they were stained and varnished.

8304. Q. How did you come to get on that board as poll clerk?

A. I got on the board in 1866; I was first asked by Mr. Martin V. Brown if I was willing to do some work in the Union republican State central committee; the first time Mr. Hoffman ran against Governor Fenton he and Henry S. Wallace gave me charge of the 6th and 71th election precincts of the 17th ward for the purpose of arranging the names alphabetically first, and then by streets, so that the lists could be put into the hands of the police for the purpose of detecting fraudulent voters; I then, for the first time, heard of such a thing as a poll clerk; Mr. Wallace wrote to Mr. B. B. Hasbrouck stating that I was a democrat and qualified to discharge the duty of poll clerk; and I was accordingly appointed.

8305. Q. And previously to that time you had been employed by the republican committee?



A. I was employed in the service I have stated.

8306. Q. Are you in the service of the Loyal League now ?

A. No, sir.

8307. Q. Or of any person acting in the interest of the Loyal League ?

A. If you mean getting any reward for my testimony, I say emphatically, no.

8308. Q. To whom did you give the statement of facts to which you have testified to-day, before you came here ?

A. I mentioned it one evening in that bedstead warehouse, about 7 o'clock in the evening, to two or three gentlemen who were working about the place ; I supposed then there would nothing be done or said about it ; two or three weeks after the organization of this congressional committee Mr. Henry G. Leask came to me and asked me if I had made such a statement ; I told him I had ; he asked me if I would swear to it ; I told him that if I was required to I would, but that I preferred not to do so.

8309. Q. To whom did you make this statement first ?

A. I can give you the name of one gentleman, Peter Flannegan, the foreman of the shop ; Robert Welch was another, and there may have been two or three others in the warehouse at the time, but I cannot fix their names now in my mind ; it has been two or three months since.

8310. Q. Have you repeated it since at all to anybody ?

A. Not until I was subpoenaed before this committee, that I recollect of.

8311. Q. To whom did you communicate it then ?

A. As I said, to Mr. Leask and to gentlemen who were in the Union League room, 258 Broadway, the day after I was subpoenaed, when I went there by appointment with an officer of the House.

8312. Q. Whom did you meet there when you went to the Union League rooms on that occasion ?

A. That I could not say.

8313. Q. Do you know any of the members of the Union League ?

A. I know one or two of them when I meet them. I know Horace Greeley, for instance, but I did not meet him there.

8314. Q. Was this officer you made the appointment with there at the time ?

A. Yes. I do not remember his name. I think I have seen him here to-day. This was on Wednesday, before the committee left New York.

8315. Did this subpoena require you to report at the Union League rooms ?

A. No ; it required me to report to the committee forthwith, which I proposed to do, but was told by the officer there would not be time then to take my testimony, and to meet him the next day at the Union League rooms. I followed his instructions.

8316. Q. What did you do when you got to the Union League rooms ?

A. He and another gentleman asked me if there had been any illegal votes cast in my election district, and how many. That was the substance of the conversation, and all of it that I now remember.

8317. Q. What inducement did they offer you to come here and testify ?

A. None. The committee were in session in the court-room at New York at that time, as I supposed.

8318. Q. Did they promise no reward at all ?

A. None whatever, in any shape or form.

8319. Q. Was it not agreed at the time you were at the League rooms that you should not go before the committee in New York, and should come here to testify ?

A. There was nothing of the kind.

8320. Q. You were appointed as a democratic poll clerk in 1866; how came you to get on the board in 1868?

A. Simply by reappointment.

8321. Q. At whose instance were you reappointed?

A. Not the instance of any one. I knew that for me I could get paid for a very good day's work \$9. I wanted the money, and I made application to Mr. Hasbrouck to reappoint me. Mr. Hasbrouck is the acting clerk of the board of police commissioners, I believe. I do not know exactly his title.

8322. Q. Did he appoint you as a republican?

A. He did not ask me a question.

8323. Q. Was it not the practice to appoint one from each political party?

A. I understood it to be so.

8324. Q. Was your colleague a democrat?

A. He was.

8325. Q. What was his name?

A. I really do not recollect. I simply said to Mr. Hasbrouck that I would like to have an appointment to my old place. He looked at his book and said that it was filled by mistake, and assigned me to this district.

8326. Q. That was all the conversation that took place in regard to the appointment. What consideration did you get for participating in this fraud at the polls?

A. I did not get any at all.

8327. Q. What were you promised?

A. I was not promised anything.

8328. Q. At whose instance did you do it?

A. It was agreed upon between the democratic clerk and one of the democratic inspectors. This was during the day while the additional names were being recorded. I made no agreement to it in the first place. Afterwards I chimed in with them when I found what was going on.

8329. Q. You did in fact participate in this fraud?

A. Yes, sir.

8330. Q. Upon whose procurement did you do it?

A. I should be unable to tell you that. I cannot tell certainly whom I first heard speak about it that day, or precisely what was said when it was agreed upon.

8331. Q. Do you know the names of the parties who acted as inspectors, canvassers, and poll clerks with whom you talked on this subject?

A. I do not think I talked with any inspector on the subject, nor with any canvasser; I did with the poll clerk; and in the evening while we were speaking about it a canvasser came in. Up to that time I had had no conversation with any one on the subject, except the poll clerk; and afterwards there was not much, if anything, said about it until we had commenced counting the presidential votes about half-past 11 o'clock. The republican canvasser was then pretty well intoxicated.

8332. Q. What talk had you then about?

A. I talked with the democratic clerk and with the democratic canvasser, whose name is Dumphy, I think. I do not think I had five words of conversation about it at all, and I cannot tell you now what they were; I did not treasure them up in my mind. He understood from one or both of us that it was being done, and went into it. Prior to that time these names were being entered on the poll-book. I had no conversation with any one about it; and after that only as I have stated.

8333. Q. Do you know who this poll clerk is, or where he lives?

A. I do not. I was with him from sunrise in the morning until about half-past five the next morning.

8334. Q. Mr. Costello did not get drunk so far as you know?

A. No, sir.

8335. Did you see any frauds practiced by either the republican or democratic inspectors before the board of canvassers organized?

A. I did not see any out-and-out cheating. I thought there was unnecessary delay and challenging by Mr. Costello, the republican inspector. It seemed to me to be unnecessary for him to challenge persons whom, as he said, he had known well for a number of years.

8336. Q. State whether as a matter of fact, in consequence of that, the entire legal vote of the district was not polled.

A. I do not think it could have been.

8337. Q. How did you ascertain the precise number of legal votes cast?

A. We kept the names of those who voted, on the inspector's book, and there were 685 names registered there as having voted legally.

8338. Q. Were you able to say whether they were or not all legal voters?

A. That I had nothing to do with; that was the duty of the inspectors to ascertain. All I know was that 685 names were regularly registered by the inspectors.

8339. Q. I wish you to try to recollect at whose request it was that this fraudulent transfer of names commenced?

A. I am very certain of one thing, that the first intimation I had in regard to it, and the first request I had to participate in it, was from the other poll clerk.

8340. Q. Can you state the precise time of day when the request was made?

A. It was made after dinner, probably about 1 or half past 1 o'clock.

8341. Q. You say this inspector, Costello, was pretty seriously threatened that day. State in consequence of what it was that these threats were made, so far as you know.

A. I only know from the remarks of parties I have mentioned, that his removal from the Herald office was threatened, and by the shouts of the excited crowd outside, calling him all sorts of names, and charging him with delaying purposely the record of the votes.

8342. Q. Were these 85 fraudulent transfers actually counted in the canvass returns of that district?

A. That I am unable to say, because I did not canvass the votes. They were returned to the police headquarters.

8343. Q. Where did you get that return?

A. I copied it from the return which I filed the following day with the review of election.

8344. Q. Who brought you here?

A. A gentleman attached to the office of the sergeant-at-arms; I do not know his name.

8345. Q. You have stated that liquor was sent in during the progress of the business of the board of canvassers; do you know by whom it was sent?

A. I do not.

8346. Q. Do you know by whom it was imbibed?

A. By the whole party, myself included.

8347. Q. What kind of liquor was it?

A. Some of it very poor, and some very good; some beer and some whiskey.

8348. Q. Do you know anything personally of the discharge of this man Costello from the Herald office ?

A. Nothing except what I have heard him say. I only know that he was discharged, from what he told me, from the fact that a week afterwards he received an appointment from the Metropolitan Fire Department.

8349. Q. If he should swear that he was never, in fact, discharged, would you believe him now ?

A. After his statement that he had been discharged I should be very much inclined to doubt him.

8350. Q. Who were the canvassers at this election ?

A. Mr. Dumphy was the democratic canvasser. He is a fireman. I do not know the name of the republican canvasser. I have no doubt I heard him called by his given name, but I do not recollect it.

8351. Q. You say he was drunk. Did the democratic canvasser get drunk ?

A. I think not.

8352. Q. Did he drink as often as the republican canvasser ?

A. No; Mr. Dumphy and myself were engaged for a couple of hours in tallying those votes for presidential electors, during which time we took nothing, while the republican canvasser drank about every two or three minutes.

8353. Q. Was he so drunk as to lie down or lose his senses ?

A. He lost his senses; he was not so drunk as to lie down.

8354. Q. Were you sober all day and all the evening ?

A. Yes, sir.

8355. Q. Was the other poll clerk sober ?

A. He felt his liquor a little; he was not as tight as the canvasser.

8356. Q. You say that you were threatened by certain parties, that they would have satisfaction if you came and testified before this committee. Who made those threats ?

A. I could not name the men; they were persons who were hanging about the door and seemingly taking a great interest in the matter.

8357. Q. Were you threatened except during the evening of the election ?

A. I was not threatened then; the first threat I received was after the summons had been served upon me to attend this committee, and I cannot recollect the names of the persons who made it.

8358. Q. Did you not ask them what right they had to threaten you for coming here to tell the truth ?

A. I was proceeding to state my reasons, that when I stated what had occurred in this bedstead warehouse, I had no intention of making it public; and no committee was then in existence or had been thought of or spoken of, so far as I knew; but that afterwards Mr. Leask got hold of it and had me subpoenaed before this committee; but they would not give me a chance to tell anything; they attempted to batter my head and face; they were doubling up their fists, and I thought it was time to leave. The first threat I had and was from a young man on the street in the Bowery; and the other was down in Pearl street, near Peck Slip.

8359. Q. Had any of those parties been officers of that election ?

A. No, sir.

8360. Q. Was the other poll clerk among them ?

A. No, sir.

8361. Q. Have you been threatened by any officers of that election ?

A. No, sir.

8362. Q. Have you ever talked with any of the officers since the election about these matters?

A. No, sir; nor have I talked with them about any matters; nor have I seen any of them, not even the poll clerk, since, except I met them in the same relations at the December election, when we were all very friendly; the same board acted then. I would say that I have seen Mr. McLaughlin since that time, as I have stated, at the rooms of the Union League, when he told me, in answer to my question about the committee, that the committee had adjourned *sine die*.

8363. Q. Do you know Samuel J. Glassey?

A. I do not.

8364. Q. Do you know General Foster?

A. I do not know him by sight; I have heard of him.

8365. Q. When you met Dennis McLaughlin, did you ask him if he was aware of the frauds that had been perpetrated that day at the election?

A. I have no recollection of asking that question, because I knew at the time that he was aware of them.

8366. Q. At the time they were conspiring?

A. No, he was not aware of them then.

8367. Q. How do you know that?

A. Because, as he was a staunch republican, he would not have been very likely to allow them to go on; we took particular pains to keep him from knowing it.

8368. Q. Were these names added to the poll-list by you, in your own hand, or in that of your colleague?

A. By both; I do not know how many by each; the books themselves will show.

8369. Q. Were you able, from your knowledge of the politics of the voters of the district, to select such names as you knew to be names of democrats?

A. I did not select them, in the first place, and had nothing to do with the selection of them; a list was laid on the table before us, on a separate slip, copied from the inspector's book; at least, that was the understanding, and we transferred the names from that list.

8370. Q. Did you know of any other fraudulent votes cast at that poll, besides these?

A. Only by one person, who was arrested for illegal voting in the name of another person. I do not remember his name. He came in and offered to vote, giving the name of some person residing at a certain number in Pearl street. The republican inspector asked if he was willing to swear to that. He said he was. He was allowed to vote and immediately arrested; the republican inspector being aware of the fact that the person in whose name he voted had gone to Europe.

8371. Q. The man, however, was allowed to vote before he was arrested?

A. I believe so; I did not give any attention to the matter, because it was not a part of my duty.

8372. Q. Who is the proprietor of this bedstead warehouse?

A. It is known as the Eagle Square Bedstead Company. They have a factory in Vermont.

8373. Q. Are you a married man?

A. No, sir.

8374. Q. Are your habits uniformly temperate, or otherwise?

A. Not uniformly so.

8375. Q. During the proceedings, on the day to which you have referred, what was your condition as to temperance ?

A. I was as sober as I am now. I was sober.

By Mr. DICKEY :

8376. Q. You say Mr. Costello was threatened because he delayed the voting. In what way did he delay it except by challenging ?

A. That was the way ; and that was the charge against him.

WASHINGTON, D. C., *February 3, 1869.*

JOHN B. MCKEAN recalled and examined.

By Mr. KERR :

8377. Question. Do you personally know John McCluskey ?

Answer. I know him when I see him ; I cannot say I know him personally.

8378. Q. How came you to know him ?

A. He was an officer of the court of sessions which met in the same building with the supreme court ; I met him frequently in going up and down ; I do not know what office he held.

8379. Q. State whether during the month of October last, while the business of naturalization was being transacted in the supreme court and by that court, you were at any time called upon by this man McCluskey, and requested to deliver to him any papers connected in any way with naturalization in blank or filled up.

A. I was not.

8380. Q. State to the committee whether he ever came to your office outside of the court-room, during that time, and asked you for any papers of any kind, either certificates, or blank applications, or other papers having connection, or intended to have connection with naturalization.

A. He never did.

8381. Q. State whether on the 21st of October, or about that time, you delivered to him any blank applications for naturalization.

A. I never delivered to him any such applications, then or at any other time.

8382. Q. Did you ever see him in your court-room, or in your office proper, or the clerk's office, during the time this business was going on in October last ?

A. I cannot say ; I do not think I did. If I did I have no recollection of it.

8383. Q. Is your knowledge of him by his face sufficient to enable you if you had handed him any such papers now to remember it ?

A. O, yes, sir.

8384. Q. Did he ever call upon you on any day in October, in the afternoon of that day, and deliver you any number of applications for naturalization filled up by anybody and say to you he wanted them put through as soon as possible ?

A. No, sir ; he never did.

8385. Q. Did you at any time during that month, at his request or at the request of anybody, receive applications for naturalization filled up in that way and sealed, or by the aid of anybody else have them put through or acted upon by the court ?

A. No, sir ; I never received any applications whatever from any person ; they never came to me at all.

8386. Q. Do you know of the business of naturalization having been transacted on any night during that month in the court-room when

there was an insufficient amount of gas burning to enable you and the officers of the court to judge distinctly and sufficiently of what was going on or to see the people in the court-room ?

A. No, sir ; the light in the court-room is not very good ; we had at one time to use candles at my desk, but I never saw any apparent difference between one night and another ; the court-room was so seldom used at night that I presume the gas-burners became stopped up and I do not think there were enough burners to light the room sufficiently at any time ; I know there was no light at my desk and that I had to use candles, but it was sufficiently light, to see what was going on.

8387. Q. Did you have a hand or participate in any effort to procure any number of persons or any number of applications to be put through the process of naturalization without the actual presence of the persons whose names were reported to be in the paper as applicants or as witnesses or the presence of those purporting to be such persons ?

A. No, sir ; I never issued a certificate of naturalization without the regular application coming to me from the judge and signed by him ; the applications themselves never came to my desk originally at all.

8388. Q. Did you ever know the judge of that court during that month to suffer any of that business to be done by the clerks of the court or by any other officer of the court or by anybody, when the judge himself was not personally present in the court-room ?

A. No, sir ; never. I may, however, qualify that statement by saying that there may have been some portion of the time while the names were being called out, or something of that sort, when the judge was not there. Persons were never sworn as citizens except when he was on the bench.

8389. Q. What room is there that adjoins that court-room ?

A. I think there are two large rooms, my own room, part one of the supreme court and the general term on one side and the judge's private room, the chambers of the supreme court, and the room used commonly by the officers on the other side. There is a door opening from my room, where the naturalization business was conducted, to the lobby or hall, and there is a door connecting part one with the general term immediately behind the judge's bench.

8390. Q. Do you know Edward Witter ?

A. No, sir.

8391. Q. Do you know a young man of the name of Theodore Taylor ?

A. No, sir.

8392. Q. How long have you known McCluskey ?

A. I cannot well say ; I have known but very little of him until certainly within the year.

8393. Q. Can you say from your personal knowledge of him that you know what his reputation is for truth and veracity ?

A. I am not sufficiently acquainted with him personally to answer that question.

By the CHAIRMAN :

8394. Q. You signed the name of Loew as clerk to certificates of naturalization in that court ; who delivered out these certificates of naturalization ?

A. Usually Mr. Valentine, one of the officers of the court, or Mr. Knight ; I do not think any one of the clerks ever delivered them.

8395. Q. Do you know whether McCluskey is sufficiently acquainted with you to know you ?

A. I should say he was, though I do not know that I have ever spoken to him more than three or four times in my life.

8396. Q. He may have mistaken some of the other clerks for you ?

A. It is possible ; I could not say.

8397. Q. Were blank applications never presented at your desk ?

A. Never at my desk ; my invariable rule was never to receive them ; I will not say that parties never came to my desk with them, but these applications were collected by the officers and did not reach me at all until they had received the signature of the judge.

8398. Q. Was the naturalization business generally done in the supreme court, in part No. 1 ?

A. Always.

8399. Q. Was not the room immediately adjoining opened sometimes in the night ?

A. In general term it was open every night ; that was used for naturalization purposes.

8400. Q. Do you not know that Judge Barnard would occasionally adjourn his court while it was sitting in the room of part one and go into some other room ?

A. Judge Barnard has frequently left the bench in part one and gone into the general term room, and sat there until a new batch of applicants were ready, when he would return and swear them ; sometimes, too, he would go to his private room.

8401. Q. How long on these occasions would he be absent from his court ?

A. Only a very few minutes ; not more than three or four or five minutes.

8402. Q. Were you in these other rooms so as to know whether there were or not persons there who were receiving certificates of naturalization ?

A. I was occasionally ; probably I may state by way of explanation that that room was used very frequently by parties whose applications were wrongly made out ; they would be sent into the other room to correct their applications.

8403. Q. Were these persons sent to correct their applications both into the judge's private room and into the general term room ?

A. No, sir ; never into the judge's private room.

8404. Q. State if Judge McCunn came into the court-room one evening and sat for a few minutes beside Judge Barnard ?

A. I could not say ; I have no recollection of seeing him.

8405. Q. Could you undertake to remember all or any considerable number of the persons who were at the court-room with applications for naturalization ?

A. No, sir.

8406. Q. In the great number of persons there would it be possible for you to recall even your acquaintances who were there ?

A. No, sir ; I do not know now that I could name a solitary individual who came there to get his papers with whom I was acquainted.

8407. Q. Who did you see in the general term room when you were there ; do you remember any ?

A. I could not say ; there were always more or less parties there. Mr. Coach was there and one or two others of the county clerks. I do not remember any person connected with the court that I know of except the county clerks.

8408. Q. Did you see Mr. Moran there in the general term room ?

A. No, sir.

8409. Q. Did you see Mr. McCaffrey there.

A. No, sir ; they have as free ingress, however, into that room as they have into part one.

8410. Q. Might not hundreds of persons come into the court-room with applications for naturalization or making inquiries about naturalization no one of whom you could now remember, even although they were your acquaintances ?

A. I know one or two who came in, but I do not know that I could mention a single individual who came there to become a citizen.

8411. Q. Do you remember that Judge McCunn was in the court-room sitting on the bench with Judge Barnard on the night of the 23d of October, the last night for naturalization before the election ?

A. He may have been there; I could not say.

By Mr. KERR :

8412. Q. State whether, by the answers you have made to the questions put by the chairman you mean to say it would have been possible for anybody to come into the court-room and ask you to do anything irregular or unlawful or out of your usual and proper line of duty without your remembering it ?

A. I should be very likely to remember any request to do anything wrong in the shape of naturalization or otherwise.

By the CHAIRMAN :

8413. Q. If a man whom you had no reason to suspect wanted to do anything wrong should come into your office and lay down a number of applications for naturalization and tell you they were sworn to would you necessarily remember a circumstance of that sort ?

A. In the first place, he could not do that. I would not receive them at all unless they were signed by the judge.

8414. Q. Might you not hand them to the proper clerk ?

A. No, sir; I never received a paper at my desk without it came from the judge's desk with his signature.

8415. Q. Do you not know as a matter of fact that you have issued applications for naturalization which have not had the initials of the judge on them ?

A. I heard there were two or three which did not have the judge's signature; if that was a fact it was done through an error and escaped my attention.

WASHINGTON, D. C., *February 4, 1869.*

EDWARD B. HEATH recalled and examined.

By Mr. KERR :

8416. Question. Did you have any connection with the alleged count of the papers connected with naturalization in the superior court of New York to which Mr. Westlake, one of the clerks of that court testified before this committee in New York ? If so, state what you know of that count, and how it was made up.

Answer. The chief clerk, Mr. Sweeney, had received notice from your committee on the day in question to make a count of the naturalization papers then on file in the office. It was made in the evening, I suppose, between 3 and 4 o'clock. He came to the office and told the clerks then present, four or five in number, to go with Mr. Gillespie, the assistant naturalization clerk, and make a count of the naturalization papers then on file. I went with the others into the office, and had counted 100 papers when Mr. Gillespie and Mr. Westlake said there was no necessity of counting papers that way; that we were to take the first bundle of 100 and make a calculation of the rest by measuring them.

We then proceeded according to his direction until we were through. The papers were taken out in bundles of the size as nearly as possible of the bundle of 100 which had been counted, and a rough calculation made. It was, as you say, no count at all.

8417. Q. What clerks participated in that count ?

A. Mr. Gillespie, Mr. Westlake, Mr. McNearly, Mr. Oakley, and myself.

8418. Q. Are you able to tell this committee how it was that you made the previous count foot up 26,226 ?

A. My own idea of the thing is that some of the bundles must have been counted over twice to make so large a discrepancy. It was, as you say, no count at all, but merely a rough calculation. One bundle was put up of 100 and the others put alongside so as to make the pile as nearly as possible of the same size. In the minor papers, as you may know, there is but a single blank, and no other paper attached to it; in the others there is another paper attached, making it so much larger and that might be counted for two in a pile of that kind; that would account for a considerable discrepancy. I have no idea of the number of papers to which this additional one was attached.

8419. Q. Do you know of any of these papers placed there in October last having been in any way lost, mislaid, or abstracted ?

A. None whatever; they could not be.

8420. Q. Are you directly connected with that office ?

A. My position in the court is that of docket clerk. I have charge of the dockets and judgments, but during election time, when there is so much business in the naturalization office, the chief clerk delegates some of the other clerks to assist in that business.

By Mr. HOPKINS :

8421. Q. In the first count, to which you refer, the papers were laid out in bundles for each day and then counted afterwards ?

A. Yes, sir.

8422. Q. And Mr. Westlake made up the statement of your count ?

A. Mr. Gillespie, I believe, made the statement; but, as I said; it was no count, merely a calculation. As I said, we made one count of 100 and then sized the other bundles by that.

By Mr. DICKEY :

8423. Q. How many would you put up at a time to size ?

A. One hundred, as we supposed, and we afterwards counted them by hundreds.

By Mr. HOPKINS :

8424. Q. Suppose your report, for instance, for one day counted 728, how did you ascertain the odd number of papers ?

A. That was made by guess.

8425. Q. Did Mr. Sweeney instruct you to make a count of that kind, to be sworn to before this committee ?

A. No, sir; he did not, and the clerks were wrong in doing it. All Mr. Sweeney said was to make a count of the papers. He did not specify any manner in which it was to be done.

8426. Q. And now you swear you did not make the count.

A. Only in the way I have stated.

8427. Q. And yet you made the statement of what purported to be a count which was sworn to as accurate by one of the clerks of the superior court, giving the number for each day separately ?

A. I did not see the figures footed up. I only know that it was done

very hastily. It was nearly 5 o'clock when I left there, and Mr. Gillespie was then casting up the figures.

By Mr. DAWES:

8428. Q. Could you have any difficulty in determining the difference between a package that had a hundred in it and a package that had 30 in it?

A. I should suppose not.

8429. Q. Could anybody who was honest make any mistake of that kind between the two packages?

A. That is a very difficult matter to say; my opinion is that between 30 and 100 it would not be difficult to tell the difference, and, as I said before, some of the bundles must have been counted twice.

8430. Q. I ask you again whether anybody who was honest could make any mistake of that kind.

A. I do not really think they could.

Q. You report 1,800 on one day—that you made 18 piles of a hundred each—and now you say there was but 601 on that day; then these 601 were divided into 18 piles of 33 in each, and now you testify in effect that you made a mistake, and called these 18 piles of 33 each a hundred, and you do not think that could be done honestly?

A. In one way it could: A bundle containing a number of these applications in which two of the papers are attached together would make much larger bundles than the others.

8432. Q. You want to alter your statement you made just now, then, when you said a man could not honestly make a mistake between two piles, one of 33 and the other of a hundred?

A. Yes, I will alter that.

8433. Q. And now you think they could?

A. I think they could in the way I have stated.

8434. Q. Would there not just as likely be as many double papers in a bundle of a hundred as there would be in a bundle of 33—would there not likely be three times as many?

A. I suppose so; but of course it would be impossible to make any calculation upon a count made in that way.

8435. Q. Then a pile with a hundred in it would still be correspondingly larger?

A. Yes, sir.

8436. Q. Then could you honestly make any such mistake between a pile of 33 and a pile of a hundred?

[No answer.]

8437. Q. Are you one of the men who swore to this first statement?

A. No, sir; I helped to make the count or calculation.

8438. Q. Did not anybody ask you to measure them instead of counting them?

A. Mr. Gillespie said when I went in that we were to make the calculation in this way. I am not, as I said before, a naturalization clerk.

8439. Q. Did you help Mr. Gillespie to measure these papers?

A. I assisted him as he desired me. He said the committee wanted the statement right away.

8440. Q. And Mr. Gillespie asked you to perform the duty of counting by measurement?

A. Yes, sir.

8441. Q. And he swore to that?

A. I do not know what he swore to.

8442. Q. Do you mean to say now that you fell into the mistake of

counting 33 papers as 100, because it was about the size of a bundle of 100 of such papers ?

A. I do not think I did.

By the CHAIRMAN:

8443. Q. Do you not know that nearly all the applications there purported to be what are called minor applications, and that if you were to count every application in which the applicant had previously declared his intention to become a citizen—not only twice but 10 times—it would not account for this discrepancy ?

A. I cannot say ; I did not foot up the figures or look at the footings. As soon as we had gone through with the calculation I left, and Mr. Westlake made the statement to you the next day.

By Mr. HOPKINS:

8444. Q. What were Mr. Sweeney's instructions to you when he directed you to make that count ?

A. Mr. Sweeney merely asked me as one of the clerks in the office to assist the naturalization clerks to make this count.

8445. Q. Did you understand from him at the time he did not want an accurate count of the papers ?

A. He stated distinctly that he wanted the papers to be counted.

8446. Q. Are you in the habit of doing business as clumsily as this ?

A. No, sir ; it is the first instance on record of business there being done in such a way.

8447. Q. Did you or not act in this way in order to deceive the committee ?

A. No, sir ; nothing of the kind ; and from the first Mr. Sweeney said he had nothing to conceal. Since I have been in this office everything has been done in a regular and business-like manner, as in the office of the clerk of any court in the country.

8448. Q. Then why did you do your business in this way on this occasion ; was it in order to show your contempt for the committee ?

A. No, sir ; it was done in this careless manner, which of course was wrong ; and it is a thing which never would occur again in 100 years.

WASHINGTON, D. C., *February 4, 1869.*

JAMES A. THOMPSON sworn and examined, (called at the request of Mr. Kerr.)

By Mr. KERR:

8449. Question. State your business.

Answer. I am a naturalization clerk in the superior court of the city of New York, and have held that position since the 9th of December, 1867.

8450. Q. State what are your relations in that service to the other clerks in the office ?

A. I have full charge of the bureau of naturalization.

8451. Q. Do you know Mr. Gillespie ?

A. Yes, sir ; he is my assistant clerk in the same department. There are only two of us there.

8452. Q. State to the committee what you know of the manner in which the whole number of applications for naturalization in your office were counted prior to the time that Mr. Westlake, one of the clerks of that court, appeared before this committee in New York, and testified on the subject of that count ?

A. The only count that took place was made by Mr. Meeks ; in the hurry of the elections, both political parties, for their own benefit and to

facilitate business, used tickets, each representing fifty or seventy-five cents, and when an application was handed to the clerk, upon which the certificate is issued, a ticket would be passed. These tickets were counted, amounting to something over 18,000, and that I considered the actual count. That is all I know about it. It was made in the evening when I was not present. They were about making the count when I came into the office—I should think about half-past 4 o'clock. The gas had been lighted. I saw them preparing to make the count, and then I left the office.

8453. Q. State in whose custody the applications for naturalization in that court have been in fact and under the law since October last.

A. In mine and Mr. Gillespie's.

8454. Q. State whether any of these papers, made in the course of the business of naturalization during the month of October, were, during that month, or since, at any time, by anybody, or in any way, abstracted or destroyed or mislaid or lost.

A. They were not, and, furthermore, they could not have been, without the knowledge of Mr. Gillespie or myself. If they had been taken we certainly must one of us have been a party to it.

8455. Q. What was your habit in reference to the time of getting to your office?

A. Sometimes I came there prior to 9 o'clock in the morning, sometimes 10, and sometimes as late as 11. Mr. Gillespie generally got there first.

8456. Q. Do you know anything about the count that has been made in the last ten days of these papers?

A. Yes, sir; there was a count actually made of the papers, counting each paper separately and distinctly by itself, placing them in bundles of a hundred each, for each day of naturalization in the month of October; then the total month's work added up, amounting in the aggregate to 18,432. I superintended the work myself, and the persons engaged in it were Mr. Gillespie, Mr. Westlake, Mr. Early, and myself.

8457. Q. To what extent did you count them?

A. The majority of the counting was done by Mr. Gillespie, Mr. Westlake, and myself; the others came in later and aided us.

8458. Q. Were you personally present during the examination of these papers by persons connected with this committee?

A. A part of the time I was; and when I was not present Mr. Gillespie was.

By the CHAIRMAN:

8459. Q. You say that when you were not personally present Mr. Gillespie was; how do you know that he was present all that time?

A. Because he could not keep his situation in the office if he did not remain there. It was his duty to be present, and I have personal knowledge of certificates issued and signed by him, being conversant with his handwriting.

8460. Q. And you swear that he was in the room all the time that you were not present?

A. I swear to the best of my knowledge.

8461. Q. Will you state now that you know he was there?

A. I am just as willing to swear that as I would be to swear there is such a place as Paris, though I never was there.

By Mr. DICKEY:

8462. Q. By that do you mean that the fact of Mr. Gillespie being

there all the time is as universally known and accepted by all men as the fact that there is such a place as Paris?

A. Yes, sir; that is what I mean.

By the CHAIRMAN:

8463. Q. You state from your own personal knowledge as to the correctness of this count, so far as it was made by others?

A. No, sir.

8464. Q. What other clerks in the office had access to the room in charge of yourself and Mr. Gillespie?

A. After naturalization had ceased no others had.

8465. Q. Do you say that they were not permitted to go in?

A. They were permitted to go in, but not to go into the room in which the naturalization papers were.

8466. Q. Was Mr. Sweeney not permitted to go in there?

A. Mr. James M. Sweeney was permitted to go in, but he never availed himself of it.

8467. Q. Was Mr. Meeks permitted to go in?

A. Yes, sir; but he never went into that room.

8468. Q. State if you were always in the room when it was open, or whether you would occasionally be absent.

A. I would occasionally be absent.

By Mr. HOPKINS:

8469. Q. You say you know something of the manner of making up the statement which was sworn to by Mr. Westlake; were you present when he made the count?

A. No, sir; I know nothing of it, except by hearsay.

8470. Q. How did he get at that count?

A. I only know from hearsay; he did not make the statement in person. Mr. Gillespie was authorized to make the statement which was handed to the committee by Mr. Westlake.

8471. Q. Was that statement signed officially by the deputy clerk of the superior court of New York?

A. I could not say.

WASHINGTON, D. C., February 4, 1869.

FLORENCE SCANNEL, having appeared before the committee in obedience to the orders of the House in the custody of the Sergeant at-arms, was examined as follows by the chairman:

8472. Question. You have stated in your previous examination that you gave a list of names to be voted on to some person; will you now state who the person was to whom you gave the list?

Answer. Yes, sir, that is what I came here to do. That person was Mr. Marshall, a republican politician, at the corner of Fourteenth street and Fourth avenue—one of the proprietors of the Opera-House there.

8473. Q. What is his full name?

A. I do not know his full name.

8474. Q. What business is he engaged in?

A. He keeps the Opera House, which is a hotel and drinking-saloon.

8475. Q. In your previous examination, you were asked if you knew of any person engaged in repeating in any other ward besides the 18th. Will you now answer that question?

A. I cannot state any name; I do not know of any.

8476. Q. Do you mean to say that you do not know of any persons engaged in repeating outside of that ward?

A. I was told so, but I do not know their names.

8477. Q. Do you know the fact that it was done ?

A. I would not swear to it.

8478. Q. Were you outside of the 18th ward on the day of election ?

A. No, sir; I always make it a point to stay in my own district on election day.

8479. Q. Did you know of any preparations for repeating before the day of election, in any other ward but the 18th ?

A. I do not know that I did.

8480. Q. Did you see or know of persons making preparations for it ?

A. No, sir.

8481. Q. State if you were at the Jackson club shortly before the election ?

A. I was there pretty nearly every night, on account of being a member of that club.

8482. Q. Were you there the night before election ?

A. No, sir.

8483. Q. Were you in that ward on the day of election ?

A. No, sir.

8484. Q. Do you know of any preparation in that club-room, or of any persons members of the club, for repeating ?

A. No, sir; they did not let me know their business; they had too much good sense, if they had any preparation of that kind going on, to let me know it.

8485. Q. Why ?

A. They do not let people outside of their own wards know their business.

8486. Q. Was this club confined to that ward ?

A. No; everybody belongs to it.

8487. Q. Then why do not the members of the club know what is going on there ?

A. If I had a place where I knew I could get a hundred dollars, I should not tell other people of it, because somebody might get ahead of me.

8488. Q. What do you mean by getting a hundred dollars ?

A. I mean that if I knew where I could go to-morrow and find a hundred dollars I should not tell other people of it, because they might get there before me.

8489. Q. Is that a part of the business of your club to pick up a hundred dollars lying around ?

A. No; I merely suggested that; I do not belong to the ward the club is in.

8490. Q. Are there any private orders in that club, the secrets of which are kept from the members ?

A. Not that I am aware of.

8491. Q. How do you know, then, they would not tell you ?

A. Because I would not do it under the same circumstances.

8492. Q. Did you and Mr. Marshall vote or procure anybody to vote on the list of names you gave him ?

A. I did not.

8493. Q. Do you know whether he procured the list from you for the purpose of ascertaining what you were doing or not ?

A. I know that it was agreed that I should give it to him; he came and asked me if I was going to send anybody there to vote; I told him no; he then said he would take the list and do it himself, and that I was not to send anybody there; I told him I had not anybody to send; I do not know whether he voted a man or not.

8494. Q. You stated when you were before the committee on a former occasion that you knew of 30 men engaged in registering names falsely in the 18th ward. Can you state now whether you know of more in that ward than these 30?

A. I could not tell; that is all I know; I am trying here to tell what I know.

8495. Q. Did you hear of others?

A. No; I heard men talking on both sides, democrats and republicans; everybody were talking about their operations.

By Mr. HOPKINS:

8496. Q. Were these 30 under your immediate control?

A. No, sir; I did not register them at all; they were registering, and the list was given to me.

8497. Q. Who had charge of the registering?

A. I do not know the man's name; I knew where he was living.

8498. Q. Where?

A. He lived in New York.

8499. Q. Where in New York?

A. On Third avenue.

8500. Q. Where on Third avenue?

A. Between Twenty-fourth and Twenty-fifth streets.

8501. Q. By what name is he known or called?

A. I do not know; he is a man who does not live at any place long.

8502. Q. You must know him by some name if you are an associate of him?

A. I am no associate of his at all.

8503. Q. And yet you say he made this registration for you?

A. Not for me; he was there when this registration was made, and from the position he seemed to have I supposed he was sent there for that purpose. There was no particular name he was called by; I called him "Yorkee," and some called him "Johnny."

8504. Q. Do you say that he was engineering this party of 30 repeaters?

A. I do not know whether he was or not; he gave me the list and I gave it to Mr. Marshall.

By Mr. DICKEY:

8505. Q. Where did he give it to you?

A. At the Compton House; I was down there one night and they told me they were registering.

8506. Q. Who told you they were registering?

A. Ten or twelve told me so.

8507. Q. Who are they?

A. I do not know.

8508. Q. Where do they live?

A. I do not know.

8509. Q. What are their names?

A. I do not know.

8510. Q. Who managed these repeaters on election day?

A. That I do not know; I gave the list to Mr. Marshall; I do not know whether he voted them or not.

8511. Q. I understand that a portion of these names were registered for the benefit of republicans, and a portion retained for the democratic party; that you did vote the persons who were registered for the democratic party, but you do not know whether the names you gave for the republican party were voted or not. Now, I want to know who managed the voting of these democrats?

A. I do not know of anybody that voted the democratic ticket. When I was a candidate in the December election they came and told me they had their names registered, and were coming to vote for me; whether they did or not I do not know.

8512. Q. You say you gave Mr. Marshall a portion and retained a portion; how many did you retain?

A. They registered, I believe, about 30; but I got, I should think, about 18 or 20 of the names. I do not know how many times they registered them; they registered the names and gave them to me.

8513. Q. How many did you keep, and how many did you give Mr. Marshall?

A. I gave Mr. Marshall all there was.

8514. Q. What do you mean by those you retained?

A. They did not give them to me at all.

8515. Q. Who retained them?

A. I do not know.

By Mr. HOPKINS:

8516. Q. Did you ever distribute naturalization papers?

A. No, sir. I went with a few men down there, but I knew they had their own witnesses with them. They had been in the country for the required time.

8517. Q. Do you swear that you never distributed any naturalization papers from the Compton House?

A. Papers were sent there for parties.

8518. Q. State distinctly whether you swear that you never distributed any papers out of the Compton House to parties claiming to be naturalized.

A. I have already stated that naturalization papers were sent there, and I would give them to parties when they called for them.

8519. Q. Then you swear that you did distribute them?

A. I did to parties who are entitled to them—men who had already taken their witnesses down and satisfied the folks in court that they were entitled to become citizens of the United States.

By Mr. DICKEY:

8520. Q. How do you know that?

A. I know the witnesses started for the court with them.

8521. Q. And the parties who gave the papers had their witnesses with them?

A. No, sir.

8522. Q. How many papers did you give out in a day?

A. I cannot tell; I have no recollection at all.

8523. Q. Did you know the parties to whom you gave the papers of naturalization?

A. No, sir. I may have known a few of them.

8524. Q. How many did you know?

A. Not over one or two.

8525. Q. How many of them did you not know?

A. I don't recollect.

8526. Q. How did you know the parties with whom you were not acquainted had been down to the court?

A. I thought so by seeing the names of the witnesses signed to the naturalization papers. I thought if they had not been there the names would not have been signed.

8527. Q. Were the witnesses, whose names were signed, persons you knew?

A. Not many of them. I did not look at them much. I took one or two of them and looked at the names.

By Mr. HOPKINS :

8528. Q. How did you get these papers ?

A. They were left at the Compton House by a man down below where the naturalization was going on. I suppose some of the attachés of the office down there brought them up, because this was a kind of headquarters where the parties would be likely to get them.

8529. Q. Do I understand you that attachés of the naturalization office brought these papers up to the Compton House ?

A. I don't know ; it's most likely they did.

8530. Q. Did they come directed to you in envelopes, or in what form did you receive them ?

A. No ; I found them lying out on the desk.

8531. Q. Were they addressed to you ?

A. I do not know ; I was not there when they were left.

8532. Q. How did you know you were to distribute these papers ?

A. Parties told me they were left there for them. The barkeeper, when I came there one day, told me that some papers were left there and asked me if I knew anything about them. I told him I knew one or two of the parties.

8533. Q. What did you do with them ?

A. When a man came in and gave his name I would look over and if I found his name there give him his paper.

8534. Q. Is it not true that you were an agent for the distribution of these papers at that point ?

A. No, sir, I was not an agent for anybody.

8535. Q. Is it not true that you were understood by the clerks at the court to be the man to send these papers to for distribution in your ward ?

A. No, sir.

8536. Q. You swear positively to that ?

A. Yes, I swear positively.

8537. Q. But you did that business ?

A. I do not know. That was a sort of headquarters, and I suppose they thought it was the best place to leave the papers.

By the CHAIRMAN :

8538. Q. You stated in your former testimony in substance, that you knew who furnished the tickets and slips for repeaters at the election in the 18th ward. Will you state who are the persons to whom you furnished the names of these repeaters ?

A. Mr. Marshall was the only man.

8539. Q. On the day of the election, in the 18th ward, who furnished the tickets and slips to repeaters ?

A. I gave a man some tickets to go down and see Mr. Marshall to see whether he had it correct or not.

By Mr. DAWES :

8540. Q. Who was the man you gave it to ?

A. One of the boys around the corner ; I do not recollect his name now.

8541. Q. You did recollect then, but you do not now ?

A. I must have misunderstood the question you put to me.

8542. Q. When you were asked then the name of this party you said you could not answer, that it would not be honest to your friends ?

A. Mr. Marshall was the man whom I had reference to then.



By the CHAIRMAN :

8543. Will you state to the committee who furnished the tickets or slips to the repeaters in the 18th ward for the names you had falsely registered there ?

A. I do not know. I did send tickets down to Mr. Marshall, that is all I know about it.

8544. Q. Don't you know who furnished tickets to the repeaters in the 18th ward ?

A. I sent a man down to Mr. Marshall, that is all I know. I did not vote any of them.

8545. Q. Have you not stated that you voted a few ?

A. No, I think not.

8546. Q. You did say you registered falsely a large number of names, that you gave a part of the names to another person and voted the balance.

A. I think that cannot be my testimony. I gave Mr. Marshall eighteen or twenty of the thirty that were given to me.

By Mr. HOPKINS :

8547. Q. You say Mr. Marshall was a republican ; why did you give to Mr. Marshall, a republican, a list of names falsely registered ?

A. Because I had agreed to have so many names registered and give them to him, and after that they were to give me two canvassers, and I gave this list of names to satisfy these people that I had kept my word, and Mr. Marshall was the man I gave them to.

8548. Q. Was Mr. Marshall one of the canvassers you were to select ?

A. No, sir.

8549. Q. In what way was he interested in the contract you have testified about ?

A. In no way except that I had registered a large number from his house. I had sent men there, and I agreed to register 50 or 60 names for him.

8550. Q. How many did you register from Marshall's house ?

A. I do not know how many they registered. They gave me the list.

8551. Q. Where does Mr. Marshall live ?

A. He lives at 101 Fourteenth street, corner of Fourth avenue. There must have been 50 or 60 names registered from that house.

By Mr. DICKEY :

8552. Q. In your former testimony you state that you registered 150 or 200 names in your ward, that you voted some of them yourself, and that you registered 30 men about five times apiece ?

A. That is what I say still.

8553. Q. And you say you voted some of them yourself. Who did you vote ?

A. I did not give the men the tickets. Some of them voted at my election. I was not speaking of the presidential election at all.

8554. Q. You stated that you probably voted 150.

A. I guess I did at my election. That is, I did not vote them, but the men voted for me, if I can believe their word.

8555. Q. How many did you vote at the first election ?

A. I don't know. I didn't give the men the tickets. The men would go down to the polls and say, "I am going to vote for you."

By Mr. HOPKINS :

8556. Q. You said in your former testimony that you made a contract with two republicans that you would register falsely a certain number

of names for them to vote the republican ticket on, and that you reserved for yourself 150 which you had registered falsely, to vote the democratic ticket. And you also stated at that time that you did vote these 150 names for the democratic party.

A. That is what I state now. These men, however, did not vote at the presidential election. These names were registered so that they could be used in my election. I took no interest in the presidential election at all. Men came to me and said that they wanted to see me elected. I said, "I want to be elected," and from all accounts they must have registered 200 names, and I gave to Mr. Marshall a list of 20 or 30 names.

By Mr. DICKEY:

8557. Q. Did not every man registered at the Compton House vote in the November election?

A. Every man voted from the Compton House who was entitled to vote, and a great many came there who did not live there at all and voted against me.

By Mr. HOPKINS:

8558. Q. Do you know how many voted from the Compton House in the November election?

A. No, sir.

8559. Q. Do you know how many were registered there?

A. Probably 150 or 160, and they were men who lived there. Two or three years ago there were 80 or 90 there. Men would go there, stay through the month, and vote. There were men there I never asked how they were going to vote, or know how they voted. I did not know half the men who lived there. I don't suppose I knew 20 names out of all who lived there.

8560. Q. And did you not know whether they were entitled to vote?

A. I did not know.

8561. Q. You stated in your previous examination that the Compton House was one of the places for men to vote falsely from.

A. No, sir; you must have misunderstood me.

8562. Q. You say now you did not give any slips to parties who registered from the Compton House?

A. No, I did not give any man a slip.

8563. Q. Neither yourself nor through anybody else?

A. No, nor through anybody.

8564. Q. Who did this work?

A. I don't know. A man would go there and say "I want to vote for you," and if I can believe their words a good many voted for me. I don't know whether they did or not. It did not cost anything and I took their word for it.

By Mr. KERR:

8565. You stated in your answers to the House of Representatives that you were not willing in New York to disclose the name of the person referred to in your testimony, and that since then you had seen him and got his consent, and that you were ready now to give his name. Do you say now that you gave the name of Mr. Marshall with his consent?

A. Mr. Marshall came to my house for a list of these names and I gave them to him.

8566. Q. Do you say now that you make the disclosure of Mr. Marshall's name by his consent?

A. Yes, sir, I have seen Mr. Marshall; at least I went there; he was

not in, but I saw another man who was with him and he said he had consulted Mr. Marshall, and that Mr. Marshall had said it was all right.

8567. Q. Who was the other man?

A. I do not know what his name is; he was always with Mr. Marshall.

By Mr. DAWES:

8568. Q. Do you know of any person engaged in repeating in any other ward besides the 18th?

A. I don't personally.

8569. Q. Did you say when you were examined before, that you did?

A. I heard men say so; that is all.

8570. Did you say you declined to give the names of persons whom you knew?

A. I did of the men who told me. I recollected then the names of one or two, but I don't remember them now.

8571. Q. What was the reason you declined to give the names then?

A. I was merely talking with these men and they would say so and so, and I didn't think it was right to tell the committee who they were. I would tell you now if I could recollect them.

8572. Is it more right now than it was then?

A. I don't know.

8573. Q. Have you forgotten now what you knew when you were on the stand before?

A. Yes, sir.

8574. Q. What have you forgotten now that you knew when you were on the stand before?

A. I don't know what I have forgotten. I don't know whether I have forgotten anything, or not, until I am asked the question.

8575. Q. Do you tell this committee that you have forgotten the names you refused to give when you were on the stand before?

A. I have not forgotten Mr. Marshall's name; I have forgotten one or two names of persons who told me, that I remembered then.

8576. Q. Don't you know their names just as well now as you did then?

A. No; I don't recollect. I might know their names if I were to see them.

8577. Q. Do you know William A. Jenner?

A. No, sir.

8578. Q. (Testimony of William A. Jenner read to witness.) What do you think of that?

A. I don't know the man at all.

8579. Q. Do you know anything about that?

A. No, sir; I don't recollect anything about that.

By Mr. KERR:

8580. Q. Was that Jackson club organized for the purpose of engaging in cheating at elections?

A. I did not join it for that reason. I had to pay \$50 initiation fee. I can go into companies of that kind without having to pay anything.

8581. Q. What sort of men belonged to that club?

A. Some very fine men; the street commissioner, the sheriff, and a great many lawyers and merchants in the city belonged to it.

8582. Q. Some naturalization papers, you say, were distributed at the hotel, which, as you were informed, were sent there from the naturalization office; what office do you refer to?

A. I mean the court-house, somewhere down-town.

8583. Q. Do you mean they were sent there by the clerks and the judges of the court?

A. I don't know; there were so many people engaged in getting the names of the witnesses, and preparing papers, that I supposed these men did not want to wait, and that they said if they would send them to the Compton House they could get them.

WASHINGTON, D. C., *February 4, 1869.*

JOHN I. DAVENPORT, clerk of the committee, made the following statement:

8584. John J. Mullins, one of the last witnesses examined in New York, testified that he had been engaged in the business of registering a number of times in a number of districts. He gave various names under which he had registered, and houses from which he had registered. I have examined several of the registry books of a number of the districts, and find the following names given by him, with those also of certain other parties with whom he said he was engaged.

8585. I find in registry book, 3d district, 8th ward, the name of James Gray, 93 Prince street.

8586. I find in registry book, 8th district, 8th ward, the name of John J. Mullen, 54 Sullivan street.

8587. I find in registry book, 4th district, 8th ward, the name of Edward F. Mullen, 403 Canal street.

8588. I find in registry book, 1st district, 3d ward, the name of John J. Mullen, 156 Greenwich street.

8589. I find in the registry book, 2d district, 1st ward, John Murphy, 79 Washington street.

8590. I find the name of Matthew Stripp, 7 Albany, on the registry book, 3d district, 1st ward; also James Murray, 113 Washington street.

8591. I find John Mullen, 101 Greenwich street, in registry book, 4th district, 1st ward; also John Stripp in same place.

8592. I find 1st district, 1st ward, the name of William Riley, 18 Washington street.

8593. I find in district, 15th ward, the name of Owen Gammon, 233 Thompson street.

The following testimony was taken in Orange county, New York, by a sub-committee, composed of Mr. Blair and Mr. Ross:

MIDDLETOWN, ORANGE COUNTY, NEW YORK.

February 1, 1869.

JOHN FLYNN sworn and examined.

To Mr. BLAIR:

8594. I reside in Dorseytown, Wawayanda, in Orange county, New York. I landed in New York from Ireland on the 24th of June, 1865. I voted at the last election in November, 1868.

8595. Q. Did you have a naturalization certificate?

A. No, sir; I had a paper which I have since destroyed. The paper purported to make me a citizen of the United States. I do not remember from what court it was issued; but to the best of my belief it was issued in New York. It was given to me by John Bradley, who lives in Wawayanda, and who is a neighbor of mine.

8596. Q. What did John Bradley tell you when he delivered you the paper?

A. He told me I had a right to vote.

8597. Q. Upon that paper?

A. Yes, sir.

8598. Q. Had you ever been in any court to obtain that paper?

A. No, sir.

8599. Q. Had you ever been sworn ?

A. No, sir.

8600. Q. Did you vote on that paper ?

A. I offered to vote, but did not vote.

8601. Q. Did Bradley tell you to use it to vote upon ?

A. Yes, sir ; he told me to use it.

8602. Q. What are Bradley's politics ?

A. Democratic, I guess.

MIDDLETOWN, ORANGE COUNTY, NEW YORK,
February 1, 1869.

WILLIAM P. CLARK sworn and examined.

By Mr. BLAIR:

8603. Question. Where do you reside ?

Answer. This side of Denton, in Orange county, New York. I have resided there and in the immediate neighborhood for 15 years. I have been a voter for some 35 years.

8604 Q. Do you know anything about any naturalization papers having been delivered to any persons in Orange county ?

A. I know of one. That was handed to me to give to John Handel. John Handel lives with his brother, quite close to me. David Reeves gave me the paper to give to Mr. Handel. Mr. Reeves lives on the plank road, about two miles from here. He did not tell me, nor do I know where he got it. He came along by my house, just on the edge of the evening, and wanted to know if I would see John Handel. I told him I would go by there that evening.

8605. Q. Did you look at the paper ?

A. Yes, sir.

8606. Q. Do you know where it is now ?

A. I do not. I gave it to John Handel.

8607. Q. What did the paper purport to be ?

A. A naturalization paper.

8608. Q. Do you know by what court it was issued ?

A. I do not. All I saw was Handel's name on it. Reeves did not say anything about where he got it. I delivered it to Handel in the meadow. I told him I had a paper to serve on him. That kind of startled him a little. He did not know whether it was a process or something like it. Then his brother looked at it, and said : "I know what it is. It is a naturalization paper."

8609. Q. Did either of them say where it came from ?

A. No, sir.

8610. Q. Did you know of the existence of any fraudulent papers in the county last fall ?

A. I did not see any. I have heard them talking about some papers, but I never knew anything of any other paper than that of which I have spoken.

8611. Q. Did you know from any of the candidates during the fall whether any arrangement had been made anywhere for fraudulent naturalization papers ?

A. I did not.

8612. Q. Did you hear any of them say anything of that sort ?

A. All I ever heard about it was talking down in Mr. Herrell's store, at Hampton. After the papers were gotten out, I heard them saying that if a man in the village, named Noland, or some such name, had

papers, he was not entitled to them, and had better not vote on them. as he had not been there long enough. Howell said that. Noland lives in Denton. He did not vote, nor did he offer to. Whether he had papers or not I cannot say.

MIDDLETOWN, ORANGE COUNTY, NEW YORK,
February 1, 1869.

JOHN J. BRADLEY sworn and examined.

To Mr. BLAIR:

8612. I reside in Wawayanda, and have for 13 years.

8613. Q. Do you know John Flynn?

A. I know that there is such a man, who works for a neighbor of mine, Mr. Wilson. I am not acquainted with him.

8614. Q. Where did Flynn reside prior to the election last fall?

A. He has worked for Mr. Wilson since last spring, I think. I just met him working on the highways.

8615. Q. Did you deliver, some time last year, to John Flynn, a paper purporting to be a naturalization certificate?

A. I gave him a paper; I did not know what it was. I did not know whether it was a duplicate or a naturalization paper.

8616. Q. Where did you obtain that paper?

A. That paper was handed to me the week preceding the election, in the highway, by a gentleman, to hand to Mr. Wilson's hired man. David W. Reeves was the gentleman who handed it to me in the highway. When Mr. Reeves handed the paper to me he said he would be obliged to me if I would hand that to Mr. Wilson's man. That is all he said. The paper was not in an envelope, and I do not know whether it had any name on the outside or not. I do not know either whether it had the seal of any court upon it or the signature of any officer purporting to be a clerk of court. I read the paper, but I cannot recollect anything about that. The day after he handed me the paper there was an Irishman over at my house looking for work, and being acquainted with Flynn, I told him to tell Flynn to come to my house; that a paper had been left there for him. Flynn came over that evening, and I handed the paper to him. I did not know the object of the paper, nor whether it had anything to do with the citizenship of any person or not.

8617. Q. Was Flynn present when you read the paper over?

A. No, sir; it was before he came. I merely glanced at it in the house that evening, seeing it was nothing private.

8618. Q. Can you tell whether it was a promissory note or not?

A. Of course I could tell that.

8619. Q. It was not a deed, was it?

A. No, sir; I should not think it was.

8620. Q. Was the name of Flynn in it anywhere?

A. I think it was.

8621. Q. Did Reeves tell you what the paper was for when he handed it to you?

A. No, sir, nor where he got it.

8622. Q. Did it have the name of the city of New York in it?

A. I cannot say.

8623. Q. Did you tell Flynn that that would give him authority to vote?

A. No, sir.

8624. Q. He says you did.

A. He says what is false, then.



8625. Q. Did you know anything about the object of that paper at all?

A. I did not; I considered it was something with regard to the election when I read it over, but I did not know whether it was a naturalization paper or not.

8626. Q. Did you know how long Flynn had been in the country?

A. I think he told me, last spring, that he had been in the country about four years. I am not positive whether it was four or five years.

8627. Q. Did you see any other papers of this sort?

A. No, sir.

8628. Q. Did you deliver any such papers to anybody else?

A. No, sir.

8629. Q. Were you a pretty active politician during the last year?

A. No, sir; I did not step out of my way ten steps for the last election.

8630. Q. What is your politics?

A. I am a democrat.

8631. Q. Do you know how Mr. Reeves came to select you to deliver this paper?

A. No, sir. I presume, though, that he thought I had more opportunities of seeing Mr. Wilson's man than he had, he living on a by-road and I living on a main road and adjoining farm.

MIDDLETOWN, ORANGE COUNTY, N. Y., *February 1, 1869.*

MICHAEL RIORDAN sworn and examined.

To Mr. BLAIRE :

8631½. I reside at Circleville; I landed in New York six years ago the 13th of next May.

8632. Q. How long did you stay in New York after you landed there before you came into the country?

A. One or two days.

8633. Q. Where did you come to then?

A. Alexander Croffut brought me here to his own place and I worked for him. He lived in Grafton, Orange county. I remained there until the 1st of April, when I went to Christopher Moulds, where I staid one year.

8634. Q. Did you vote at the last election in November?

A. Yes, sir; I voted at Scotchtown, in this county.

8635. Q. When were you naturalized?

A. Three or four years ago; I got my first papers in New York, in the City Hall. I went to New York a week or nine days before the election and got my last papers. I went alone. I was directed in New York by John Shears where to go. Shears was a stranger to me; he happened to be where I called to see a friend, and the friend being out he directed me where to go.

8636. Q. To what place did he direct you?

A. To an office in the City Hall.

8637. Q. Was it the clerk's office?

A. I suppose so.

8638. Q. Did you have along the paper that had been delivered to you before?

A. Yes, sir.

8639. Q. Were you sworn?

A. No, sir; I was merely asked some questions by the party who delivered me the paper.

8640. Q. Did you go into any court?

A. I do not know whether it was a court; there was a great many persons in the

8641. Q. Did you sign any papers there?

A. I signed my name there.

8642. Q. To what?

A. That I was so long in the country; that was when I got out my first papers. I do not remember whether I signed anything at all this last time.

8643. Q. Did you pay anything for this last paper that you got?

A. Yes, sir; \$2, I guess; I paid it to the man who gave me the paper.

8644. Q. You did not bring in any person to have sworn with you to show that they had known you any particular length of time?

A. No, sir.

8645. Q. Did you vote on that paper?

A. Yes, sir.

8646. Q. Have you got that paper now?

A. No, sir.

8647. Q. Do you know whose name was signed to that paper?

A. I suppose my own name; I cannot read, and therefore cannot say positively.

8648. Q. Did that paper have a seal upon it?

A. Yes, sir.

8649. Q. Did you see anybody there that you knew?

A. No, sir.

MIDDLETOWN, ORANGE COUNTY, N. Y., *February 1, 1869.*

CHRISTIAN BORCOLD sworn and examined.

To Mr. BLAIR:

8649½. I reside at Hill's Depot, four miles from Middletown; I am a native of Germany. It will be 20 years this spring since I came into the country.

8650. Q. Did you vote at the last election?

A. No, sir.

8651. Q. Did you have naturalization papers?

A. I thought I had.

8652. Q. Where are those papers now?

A. I suppose Mr. Sweet got them.

8653. Q. Is that the paper you had? (Exhibit A.)

A. Yes, sir.

8654. Q. Were you registered upon this paper?

A. Yes, sir.

8655. Q. Why didn't you vote?

A. A couple of men up in Howell's wanted to see my paper, and told me I could not vote and not to go near the polls. I did not know; I thought the paper was all right.

8656. Q. Who gave you this paper?

A. In the first place I went to Goshen; I saw nobody there, and so I came up here on the first train for Middletown, and stopped over here at Mr. Dusenberry's, and he brought me here to John H. Bell's, the grocer.

8657. Q. What did Mr. Bell do?

A. He took my name in a book and told me he would see about it, it would be all right. After a little while he sent for me to come and get the papers.

Q. Did you come down?

A. Yes, sir, and got the papers.

Q. What did he say?

A. He said they were good and I could vote upon them.

8660. Q. Can you read ?
 A. Not in English.
 8661. Q. So you could not read this paper yourself ?
 A. No, sir.
 8662. Q. You were never sworn ?
 A. No, sir.
 8663. Q. Had you ever made any previous declaration in court or been sworn ?
 A. No, sir.

MIDDLETOWN, ORANGE COUNTY, NEW YORK,
February 1, 1869.

JOHN HANLEY sworn and examined.

To Mr. BLAIR:

- 8663½. I reside in Dorseytown, near Denton. I know William P. Clark.
 8664. Q. Did Mr. Clark, at any time last fall, give you a naturalization paper ?
 A. Yes, sir, about a week before the election.
 8665. Q. What did he say ?
 A. He didn't tell me anything, but only to appear at the election.
 8666. Q. Where is that paper ?
 A. This is it. (Produces Exhibit B.)
 8667. Q. Did he tell you whether or not it would authorize you to vote ?
 A. He did not tell me anything, except that I should be there at the election.
 8668. Q. Did you get registered upon it ?
 A. No, sir.
 8669. Q. Did you vote upon that paper ?
 A. Yes, sir.
 8670. Q. Did you appear in any court to get the paper ?
 A. No, sir.
 8671. Q. Were you sworn at all in regard to the matter ?
 A. No, sir.

MIDDLETOWN, ORANGE COUNTY, NEW YORK,
February 1, 1869.

PATRICK HANLEY sworn and examined.

To Mr. BLAIR:

- 8671½. I reside at Dorseytown. I know nothing about this naturalization paper, other than was told you by John Hanley. I was present when Clark delivered to him the paper, and told him he should be up there on election day, and not to fail.
 8672. Q. Do you know of any other papers like those being out ?
 A. A man by the name of Patrick Fitch, next door to me, got one; but I do not know whether he voted.
 8673. Q. Was it like this? (Shows Exhibit B.)
 A. I think it was. There were some others who had them, but I cannot call to mind who they are.

MIDDLETOWN, ORANGE COUNTY, NEW YORK,
February 1, 1869.

PATRICK POWERS sworn and examined.

To Mr. BLAIR:

- 8673½. I reside at Somerville. I have been in the United States since 1863; I came from Ireland; I landed in New York.
 8674. Q. Did you vote at the last election ?
 A. I did—voted the democratic ticket.

8675. Q. When were you naturalized.

A. I got my first papers in 1863. I got my last papers in 1868—some time in November.

8676. Q. How many days before the election?

A. Eight or ten days.

8677. Q. Where did you get them?

A. They were sent to me through the post office. I cannot tell who sent them, nor can I tell where they came from. I know it was from either Newburgh or New York; I cannot tell which. I have not got them with me; they may be at home.

8678. Q. Did you appear in court at either of those places to get that paper?

A. No, sir.

8679. Q. Did you take any oath before this paper was sent to you from either New York or Newburgh?

A. No, sir; I took one when I was registered.

8680. Q. Had you requested anybody to send that paper?

A. No, sir. For a long time a great many had been at me to go to New York and get my papers. I declined, stating that I did not want to lose any time. I said that if any one would get them for me I would vote.

8681. Q. So somebody got the paper and sent it to you?

A. Yes, sir.

8682. Q. Did any letter accompany it?

A. No, sir.

8683. Q. Did you know of any other persons getting naturalization papers in the same way you did?

A. No, sir; except a brother of mine. He got one in the same way?

8684. Q. Did you suppose at the time that this was the right way to get such papers?

A. I did not know anything at all about that. I supposed they knew more about the laws of the country than I did.

MIDDLETOWN, ORANGE COUNTY, NEW YORK,
February 1, 1869.

EDMUND POWERS sworn and examined.

To Mr. BLAIR:

8684½. I reside at Goshen, and have for three years. I came from Ireland originally, and have been in the United States for something over three years. I landed at Castle Garden a little less than four years ago.

8685. Q. Did you vote at the last election?

A. I did.

8686. Q. What ticket did you vote?

A. I do not well know. I just got the ticket and put it in. I did not look at it.

8687. Q. Was it a democratic or a republican ticket?

A. I could not say; it was my intention to vote the democratic ticket.

8688. Q. Had you any naturalization papers.

A. I had; I received them through the post office in Chester. They came from New York, I think. I do not know who sent them to me.

8689. Q. Have you that naturalization paper with you?

A. I have. (Produces it, and it is marked Exhibit C.)

8690. Q. Had you applied to anybody to send you this paper?

A. A number of men came to me and said I was capable of voting, and so I put in my name and got this paper.

8691. Q. Who took your name ?

A. It was another boy just the same as myself, and I told him to have my name put in with his and get papers for me. His name was Patrick Sheehan.

8692. Q. You did not appear in any court to get your paper, did you ?

A. No, sir.

8693. Q. And were not sworn ?

A. I was sworn when I got registered, and I was sworn when I went to vote.

8694. Q. But you were not sworn when this paper was issued ?

A. No sir ; I received it through the mail, but I had to pay for it, or at least I promised to pay Patrick Sheehan, the man I got it from. Three dollars and a half was the amount I was to pay.

8695. Q. State whether your paper is like this one. (Exhibit B.)

A. With the exception of the name of John Handel.

8696. Q. Did any other person except Sheehan direct you how to get these papers ?

A. No, sir.

8697. Q. Do you know whether other persons in your neighborhood had papers ?

A. I do not know anything about any other man.

8698. Q. Did't you know that it required a person to reside five years in the United States before he could vote ?

A. I was told not. I should think if it did they had no right to let me vote. I swore I was not five years in the country, and why did they register my papers. A man down there challenged my vote, and I swore I was not five years in the country, and still I voted.

MIDDLETOWN, ORANGE COUNTY, NEW YORK.

February 1, 1869.

CHARLES HOYT sworn and examined.

To Mr. BLAIR :

8698½. I reside at Otisville, Orange county, New York, and have resided there for some twenty years.

8699. Q. You are acquainted generally with the voters of that region ?

A. Yes, sir.

8700. Q. State whether you know of naturalization papers being procured to any extent for unnaturalized foreign people last fall, to any extent.

A. I do not know of a single instance.

8701. Q. You were not yourself concerned in getting any ?

A. No, sir.

8702. Q. Do you know whether it was generally understood there that there was any way by which such papers could be procured ?

A. No, sir. I will state here that I took no part in the election whatever, attended no political meetings, went to the polls and voted, and came home. I do not suppose they could have summoned a man with so little knowledge about such matters as myself.

MIDDLETOWN, ORANGE COUNTY, NEW YORK,

February 1, 1869.

PAT. CAMERON sworn and examined.

To Mr. BLAIR :

8702½. I reside in Middletown. I came from Ireland to the United States some nine or ten years ago ; I landed in New York in February, I think ; I have been living in this village some six or seven years.

8703. Q. Have you been naturalized?
A. Yes, sir.
8704. Q. Where did you get your first papers?
A. In New York.
8705. Q. In what court, do you remember?
A. At the City Hall, some few weeks before the election last fall.
8706. Q. Did you go to New York for that purpose?
A. Yes, sir. A man named Pat. Branagan, who lives on West street, New York, went with me. I got my first and second papers all at once.
8707. Q. Were you sworn there at the time these papers were issued?
A. No.
8708. Q. Was Branagan sworn?
A. Yes, sir; I guess he was.
8709. Q. Who administered the oath to Branagan?
A. I do not know.
8710. Q. Was there a judge on the bench?
A. I do not know whether there was or not.
8711. Q. Were you required to sign any papers?
A. No.
8712. Q. Have you got your papers that you obtained there?
A. No, sir.
8713. Q. Do you know whose signature was on them?
A. No, sir.
8714. Q. Can you tell me whether it looks like the signature on this paper (Exhibit B) of Charles E. Loew, clerk?
A. I cannot read myself; I do not know.
8715. Q. Did Branagan sign any papers?
A. I do not know whether he did or not.
8716. Q. Did you pay for your papers?
A. No, sir.
8717. Q. Do you know whether anybody paid for you?
A. No, sir.
8718. Q. How came you to go down to New York for this purpose?
A. I knew I was entitled to my papers, and I went there to get them.
8719. Q. Did you vote at the last election?
A. No, sir; I got offended and wouldn't.

MIDDLETOWN, ORANGE COUNTY, NEW YORK,
February 1, 1869.

GEORGE SMITH sworn and examined.

To Mr. BLAIR:

- 8719½. I reside at Otisville, and am supervisor of the town.
8720. Q. For what time was the board of registration in session for the last election in November?
A. Two days, I think.
8721. Q. On the first day of the registration did you bring a considerable company of Irishmen to register?
A. No, sir; I did so at no time.
8722. Q. Do you know anything about naturalization papers having been furnished in that town for any persons which were not regularly issued by the court?
A. No, sir.
8723. Q. Was there to your knowledge any organization at all there for the purpose of furnishing naturalization papers to persons?
A. Not to my knowledge.

8724. Q. With what party did you act ?

A. The democratic.

8725. Q. Did you during two or three months previous to the election see any naturalization papers from the city of New York like that? (Exhibit B.)

A. I do not think I did.

8726. Q. You do not know of any persons having any naturalization papers there that were obtained just previous to the election ?

A. No, sir.

MIDDLETOWN, ORANGE COUNTY, NEW YORK,
February 1, 1869.

D. P. QUACKENBUSH sworn and examined.

To Mr. BLAIR:

8726½. I reside in Otisville. I was a clerk to the board of registration that sat in that town previous to the last election.

8727. Q. Do you know George Smith, the supervisor ?

A. I do.

8728. Q. State whether at any time Mr. Smith brought there a considerable number of Irishmen to be registered.

A. I do not know that he did.

8729. Q. Did any considerable number of Irishmen come there to be registered with him ?

A. Not that I remember.

8730. Q. Were there many registrations before the board of foreigners upon papers of naturalization ?

A. Very few, I think. I do not know that there were any who produced their papers there at all. Some were registered upon their statement that they had papers.

8731. Q. Did you know of any organization of persons there for the purpose of procuring naturalization papers for citizens ?

A. Not any that I know of.

8732. Q. How many persons in all do you think were registered there at that time who claimed to be registered upon the ground of being naturalized citizens ?

A. I do not know as I could state exactly how many. There was quite a number of Irishmen through that section. A great many I knew had papers, for I had been with them when they got their papers in our courts. There was one man came there—an Englishman—who said that he didn't have to get his papers on account of his father being a missionary; that he was entitled to have his name registered without the papers.

8733. Q. How large a vote does that town cast ?

A. Four hundred and twenty odd.

8734. Q. How large a proportion of that vote do you think was composed of naturalized citizens altogether ?

A. I should not think over fifty in all ?

8735. Q. How did the vote in that town last fall compare with what it has usually been heretofore ?

A. It is a little larger. It increases every year pretty much.

8736. Q. Was the increase much last fall ?

A. No, sir, very little.

MIDDLETOWN, ORANGE COUNTY, NEW YORK,
February 1, 1869.

DANIEL DRISCOLL sworn and examined.

To Mr. BLAIR :

8736. I reside in Middletown, and have for some eight years.

8737. Q. Did you vote at the election last fall ?

A. Yes, sir.

8738. Q. Had you naturalization papers ?

A. Yes, sir ; I got them at the City Hall, New York. I got them a week before the election. A friend of mine in New York, named Dailey, living in Greene street, helped me to get them.

8739. Q. Had you ever filed any papers in New York before ?

A. No, sir.

8740. Q. Why didn't you get your papers here then ?

A. I didn't care. I would as soon go down there as get them here.

8741. Q. Did you attend a target excursion in New York ?

A. Yes, sir.

8742. Q. When was that ?

A. I do not know what day of the month that was.

8743. Q. Did you get your papers at that time ?

A. I cannot tell whether I did or not. To the best of my knowledge I got them a week before election.

8744. Q. How long before the election was the target excursion ?

A. I do not know.

8745. Q. Were you sworn at the time you got your papers ?

A. Yes, sir.

8746. Q. Who was it ?

A. I do not know.

8747. Q. Was your friend sworn ?

A. Yes, sir.

8748. Q. How long have you known him ?

A. Ever since I came to the country.

8749. Q. How old are you ?

A. About 25.

8750. Q. Where do your parents live ?

A. In Ireland.

8751. Q. Did they keep a record of the births and deaths in the family ?

A. I do not know. I guess I am about that old.

8752. Q. Had you ever filed any papers previous to this time when you were in New York ?

A. No, sir.

8753. Q. Were there any other persons getting naturalization papers at the time you got yours ?

A. O, yes, sir ; quite a lot.

8754. Q. When you were sworn were other persons sworn with you ?

A. Yes, sir ; I cannot tell how many.

8755. Q. What ticket did you vote ?

A. The democratic.

8756. Q. Were you born in Ireland ?

A. I was.

8757. Q. Were those naturalization certificates delivered directly to you in your hands in New York ?

A. I got my papers in New York ; that is all I have to say. I got them from a man who seemed to be giving them to everybody.

8758. Q. Do you know whether he was the county clerk ?

A. I do not.

8759. Q. Do you know whether there was any court there at the time at all?

A. I do not know.

MIDDLETOWN, ORANGE COUNTY, NEW YORK,
February 1, 1869.

JOHN O'DONOVAN sworn and examined.

To Mr. BLAIR:

8759½. I reside in Middletown. Have resided there some 12 or 13 years.

8760. Q. Were you conversant with the political campaign last year?

A. Very little.

8761. Q. Are you a naturalized citizen?

A. Yes, sir; I came from Ireland.

8762. Q. Did you know anything of naturalization papers being furnished to any persons from the city of New York last fall, prior to the election?

A. No, sir.

8763. Q. Were you consulted by any of your countrymen during the campaign with regard to any naturalization papers?

A. No, sir.

8764. Q. Do you know of any naturalization papers being furnished to any persons not entitled to vote?

A. No, sir.

MIDDLETOWN, ORANGE COUNTY, N. Y.,
February 1, 1869.

JOHN H. BELL sworn and examined.

To Mr. BLAIR:

8764½. I reside in Middletown. I am not much of a politician, but occasionally go around among the boys. I have always acted with the democratic party.

8765. Q. Were you upon any of the committees in town for carrying on the campaign?

A. On little committees around the street, about procuring speakers, and so on.

8766. Q. Did the party have any arrangements here for procuring naturalization of their foreign voters?

A. Not that I am aware of.

8767. Q. Was there no committee attending to that?

A. I do not think there was; I guess everybody was a committee.

8768. Q. You had, I suppose, something of that to do?

A. Some of the boys that I knew myself I helped some little. I took one man to Goshen—one who had lost his first papers—to the clerk's office, and helped him to get a copy of the first papers, so that he could get his second papers at the court-house there.

8769. Q. Did you deliver papers to any persons, foreigners?

A. I helped to get no man his papers in any way except he had a legal right to them.

8770. Q. I ask you whether you delivered any papers to anybody?

A. I do not think I delivered any papers for anybody to anybody.

8771. Q. Do you know a man by the name of Burkhart?

A. No, sir.

8772. Q. Will you state whether or not you delivered a naturalization certificate, or what purported to be one, to him?

A. I did not.

8773. Q. Will you look at the certificate, and say whether you ever saw it before? (Exhibit A.)

A. That I could not say. That name I never saw before to my knowledge. Some of the boys around town might have gone to New York and got the papers.

8774. Q. Did you assist any way, in the matter of his naturalization paper, a man by the name of Daniel Driscoll?

A. The only papers I know anything about are papers that I have a list of here. Those are men that got their papers in New York, through the honorable gentlemen, Colonel Young, Mr. Croffut, and some others. I think there are something like twenty.

8775. Q. You have a list of persons who got their papers in New York?

A. Yes, sir; I got them through Mr. Croffut and Colonel Young.

8776. Q. What agency had you in the matter of those papers?

A. I was a little interested in the matter, as it was talked so much about.

8777. Q. Did you get the papers, or deliver them yourself?

A. No, sir; but I saw them. Terrol talked to me before he took his paper at all. He wanted to know whether he should go and get his paper or not; I asked him where it was; he said it was waiting for him at Mr. Sweet's.

8778. Q. State whether you gave a naturalization certificate, or any papers of naturalization to Mr. Driscoll.

A. I do not know anything at all about Mr. Driscoll's papers.

8779. Q. Were you present at a target excursion where Driscoll was?

A. No, sir.

8780. Q. Did you deliver any naturalization papers, or assist in any way to get them for a man by the name of Hackett?

A. I do not know that I know such a man.

8781. Q. You state that you have not yourself given out papers to anybody?

A. I have had nothing to do with papers at all. I have told you all I know anything about.

8782. Q. I ask you if you have delivered any papers to anybody?

A. I do not know as I am obliged to answer any such question as that at all.

8783. Q. Will you answer?

A. No.

MIDDLETOWN, ORANGE COUNTY, NEW YORK,
February 1, 1869.

PATRICK ROLAND, sworn and examined.

To Mr. BLAIR:

8783½. I reside in Denton, about a mile from Hampton. I have resided there about four years. The 1st of next April I will have been in the United States about four years.

8784. Q. Did you vote at the last election?

A. No, sir.

8785. Q. Did you have a naturalization certificate?

A. No, sir, none other than my first papers. I got them at Goshen, myself.

MIDDLETOWN, ORANGE COUNTY, NEW YORK.

February 1, 1869.

CORNELIUS GILLESPIE sworn and examined.

To Mr. BLAIR:

8785½. I reside in Denton, and next April I will have resided in the United States five years.

8786. Q. Did you vote at the election?

A. No, sir.

8787. Q. Did you have a naturalization certificate?

A. No, sir, only my first papers. I got those from the county clerk's office.

8788. Q. Did't you have any naturalization paper sent to you by mail?

A. No, sir.

MIDDLETOWN, ORANGE COUNTY, NEW YORK.

February 1, 1869.

LUKE BURNS, sworn and examined.

To Mr. BLAIR:

8788½. I reside at Wawayanda. I am a native of the United States. Took some little interest in the campaign last fall. Know of no arrangement being made for the purpose of procuring naturalization papers. Did not about the time of a republican mass meeting in Middletown have an understanding with any person, that he was to meet him, and bring some papers. I am not aware of any fraudulent naturalization papers being procured.

MIDDLETOWN, ORANGE COUNTY, NEW YORK,

February 1, 1869.

HENRY BEHME sworn and examined.

To Mr. BLAIR:

8788¾. I reside in Middletown. On the 22d of next March I will have been in the United States six years. I came in 1863.

8789. Q. Did you vote at the last election in November?

A. No, sir.

8790. Q. Did you have naturalization papers?

A. Yes, sir.

8791. Q. Where did you get them?

A. In New York city. It was on the 23d day of October, 1868. I got them in the City Hall.

8792. Q. Who gave them to you?

A. I guess the name of the clerk is Charles E. Loew.

8793. Q. Did any person go with you to get them?

A. Yes, sir, a man living in Brooklyn, whose name I forget.

8794. Q. Was there a court in session when you got this paper?

A. Yes, sir.

8795. Q. Was the judge on the bench?

A. I do not know what he was called; I was told he was the clerk.

8796. Q. Were you sworn?

A. Yes, sir; my friend was also sworn by the clerk.

8797. Q. You had taken out your first papers before?

A. Yes, sir, in 1866, in Goshen.

MIDDLETOWN, ORANGE COUNTY, NEW YORK,
February 1, 1869.

PETER ENNIS sworn and examined.

To Mr. BLAIR :

8797½. I reside in Bloomingburg. Next June I will have resided in the United States 12 years. I am a native of Ireland.

8798. Q. Did you obtain your naturalization papers last fall, previous to the election ?

A. Yes, sir. They were sent to me, I guess, from New York.

8799. Q. Were they sent by mail ?

A. A man fetched them to me.

8800. Q. What was his name ?

A. Nathan Mills.

8801. Q. Did you vote upon those papers ?

A. No, sir. It run on my mind that I was not entitled to them, and then I did not think it was right for me to do so.

8802. Q. Did Mr. Mills tell you how he got those papers ?

A. No, sir. I had to pay him for getting them \$2. He told me it was all right when I got them, and so I supposed it was all right until I came to think about it.

8803. Q. Do you know how he got them ?

A. No, sir.

MIDDLETOWN, ORANGE COUNTY, NEW YORK,
February 1, 1869.

D. B. IRWIN sworn and examined.

To Mr. BLAIR :

8803½. I reside in Middletown. I was interested a little in the election campaign last fall. I had three or four Irishmen who worked for me about the time of the election last year. There were two who were voters. James Hendrickson was the name of one of them. I think he went to California. I do not know where he got his naturalization papers. I do not know either whether he had been in the country five years or not. It appears to me that some arrangement was made to raise money to enable those who were not able to pay for their papers to get them. I do not think there was any committee that had charge of that matter. I don't know who had charge of the money.

8804. Q. Did you know of any naturalization papers coming here from New York for any of these people ?

A. I do not. They undoubtedly got them from New York, and some of them from Goshen.

8805. Q. Did you ever receive or deliver any such papers yourself to any one ?

A. No, sir.

8806. Q. Did you know from the statements of others, or from what you know yourself, that there were such papers received or delivered here to any persons ?

A. I came up from New York one night on the cars, and there was a young Irishman in front of me who now works for George Wickham, and a friend of mine and I sat in the seat together. He said he had been to New York. I asked him if he had been down to get his papers. He said he had. I asked him if he had got them. He said he had. He said he had got 17. I asked him where he had got them. He said he went into Chambers street, to a house there, and there was some difficulty; he

could not get them. He then went over to the City Hall, but couldn't get them there. Finally some fellow asked him to go out and take a drink. He took him over to some drinking place in the neighborhood and gave him 17. He paid him \$2 for his. It seems he was in charge of some republicans in town. I said, "Are you going to vote the republican ticket?" "No," he says, "but they wanted me to go and I went."

8807. Q. Is that all the information you have upon the subject ?

A. That is all.

8808. Q. You do not know of any other persons having received these papers in this way ?

A. No, sir.

MIDDLETOWN, ORANGE COUNTY, NEW YORK,
February 1, 1869.

LEWIS CLARK sworn and examined.

To Mr. BLAIR :

8808½. I reside in Middletown ; I was in a small way connected with the election campaign during the fall of 1868 ; I was attached to the democratic party ; to my knowledge there was no arrangement made by that party with regard to procuring naturalization papers for such foreign citizens as might want them.

8809. Q. Did you know of any naturalization papers being procured from the city of New York ?

A. I think I have heard some men say that they got their papers from the city of New York.

8810. Q. Did you at any time see any such papers yourself ?

A. Yes, I think I saw some at the board of registry when they were presented.

8811. Q. Did you at any time have in your possession such papers yourself ?

A. Not any.

8812. Q. State if at any time in this county, in any place, you took from your pockets such a paper, and exhibited it to a citizen ?

A. No, sir.

8813. Q. Did you tell any person at any time that such naturalization papers could be procured in the city of New York, and that \$100 had been or would be sent for the purpose of paying for them ?

A. I never said anything of the kind.

MIDDLETOWN, ORANGE COUNTY, NEW YORK,
February 1, 1869.

PATRICK BRADLEY sworn and examined.

To Mr. BLAIR :

8813½. I reside in Middletown ; I am about 28 years of age ; was born in Ireland, and came to this country in the fall of '52, as near as I can recollect.

8814. Q. Did you have naturalization papers at this last election ?

A. Yes, sir. I got my last papers out at the presidential election four years ago ; I procured them at the City Hall in New York. (Witness produced the paper, and exhibited it to Mr. Blair.) I do not know who was on the bench at that time. Daniel O'Neale went with me.

8815. Q. How long have you been residing in Middletown ?

A. This spring will be two years.

MIDDLETOWN, ORANGE COUNTY, NEW YORK,
February 1, 1869.

EDWARD HACKETT sworn and examined.

To Mr. BLAIR :

8815½. I reside in Middletown; was born in Ireland, and came to the United States seven years ago last November; I voted at the last election; went to New York myself for my papers—John Diller accompanied me; he had known me for 11 years; my first papers I got at Newburgh; I took them with me to New York; I went into what appeared to be an office in New York to get my papers. There seemed to be some five persons engaged in the handing out naturalization papers. I was sworn, but could not tell who swore me.

MIDDLETOWN, ORANGE COUNTY, NEW YORK,
February 1, 1869.

MICHAEL MAHONEY sworn and examined.

To Mr. BLAIR :

8815¾. I reside in Middletown, and have been a citizen of the United States between two and three years; I have been in the country about eight years; I came originally from Ireland; I was engaged a little in the political campaign last fall. I am not aware of any arrangement having been made to procure naturalization papers for foreigners. Knew nothing of any such papers having been procured from the city of New York by any persons. Michael Donovan once told me that it was very easy getting papers for anybody that wanted to get them.

8816. Q. Did he say where?

A. He said New York.

8817. How came he to say that?

A. We were organizing a club, and I was speaking to him about getting some papers out for those who were entitled to them, and he said it was very easy to get them in New York at any time we wanted them. That was all he said about it. I don't know whether any such papers were ever procured. The club did not complete its organization.

MIDDLETOWN, ORANGE COUNTY, NEW YORK,
February 1, 1869.

NATHAN J. MILLER sworn and examined.

To Mr. BLAIR :

8817½. I reside in Middletown. I belong to the democratic party. I do not know of any arrangements being made for procuring naturalization papers for foreigners, and never to my knowledge saw any such papers.

8818. Q. Did you never deliver such to anybody?

A. No, sir.

8819. Q. Do you know a man by the name of Peter Ennis?

A. Yes, sir. He lived at my house from the 1st of April to the 1st of October. I knew him for 15 years previous. He came to this country when he was 15 years of age.

8820. Q. Did you deliver a naturalization certificate, or any papers on the subject of naturalization, to Mr. Ennis?

A. I believe I gave him papers.

8821. Q. What papers did you give him?

A. I could not tell.

8822. Q. Where did you get the papers that you delivered to him?

A. They came from New York.

8823. Q. How came you to have them?
 A. They came up in the post office. That is the way I got them.
8824. Q. Addressed to you?
 A. To my care.
8825. Q. How did that happen?
 A. I could not tell you.
8826. Q. Had you made any arrangements to have them come?
 A. No, sir.
8827. Q. They were sent entirely without your knowledge?
 A. Yes, sir.
8828. Q. Did you know of any others being sent at the same time?
 A. No, sir.
8829. Q. Did you know that these papers would be likely to come before they did come?
 A. No, sir.
8830. Q. Did you open the letter yourself that contained the papers?
 A. No, sir.
8831. Q. Deliver it to him sealed?
 A. I could not tell you as to that.
8832. Q. Did you read the paper at all?
 A. I could not say whether I did or did not.
8833. Q. Do you know what court it was from?
 A. No, sir.
8834. Q. Do you know whose signature it was?
 A. I do not know as I can tell.
8835. Q. Do you know whether it looked like this paper? (Exhibit A.)
 A. It might have. I could not tell whether it did or not. The head of it looks something like that.
8836. Q. Did you see any other such papers during the campaign that came there?
 A. I do not know as I did.



MIDDLETOWN, ORANGE COUNTY, NEW YORK,
 February 2, 1869.

JOHN HIRST sworn and examined, (called by Mr. Ross.)

To Mr. Ross:

8836½. I reside on Jenning street, Middletown. Have lived there six years. I am a foreigner; born in England.

8837. Q. Please state if you know about there having been any frauds perpetrated on the election last fall at this place?

A. Well, yes, I believe there was.

8838. Q. State as near as you can what they were.

A. Well, last fall, I think it must have been about the 20th, or between that and the 26th of October, a party came to me and said they were from Judge Wilkin, that he sent them, and asked me if I knew any men that had not got their naturalization papers? I said that I did; that I knew several; some of them had not been in the country a year, some two years, some three and four, and some longer. They said it didn't matter how long they had been in the country, that all the men I would fetch up would have their papers; so I was ordered to have the men at the train on Monday morning at 7 o'clock; that was on Saturday. I got them up here, with the exception of two that were working for me then. These two men came to me about half past 7 o'clock the same morning, and said that they had got left, supposing that the train left at half past 7. They asked me if I could not get them down? I came up here to Mid-

dletown, and went to the brewery, (that was the republican headquarters for Middletown,) and saw Mr. Robinson. I said, "Mr. Robinson, I have two men here that have been left this morning who should have gone down at 7 o'clock; I want to get them down at 9 o'clock if you can." He says, "You go and see Colonel Young; I can't say whether you can get them down or not." I went to Colonel Young, and he said that he was going down at 9 o'clock, and that he would take them. I was here at 9 o'clock with the two men; saw him give them money for their fare. I told him that I had got him some 15 or 17 men, and as I had nothing to do that day, I might as well go down with him. He gave me \$2 40 for my fare, and I went down along with them. When we got to New York we went up to the top of Chambers street, or somewhere around there, and went to a house on the left-hand side. We went down in a basement where they sold spirits and ale, &c. All the men were in there who had gone down with Joe Crawford that morning at 7 o'clock. They hadn't got their papers when I got there, and that was 12 o'clock almost. The two men who went down along with me and Colonel Young were introduced to a young man, and they got their papers from the court-house; but they had never taken out their first papers, nor made application to take them out. Out of this basement we were ordered to go out of this street into another street that runs in the opposite way. We were ordered there into another tavern, kept by a German. The men were kept there until 15 minutes of 3, when they were ordered back to the basement again. When they got there each man had his papers given him, with the exception of these two who went down with me. They got theirs as soon as they went down. One of them hadn't been 12 months in the United States; a Scotchman.

8839. Q. To which political party did these men belong who sent them down?

A. To the republican party.

8840. Q. These men who furnished the money and sent them down—were they republicans?

A. Yes, sir. I call Colonel Young the second republican of this town; Judge Wilkin is the first. Colonel Young, I believe, is a revenue officer under Judge Wilkin, who is a United States officer.

8841. Q. Know anything further?

A. I only know that some of the men didn't vote, because they were challenged when they went to be registered. That was here. Some of them voted at a place called Milo, in the town of Wawanda.

8842. Q. What ticket did they vote?

A. The republican ticket. There a man by the name of S. B. Brinsmaid swore them in; but here some of them were challenged.

8843. Q. Do you know of any other fraudulent votes being given here? Tell only what you know of your own knowledge.

A. Well, they supposed that I was a republican. I didn't let anybody know I was not. They knew that I knew all the strangers. In fact they sent for me and gave me instructions to find all that I could. I had been a manager for a long time.

MIDDLETOWN, ORANGE COUNTY, NEW YORK,
February 2, 1869.

EDWARD SOUTHWELL sworn and examined, (called by Mr. Ross.)

To Mr. ROSS:

8843½. I voted at the last presidential election; voted the republican ticket; am a foreigner; born in England; have been in this country for six years; procured my naturalization papers on the 16th of October, 1868.

8844. Q. Had you ever made your original declarations ?

A. Yes, sir, at New York.

8845. Q. When ?

A. I can't just say when it was, but about two years ago.

8846. Q. You have been in the country five years ?

A. Yes, sir. Am 35 years old.

8847. Q. Where did you get your first papers ?

A. At New York.

8848. Q. Are you sure that you ever had any first papers ?

A. I won't tell a lie. I didn't.

8849. Q. Never got your first papers ?

A. No, I never did.

8850. Q. Then you were an illegal voter, were you ?

A. I suppose so. I don't understand anything about it.

8851. Q. You never made your application for papers until last fall ?

A. No, sir.

8852. Q. Do you know of any other illegal votes given here ?

A. No, sir.

MIDDLETOWN, ORANGE COUNTY, NEW YORK,
February 2, 1869.

PATRICK TYRSEL sworn and examined, (called by Mr. Ross.)

To Mr. Ross :

8852½. I was furnished naturalization papers by the republican party. Have been in this country about four years, next fall, as near as I can tell. Am 36 years old.

MIDDLETOWN, ORANGE COUNTY, NEW YORK,
February 2, 1869.

WILLIAM J. SOUTHWELL sworn and examined, (called by Mr. Ross.)

To Mr. Ross :

8852¾. I reside in Middletown, at the brewery ; voted at the last presidential election ; voted the republican ticket ; am a foreigner ; born in England ; have been in the country about six years.

8853. Q. Have you ever got your naturalization papers ?

A. I got my papers. I don't know what they were.

8854. Q. Did you ever make any application to become a citizen of the United States ?

A. No, sir.

[Witness produced papers dated the 20th of October, 1868.]

8855. Q. Who procured that paper for you ?

A. I don't know, sir ; it was left at the brewery.

8856. Q. Did you go into court and procure it ?

A. No, sir ; never went into court ; didn't understand anything about it. The brewery is owned by one republican and one democrat. Do not know of any other illegal votes being cast. I voted the straight republican ticket.

MIDDLETOWN, ORANGE COUNTY, NEW YORK,
February 2, 1869.

GEORGE EGGLESTON sworn and examined, (called by Mr. Ross.)

To Mr. Ross :

8856½. Live in Middletown. I saw money used to control votes at the last presidential election here. I was offered money myself to vote the

republican ticket. There were prominent politicians stopped me in the morning and offered me a set of republican tickets, and asked me if I would vote them? I told one of them that he knew what my politics were as well as I did. He said he didn't care anything about politics; nobody cared anything about politics now-a-days. I said that it would not pay me to vote that ticket. He said that he would make it pay me, and asked me what I wanted to vote that ticket? I replied that I didn't want anything; I didn't want to vote the ticket. He said, "I will make it all right for you; I will do something for you." I asked him what he would do? He asked me if I wanted him to lend me some money? I said he could lend me some if he wished. He wanted to know how much I wanted to vote that ticket? That was another thing; I was not going to set any price. He asked me how much money I wanted him to lend me? I told him he could lend me \$25 if he wanted to. He said he would get me \$5 if I wanted it. He said, "If you will take these tickets and go and vote I will get you \$5." I took the tickets and went off. A person told me that he had been sent to see if I voted the tickets; he went back, and what he told him I don't know. Later in the day I stopped at this man's house, and there was a man came in and says to him, "I must have some money; I am spending my own money and I want some money to use." So Mr. Sweet gave him some money, and I was standing near and he gave me a dollar; of course I took the dollar. It was Halsted Sweet who gave the money; he worded it to "lend" me the money, and said that he would do something for me beside. He is a republican.

8857. Q. Do you know of any other money being paid or offered?

A. I know men that got money on that day. I saw the money, and was told by them that it was given them to vote. I was told by the same man that he was to have \$25 if he voted the ticket; I know that he was called upon in the shop by republicans; on the next day he showed me \$15 that I know he did not have 15 minutes before; he said that Mr. Madden gave it to him; I know that he gave it to him. Mr. Madden was the republican candidate for assemblyman for this district. He asked me to vote for him in the morning, and I told him that I could not do it. He said if I would vote for him he would make it all right with me. He didn't offer me any money, because I told him I would not vote for him. I do not know of any more cases.

MIDDLETOWN, ORANGE COUNTY, NEW YORK,
February 2, 1869.

REUBEN C. MILLER sworn and examined, (called by Mr. Ross.)

To Mr. Ross:

8857½. I know that fraudulent means were used to control the elective franchise here at the last presidential election. I know that money was used. I took money from the republican party and voted that ticket. I think Mr. Madden used money. He was running for assemblyman. I received money from him. Don't know of any other parties using money. Yes, I got a little money at Mr. Sweet's, but it was not exactly on this thing. He offered to get me some money to vote the republican ticket, but I didn't take it. I was going for a bigger stake. I know Charles Gillett. He was the one who came to me first and wanted me to vote. I didn't get any money from him, but it was through him that I got it from Madden. He asked me if I would vote that ticket. I told him no. He said Madden would make it right with me, so I went and saw Madden. Sweet, Gillett and Madden were republicans. That is all that I know of it.

MIDDLETOWN, ORANGE COUNTY, NEW YORK,
February 2, 1869.

CHAUNCEY GARRISON sworn and examined, (called by Mr. Ross.)

To Mr. Ross:

8857½. I do not know of money having been used to procure votes at the last presidential election. I did not receive money for my vote. I received money on election day, which I always do. The money was given to me to use my influence at the election. I was acting with the party that had the most money. I electioneered with my own party—the republican party.

8858. Q. Did you vote the republican ticket ?

A. That's my business.

8859. Q. Did you electioneer with the republican party ?

A. I did. You don't suppose that I would electioneer for it and not vote for it.

8860. Q. How much did you get ?

A. Election day I got, well, including all, perhaps I got \$3. There was no money given me for election purposes before election. The money was given me by James Post. He is a republican. I know Joseph Crawford. He did not give me any money. Do not know of any money being given besides this, more than hearsay. There are always exaggerations on that day. I did not promise to vote the republican ticket when they gave me the money. They knew how I would vote. They merely gave it as a sort of brace for old times among the boys.

MIDDLETOWN, ORANGE COUNTY, NEW YORK,
February 2, 1869.

JOSEPH JOHNSON, (colored,) sworn and examined, (called by Mr. Ross.)

To Mr. Ross:

8860½. I voted at the last presidential election. Voted the Union ticket—the republican ticket—for Grant and Colfax. I don't know exactly how much my property is, I think about one-half an acre they call it. Have no deed for it. Hold it under an article or contract. Bought the property of Walter McCord. The contract is held by Chas. G. Dill. I don't know how much I have paid on it. I agreed to give for it \$800. There is a house on it. Think I have paid on the contract about \$300. Paid \$20 when the contract was first made. The contract was made in the spring of 1866. My father-in-law and myself bought the property together, and were to pay for it in monthly payments of \$12 per month, \$6 a month apiece. Have not paid every month. Think the payments were endorsed on the contract. My father-in-law has not kept his paid up. Do not know that the contract has been forfeited for non-payment. Have not paid anything in the neighborhood of a year. The contract was made in 1866, the 11th of April. Do not know how many payments I have made. Have paid about the interest from April 1st, 1867. I have got the receipts that were given for payments I made and the old man has got his. The contract was made April 11th, 1866. Paid \$6 a month for the first year and didn't pay regular after that. My father-in-law's name is James Gale.

MIDDLETOWN, ORANGE COUNTY, NEW YORK,
February 2, 1869.

GEORGE BRIGGS sworn and examined, (called by Mr. Ross.)

To Mr. ROSS:

8860½. I reside down in Water street, Middletown; have lived there eight years the last day of last year; am a foreigner, from Yorkshire, England; have got my naturalization papers, I suppose; got my first papers down at Goshen, two years ago the 27th of last October, at the office of Moses D. Stivers, county clerk, at that time. Got my second papers at New York, on the 20th of last October; got them in court; was sworn before the judges there, but would not swear to what they wanted me to; there was another man swore for me, I suppose; I would not swear false for any man.

8861. Q. Were you entitled to your papers?

A. I suppose not, I would have been in seven days. I got my first papers on the 27th of October, two years ago, and this was the 20th of October last; they were not due until the 27th; the man that swore for me as my witness did not know me; if I had been aware of that, he would not have done it; I got the papers, but I don't know how; I refused to swear to what they wanted me to.

8862. Q. Who was it that swore for you?

A. I didn't know the witness that swore for me, nor he didn't know me. I did not know anything about it until they got me into it.

8863. Q. Who got you to go down to New York for these papers?

A. Well, Colonel Young and Joseph Crawford, those are the two head men who got me to go down and get the papers. I believe Mr. Crawford stood for the fare; he didn't give me the money; Mr. Young gave me the money, but I believe he collected it from Crawford; Mr. Young gave it to me the night before I went. I do not know who paid for the papers; I did not pay anything. Mr. Young was down there; Mr. Crawford and Mr. Young are republicans, I suppose, or they would not have got me to go down there; they got me to go down and paid my expenses; I voted the republican ticket all through.

MIDDLETOWN, ORANGE COUNTY, NEW YORK,
February 2, 1869.

JAMES FITZ GIBBON sworn and examined, (called by Mr. Ross.)

To Mr. ROSS:

8863½. I reside in Wickham avenue, Middletown; was 22 years of age in December; have lived in this country five years next June.

8864. Q. Have you been naturalized?

A. I went to New York last November to get naturalized.

8865. Q. Where did you get them?

A. At the City Hall they were supposed to be got.

8866. Q. Did you go into court?

A. I was in the court, but I didn't get my papers in there. I went up town on business, and when I came back there I got my papers; they had been taken out while I was down around town; I did not make application in court myself. Could not tell who got me to go to New York; Jo. Crawford went with me. I was going to Goshen for them some time ago, but I was told that I could get them for nothing and save \$1 50. Colonel Young came down that day on the noon train. I could not tell how I got my papers; I went on business up town; the papers were handed me when I came back by a strange man, and who he was I do not know. The rest might have been in court. I did not

take notice how many Crawford and Young took down at that time; think it was about six or seven. They said that was the last day, but I found out different afterwards. I did not have any witness; there was a man there who signed for me; I do not know whether he knew me or not. I did not swear at all; they said that any man could get his papers. Do not know of any money being used; I would not take any; didn't want it. I do not know whether the other men's fare was paid or not; I was not acquainted with any of them until I went down there. I saw Crawford and he told me where to go, and I went there; I got the papers at the place Crawford told me; went up town on business and when I came back my papers were given to me. Do not know where it was I got the papers; it was right opposite an engine house; they said it was the democratic headquarters. I voted at the last presidential election; voted the democratic ticket. These men who took me down were republicans, and wanted me to vote that way. They said they got the papers at the democratic headquarters.

MIDDLETOWN, ORANGE COUNTY, NEW YORK,
February 2, 1869.

THOMAS BUTCHER sworn and examined, (called by Mr. Ross.)

To Mr. ROSS:

8866½. I reside in Middletown; have lived here, I think, nearly six years, or five and a half, and eight or nine years in Elmira. Voted at the last presidential election; voted the republican ticket, straight. Was aided in getting fraudulent naturalization papers by the foreman of the rolling mill, Jo. Crawford; he is a republican. He took me down to New York into a naturalization office at the City Hall. Then we went to a lager-beer saloon, and a man came in and gave several of us our papers; I guess seven or eight of us. Did not go into any court at all. I paid my expenses and then he handed it back to me; this republican gave it back to me. These men were mostly republicans; several of them were; I cannot say they all were. I never took out any first papers. I went to Mr. Sweet once, but he said that he could do nothing in it, but so many were getting their papers I thought I might as well get mine. They said that I could get both of my papers at once. He said that was a genuine paper; there was the New York seal on it and that made it genuine. There must have been eight of us; they all voted that I was acquainted with. I think two or three of them went before the judge; they told me so. Mr. Robinson told me that the papers could be got all right—Mr. Robinson, of the brewery. He was the first one who spoke to me about it. I said that there were plenty in this town who knew I did not have my first papers; he said that did not make any difference. I was twenty-six years old when I came to this country. Mr. Robinson is a republican. I was acquainted with Hirst; he was one who went down with us; he got his papers out at Middletown by the democrats; he could not get them by the republicans, but voted the republican ticket. He told me to keep cool. I think he was entitled to his papers, according to what others told me. Do not know of any money paid for votes.

MIDDLETOWN, ORANGE COUNTY, NEW YORK,
February 2, 1869.

WALTER L. McCORD sworn and examined, (called by Mr. Ross.)

To Mr. ROSS:

8866¾. I have a contract with a couple of colored men named James Gale and Joseph Johnson; it is an article of agreement. I sold them

the property for \$800; they were to pay \$12 per month; they failed to fulfil the agreement and thus forfeited the contract, I suppose; they have no deed for it. Do not know exactly what amount they have paid; about \$150 altogether, the two together. The sale was made two years ago last April—1866. They paid regular for a few months. I told Mr. Dill some time ago that they were hardly paying the interest, but as they were not letting the place run down to let them stay there. Do not think they have any claim upon any other property; they have told me they had not, when I asked them for payments which they could not fulfil. I told Dill at the time that they had no right to vote.

MIDDLETOWN, ORANGE COUNTY, NEW YORK,
February 2, 1869.

JARVIS R. WOOD sworn and examined, (called by Mr. Ross.)

By Mr. Ross:

8867. Q. I will ask you to state if you know of any frauds being perpetrated to improperly control the election last fall, by money or otherwise.

A. I do not know anything about other folks' business.

8868. Do you know of any yourself?

A. I had some given me, but whether it was on the old debt or not I could not ascertain. I never have went to him since.

8869. Q. When was it given?

A. It was given on election day, but I asked for the money.

8870. Q. How much was given you?

A. Four dollars. It was given to me by Mr. Madden. He was owing me, and whether he calculated to make me a present of it or not I do not know; I have not seen him since; it was given after I voted. He was going home and I asked him for some money. He said: "Don't bother me now." I said I must have some money, and he gave me \$4, and that was all he paid. That is all the money I got. Do not know of my boys being given any. Do not know of boots being given anybody. I know there was boots carried home that night. I heard they were given for votes—I do not know. A pair was taken from the new brick store opposite the hall where the polls were. The place was kept by a man from New York or Connecticut; he did not live in this section a great while. I voted the republican ticket. I have some boys that are voters—Jarvis Wood, jr., and Morton Wood. They voted the republican ticket, I believe; they always have voted that way; I don't know of their getting anything for voting; the youngest had a pair of boots—do not know who gave them to him; he had them election day; I guess he bargained for them that day, and I carried them home the next day; don't know of any money being paid to them.

MIDDLETOWN, ORANGE COUNTY, NEW YORK,
February 2, 1869.

JOSEPH EITH sworn and examined, (called by Mr. Ross.)

To Mr. Ross:

8870½. I know of some men who got money for votes at the last presidential election here. One man was Jacob Ware, and another Christian Hibble. They told me that they got money, and I am told that some others got money from the same man. I do not say that for sure. Jacob Ware told me that he got money, and Christian Hibble told me that he got money too, from Mr. Sweet.

8871. Q. Did you see Mr. Sweet pay anybody any money ?

A. I did not say that.

8872. Q. Is that all you know about it ?

A. That is all I know about that matter. I know that Jacob Ware did not have any right to vote at all.

8873. Why ?

A. He never had his citizen paper.

8874. Q. Do you know what ticket he voted ?

A. He voted the republican ticket.

8875. Do you know of any more such cases ?

A. I know some more, but I cannot prove it. I would not swear to it. Two others. They voted the republican ticket too.

PORT JERVIS, ORANGE COUNTY, NEW YORK,
February 2, 1869.

LEWIS E. CARR sworn and examined.

To Mr. BLAIR :

8876. I reside near Port Jervis. I am by profession a lawyer. I was present on the 28th of September, at the opening of the fall term of the county court at Newburgh. The court opened about 11 o'clock in the morning. There were a great many people there to be naturalized. The court-room seemed to be nearly half full, and they created so much confusion and disturbance that they could do very little business. The clerk appointed a deputy clerk to go into another room, and take off some portion of this crowd with him. He afterwards, I think, appointed two others to go off in different rooms outside the court-room, to issue these papers and take the affidavits. Then about half-past 12, the business of the court being about over, the judge came down and whispered to the clerk. I was standing close to the desk, as I wanted he should file some papers for me. He whispered to the clerk and said: "If you do not see me in court, the court is open all the same." He did not come back again until after two o'clock. They went on and took the affidavits. Instead of reading the affidavits over to them, they simply called up a man, and wanted to know where his witness was. Told him to hold up his hand, and then said: "Do you swear this affidavit is true?" The papers were then issued. After a time one of the deputy clerks came back and organized an office right in the bar, and he took the affidavits in this way: "Do you swear this affidavit is true?" and then issued the papers upon that. They continued that for nearly an hour after the judge went away. One of the deputy clerks then spoke to the clerk and told him that he thought it would perhaps be better to take no more affidavits until the judge came back. He asked if the court was adjourned; I told him I did not know whether it was or not—that the judge was gone. I think I was the only one there except those waiting to be naturalized. I was waiting to have some papers filed that afternoon. In some cases the deputies used their own names, signing them as deputy clerks. I think this was done in nearly every case I saw.

8877. Q. Is there any authority of law for the appointment of such deputies ?

A. There is authority for the county clerk to appoint a deputy clerk to act in his absence or in case of sickness. There is no other authority that I know of.

8878. Q. Was this clerk there all the time himself ?

A. He was there taking affidavits and issuing papers all the while.

8879. Q. Did you see an examination made of any of these applicants or their witnesses by the judge in person ?

A. I did not.

8880. Q. How many should you think were naturalized while you were there?

A. It would be very difficult for me to tell. I should say that there were at least 100.

8881. Q. Who was judge of the court?

A. Thomas George.

8882. Q. What was the name of the clerk of the county court?

A. Lewis Cudderback.

8883. Q. This I understood you to say was the county court?

A. Yes, sir; the September term of the county court. They had an adjourned term of the county court at Goshen on the 19th of October, at which they did not appoint any special deputy clerk, but the deputy clerk kept in a separate room from the court-room and issued papers.

8884. Q. Were you present when that was being done?

A. I was; the affidavits were signed, and they were told to hold up their hands and swear the affidavit was true; the papers were then issued; the deputy clerk signed them as deputy clerk; I do not know that he did in all instances, but he did in some.

8885. Q. The judge was not present at all?

A. No, sir; the court was being held in another room up stairs.

8886. Q. Did these persons go into the court at all?

A. No, sir; and that was the same as took place at Newburgh, where these special deputy clerks acted; they were not in the court-room at all; some of them were down-stairs, and some up-stairs.

8887. Q. Did you see the certificates issued in any of these cases?

A. I merely glanced at them; they were issued under the seal of the court, just the same as ordinary certificates, the only difference being their being signed by the deputy clerk as deputy clerk. Those that were issued at Newburgh were signed by the clerks, as special deputy clerks.

8888. Q. The papers you speak of were the final papers authorizing the party to vote?

A. Yes, sir.

PORT JERVIS, ORANGE COUNTY, NEW YORK,
February 2, 1869.

PATRICK KELLY sworn and examined.

To Mr. BLAIR:

8889. I reside at Port Jervis, and have for the last 20 years; I voted at the last election on naturalization papers that I have had for 13 or 14 years; I got them in Goshen.

8890. Q. Did you know of any naturalization papers being sent here for other persons last fall, previous to the election, coming from New York, or anywhere else?

A. A friend of mine whom I had known in this country for some eight or ten years went west, and he wrote me requesting me to certify to having been in the country so many years; that certificate I made and sent him. I do not know of any persons in this neighborhood furnishing naturalization papers; nor did I hear of any person having such.

PORT JERVIS, ORANGE COUNTY, NEW YORK,
February 2, 1869

OWEN BOWHEN sworn and examined.

To Mr. BLAIR:

8891. I reside at Port Jervis, and have for 12 years; I did not vote at the last election; I was naturalized over four years ago; I do not know

anything of any arrangements being made last fall before the election to furnish naturalization papers to persons here; I never had any such papers in my possession for any person; I know a Mr. Tracey; I never received any such paper from him; I don't know of any such papers being in the hands of anybody for distribution.

PORT JERVIS, ORANGE COUNTY, NEW YORK,
February 2, 1869.

JOHN MCGUYEN sworn and examined.

To Mr. BLAIR:

8892. I reside at Port Jervis, and for over two years. I did not vote at the election last fall; I had my naturalization papers at that time; I do not remember exactly the time when I got them, but a short time before the election I got them here in town, but cannot tell from whom. I have not the paper now; I burnt it; I burnt it because I did not think it was just. I have no idea who gave me the paper. After I had been to be registered, I had the paper perused by a friend of mine, as I cannot read, and finding it was not proper, I destroyed it. The man who read it to me is named Nicholas Corniclas, a carpenter by trade. He lives in Port Jervis. The paper was not right in that my name was wrong; and there were a great many things in it that I did not know anything about. I burnt the paper and did not offer to vote on it. I think my friend read it to me as coming from New York city, but I cannot say positively. I presented the paper to the registration board before I destroyed it, and was registered on it. They allowed the paper was right enough; but they did not read it to me. I did not know of any person having such papers that any one could get.

PORT JERVIS, ORANGE COUNTY, NEW YORK,
February 2, 1869.

JAMES GILMARTON sworn and examined.

To Mr. BLAIR:

8892½. I reside in Port Jervis, and have for 16 years. I did not vote at the last election. I obtained my papers last fall in New York city. I went down and got them at the City Hall. It was in the afternoon when I went there. I could not tell what time exactly. I could not tell what court it was. There were a great many people there getting their naturalization papers. I am not aware that naturalization papers from New York were supplied here to any persons who wanted them.

PORT JERVIS, ORANGE COUNTY, NEW YORK,
February 2, 1869.

RICHARD TRACY sworn and examined.

To Mr. BLAIR:

8892¾. I reside at Port Jervis, and have for the last five or six years. I am a baker by trade. I was quite active here in the political campaign last fall.

8893. Q. Do you know whether there were any arrangements in regard to the procuring of naturalization papers during that campaign for such as might want them?

A. I believe there was.

8894. Q. Did any such papers come to you?

A. They did.

8895. Q. Will you state all the circumstances about it?

A. Well, as near as I can remember, about a week or ten days before

the election I received a letter, whether there was a signature to it or not I cannot tell, notifying me that I would receive a box, with some 50 or 60 odd naturalization papers for parties in our town; I was not to know any of these men, but they were to call there. I was to leave the box in some conspicuous place where they could get the papers. Other parties were to instruct them where and how to get them. All the papers were called for and taken except 14 or 17.

8896. Q. What did you do with the box when it came?

A. I stuck it behind the counter in a case.

8897. Q. Was it left open there?

A. Yes, sir. There was a cover on it—on the back. It was a cream tartar box. Whenever I saw a person coming whom I had reason to suspect was coming to get one of these papers, I would get out of the way, so as not to get too closely implicated in the matter.

8898. Q. Were the names already inserted in these papers?

A. I believe they were. I did not examine the whole of them, but they were of such as I looked at.

8899. Q. I understand you to say that they were all taken from the box that stood there except 14 or 17?

A. Yes, sir.

8900. Q. What became of those?

A. I burned them.

8901. Q. Would it be possible for you to produce one of that batch of papers?

A. I do not know but that I have one around the house.

8902. Q. Will you endeavor to find it, and let the committee have it before we go away?

A. I have not the slightest objection to giving you the paper if I can find it.

8903. Q. Do you remember whether this letter which came to you was dated in a particular place?

A. I could not say. I did not take particular notice. If I remember correctly it was in the same handwriting as that of the signature to the paper. That is my impression.

8904. Q. Do you remember where those papers purported to be issued—whether in New York city, or not?

A. I could not say.

8905. Q. Did you preserve the letter?

A. I believe I put it in with the naturalization papers, and burnt them all together.

8906. Q. Do you know of any particular persons who received those papers?

A. I do not know as I do; I have seen some parties going in and out of the house, but I could not say whether they took the papers or not. I always walked out of the back door when I saw parties coming whom I suspected of coming to get any of these papers.

8907. Q. Do you know who it was that gave them information, or was to give them information as to where they were to get the papers and how?

A. No, sir.

8908. Q. How did the box come?

A. I think it was left at the house by some parties; I think some four or five young men came in one night and left it there. I did not find it until early in the morning. I get up between 5 and 6 o'clock in the morning, as a general thing.

8909. Q. Do you know what the politics of these persons were, or supposed to be who received these papers?

A. I supposed them to be democrats.

PORT JERVIS, ORANGE COUNTY, NEW YORK,
February 2, 1869.

BURTON BREW sworn and examined.

To Mr. BLAIR:

8909a. I reside at Port Jervis, and have for the last 12 years. I was not engaged in the political campaign last fall. I was naturalized, I think, last October. I got my naturalization papers in New York city. I got my first papers in New York city when I first landed, under age. It was in the court of common pleas where I got them. A brother-in-law who resides there went with me, as my witness. I was examined by the court. I went to New York to get my last papers because I did not have anybody here to apply to to go with me as evidence. His name is John Nicholson. He then resided on Monroe street. He is a ship carpenter. I do not know of papers from New York being furnished parties here. I voted at the last election.

PORT JERVIS, ORANGE COUNTY, NEW YORK,
February 2, 1869.

T. R. BROADHEAD sworn and examined.

To Mr. BLAIR:

8909b. I reside at Port Jervis. I hold the position of supervisor. I did not take any particular part in the last campaign. I do not know of any arrangements being made in the town for the purpose of procuring naturalization papers for foreign citizens. I know of no naturalization papers being furnished to persons here who did not attend to procuring them for themselves.

PORT JERVIS, ORANGE COUNTY, NEW YORK,
February 2, 1869.

JOHN GREEN sworn and examined.

To Mr. BLAIR:

8909c. I reside in Port Jervis. I acted with the democratic party during the last campaign. I went with some 12 or 15 persons to Goshen to assist them in procuring their naturalization papers. I cannot recall their names.

To Mr. ROSS:

8909d. I supposed all these papers to be legal. They were all signed by the county clerk.

PORT JERVIS, ORANGE COUNTY, NEW YORK,
February 2, 1869.

GEORGE BROADHEAD sworn and examined.

To Mr. ROSS:

8909e. I reside in Port Jervis, and have for the last 13 years. I was inspector of the 3d election district of our town last fall. I cannot just now call to mind any illegal votes that were polled. The creation of a new district in the village created some confusion by men's names being registered in the wrong district. In registering we inadvertently left off some who should have been registered, and then, again, others were registered in the wrong district. I think there were some five or six altogether who were allowed to vote in a different district than that in which they were registered, a mistake having been made in the registering. I know I took one or two votes of that kind. One was a democrat,

and one a republican. I have no personal knowledge of any election frauds in the way of naturalization papers or illegal votes. There were two democrats on our board, and one republican. This was the case also with the other district.

PORT JERVIS, ORANGE COUNTY, NEW YORK,
February 2, 1869.

SOLOMON VAN ELON sworn and examined.

To Mr. ROSS:

8909f. I reside at Port Jervis. I have always lived within a few miles. I did not take so active a part in the last political campaign as I have done in former years. I am a republican. I did not last fall have anything to do with the disbursement of any funds for the republican party. Mr. Douglass was the chairman of our county committee. Of the club here, I cannot tell who constituted the finance committee. The president of the club was Mr. Wandall, the corresponding secretary.

PORT JERVIS, ORANGE COUNTY, NEW YORK,
February 2, 1869.

Mr. ST. JOHN sworn and examined.

To Mr. BLAIR:

8909g. I know Mr. Richard Tracey. The night before election I saw in his hands some naturalization papers. They were what we call the "Jarvis papers," all being signed by Justice Jarvis. He resides, I think, in New York city. He showed me two. Another person was present when he showed them to me. He did not state fully how he got them. He said they had come into his hands from certain parties.

GEORGE W. SUTTLE sworn and examined.

To Mr. ROSS:

8909h. I reside in Port Jervis. I think I know of a couple of illegal votes having been polled here at the last presidential election. One was that of a man named John Saunders, and the other William Taylor. They voted the republican ticket.

To Mr. BLAIR:

8909i. I voted the democratic ticket. Saunders lives in Port Jervis, and has for some seven or eight months. I know that Saunders was not a legal voter, because he came out of the State of New Jersey some three or four months before he voted. I knew him before he went to New Jersey. Did not know him in the State of New Jersey. I did not see him after he went to New Jersey, in the State, but I saw him go there. He swore on election day, when he was challenged, that he came from the State of New Jersey. He was allowed to vote. I saw his ticket just before he deposited it, and it was a republican ticket. I know the other man of whom I have spoken was an illegal voter, because he was in this county four days short of four months. He was challenged, but his vote was sworn in; I knew he lacked four days of the proper time, because I made a memorandum at the time of the day of his arrival. I don't know what caused me to make this memorandum; I had no particular reason for it. I have that memorandum somewhere at home. I made the memorandum in this town on a piece of blank paper. I have it somewhere at home I know, for I have looked at it several times since. I don't know why I made this memorandum. I sometimes keep a memorandum of affairs in our town. I did not see him the day he came, but I saw him the next day—at least he said he had come the day before.

WILMOT M. VAIL sworn and examined.

To Mr. ROSS:

8909j. I took quite an active part in the last campaign in the way of securing votes, and attending to the ordinary business of the campaign in the district. I did not have the expenditure of any money. I gave a man some money once to go home to vote, as he was unable to pay out of his own pocket. That is all. I never used any for the purpose of trying to get votes. I might have expended some in the way of paying speakers and such like, but nothing further. I did not pay anybody for their services on election day.

GEORGE FREDERICK VINALL sworn and examined.

To Mr. ROSS:

8909k. I took an active part in politics last fall on the republican side. I had the disbursement of no funds, nor did I pay out any money for election purposes.

MONTGOMERY, ORANGE COUNTY, NEW YORK,
February 3, 1869.

JOHN MCKEE sworn and examined.

To Mr. BLAIR:

8909l. I reside in Montgomery, and have lived in the United States about 18 years. I did not vote at the election last fall. I had naturalization papers for the purpose of voting. I got them in Goshen before the election—about ten days or so. I made the application in Goshen, and they were sent to me from there. I got mine through Billy Carroll, who lives at this place. I went to Goshen for the purpose of getting the papers, but had not time to wait for them, and so they said they would send them to me. When I went before the clerk and made my application, I did nothing but state how long I had been in the country. I signed no paper, nor was I sworn. My own son was my witness that I had been in the country so long; but I cannot tell whether he was sworn or not. I don't know where the paper is. I think it is lost. I produced it when I went to get registered, but they would not register me upon it. I do not know whether I saw the county clerk or not, but I suppose I did.

MONTGOMERY, ORANGE COUNTY, NEW YORK,
February 3, 1869.

WILLIAM CARROLL sworn and examined.

To Mr. BLAIR:

8909m. I reside in Montgomery. I have been in the United States over 18 years. I know John McGue. I was with John McGue at Goshen some ten days or so before the last election when he made application for his naturalization papers. Neither he nor I got any papers that day, but there were some sent to William McNeal's for us. I met him one day, and he told me there was a letter at this place for me. I do not know whether these papers came by mail, or how they came. I gave John McGue his. When I went to Goshen I went up to the courthouse and applied for my papers. I do not know who the person was to whom I applied, but he said the papers could be sent down. I was sworn, but I did not sign any paper. They were too busy. I had no witness. I do not know how long it was before I received my papers after I went to Goshen. I had had my first papers, but had lost them. I had lost them before I went to Goshen. I do not know who the persons were who told us to go home, and we would there receive our papers. I did

not vote at the last election. I attempted to get registered, but they would not register me on those papers. I did not tell the board where I got this paper. I have not that paper at present. I got on a bust that night, and lost it.

By Mr. GRAHAM:

8910. Q. It was in open court that you applied for your papers in Goshen, was it not?

A. The court was in session. I think it was the first day or so.

By Mr. BLAIR:

Q. If the court was in session, who was it who told you that your papers would be sent you?

A. I do not know the man.

8911. Q. Was it the judge?

A. I do not know.

8912. Q. How do you know there was a court in session if you did not know the judge?

A. I saw a great many in there, and they said it was the first day.

MONTGOMERY, ORANGE COUNTY, NEW YORK,
February 3, 1869.

WILLIAM MCNEAL sworn and examined.

To Mr. BLAIR:

8912a. I am acquainted with John McGue and William Carroll. A few days prior to the election last fall, I delivered naturalization papers to Billy Carroll. One had his name on the back, and the other had that of John McGue. I suppose they were naturalization papers; I never read them over. I cannot tell you who it was from whom I received these papers. I was absent from my place of business when the package was left there. Those in the store did not know who left it there. I opened the package and I saw there were two papers in it. From the backs of them I knew they were naturalization papers. About two days after I received them, Carroll came along and I gave him his, and told him to give McGue's to him. I took some little part in the last political campaign; I acted with the democratic party. I did not notice from what court the papers were issued. There was no letter accompanying them, nor had I any directions as to what to do with them. Carroll called and asked me if any papers had been left for him, and I told him yes, and also one for McGue who worked for him. I gave them both to him.

MONTGOMERY, ORANGE COUNTY, NEW YORK,
February 3, 1869.

ANTHONY DONNEGAN sworn and examined.

To Mr. BLAIR:

8912b. I reside in Montgomery. I came from Ireland to this country about three years ago. I came from New York city directly up here. I had naturalization papers for the purpose of voting last fall, but did not vote. I got them at Newburgh. I could not say who gave them to me. I guess it was the court-house at which I got them in Newburgh. I was not sworn. I had a friend with me who knew me. I do not know whether he was sworn or not. I signed no papers there as I remember. I got the paper there and brought it away with me. I was detained there, I could not say how long. I am 22 years old. I did not go to the polls at all. I do not know the names of any of the men who gave me my papers.

MONTGOMERY, ORANGE COUNTY, NEW YORK,
February 3, 1869.

WILLIAM TITUS sworn and examined.

To Mr. BLAIR:

8912c. I was one of the inspectors of election in this district. I was present at the board of registration—also on the day of election. I know of two persons who voted that day whose names were not on the registry list. Their names were Adrian J. Comfort and Hugh Milligan. They were both republicans. Milligan voted one ticket—the State ticket—and afterwards, discovering that his name was not on the registry list, we took the vote out.

8913. Q. Was that a mere error?

A. Yes, sir.

HAMPTONBURG, ORANGE COUNTY, NEW YORK,
February 3, 1869.

THOMAS ELLIS sworn and examined.

To Mr. BLAIR:

8913½. I reside in Hamptonburg. I have charge of Mr. Backman's farm. Mr. Backman is a merchant in New York in the whiskey trade, but has a farm out here where he breeds horses. During the past season there were a considerable number of persons in our employ. I was engaged some little in the political campaign last fall. I acted with the democratic party. Most of those employed were foreigners.

8914. Q. Was there any arrangement made, to your knowledge, for procuring naturalization papers for any of them?

A. They talked a great deal about it. There was no arrangement that I know of.

8915. Q. Did you assist any of them yourself in procuring any such papers?

A. Not that I know of; any more than talk about going to New York for that purpose. Some of them went to New York for the purpose, and some of them to Goshen.

8916. Q. Did they talk with you about it before they went, any of them?

A. I presume they did, for it was the general talk about their going. I know three or four spoke to me about going such a day to Goshen, and wanted me to make arrangements for their going.

8917. What reason was given by any of them for going to New York?

A. I do not know that there was any particular reason given, only that they wanted to go to New York twice or three times a year, and this afforded them an excuse.

8918. Q. Did you procure any naturalization papers for any of these persons yourself?

A. No, sir.

8919. Q. Did you see any of the papers that were procured?

A. O, yes, sir. I was here at the time of the registry, and I presume I saw some of them before the registry. There may have been as many as 12 or 13 in my employ who obtained naturalization papers. I can remember the names of some of these persons who got their papers, but not all of them. They are Richard Hart, Richard Levi, Jerry Ford, and Matthew Gill.

8920. Is there a person by the name of James Egan?

A. Yes, sir.

8921. Matthew Carrigan?

A. Yes, sir.

8922. Q. Michael Mulchey?

A. I do not know. He was a man who came there and staid only a short time before. I do not know whether he got his papers or not. He came there, I think, about the 1st day of October, and worked during the fall. Since I have come to think of it, I believe he did go to Goshen.

8923. Q. Did you know such a man there as Patrick Corcoran?

A. Yes, sir.

8924. Q. Can you state whether any of these persons received papers by mail?

A. I do not know as to that. I bring their mail up when I go to Goshen, and laid it by their plates generally. That is, if I knew their names; and if I did not, I laid them on the mantel-piece.

8925. Q. Do you know where James Egan is now?

A. No, sir. I think he was there this morning, but still I did not see him. I presume he was there to breakfast. When the officer came I went out into the yard and into the barns, to look for the men, but I could not find them.

8926. Q. Do you know where Carrigan is?

A. No, sir.

8927. Q. Is he living there now?

A. Yes, sir. He was there this morning. I think he was.

8928. Q. How about Corcoran?

A. Corcoran, I suppose, was there this morning, but still he was not there at breakfast when the farm hands came in.

8929. Q. How was it about Gill?

A. He left in the fall, when the work closed up.

8930. Q. Was there an attempt to find these men to subpoena them this morning?

A. Yes, sir; but most of them had gone.

8931. Q. Did you learn, either from these persons or otherwise, whether they received papers that were delivered to them without their going to get them themselves?

A. No, sir. I have heard them talk about such things.

8932. Q. Will you state whether or not it was understood that naturalization papers could be procured by sending for them at any place?

A. I had heard so.

8933. Q. Where did you hear they could be obtained?

A. I supposed from what I heard that they could be obtained almost anywhere where they were authorized to furnish them.

8934. Q. Did a gentleman come to see you from Goshen last night?

A. Yes, sir; a Mr. Deming, I think it was. He came to tell me that our town committee was going to meet at this place last night, and I came here to meet them. I was on that committee. It is a democratic town committee. He did not tell me for what purpose they were going to meet. I asked him, but he said he didn't know. I came here, but met nobody but Mr. Crist. Nothing was said to me about the presence of the committee from Congress. I spoke to him about it. He said that was not the committee.

8935. Q. Did you go with any of those persons to Goshen to obtain their papers?

A. Now, I could not tell, they ride with me so often when I go. They might have rode down with me, but I did not go down with them to the place.

8936. Q. Do you know whether any persons in this town had fraudulent naturalization papers at the last election?

A. No, sir.

8937. Q. Was there any business done at the meeting of the committee last night?

A. No, sir, not that I know of. It was not called to order.

8938. Q. Were you not informed at all that the committee would examine witnesses in this town to-day?

A. No, sir, not until this morning.

8939. Q. Did you know how long James Egan had been in this country?

A. No, sir, but I think he has been with us for four years this spring.

8940. Q. How long have you known Carrigan?

A. He has been with us two years, I think. Corcoran has been with us two years. Gill, I think, has worked there every summer for four summers. He comes in the spring and works until fall, and goes to New York and stays the winter.

Cross-examined by Mr. Ross:

8941. Q. You may state what you know about any frauds being perpetrated upon the elective franchise at the presidential election last fall, or any attempts to do so.

A. Let me understand you. An attempt is a fraud. I do not know as I am aware of but one instance of the kind. Mr. Dennison, our late sheriff, and Mr. Crist, came to my house one night and offered me great inducements. He says, in the presence of Mr. Crist and myself, that if you would do so and so we could make \$1,000 apiece. They would give us \$15 apiece for the first 30, and \$25 apiece for all over that number. Mr. Dennison said he would send the tickets down to us—Mr. Crist and myself.

8942. Q. Who is Mr. Crist?

A. Virgil Crist, keeper of a hotel.

8943. Q. What is his politics?

A. Democrat.

8944. Q. Is Mr. Dennison a republican?

A. He wanted to get our votes for Mr. Madin, who was running as a republican candidate for the assembly.

8945. Q. He tried to buy who?

A. He came to see Mr. Crist first, and Mr. Crist came to my house with him. He came into our sitting-room, and said to me, "Mr. Crist will do so and so if you will." Said I, "I have always been a democrat, but I like money." I do not know what may tempt me. The devil sends the tempter to almost everybody. He went on to say you can make \$1,000 a year.

8946. Q. Is there anything further that you know of about money being paid, or offered, to control election?

A. Dennison called on me twice afterwards on the same subject.

By Mr. BLAIR:

8947. Q. What did Mr. Dennison wish you to do in return for the amount of money you say he was going to pay you?

A. To control these votes that we could control.

8948. Q. To control them in whose favor?

A. For Mr. Madin.

8949. Q. What was Mr. Madin running for?

A. For member of the assembly.

8950. Q. The consideration of this was votes to be controlled for Mr. Madin, and not for the ticket?

A. Yes, sir.

8951. Q. Were you able to control these votes of which you have spoken?

A. I do not know. I think I could control a great many of them. The impression had got abroad among the Catholics that his opponent had been a Know-nothing; and if I had just said the word that he had been a Know-nothing I could have taken these votes from him. We had at that time from 28 to 30 men.

HAMPTONBURG, ORANGE COUNTY, NEW YORK,
February 3, 1869.

RICHARD LEVI sworn and examined.

To Mr. BLAIR:

8951a. I reside at Stony Ford, and have for three years. I came to the United States in April, 1852. I had naturalization papers, and voted at the last election. I got them in the city of New York about the 15th of October. I obtained them in the superior court. I did not go to New York for the purpose of getting my papers, but went to see the doctor there. I have my paper here. (Paper produced, and found to be dated October 15, 1868.) I have also my army discharge here. I was discharged in 1856. The court was in session at the time I got my papers. I did not have any witness; nor did I sign any papers. I am employed as hostler at Mr. Backman's. Mr. Ellis is the foreman. I do not know of any person except Hugh Hart who obtained his papers in the same way I did.

HAMPTONBURG, ORANGE COUNTY, NEW YORK,
February 3, 1869.

THOMAS MOORE sworn and examined.

To Mr. BLAIR:

8951b. I reside at Washingtonville. I came to the United States in 1861. I voted the democratic ticket at the last election. I got my naturalization papers on the 19th or 20th of October. I got them in Goshen. (Witness produces his certificate, signed "C. G. Elliott, special clerk.") I voted upon this paper. George Price was my witness.

HAMPTONBURG, ORANGE COUNTY, NEW YORK,
February 3, 1869.

ROBERT UNSWARTH sworn and examined.

To Mr. BLAIR:

8951c. I reside in Hamptonburg. I came here from England, in 1855. I was naturalized at the last court in Goshen, just before election, about two weeks. My discharge paper was my witness. I had no other witness, though if necessary I could have got any quantity. I was sworn at the time I got my papers; and also signed a declaration. I know Jeremiah Foley. He is in Ireland. I first knew of his being here last spring. I think he voted in this town, but I am not sure. I voted the democratic ticket. I do not know what ticket he voted. Foley is a brother-in-law of mine. I do not know of my own knowledge whether he had any naturalization papers, or not. I think he returned to Ireland about three weeks before Christmas.

(Witness produces his naturalization paper, dated 19th day of October, 1868, and signed L. Cuddenbach, clerk.)

HAMPTONBURG, ORANGE COUNTY, NEW YORK,
February 3, 1869.

JAMES H. JACKSON sworn and examined.

To Mr. BLAIR:

8951*d*. I am not an officer. I this morning made an attempt to subpoena some persons at the house where Mr. Ellis resides. The names of those persons are: Michael Mulchey, William Judson, Patrick Corcoran, Matthew Carrigan, Matthew Gill, James Egan, Fred. Ellis, Richard Levi. I subpoenaed three of them, William Judson, Richard Levi and Fred. Ellis. I did not subpoena others, because I could not find them. They said they were not there. They worked there, but they did not happen to be there just at the time. I looked about the place for them, but could not find them.

VIRGIL CRIST sworn and examined.

To Mr. ROSS:

8951*e*. I reside at Hamptonburg, and have for some 11 or 12 years.

8952. Question. I will get you to state if you know of any attempt to control the presidential election last fall by the purchase of or offer to purchase votes ?

Answer. Mr. Dennison, of Goshen, came down here three times; he wanted to know if Mr. Ellis and I could not secure some votes for Mr. Madin; I think in the first place he wanted to know of me if he could not buy them for five dollars apiece; we would have nothing to do with it. Then, I believe, he offered \$10 apiece. I went down with Mr. Crist to Mr. Ellis's, and had a talk there one night. He said that if we would get 30 votes he would give us \$15 apiece, and for all over 30, \$25 apiece. He says, "You can make \$1,000 apiece if you have a mind to take hold of it." We did not agree to it that night, and we came down again; he asked me what I could do; I told him I could not do it; he went down to Mr. Ellis's to see him alone; he stopped and came back again to see me; he asked me if I could do it; I told him no, I would not do it for the best farm in Hamptonburg; that is about all that was said.

8953. Q. Do you know of any other effort to control the elective franchise by means of barter and trade-money, and anything else ?

A. I do not in this town.

8954. Q. Do you know of any illegal votes being polled ?

8955. Q. Did he want you to vote for the whole republican ticket, or only for Mr. Madin ?

A. He sent down some tickets to us the next day; I have not yet opened the package; this is one of them; there were four altogether.

ASSEMBLY.

For Member of Assembly,
Edward M. Madden.

ASSEMBLY.

For Member of Assembly,
Edward M. Madden.

ASSEMBLY.

For Member of Assembly,
Edward M. Madden.

By Mr. BLAIR:

8955. Q. Do you keep a hotel, Mr. Crist ?

A. Yes, sir.

8956. Q. You were acting during the last campaign with the democratic party ?

A. Yes, sir.

8957. Q. Were there any arrangements made here, to your knowledge, by that party for procuring naturalization papers for foreigners ?

A. I did not hear of any.

HAMPTONBURG, ORANGE COUNTY, NEW YORK,
February 3, 1869.

JAMES H. LYNN sworn and examined.

To Mr. ROSS:

8958. I reside in Hamptonburg. I had, before the last election, voted the democratic ticket, but I then voted for General Grant and the whole republican party. I know of no one receiving money last fall in connection with that election; I did not receive any. I know William Church, but he did not give me any money. I was at the house immediately before election; I lived with him. I saw neither General Van Wyck nor Henry Segar a few days before the election. I was elected constable last spring as a democrat; I was not promised any money.

NEWBURGH, ORANGE COUNTY, NEW YORK,
February 4, 1869.

JOSEPH S. ASHURST sworn and examined.

To Mr. BLAIR:

8958½. I reside in Newburgh, and had connection last fall previous to the election with the naturalization of foreign citizens here, as clerk in filling out the papers. I acted at the request of the county clerk, Mr. Cuddeback. I was not regular deputy clerk, but was merely clerk for filling out the applications. I signed no certificates. I acted as clerk in this way, I guess, for all the balance of the term, with the exception of the first day. Not regularly, of course, but off and on. The court was sitting for this purpose until, I think, the Friday before the election. It commenced on Monday, and I think ended on Friday. There was a large number of persons naturalized. The mode of proceeding was this: First, as a man came up to the railing, we would ask him his name; he would tell us his name. We would then ask him how long he had been in the country; or, if he came under the age of 18, whether he had his first papers, and all such questions. We had a blank for the different heads. If he had his first papers for two years—I think it was two years—we had another form, and as soon as we got them under the right head we would fill out the right form, and I would then hand it to a deputy. The deputy would swear the man, and after that I did not do anything further. The clerk signed the certificate. I merely acted in the capacity of clerk for filling up the papers.

8959. Question. Do you recollect anything about a particular case of a person who came with Mr. Milspaugh as a witness, and afterwards went away, bringing another witness?

Answer. No, sir.

8960. Q. Do you know whether Judge George was a witness upon any such paper?

A. No, sir.

8961. Q. You say that after these papers were filled up by you, they were handed to a deputy to swear them. Do you recollect how the oath was administered?

A. I do not. It was given from a book. Afterwards they got it by heart, and did not use the book.

8962. Q. Were those all made in the form of an affidavit?

A. There was a printed blank. The man was sworn that he was a citizen of the United States.

8963. Q. Who were the deputies who did the swearing of these persons?

A. There was W. J. Dixon, W. T. Shaw, Henry Milspaugh, and S. C. Dimick.

8964. Q. Do you know whether or not they were special deputies for this purpose?

A. Yes, sir. I do not know as to all of them. I saw, I think, two of them who got their written authority from the clerk. I saw them write it out, and the clerk sign it.

8965. Q. Do you recollect which two those were?

A. I do not. I think one was Milspaugh. The other one I do not remember.

8966. Q. Was this business done in the court-room?

A. In the evenings it was done in the court-room, and in the day-time, as it could not, of course, be done in the court-room while the court was in session, it was done in the petit-jury room—the first room right of the court.

8967. Q. Do you know whether they did business of this sort in more than one room?

A. Yes, sir. Sometimes the clerk went out and got some papers in the other room, but there were no deputies except in one room. The deputies were in the jury-room while the court was in session. In the evenings, when the court was not in session, they occupied the court-room sometimes. In the evening, when the court was not in session, the county clerk was always with them, and always signed the papers, except Mr. Dickson. I believe he used to sign them when the clerk was not there.

NEWBURGH, ORANGE COUNTY, NEW YORK,
February 4, 1869.

CHARLES JANICKY sworn and examined.

To Mr. BLAIR:

8967½. I reside in New York. I voted at the election in November last in this city. I have been in the country about 18 or 19 years. I obtained my naturalization papers previous to the election at the court-house. I could not tell before what court. Mr. Dimick was there. (Witness here produced his paper, which was dated September 29, 1868, and signed "S. E. Dimick, special deputy clerk," with the seal of the court.)

8968. Q. In what room of the court-house did you receive your naturalization papers?

A. It was up-stairs, turning either to the right or to the left, I don't remember which.

8969. Q. Do you know the court-room?

A. Yes, sir; it was a large room. It was not in that. It was in a smaller room, turning to the right or left, as you go up-stairs.

8970. Q. Did you sign any paper there?

A. I signed my name, I think, on paper.

8971. Q. Were you sworn?

A. They did not have time to allow me to sign. They made me put my finger on the pen.

8972. Q. What do you mean by that? You write your name yourself, do you?

A. Of course I can.

8973. Q. But you say you did not sign your name?

A. No, sir.

8974. Q. What then was done? Did somebody else sign it for you?

A. Young Ashhurst made a cross-mark in order to save time, and had me put my finger on the pen while he signed that mark.

8975. Q. Did you have a witness?

A. Yes, sir; a man named Carter.

8976. Q. Was he sworn also?

A. Yes, sir.

8977. Q. Was the judge of the court present when these proceedings were had?

A. I do not know him. I could not tell.

8978. Q. I understand you to say you do not know who swore you?

A. I do not recollect.

8979. Q. Was there any other business being done in the room except this sort of witnesses?

A. I could not tell you that. A lot of other men took out their papers at the same time.

8980. Q. Did you see any other business being done there except this of making out naturalization papers?

A. No, sir.

8981. Q. At what time of day did you come there?

A. It was in the forenoon.

8982. Q. Had you ever had any first papers, as it is called, before this?

A. My father took his papers out before I came of age. They told me, in order to save time, I ought to prove that fact; that I should take my papers out, and pay him \$1 for doing it.

NEWBURGH, ORANGE COUNTY, NEW YORK,
February 4, 1869.

PATRICK O'BRIEN sworn and examined.

To Mr. BLAIR:

8982½. I reside at Newburgh. I came originally from Ireland, and have been in the country about 18 years. I voted at the election last fall. I procured my naturalization papers in 1864, in the City Hall, New York.

8983. Q. Were you present at any time during the naturalizations in this city last fall?

A. Just a little.

8984. Q. What ticket did you vote?

A. The democratic ticket.

8985. Q. Did you act as a witness for any persons during that time?

A. About one or two; those that I knew. They came from New York up here.

8986. Q. Do you know Pat. Neary?

A. Yes, sir; I have known him for about six years. He resides in Newburgh now.

8987. Q. Do you know Edward O'Donohue?

A. Not as I know of.

8988. Q. Do you know Charles Peck?

A. No, sir. You know there are a great many Patrick O'Briens in town.

8989. Q. I will read a list of names I have here, and you may state then if you know any of them: Charles Peck, Dan Ryan, Cornelius McLeod, William McMullen, James Canon, John Hick, Robert Fitzgerald, John Fogerty, Bernard Dunleary, Pat. Duncan.

A. I know him.

8990. Q. Joseph Coleman, James Kavanaugh, James Burke, Thomas Raine, Frank Lowrie, James O'Rourke, James Maher, James McCaffrey.

A. I know the last two. I do not know whether they are citizens or not.

8991. Q. James McCaffrey, John Coleman, John Clark, Bernard Carroll, John Walsh, Michael Sullivan, Martin Ryan, Richard Peale.

- A. I know him.
 8992. Q. John Monehan, Peter Monehan, Matthew Moore.
 A. I know the last two.
 8993. Q. Michael Hines, Michael Carey, James Cosgrove, John Hayes.
 A. Yes, sir.
 8994. Q. Michael Richards, Thomas Priest.
 A. Yes, sir.
 8995. Q. Thomas Stapleton, Hugh Montague, Abraham Garvell, John Dougherty.
 A. Yes, sir.
 8996. Q. John Sweeney, Thomas Ryan.
 A. Yes, sir.
 8997. Q. Thomas Furney, Henry O'Neal, Patrick Flynn, John Condon.
 A. I know only those that I have named.
 8998. Q. Were you a witness in the naturalization of any of those persons that I have named ?
 A. Not to my knowledge.
 8999. Q. You do recollect being at that court and having been a witness for two persons ?
 A. Yes, sir.
 9000. Q. Can you name the two you were witness for ?
 A. James Ryan and Patrick Neary.
 9001. Q. How many Pat. O'Briens do you know ?
 A. Five.
 9002. Q. Relatives of yours, are they ?
 A. No, sir. Three live in one street where I live. Then there are two or three more up in the north end of the town.
 9003. Q. Where was the business done in the two cases in which you were a witness ?
 A. In the court-room.
 9004. Q. At what time of day ?
 A. One was about 9 o'clock in the morning, and the other in the afternoon.
 9005. Q. Was the court in session at the time ?
 A. Yes, sir.

NEWBURGH, ORANGE COUNTY, NEW YORK,
February 4, 1869.

CHARLES REPP sworn and examined.

To Mr. BLAIE :

9005½. I reside in Newburgh. I came from Germany. I did not vote at the last election. I received my naturalization papers prior to the last election. I haven't them with me; I could not find them. I obtained them in the county court this last September. I have been in the United States six years. No one went with me as a witness. Mr. Dixon gave me my papers. He was one of the clerks. I guess I signed some papers, but I do not know. I was not sworn in court. The room in which I received my papers was a very small one. I was not in the large room.

9006. Q. Had you ever had any papers that were called the first papers ?

A. Yes, sir; I got them about three years ago.

9007. Q. Where did you get them ?

A. At the court-house, in a large room.

9008. Q. Do you know the judge of the court ?

A. I do not know who was the judge there.

9009. Q. Did you see the judge there at all that day ?

A. I did not know the judge.

9010. Q. You say no one was with you as a witness ?

A. No, sir.

9011. Q. What did you do with your first papers ?

A. I did not have them with me.

By Judge GEORGE :

9012. Q. Did not Mr. Dixon have you put your hands on the book, or raise your hand to tell the truth ?

A. No, sir.

9013. Q. Didn't somebody go with you to see that they knew you ?

A. No, sir.

9014. Q. Who took you up there ?

A. I went up alone.

NEWBURGH, ORANGE COUNTY, NEW YORK.

February 4, 1869.

SAMUEL KIRK sworn and examined.

To Mr. BLAIR :

9014½. I reside at Newburgh. I voted at the election last fall. I have been in this country some 18 or 19 years. I procured my papers at the court in this place some time in last September or October. I think I got them from Mr. Dixon. (Witness produces his naturalization paper, dated October 1, 1868, and signed Wm. J. Dixon, special deputy clerk, with the seal of the court upon it.)

9015. Q. In what room were you when that paper was granted ?

A. I went up on a long upper hall. Mr. Dixon sat just on the left side.

9016. Q. Do you know whether you were in the court at the time ?

A. O, yes, sir, I was in court, because I know there were folks waiting to get their papers. They told me that was the time to get them. There were folks waiting to be tried.

9017. Q. Were you sworn ?

A. Yes, sir, by Dixon. My brother was my witness. He lives in the city. I voted the democratic ticket.

NEWBURGH, ORANGE COUNTY, NEW YORK.

February 4, 1869.

EDMUND CARTLER sworn and examined.

To Mr. BLAIR :

9017½. I was born in England, but have been in the country about fifteen years. I voted at the last election a split ticket. I was naturalized in September. (Witness produced his paper, dated September 28, 1868, and signed Wm. J. Dixon, special deputy clerk.) This certificate was granted me in the court-room. I think it was about two or three o'clock. The court was in session at the time. There were so many in the court-room that I could not tell whether or not any part of the business was done in another room. The papers were made out, but not signed there. They were signed in the court-room. I cannot think of the name of my witness. He was a young fellow whom I have known for some 12 or 13 years. I think it was O'Brien. I do not remember O'Brien's first name. He used to be turnkey up at the jail.

NEWBURGH, ORANGE COUNTY, NEW YORK,
February 4, 1869.

NICHOLAS WILSON sworn and examined.

To Judge GEORGE:

9017. I was one of the inspectors of election for the first ward, at the November election. I sat as one of the board of registry during the last two days.

9018. Q. When you were there as register did Matthew Pritchard come to get registered?

A. Yes, sir.

9019. Q. Had he naturalization papers?

A. Yes, sir, from the court at Poughkeepsie, 19th October, 1868.

9020. Q. Did you or the board question him as to his right to vote?

A. Yes, sir, Mr. Speer questioned him very closely.

9021. Q. What did he say as to the date of his being entitled to vote?

A. He said that his papers were due on the 21st of October from the time he got his first papers up to the time when he got his second ones.

9022. Q. You mean that the two years would not be up after his getting his first papers until the 21st of September?

A. Yes, sir.

9023. Q. Did you ask him whether he was present in court when he got his papers?

A. Yes, sir. He equivocated, and would not give me any answer.

9024. Q. Was he registered?

A. No, sir. I asked him if he insisted on being registered. As soon as I asked him that question he said he would have no more to do with it, and took the papers and put them in his pocket. I asked him if he was willing to take an oath that he was present when his papers were made out, and he said he had sworn to all he was going to.

9025. Q. Do you know how long Pritchard has been here?

A. About three years.

9026. Q. Then he was not registered, and did not vote?

A. No, sir.

9027. Q. What are his politics?

A. He was a republican. I am well acquainted with Mr. James Munford. He is a democrat.

9028. Q. Did he take some interest in getting the board to pass some men on the morning of election, to vote, who were not entitled to vote?

A. That was the intimation.

9029. Q. Of what politics were those men?

A. Republicans.

9030. Q. Did any other men come to vote, or to be registered, who had received their papers in Poughkeepsie?

A. Oh, yes, sir; quite a number.

9031. Q. Can you remember the names of any?

A. I cannot remember all of them, although I know most of them.

9032. Q. Do you know George Ferguson?

A. Yes, sir. I think he voted, but I cannot say positively.

9033. Q. Do you know Arthur Collins, James McClary, John Duffy, John Smith?

A. I remember John Smith very well. His papers were Poughkeepsie papers.

9034. Q. Do you know how long he has been in this country?

A. I think between three and four years. He was once at a saw-mill. I could not say whether he voted or not.

9035. Q. Do you know whether he went to Poughkeepsie to get his papers?

A. He had Poughkeepsie papers and we registered him.

9036. Q. Do you know whether he went there?

A. I could not tell.

9037. Q. Do you know John Hall?

A. I remember about his vote. His papers were from Poughkeepsie. I have known him for 10 or 12 years.

9038. Q. Do you know John Lone?

A. No, sir.

9039. Q. John Guthrie?

A. No, sir.

9040. Q. Samuel Cummings?

A. He had been in the country about three years.

9041. Q. Did he vote?

A. No, sir; he was registered.

9042. Q. On what papers?

A. Poughkeepsie papers, dated, I think, 19th of October, 1868. He is a republican.

9043. Q. Do you know Edward McConrow?

A. No, sir.

9044. Q. George Wilson?

A. No, sir.

9045. Q. Thomas Ray?

A. Yes, sir. I have known him for about six years. He never had his first papers to my knowledge. He came to be registered, but backed out.

9046. Q. Why?

A. I do not know any reason, other than that he thought he was not entitled to vote, I suppose.

9047. Q. Do you know George Dueon?

A. Yes, sir.

9048. Q. How long has he been here?

A. I think about three or four years.

9049. Q. Did he vote, or offer to vote?

A. No, sir.

9040. Q. Was he registered?

A. Yes, sir.

9051. Q. On what papers?

A. Poughkeepsie, dated last fall. He is a republican.

9052. Q. Do you know Isaac Brown?

A. I do not know him.

9053. Q. Do you know William Jackson?

A. I do not.

9054. Q. Robert E. Bowker?

A. I know him, and have for the last three years.

9055. Q. Did you know him as soon as he came into the country?

A. I could not say as to that. I do not know whether he had a right to vote or not.

9056. Q. Do you know Samuel McCall?

A. No, sir.

9057. Q. Do you know William Jackson, and Richard Parrott, senior?

A. Yes, sir. The last one I have known in this place for over two or three years. He was registered on Poughkeepsie papers, and I presume voted on the same. I do not know whether he was at Poughkeepsie or not.

9058. Q. Do you know John Cumberlarge ?

A. No, sir.

9059. Q. Horace J. Keenan ?

A. No, sir.

9060. Q. Henry Boreman ?

A. No, sir.

9061. Q. Charles Redwick ?

A. Yes, sir. I could not say how long he has been in this country. He came from Canada. He was registered on Poughkeepsie papers.

By Mr. BLAIR :

9062. Q. You were a member of the election board ?

A. Yes, sir.

9063. Q. What are your politics ?

A. Democratic.

9064. Q. Were the board all of the same politics ?

A. No, sir.

9065. Q. How did it stand in that respect ?

A. Two democrats, and one republican.

(The papers presented by Mr. Redwick were dated October 19, 1868.)

NEWBURGH, ORANGE COUNTY, NEW YORK,
February 4, 1869.

MICHAEL FARRAR sworn and examined.

To Mr. BLAIR :

9065½. I have lived in this country over 20 years. I was present during the naturalizations in the county courts in this city last fall, one day; I was a witness for, I suppose, about six or seven of those who were getting naturalized. Their names were Thomas Hogan, Ned Monahan, Thomas Monahan and James Gray; I forget if there were any others.

9066. Q. Do you know Pat. O'Neal ?

A. Yes, sir; I have known him for about five years and a half.

9067. Q. Do you know Edward Partello ?

A. Yes, sir; I was a witness for him.

9068. Q. Joseph Ryan ?

A. I have known him over five years; I was also a witness for him.

9069. Q. Do you know Michael Quillan ?

A. I do; I was also a witness for him.

9070. Q. Do you know Patrick Queen ?

A. I do not remember him.

9071. Q. Do you know John Sharkee ?

A. I do; I was a witness for him; I have known him for more than 18 years.

9072. Q. Do you know Lake Laight ?

A. I do; I was a witness for him.

9073. Q. Do you know Benjamin Hayden ?

A. Yes, sir; I was a witness for him.

9074. Q. Jeremiah Grady ?

A. Yes, sir; I was witness for him; have known him for over six years.

9075. Q. Do you know Patrick Flanagan ?

A. I was a witness for him; I have known him over five years.

9076. Q. Do you know Matthew Dillon ?

A. Yes, sir; was a witness for him.

9077. Q. John Dooday ?

A. I do; I was his witness; I have known him for over seven years.

9078. Q. Do you know Patrick Butler?

A. I know one Patrick Butler; I was not a witness for him.

9079. Q. Do you know Michael Barry?

A. Yes, sir; was a witness for him.

9080. Q. Did all this occur on the same day?

A. No, sir; one day and a night; we were a few evenings here; came down about seven or eight o'clock, I suppose.

9081. Q. Did you go there to the court for the purpose of being a witness for these persons?

A. I came down that way and happening to meet them went with them.

9082. Q. That is considerably more than six or seven?

A. I suppose it is.

9083. Q. You had been naturalized before?

A. Yes, sir.

NEWBURGH, ORANGE COUNTY, NEW YORK,
February 4, 1869.

WENDELIN KNEER sworn and examined.

To Mr. BLAIR:

9083½. I reside in Newburgh. I obtained my naturalization papers last fall. (Witness produces paper, dated 29th September, 1868, and signed Henry C. Milspaugh, special deputy clerk.) I got that in the room next to the court-room; I do not know whether I was in the court-room while this business was being done on this day or not, but I was there the day before, but it was so full I could not get it; Alexander Hactus was my witness.

NEWBURGH, ORANGE COUNTY, NEW YORK,
February 4, 1869.

RICHARD PEELE sworn and examined.

To Mr. BLAIR:

9083¾. I reside in Newburgh; I have been in this country for over 12 years; I voted at the last election; I got my last papers out about a month before election; I got them from the clerk at the court-house in this place. I think Cudderback was the name of the clerk; I was in the court-room; I was sworn; Pat. O'Brien was my witness; he was not the one who was turnkey. (Witness produces certificate dated October 1, and signed W. T. Shaw, special deputy clerk.) I voted the democratic ticket.

NEWBURGH, ORANGE COUNTY, NEW YORK,
February 4, 1869.

JOSEPH MARTIN sworn and examined.

By Mr. BLAIR:

9084. Question. Did you vote at the last election?

Answer. No, sir.

9085. Q. Did you procure naturalization papers?

A. No, sir.

NEWBURGH, ORANGE COUNTY, NEW YORK,
February 4, 1869.

MARTIN SMITH sworn and examined.

By Mr. BLAIR:

9086. Question. Where do you reside?

Answer. At Newburgh.

9087. Q. Did you vote at the last election ?

A. No, sir.

9088. Q. Did you have naturalization papers ?

A. No, sir.

NEWBURGH, ORANGE COUNTY, NEW YORK,
February 4, 1869.

PATRICK O'BRIEN sworn and examined.

9088½. I reside at Newburgh. I was naturalized in 1860. I was present in court here a good many times during the latter part of September, or fore part of October, last fall. I was called up to be a witness for a man by the name of McCarty, but I wasn't needed.

NEWBURGH, ORANGE COUNTY, NEW YORK,
February 4, 1869.

JOHN ASHHURST sworn and examined.

To Judge THOMAS GEORGE :

9088¾. I am an attorney-at-law in this place. I have resided in this county since 1854. Have usually been in attendance upon the courts of this county. Was all through the term of Judge Gedney and his predecessor. He was a republican in politics. It was always customary then, when there were persons to be naturalized in numbers, to use one of the petit jury rooms outside for the purpose, where Mr. Stivers himself, if he could get away, or one of his deputies acted. Mr. Stivers is a republican.

9089. Q. Had the courts usually before elections found it possible to transact the ordinary business of the courts while naturalization was going on ?

A. Not without interrupting the regular business of the court.

9090. Q. At the term of the court in September and October last, was the business of the court interrupted by the great numbers applying for naturalization ?

A. It was interrupted until the same remedy was resorted to as had been resorted to under Judge Gedney and Mr. Stivers.

9091. Q. Do you recollect I rose a good many times and endeavored to keep silence when the sheriff reported to me he could not keep the room sufficiently still to transact legal business ?

A. I do, sir.

9092. Q. And the men were directed to go to the jury-room for the reason that the business of the court could not be transacted ?

A. Yes, sir; for that reason, and for convenience.

9093. Q. Were you by so that you could observe the mode of proceeding ?

A. So far as I could attend to it outside of my business before the court, I was present.

9094. Q. Did you help swearing these ?

A. I swore, I believe, to two papers, as a witness.

9095. Q. Did you advise some people as to the manner of going before the clerk ?

A. Yes, sir.

9096. Q. Did you observe that there were any greater facilities afforded men who were supposed to be democrats, over those supposed to be republicans ?

A. No, sir; if anything, greater facilities were afforded the republicans, so that there would not be the least ground for the charge of partiality.

9097. Q. Was or was not all my time in court taken up with the regular business of the court ?

A. Yes, sir ; so far as I could observe.

9098. Q. Did I at any time take any part in the naturalization ?

A. No, sir.

9099. Q. Has it ever to your knowledge been customary for the judge of this county to take any part in the naturalization of foreigners ?

A. No, sir ; he has left it to the clerk and his deputies.

9100. Q. And the examination has never been had before the courts ?

A. No, sir.

NEWBURGH, ORANGE COUNTY, NEW YORK,
February 4, 1869.

FRANK B. DIXON sworn and examined.

To Judge THOMAS GEORGE :

9100a. I was during the registration days an inspector of elections in the first ward. A man by the name of William Jackson came and asked to be registered. I asked him to show me his papers. He handed in his first papers. I told him they would not do ; that I could not register him on those, and gave them back to him. He stood there three or four minutes, when Mr. McCord touched him on the shoulder and took him out. In the course of four or five minutes he came back again with the second papers ; they were Poughkeepsie papers. I think it was the 19th or 23d of October. Jackson was a republican.

NEWBURGH, ORANGE COUNTY, NEW YORK,
February 4, 1869.

THOMAS CASEY sworn and examined.

To Mr. BLAIR :

9100b. I reside in Newburgh. I think it is going on five years since I came to this country. I voted at the last election. I got my last papers at the court-house here. I do not know whether it was in the court-room or not where I got the papers. I lost them the very night that I was sworn. I had a witness ; his name was Edward Hogan. I landed in New York city when I came to this country.

NEWBURGH, ORANGE COUNTY, NEW YORK,
February 4, 1869.

THOMAS CROOK sworn and examined.

To Judge THOMAS GEORGE :

9100c. I reside in Newburgh. I have been in this country 26 years. I think it was on the 19th of October that I got my second papers at Poughkeepsie. My first papers I got in Detroit, Michigan ; I did not have them at Poughkeepsie ; I had lost them. Robert Glassy was my witness. Four or five went up with me on that day. I could not say whether Glassy was a witness for them or not.

NEWBURGH, ORANGE COUNTY, NEW YORK,
February 4, 1869.

JOHN MEAGHER sworn and examined.

To Mr. BLAIR :

9100d. I reside in Newburgh. I have been a resident of the United States about nine years. I got my naturalization papers last fall before the election. I got my papers in the court-house, in the small room

Mr. Dimick swore me. I did not sign any paper myself; Mr. Ashhurst signed for me; I cannot write. James Meagher was my witness. I had no previous papers. I was about 26 years old when I came to this country. I voted the democratic ticket.

NEWBURGH, ORANGE COUNTY, NEW YORK,
February 4, 1869.

PATRICK O'BRIEN sworn and examined.

To Mr. BLAIR:

9100e. I reside in Newburgh, and have for the last 18 or 20 years. I cannot say whether I was present at the county court during the time when naturalizations were going on last fall or not, for I had not my right senses, and have not now. I am subject to fits. I had no witness.

To Judge GEORGE:

9100f. I could not say how I got hurt; don't know that I was hurt by the falling of my horse in a republican procession just previous to the election. Don't remember being in court and being a witness for some persons; my memory is not at all good.

NEWBURGH, ORANGE COUNTY, NEW YORK,
February 4, 1869.

JOHN COYLE sworn and examined.

To Mr. BLAIR:

9100g. I reside in Newburgh. I obtained my naturalization papers last fall at the Newburgh court-house; I got them, I think, in the courtroom. I guess I was sworn. I think, as far as I remember, I had a witness. I had been in the country about seven years. My first papers I got at Newburgh. (Witness produces his certificate dated 20th of September, and signed by Cuddebach, clerk.) I do not remember who it was who swore me.

NEWBURGH, ORANGE COUNTY, NEW YORK,
February 4, 1869.

JOHN CUMBERLAGE sworn and examined.

By Judge THOMAS GEORGE:

9100h. I got my last papers from Poughkeepsie last October. A man went up there from here as my witness; I cannot now recall his name. I voted the republican ticket last fall. I got my first papers about 20 years ago; I did not have them at Poughkeepsie, as all my papers got lost when I broke up house-keeping.

NEWBURGH, ORANGE COUNTY, NEW YORK,
February 4, 1869.

EDWARD S. BRIADY sworn and examined.

To Judge THOMAS GEORGE:

9100i. I am pastor of Saint Patrick's church at Newburgh. I wrote a letter to Thomas Coughlin, esq., on the 31st of October, 1868, and this, (after reading paper handed him,) I have every reason to believe, is an accurate copy.

The following is the letter:

SAINT PATRICK'S CHURCH,
Newburgh, N. Y., October 31, 1868.

DEAR SIR: I intended to wait on you on last Friday relative to doing all you can for the Hon. Charles Van Wyck, esq., member of Congress, but unforeseen circumstances prevented me doing myself the pleasure of seeing once more your family, that I hold in such great esteem.

Now I want you to do all you can for Van Wyck. He has been a great friend of mine; he has got Governor Fenton to pardon a poor man of my congregation who is now in State prison. He will be released immediately after election. I have the letter in my possession. He would be released right off, but it would be used politically against him now. He has very much interested himself when I was in Washington last winter in behalf of the Irish at home and abroad. He is a great friend to our people here; political dupes belie him. He is really a good man and a true friend. George W. Green is quite the reverse. He has been a Knownothing, and is as bad to-day, in my opinion, if he had the chance. He is very anti-Catholic, anti-Irish. Nine years ago he prevented the getting the school appropriation for Port Jones' school. He was then school commissioner. He has endeavored to injure my reputation a few weeks ago by circulating that I had attended a republican convention. He might as well accuse the child unborn. He knew I was opposed to him. Daniel B. St. John and he went to the archbishop to complain of me; that I was interfering in politics. He dreaded me and justly. His mission was fruitless. If you can do all in your power for Van Wyck I will be ever grateful. Tell the boys. Destroy this letter as soon as you read it, but use its contents. I will go up in a few days with Father Aclan to see you all. Please remember me to Mrs. Coughlin and the children.

Very respectfully, yours,

EDWARD S. BRIADY.

THOMAS COUGHLIN, Esq.,
Narrowsburgh, Sullivan county, N. Y.

P. S.—Be sure and destroy this letter for Catholicity's sake.

E. S. B.

GOSHEN, ORANGE COUNTY, NEW YORK,
February 5, 1869.

C. G. ELLIOTT sworn and examined.

To Mr. BLAIR:

9100j. I reside in Goshen. I was, last fall, deputy clerk of the court.

9101. Q. Will you state whether or not a term of court was held for naturalization purposes previous to the election last fall?

A. On the 19th of October, I think, a special term was called for the particular purpose of naturalization. Judge George held the court. I think the court sat two days. There were quite a number of persons naturalized. I have an idea there were about 80; but there may have been many more than that.

9102. Q. Will you state what was the mode of proceeding?

A. Of course, all that I can say is, so far as I know. I went up into the court-room and Mr. Bacon, a lawyer here in the village, who was of opposite politics with myself, went down into the sheriff's office on account of the crowd. Mr. Bacon took the papers and passed them over to me, and I filled up the affidavits and swore the witnesses. In some instances Mr. Bacon read the affidavits to me, and I then administered the oath. I signed the certificates. That was done in the sheriff's room below. The judge was not present at that time.

9103. Q. Were the final certificates delivered there in that way?

A. Yes, sir.

9104. Q. There was then, so far as you know, no examination of the parties and witnesses by the court?

A. No, sir; not in the presence of the judge.

9105. Q. Everything was done by the clerks?

A. Yes, sir. This Mr. Bacon was put there for the purpose of watching me. It was a kind of agreement. Mr. Bacon was a republican. At the time I was issuing these papers the clerk, I presume, was engaged up stairs in the same business.

By Mr. VAIL:

9106. Q. At whose suggestion did you go out of the court-room to the sheriff's office?

A. I think it was Mr. Cudderback told me. I am not sure whether Judge George spoke to me when I went in or not.

9107. Q. It was suggested by somebody?

A. Yes, sir. The judge or Mr. Cudderback spoke to me, and said, Mr. Elliott, you go down into one of the rooms below.

9108. Q. So far as your own knowledge extends with regard to these papers they were correct according to the general usages of issuing naturalization papers?

A. Yes, sir. It was to guard against this that Mr. Bacon came down. They charged that we would fill up the papers before two years, between the first and second papers. Mr. Bacon examined the date of the papers.

9109. Q. You had been in the habit of issuing these papers before as deputy clerk?

A. Yes, sir. The blanks were brought to us ready sealed.

GOSHEN, ORANGE COUNTY, NEW YORK,
February 5, 1869.

H. V. D. HOYT sworn and examined.

To Mr. BLAIR:

9109½. I reside in Goshen. I was at one time deputy clerk in the county clerk's office. I wrote for them occasionally.

9110. Q. Were you employed there at all during the term of court at which naturalizations were had prior to the election last fall?

A. Yes, sir. I think it was two days.

9111. Q. In what capacity were you employed?

A. In making out naturalization papers.

9112. Q. In what part of the building were you so employed?

A. I was right at the clerk's desk in the court-room.

9113. Q. Were there a considerable number of those papers made at that time?

A. Yes, sir.

9114. Q. How much of a crowd was there about there?

A. There was quite a crowd there.

9115. Q. Do you know whether those persons who were naturalized there had any examination by the judge before the court?

A. No, sir; I do not.

9116. Q. Are you the town clerk?

A. I am.

9117. Q. Were you requested not long since to allow the poll-list of the town to be copied?

A. Charles Dunning came there to see it. He came there to see if there were some names on a poll-list. I have not been asked to have it copied.

9118. Q. Did you allow it to be seen?

A. Yes, sir.

9119. Q. Were there certain republicans who came and asked you to copy the poll-list at any time?

A. No, sir.

By Mr. VAIL:

9120. Q. You were in the court-room, before the court, when you were filling up those papers?

A. Yes, sir.

9121. Q. Acting as deputy clerk?

A. Not as deputy particularly. Mr. Cudderback engaged me. My business is copying.

GOSHEN, ORANGE COUNTY, NEW YORK,
February 5, 1869.

M. D. STIVERS sworn and examined.

To Mr. BLAIR:

9121½. I reside in Middletown. I was from January, 1855, to January, 1868, clerk of this county. It was not customary when I was in office to have naturalizations made upon certificates, delivered when the court was not present during any part of the proceedings.

9122. Q. Did you ever allow it to be done in a separate room in which the court never was seen?

A. When at the court in Newburgh, by order of the judge, because of the crowd and confusion, I went into the petit jury room adjoining the court-room, and made an examination of the witnesses and swore them there. It was by order of the judge. I do not remember of any other instance in which it was done in that way. I usually subjected the applicant as well as the witnesses to an examination. I almost invariably questioned them, and I always myself administered the oath.

9123. Q. You may state whether you have made an examination of the county records for the purpose of seeing whether any persons who got their first papers, while you were clerk, received their final papers before the two years expired.

A. I have made a slight examination of the records, and find such had been the case. I am not prepared to state in how many instances. I know of one particularly that I have now in my mind; Robert McFarland is the name. He had taken out his first papers before me October 23, 1866, and had received his full papers before the two years had elapsed. A certified copy of his first papers was in the clerk's office on file.

9124. Q. Are there any other such cases that you know of?

A. I cannot recall any names now. There were a number who took out their first papers before me who had received full papers at the court in Newburgh, without having been there quite two years; but the fact of their having taken out the first papers was disregarded. They were not on file as in this case I have mentioned. They took the papers out on the ground that they had come here under 18.

GOSHEN, ORANGE COUNTY, NEW YORK,
February 5, 1869.

CHARLES S. DEMING sworn and examined.

To Mr. BLAIR:

9124½. I reside in Goshen. I was indirectly engaged in the political campaign last fall. I acted with the democratic party. I knew of no arrangement made by the democratic party during that campaign to assist foreigners in getting naturalization papers. I did not myself assist any of them. I did not myself deliver to any foreigners naturalization papers, nor did I know of any being delivered by others.

I went over to Hamptonburgh a few evenings since—the day before the committee sat there, and saw there Mr. Crist, and the bar-tenders at his hotel. I remained there a few minutes when I went over to see Mr. Ellis. I saw some of the stable men around. I had been down there looking at a colt of mine. My object in going to Hamptonburgh that evening was to see about witnesses. I supposed that witnesses would be required, and that they ought to be subpoenaed. I went down there on that account partly.

9125. Q. Did you say anything to Mr. Ellis about the men who were in his employ?

A. No, sir.

9126. Q. Do you know any reason why several of the recently naturalized citizens in the employ of Mr. Ellis were not able to be found to be subpoenaed the next morning?

A. No, sir.

9127. Q. Did you make any arrangement to get them away?

A. I only told Mr. Ellis that the committee was expected there, and that if there were any witnesses to be subpoenaed they ought to have them ready. I had some subpoenas in my pocket to subpoena men down there.

9128. Q. Did you subpoena anybody that night?

A. Not that night.

9129. Q. Did you give Mr. Ellis notice that the democratic town committee would meet that night?

A. I told Virgil Crist there would be a committee there, and talked with him about witnesses.

GOSHEN, ORANGE COUNTY, NEW YORK,
February 5, 1869.

SETH K. ROBINSON sworn and examined.

To Mr. VAIL:

9129a. I live in Middletown. I voted at the election last fall. I was offered money by Mr. Sweet to vote for Mr. Van Wyck; I was a cripple at the time. He offered me a ton of coal and \$10 in money. I received \$7. I did not get the coal. I voted for Mr. Green.

GOSHEN, ORANGE COUNTY, NEW YORK,
February 4, 1869.

THEODORE W. LUDLOW sworn and examined.

To Mr. VAIL:

9129b. I reside in Goshen. I voted at the last election for Mr. Van Wyck. I had no wager on the election.

GOSHEN, ORANGE COUNTY, NEW YORK,
February 4, 1869.

THOMAS KANE sworn and examined.

To Mr. VAIL:

9129c. I reside in Goshen. I voted at the last election. I voted the democratic ticket. One of Mr. Murray's sons offered me money to vote the republican ticket. I did not take it.

GOSHEN, ORANGE COUNTY, NEW YORK,
February 5, 1869.

PATRICK DUNN sworn and examined.

To Mr. VAIL:

9129d. I reside in Goshen. I voted for George Green at the last election. Nelson Owens said he would see me well paid if I would vote for Van Wyck.

GOSHEN, ORANGE COUNTY, NEW YORK,
February 5, 1869.

E. H. HOUSE sworn and examined.

To Mr. VAIL:

9129e. I reside in Goshen. I voted the democratic ticket at the last election. George A. Dennison and Charles J. Abert offered me \$10 to vote for Green, at the last election. I was also to use my influence for this money. I did not consent to accept.

GOSHEN, ORANGE COUNTY, NEW YORK,
February 5, 1869.

JAMES CONNELL sworn and examined.

To Mr. VAIL:

9129f. I reside in Goshen. I voted the democratic ticket at the last election. I was offered money for my vote and influence for the republicans. A man came down from Middletown, and asked me if a little money would not do some good in this place for Mr. Van Wyck and Mr. Madin. I told him it would do some good to the poor of Goshen in case I got it. I did not get this money. I voted for Judge Green. I will state, however, that just before the election four barrels of flour were sent to the house. I do not know where it came from, but I took it, and had my uncle distribute it among the poor.

GOSHEN, ORANGE COUNTY, NEW YORK,
February 5, 1869.

MICHAEL BURKE sworn and examined.

To Mr. BLAIR:

9129g. I reside in Goshen. I voted the democratic ticket at the last election. I have been in the United States 12 years. I got my first papers three years the 1st of March last, and my last papers here when court sat before election. I cannot tell who gave me my last papers. I did not bring them with me.

GOSHEN, ORANGE COUNTY, NEW YORK,
February 5, 1869.

PATRICK FORD sworn and examined.

To Mr. BLAIR:

9129h. I reside in Goshen. I voted at the last election. I got my first papers in the State of Pennsylvania. I got the last three years ago last October, at Norristown, Pennsylvania. (Witness produced his last paper, dated October 5, 1866, Montgomery, Pa., and signed John R. Grigg, prothonotary.) I appeared in court when I signed the paper. John Ford is a brother of mine. I do not know whether he procured naturalization papers at the last election or not, or whether he voted or not.

GOSHEN, ORANGE COUNTY, NEW YORK,
February 5, 1869.

DENNIS O'BRIEN sworn and examined.

To Mr. BLAIR:

9129i. I reside in Goshen. I received my naturalization papers, and voted at the last election. I received them in Goshen. They were sent to the house to me.

GOSHEN, ORANGE COUNTY, NEW YORK,
February 5, 1869.

NELSON OWEN sworn and examined.

To Mr. VAIL:

9129j. I live in Goshen. I did not offer to pay Patrick Dunn any money to vote for the republican ticket at the last election. I told Captain Post that I would spend \$500 to defeat Judge Green. I told my brother first, and then Green asked me when I was going to spend it, and I said I would spend it when I thought I could make good use of it. I did not spend any of it, however.

Witness ELLIOTT was requested to furnish the committee with a list of all declarations of intention to become citizens made after October 1, 1866, and November 1, 1868; also, list of persons naturalized after the 1st of September, 1868, stating the names of witnesses and the persons signing the certificates. Also, how many and who were naturalized on the ground that they came to the country under 18 years of age, and who were witnesses for such.

The following testimony was taken by the same sub-committee in New York:

NEW YORK, *February 6, 1869.*

SAMUEL V. GARVIN sworn and examined.

To Mr. BLAIR:

9130. I have here two books (placed in possession of the committee) which I found in the safe, and which I presume are the two books referred to by District Attorney Hall and one Hoffman, a hack-driver. One is marked 6th district, 16th ward, and the other 9th district, 14th ward. I came into office as district attorney of the city and county of New York on the 4th of January, 1869. The books, papers, records, and everything else, were turned over to me. When I was requested to produce these two books, when you were here before, I wrote a line to the committee saying that I was not sure that I had any such books, but I would ascertain, and if any such were found, produce them. I had an examination commenced immediately, and the next day I found what you referred to; you had then, however, adjourned and gone. I have kept the books since that time in my possession, and now produce them; these I presume are the books; I should like to have you return them when you get through, as they are books belonging to the office of the district attorney. I know nothing as to how the books came there, or anything about it; I suppose Mr. Hall's testimony explains that.

NEW YORK, *February 6, 1869.*

JAMES KELY sworn and examined.

To Mr. BLAIR:

9131. I reside in New York city, at Seneca Hall; I am a detective; I know Patrick and James Goff; their general character is bad, and they have been arrested on various occasions. I arrested a man named McMullen on the 28th of November; I arrested three men on the same day on the same charge on which he was arrested; and in the pocket of a man named Stewart was McMullen's warrant as a deputy sheriff. (Witness here produces the warrant and a picture of McMullen, taken from the Rogue's Gallery.) The warrant appointed David Mullen special deputy sheriff to assist in preserving the public peace; it was dated 2d

day of November, 1868, and signed James O'Brien, sheriff, and counter-signed Joel D. Stevens, under-sheriff. McMullen is also known to the police by the name of Myers.

To Mr. Ross:

9132. I have resided in the city of New York some 12 years; I have been engaged for the last six years as a policeman; I am now attached to the metropolitan police, and was appointed by Thomas C. Acton. McMullen was arrested on suspicion of grand larceny—taking a man's watch and chain. He was taken before the magistrate and committed for examination, and on the examination he was discharged. I have no family, but I have always had to take care of my father and mother; they reside at 893 Second avenue. I board and room at Seneca Hall; I am detailed here from the police headquarters; I have never had any name other than Kely to my knowledge; I have never been arrested for any offence.

NEW YORK, *February 6, 1869.*

CHARLES BUDDINGTON sworn and examined.

To Mr. BLAIR:

9133. I reside 'at 15 Desbrosses street, New York. I know Peter Hussey; I had occasion to arrest him on the day of registry for attempting to register illegally. He was taken before Judge Barnard, when his papers were retained, but he was dismissed.

9134. Q. Did he make any statement before Judge Barnard?

A. Yes, sir; before the clerk.

9135. Q. What statement did he make?

A. He said there that he never had procured his first papers when he declared his intentions; that he procured this application for naturalization at the Vanderbilt House.

(Objected to by Mr. Ross as hearsay. Objection overruled.)

9136. Q. Did you take him before Judge Barnard in the first place?

A. I first conveyed him to the station-house, 5th precinct; from there before Judge Dowling, Tombs police court; I was directed from there to take him to the supreme court before Judge Barnard, by which court the papers were issued. I stated to Judge Barnard that I had arrested him on account of his papers not giving satisfaction to the board of registry as legal papers of naturalization. He was then examined before the clerk upon that subject. He turned to the clerk and said something to him. The clerk then turned to Hussey and asked him who his witness was. Hussey did not answer. I then answered and said: "Mr. Hussey says he has no witness." He then asked him again: "Who is your witness?" Hussey then repeated: "I had none." The clerk said: "Why, yes, you had." I then stated that Mr. Hussey had told me that one Barney Fagan, No. 4 Desbrosses street, gave him his papers, which he now presented, at the Vanderbilt House. The clerk then said to Mr. Hussey: "Where did you get this paper?" The paper I had handed to the clerk. He said: "At the Vanderbilt House." "Did you not come down here with it?" "Oh, yes, sir." "To whom did you give it?" "To you, sir." "Didn't you have a witness?" "No, sir." I said to the clerk: "I would like to see the record." He immediately got up and passed through behind the judge into another room. He was gone, I should think, from 20 to 30 minutes. He came back and said: "It was all right; his name is on file with the name of the witness." He did not, however, produce the record. He retained the certificate of naturaliza-

tion, and wrote a note, and enclosed it in an envelope with the certificate, to Judge Dowling. He told me to take the prisoner back to Justice Dowling with this note, and say to him that I had returned to him to have him discharge the prisoner, as he believed there was no intention of wrong. I then proceeded to the Tombs police court before Justice Dowling with the prisoner, gave him this note, which he read, and discharged the prisoner. According to the request of the clerk, he also gave me back this certificate to the supreme court, which I did return to the same clerk.

9137. Q. You state that when the clerk went out to examine the second papers he passed in the rear of the judge, through another door. Is there a room back there ?

A. There appeared to be. These papers, (purporting to be certificates of naturalization of Peter Dammann, William Kelley, and James O. Donnell, dated respectively the 9th, 12th, and 13th of October, 1868, signed by Charles E. Loew, clerk supreme court of the State of New York,) are papers that were taken from persons who came to register their names, but who did not give satisfaction to the board that they were legal. They purported to be naturalization papers, but the holder of them, according to his own confession, had never declared his intentions, and they did not deem it necessary to arrest him, as the judge would not sustain them in so doing.

To Mr. Ross :

9138. I do not know the name of the clerk with whom I had this conference. He occupied a position at the right hand of Judge Barnard, some 10 feet distant, I think. I arrested this man Hussey the first day of the registry, but it was too late to appear then before the court, and he was therefore detained until the next day at the station-house. It was 11 o'clock, I should judge, when I took him into court.

9139. Q. You say you took these naturalization papers from these men because they had not taken out their first papers ? Was there any inquiry made as to whether they had been in the army ?

A. Yes, sir. Those who had been in the army they did not object to. These men said they had not been in the army. This arrest was made in the 8th district, 5th ward.

9140. Q. Who are the election officers who presided there ?

A. John Berrigen, John McLean, and Peter Dugan. I forget the name of the fourth one.

9141. Q. You belong to the police ?

A. Yes, sir. I have been so acting for over four years. I was appointed by Mr. Acton. I was detailed by Captain Petty to look after election matters.

9142. Q. Did you take much interest in the canvass last year ?

A. No more than my official duty required.

9143. Q. Your official position requires you to take a pretty active part in politics, does it ?

A. No, sir.

9144. Q. What do you mean, then, by saying "no more than your official duty required you ?"

A. Oh, I was detailed to take notice of these things, and obey the orders of the board of registry ; and I did so, I believe. I did not electioneer in any. I voted the republican ticket. I belong to no civil or political club. The police were not, to my knowledge, called together at any time to receive instructions in relation to election matters. Different persons did the challenging at the polls. Very few were challenged. All who were entitled were allowed to vote.

NEW YORK, *February 6, 1869.*

GEORGE BLISS, jr., sworn and examined.

By Mr. BLAIR:

9145. Question. Look at these two books, (exhibiting the books presented by Samuel V. Garvin,) and state whether you have ever seen them before.

Answer. Yes, sir. I suppose I may say those books are my property. They are copies of what is known as the police census—the census taken by Mr. Kennedy. These copies were made by clerks, whom I employed to do it, at police headquarters. The 9th district book is in the hands of Mr. Salmon. The other one I cannot tell in whose handwriting it is. The last time I saw these books was before a court and jury in December.

9146. Q. They were made, then, at your request, by clerks of yours?

A. Yes, sir; gentlemen whom I employed and paid.

9147. Q. Are they in any respect public books?

A. No, sir. The blank books were paid for by the organization with which I was connected. The original blanks, and the making of them, were paid for by them through me.

9148. Q. Do you know when these books were taken away from the police headquarters?

A. They were probably taken away more than once. The last time they were taken away was the evening of the last day of the registration, I think. It was either the Friday or the Saturday evening preceding the election. I say they were taken away. I will tell you what I know about it. That night, as all the nights from that time to election, we were engaged in comparing registration with these copies of the census. About, I should think, 8 or 9 o'clock in the evening, I discovered that in the hurry of business I had forgotten to have quite a large number of them brought up from the police headquarters, where I had left them, or the office of the metropolitan board of health, which is in the same building, and I sent down three of my clerks (Mr. Dunbar, Mr. Ray, and, I think, Mr. Coffert) to get the whole lot of books, and there were brought up a very large number, which I then supposed were all that there were. On looking over the list, however, in the course of a day or two, these two books were missed. I never knew anything about them until I saw them before the grand jury in December.

9149. Q. Do you know anything about a meeting at the Fifth Avenue Hotel on or about the evening of the 30th of October?

A. There was no meeting there, as I remember it. Room 15 of that hotel was occupied by myself and the clerks, and we were there on the evening of the 30th with, probably, some 35 or 40 clerks. Mr. Kennedy and Mr. Acton were not present at that time. They were both in the hotel that evening, I think, but at an earlier hour. Mr. Acton was. I will not say that Mr. Kennedy was. He came there for the purpose of finding Judge James, as he stated. I can tell you the circumstances if you desire. I went down to police headquarters myself at an earlier period of that evening. I think it was that evening. It was Friday or Saturday.

9150. Q. Upon that evening did Mr. Acton and Mr. Kennedy go to police headquarters with some gentlemen from the Fifth Avenue Hotel?

A. On one or the other of these evenings Captain Willey had arrested a gang of alleged repeaters, eight in number, and had seized some repeaters' books. (Objected to by Mr. Ross; objection overruled.) A

writ of *habeas corpus* had been issued for the men. Mr. Acton came to the Fifth Avenue Hotel and asked if Judge James was there, saying that the *habeas corpus* had been issued. I went down in one carriage to police headquarters. Mr. Acton arrived there in another carriage just before or just after I did. This was as early as 7 o'clock in the evening.

To Mr. Ross:

9151. I saw the books referred to by me filled up some time prior to the 12th of October. Mr. Acton was at work upon the one in his hand-writing, in one of the rooms, either of the board of health or board of police. I think it was on Sunday when I saw him at work there, because he had his ordinary duties to attend to during the days of the week, and it was in the day-time when I saw him there. I should think it was the Sunday nearest the 13th of October. I have no doubt I saw other men there at work at the same time, but I cannot now name them. I was working in the interest of the republican party. I was not employed by the Union League or any other body. I have not been employed as attorney in the matter of these frauds. I declined to be employed. I stated that I would not receive any retainer for any work I did in this business.

By Mr. BLAIR:

9152. Q. You saw these books before the grand jury?

A. Yes, sir; the district attorney produced them there. The way I came to have anything to do with these books was as follows: There was a committee known as the central committee. The committee consisted of some 15 or 20 members. I was a member of that committee, and there was a committee on registration appointed, of which I was a member. The object of that committee was to prevent illegal voting.

NEW YORK, February 6, 1869.

JAMES GOLDEN sworn and examined.

To Mr. BLAIR:

9153. I reside in Greenwich, Connecticut. I will have resided there five years next spring. I regard that as my place of residence. I offered to vote in Connecticut at the last election. I got my naturalization papers in this way: I was over in Brooklyn, when I heard that any man who would go over to the City Hall could get his papers. I came over and met a man whom I took to be a Dutchman. He says: "Do you want to get your papers?" I said: "Do you know how I could get them?" "Yes," said he "give me \$2 and I will get you your papers." I gave the man \$2 and I got my papers. This man brought me up to the court. I had no witnesses there. When I was there I was told to hold up my hand, in company with others. He told us, what I took to be, "You shall be truly loyal to the United States." I was not questioned as to whether I had resided a year in New York. I was not asked where my residence was.

To Mr. Ross:

9154. I voted in Connecticut at the last election. I did not use my papers here; but I voted on them in Connecticut. I am acquainted with a good many men in New York. No man got his papers at the time I did that I knew. I do not know whether any of them knew me or not; but I suppose not. The clerk asked my name, and I then put my hand on the pen while he made a cross-mark. No paper was read over to me. I was 20 years of age, about, when I came to the United States. I will have been in the United States nine years this spring. I got my first papers at White Plains.

To Mr. BLAIR :

9155. When I was sworn before the selectmen in Greenwich, they asked me to swear to be true and loyal to the United States. They asked me to swear how long I had been a citizen of Greenwich, and I swore to four or five years next summer.

Mr. Ross moves to strike out that portion of the testimony relating to what transpired in Brooklyn, on the ground that it was outside of the case. Motion overruled.

NEW YORK, *February 6, 1869.*

PETER HUSSEY sworn and examined.

To Mr. BLAIR :

9156. I reside at No. 452 Greenwich street. I have been in this country seven years. Just before the election I applied for my first papers, and through mistake got my last papers. I got this at the Vanderbilt House. I do not know who gave it to me. I went there for it. I was arrested when I attempted to register on this paper. I was sworn before I was arrested when I went to get my last paper, but I was asked no questions. I had no witness present when I got this paper, though I took a man with me. I do not know who he was. I was sworn at the City Hall, after I got my paper at the Vanderbilt House.

To Mr. ROSS :

9157. The man who went with me to the City Hall I met at the Vanderbilt House. There were plenty of men present who knew me when I got my paper, but they might not have seen me at that time. They knew, however, that I had been in the country for five years. I do not know whether the court was in session at that time or not. The judge was on the bench. There were a good many persons sworn at the same time that I was. I made a mark on the paper at the Vanderbilt House. I had never before made any application for my first papers. The reason was I didn't care to. I was not in the army.

NEW YORK, *February 6, 1869.*

CHARLES NETTLETON sworn and examined.

To Mr. BLAIR :

9158. I reside at 338 West Thirty-fifth street. At the presidential election I was canvasser in the 15th district, 20th ward. Henry A. Childs was my democratic colleague. As soon as the books closed we had a small number of votes, and I expressed a desire to get through as soon as possible. He took quite a while to light a cigar, and talked to this one and that one. Finally the ballots were turned out upon the table and separated. I counted out 10, and handed them to him for him to count 10. Then he made objection, that counting in that way he could not certify the ballot as being correct. I expressed surprise at that, and we had quite a discussion over it. I finally told him this, that it was always the way I had been canvassing before, and it was the way it was done by everybody and everywhere. He replied : "It won't be done so to-night." We then talked quite a while. Finally we sent one of the police officers to the alderman of the ward, who was his friend, to say what he should do ; he claiming, that unless he counted name by name, he could not conscientiously certify it. I pressed him so strongly that, finally, he had the poll-clerk call off the 35 names, all of which took considerable time ; and then he took a ballot and called off the names, then another and another, so that the 35 names were

called four times through. The delay was made until just about 6½ o'clock, when he took hold and counted as rapidly as could be done. No work had really been done before that.

To Mr. ROSS :

9159. We closed our polls about sunset—4.52 o'clock—I should think. We had to count some 276 ballots in the box. I saw no disposition on the part of my colleague to cheat. He acted perfectly fair and honestly, except in the matter of the delay. There were no illegal votes polled there to my knowledge.

NEW YORK, *February 6, 1869.*

FREDERICK TICHEN sworn and examined.

To Mr. BLAIR :

9160. I reside at 462 Washington street. I did not vote at the last election. I attempted to register in the 5th ward, Desbrosses street. On the 28th of January last I was 21. I had naturalization papers to vote upon, which I got down at the City Hall. I had a witness, and was sworn. I have been in the United States not quite four years.

To Mr. ROSS :

9161. I swore, when I got my papers, that I was 21 years of age. I thought all that was required was for a man to have been in the country three years. The man who was with me swore that I was 21.

NEW YORK, *February 6, 1869.*

TERRENCE MOWNEY sworn and examined.

To Mr. BLAIR :

9162. I reside in Greenwich, Connecticut. I have resided there going on four years. I obtained my naturalization papers in the city of New York about a week before the election. [Witness produces his certificate, dated 23d October, 1868, signed, James Sweeny, clerk superior court.] I obtained that paper at the City Hall. I was not sworn, but I had to hold up my hand, and state my age, and how long I had been in the country. James Tracy was my witness. I voted last fall in Greenwich. I was registered before the selectmen of Greenwich. I was sworn, and stated there pretty nearly what I did when I got my last paper. I swore how long I had been a resident of Greenwich, and they all knew it. That was three years. I came to this country 16 years ago, but I had never taken out any papers previous to this. This paper was given to me in open court. Seven of us from Greenwich got papers in this way, all at the same time.

To Mr. ROSS :

These men all had witnesses, who had been living in this county 26 years. I have lived in New York two years. I generally came down every winter to New York. I live as much if not more here than I do in Connecticut. These other men to whom I have referred also live here a portion of their time. For the last two or three years, I have not lived more than a couple of months in New York. Last winter was the only winter I ever lived in Connecticut. I am a married man.

[Mr. Ross moved to strike out this testimony as not pertaining to the subject of election frauds, which was the subject-matter to be investigated by the committee.]

NEW YORK, *February 6, 1869.*

H. M. CLAPP sworn and examined.

By Mr. BLAIR :

I am a police officer attached to the 5th precinct of the 5th ward. I knew James Murphy. I had occasion to arrest him on the 14th of October, at 6½ o'clock p. m., for attempting to register illegally at the 8th election district, 5th ward; I took him to the station-house before the captain, who detained him until the morning, and then took him before Judge Dowling, who ordered me to take the prisoner to the superior court before Judge McCunn, where the prisoner had received his papers. I stated the circumstances to the judge. He ordered me to take the prisoner into an adjoining room. He shortly followed, and swore the prisoner. The judge said to him, "What is your name?" Said he, "James Murphy." "Where do you live?" "63 Watt street." "Where did you get this paper?" It was a full naturalization paper. He had never declared his intention. He said "I got it at the Vanderbilt House." "Who gave it to you?" "One Marshal Murphy." "What did you do with the paper then?" said the judge. "I took it down to the court the next day." "Who went with you?" "Nobody." "How did you get the paper, then?" "I got it in this room, I believe." The judge then turned to me, and said, "Officer, this man is under the influence of liquor." I told the judge it was not so; that the man had been locked up all night, and had had nothing to drink since I arrested him. "Well, then," says he, "he must be insane. You will take the prisoner back to Judge Dowling, and the paper with my compliments, and tell the judge to discharge him, and keep the paper." I returned to the Tombs police court before Justice Dowling, and delivered the message of Judge McCunn. I will state that after I got out of the superior court room, I was called back by a messenger, who stated that Judge McCunn wanted to see me. He said, "I understand you are in the habit of questioning parties who come to register." I said, "Yes, sir." He then remarked, "Don't you do it any more." I said "I will under orders." He replied, "If you do I will punish you." Said I, "Very well, I will suffer the consequences." He then said, "I will give you consequences." I then left the superior court room and went to the Tombs.

To Mr. Ross:

9165. Judge Dowling kept the paper. I have been a policeman for a year and a half; I was a shipwright before that; I have lived in the city all my life; I was appointed policeman by Benjamin Mannierre; I was not acting as one of the election board, nor did I examine those who came before the board; I merely asked them a question now and then; I was in the habit of asking questions as to the right to vote; I did so in a good many instances; I did that under the directions of Captain Jeremiah Petty; I suppose I examined about a dozen; I arrested three parties; I received the instructions of which I have spoken, verbally; I have never been convicted of any criminal offence, and have always gone by the name I now bear; I have always voted the republican ticket.

To Mr. BLAIR:

9166. John W. Blake was arrested for attempting to register illegally at the 8th election district; he had been in the State only four months, and had never got out his first papers; never declared his intentions.

NEW YORK, *February 6, 1869.*

JERRY MURPHY sworn and examined.

To Mr. BLAIR:

9167. I reside at 61 Watt street; I obtained naturalization papers previous to the election at the Vanderbilt House; I attempted to register upon those papers and was arrested by Officer Clapp; I had never obtained my first papers. After I left the Vanderbilt House, Murphy sent me, in company with another man, to the City Hall; I had never seen the man before; he did not go as a witness for me; I think I went before a judge; he asked me some questions, but I do not remember what ones.

To Mr. ROSS:

9168. I have been having fits for 15 or 16 years, and I cannot recollect anything very long; my brain has become distracted; I was sworn; I do not remember whether the man who went with me was present or not; I was taken to the Tombs and my papers taken from me.

NEW YORK, *February 6, 1869.*

JOHN BLAKE sworn and examined.

To Mr. BLAIR:

9169. I reside at 34 and 36 Desbrosses street; I have lived there since 11th of July last; I had been in the country 12 months 19th of last August; I did not vote at the last election; I offered to register, and at that time I had with me my naturalization papers; I got them at my boarding-house; I do not know whether it was the man or the woman of the house who gave them to me; I was arrested and taken to the station-house and from there to one of the courts; the judge made no remarks to me; he only asked me about the policeman in charge; he ordered me discharged.

To Mr. ROSS:

9170. I do not know who was my witness. A man went with me to the City Hall and then took the paper out of my hand and said: "You must give me a dollar for this." I told him I had no dollar. I was sworn, but I do not know whether he was sworn or not. I do not know whether it was the judge or the clerk who swore me. Some man swore five or six at the same time. There was no man there whom I knew.

NEW YORK, *February 6, 1869.*

THEODORE ALLEN sworn and examined.

To Mr. BLAIR:

9171. I reside at 93 Prince street, New York. I do not know any such man as John Fox at 81 Mercer street. I do not know anything about Peter Loftus, Thompson street; James Allen, 169 Hudson; Charles Dougherty, No. 31 Mercer, or Wm. Frost. I know John Glennon; he resides in Grand street; he is an inspector of weights and measures and has been for some time. I know James Collins; I should say he was a "loafer." I know Matthew Green, one of the proprietors of the opera-house on 14th street. Mr. Green for some months past has been confined to his bed; I think, for the past eight months. He lives in the opera-house up-stairs. I keep a public house, and a man by the name of James Goff and his brother, who were engaged in procuring naturalization certificates, used to come to my house a great deal. I saw a number of papers that were sent to Connecticut. I saw the two Goffs have 500 naturalization papers that they had sold for 50 cents apiece to send

to Connecticut. I suppose 1,000 were sent to Brooklyn that I saw them have. They contracted for these papers, they said, at 50 cents a head. They were to send them to Brooklyn and Hartford, I believe. John Glennon was an inspector on the day of election. He has always been a democrat. He lives, I think, at 56 or 58 Grand street.

To Mr. Ross:

9172. I have lived in New York for 32 years. I have had my public house about a year; I rented it for six months; I was then in the sheriff's office. Previous to that I had had it for two years; "St. Bernard" is the name of the hotel. The Goffs have always resided, I think, in Thompson street; they are kept by girls. I was married, but my wife is dead. No girls keep me, but my bank is always open when the girls come after me. I will say this, however, that while I have lived in New York for 32 years, and while I know more women than any other man, yet I never was in a whorehouse but once in my life; I have been there on business, but just to go in and come right out. Whenever any of them get arrested I am very apt to be called on to get some of them out, and I also have to help the fellows out sometimes. I associate with any one who comes in my house and takes a drink and goes out and behaves himself. I do not allow any women in my house. I am not given to gambling; I have not played a game of cards for money in four years until to-day. I voted the republican ticket last fall, but I was not in the employ of the party. I have a brother in New York named John Allen, but he is not the one known as the "wickedest man" in New York. I did not count the papers that the Goffs had, but I counted some that the police came and took out of my house when they left there; that was between 50 and 60. Goff was not stopping at my house then, but his girl lived in Thompson street. I think I saw Goff have over 4,000 naturalization papers last fall, and over 10,000 during the last three years. These papers were all signed and sealed, ready for sale. They were gotten in all the courts that issued naturalization papers. I believe Judge McCunn's court was the only one they were a little afraid of. The way they managed to get them was this: they would take 8 or 10 men and give them fictitious names, and then take them up before the judge and they would be sworn in under those names. They also got papers directly from the clerk. I think at one time they got as many as 500, and at other times as many as 100, 200, and 300, without producing any men at all. That was done during the last week. They did not have then to produce any men at all. They generally got them at night, after the court closed. They told me they got them from a clerk named McKean. A contract was made for 500 or 1,000 for Brooklyn, a certain number for Jersey, and some for Orange county. They had almost all the business that was done over here at court. I think they got 200 or 300 for Orange county. I cannot tell how many for New Jersey. I saw these papers in the Park just after they had received them. They said they got them from McKean. I do not know what court he is clerk in. I have myself seen them getting papers in all the courts. They would often have 10 or 15 men, whom they would pass through and have sworn some 20 or 30 times under different names. They could thus grind out a great deal of corn in a very little while. There are a great many other parties whom I know to have been engaged in this business, but I would rather not mention names. As it is insisted on I will name them: Patrick McCaffrey, Moran, McCay, John Norton, Dougherty, Heffron, Mitchell, and O'Brien. I know a great many others, but I cannot now recall their names. I was at the court-house about every day, and would generally

remain there from half an hour to an hour, and I would see these parties generally engaged in this business. I have sometimes known them to have as many as 400 sworn at a time, and at other times from 10 to 20.

9173. Q. Have you ever been convicted of any criminal offence?

A. I pleaded guilty to an assault and battery and received sentence of four months, and got pardoned by the governor. I was sentenced to the city prison. I remained in three months and two weeks. That was in 1859. Governor Morgan pardoned me. I was arrested at one time on the charge of defrauding recruits, but there was a *nolle prosequi* entered without a trial.

NEW YORK, February 6, 1869.

JOSEPH E. RUSSELL sworn and examined.

To Mr. BLAIR:

9174. I reside in New Haven, Connecticut. I was the assistant register of voters in the town of Greenwich. I have a list of names that were registered at Greenwich during the last election. James Golden is registered, and voted there. Terrance Mahony was also registered, and voted. The oath which these persons were required to take upon being registered by the laws of Connecticut as freemen, is, in substance, as follows: "You solemnly swear to support the Constitution of the United States and the constitution of the State of Connecticut, and when called upon to cast your vote, you shall do it without fear or favor of any man: so help you God." They have a regular form of oath which is printed in the statute.

In the first place a candidate's name is to be registered as an applicant. This list is to be posted in the town-clerk's office three weeks before the day of election. On the Monday and Saturday of the week preceding the election, all candidates who make application have to present this to be made "freemen," as they are termed. They are then sworn with regard to the statement they shall make before the court; then the questions are asked with regard to whether they are citizens of the United States, how long they have resided in the State or town, whether they are 21 years of age, and whether they can read. That is when they are made freemen. They are first sworn to answer these questions. If the answers are satisfactory, then they have administered to them what is termed the freemen's oath—that they will support the Constitution of the United States, the constitution of the State of Connecticut, and when called upon to cast their suffrage, do it without favor or fear of any man.

These persons took this preliminary oath; they stated that they had resided in Connecticut the last year; they presented their papers which were issued there by the superior court of the city of New York or the supreme court. There were two sets of papers during the day, I think, that hailed from the supreme court. I think the date of both of those papers was the 9th of October. I have an impression that the date on Golden's paper was the 6th or 16th of the month. Golden first presented himself to be made an elector either the 18th or the 19th—that is the Monday of the week preceding the election. He presented himself to be made a freeman, and I objected to his naturalization papers being received, as they were issued out of the State of Connecticut. The question was raised, and his papers were withdrawn, and he came in and was admitted, I think, upon the 19th. I made a minute, as near as I could, of those persons who registered on new naturalization papers from the city of New York. There were some 14 in our town. I believe

there was one set of papers that were issued on the 14th, but they were mostly dated on the 23d. I cannot tell whether the whole number of these persons previously lived in Connecticut; some of them had. Terrence Mahony, I think, was a recent comer. Golden I was not acquainted with at all until he presented himself before the board.

To Mr. ROSS:

9175. We do not swear every one who is registered, but we do the new voters. This list is in the hand-writing of the assistant register; I was present when it was made out; we made two copies and they were compared.

[Mr. Ross moved to strike out this testimony on the ground that it is not pertinent to the subject-matter to be investigated before this committee. Motion overruled.]

NEW YORK, *February 6, 1869.*

JOSEPH CASEY sworn and examined.

To Mr. ROSS:

9176. I reside at No. 50 James street, New York. I held no public position at the last election but that of poll-clerk; that I held in the 3d district, 4th ward. As far as I know there were no frauds upon the elective franchise in that district and ward; I was there all the time; if there had been any more votes counted on tickets put in the box than what we voted I would have known it.

To Mr. BLAIR:

9177. I remained until the close of the counting. My duty was to make a record of the names, to make tally and complete the returns; I was occupied very nearly all the time in that duty.

NEW YORK, *February 6, 1869.*

JOHN McCCLUSKY recalled.

By Mr. BLAIR:

9178. Question. You gave some testimony before the committee in Washington?

Answer. Yes, sir.

9179. Q. You stated there that you had procured certain naturalization papers and that certain gentlemen had assisted you in it. Have you now any means of verifying your statement?

A. What I stated then was true.

9180. Are any of these papers that you stated you obtained still in existence?

A. I think they are; I could not tell how many.

9181. Q. Will you go and bring them?

A. Am I obliged to go?

9182. Mr. BLAIR. Yes, sir.

WITNESS. I decline going without force; if you will send a United States marshal with me I will go and procure them, if I can find them.

Mr. BLAIR. We will send the Sergeant-at-arms with you who is an officer of the House.

WITNESS. Very well, sir, I will go with him.

[Witness then left in company of the Sergeant-at-arms for the purpose of procuring the papers.]

NEW YORK, *February 6, 1869.*

LAWRENCE BOMMER sworn and examined.

To Mr. BLAIR :

9184. I reside at No. 31 Clark street, New York. I know John Glennon. He was register in the 4th election district of the 8th ward. I know of frauds in that district. I saw Glennon take tickets out of his pocket and slip them out of his hands into the box instead of the ticket given to him to deposit. I detected him in it and after that he desisted. I know he did that some two or three times before I caught him. When I saw him do it I grabbed at his hands, and as soon as I did so he turned round, took the ticket that he had in his hands, put that into his pocket again and run out of the room, without saying a word; when he came back I had him arrested, but let him go in a few hours time on account of his begging and apologizing.

Again, when I was register in our district there came up a crowd of eight men together. When they were arrested in our ward, I made a list of them and went round to the other places where they registered, and saw those very same men enter five places and I presume get registered, and on the day of election I went to the 15th ward and saw the very selfsame men voting there.

To Mr. ROSS :

9185. I was chairman of the registry board, 4th district, 8th ward. John Glennon was one of my colleagues; John Linskey was also one; the name of the third one I do not remember. We polled 612 votes at that place. There was 650 registered. John Linskey did not see these tickets exchanged, as he was sitting at the table writing, and the table stood just behind the desk. Linskey was a republican and Glennon is a democrat. There was also another democrat on the board whose name I do not now remember.

NEW YORK, *February 6, 1869.*

A. VORHEES recalled.

By Mr. BLAIR :

9186. Question. Did you examine the naturalization index and papers in one of the courts and make a comparison in regard to the numbers contained in it?

Answer. Yes, sir; I examined the superior court in regard to these bundles that are marked. It is the last four or five days that I examined. The papers were put up into bundles and about 100 in each bundle. The last four or five days these bundles were marked on the outside. On examining those bundles, in every instance I found them correspond with the number on the outside.

9187. Q. Did you look into the index book and see whether you could find as many papers on file as there were names contained in that book?

A. On October 3d, I did. I was examining the papers. We had got down to about 13 or 14, I remember, and I was ordered to go back and commence at the beginning and take out all the papers which were witnessed by a certain individual named McCaffrey. Of course I commenced on the 3d of October; the 1st and 2d I believe had already been selected. I commenced on the 3d of October and found on the index 46 naturalizations, in which he was a witness. That was the index as made out by the clerk of the court. I went to the bundle to get those 46 papers and could find but 13 on which his name appeared as a witness, and I counted the bundle three times. The index called for 46.

That may be accounted for from the fact that the man was indexing during the time I was examining, and he might have had two or three papers himself. When I went over those bundles before, in looking at that man's name I found 43 papers which were witnessed by him. I did not look further than October 3d; when I found the papers were so widely apart in numbers, I gave it up.

To Mr. Ross:

9188. The first time I examined these papers with McCaffrey's name on, I found 43 of them, and when I came to look for the papers I found only 13.

NEW YORK, *February 6, 1869.*

DENNIS McLAUGHLIN sworn and examined, (called by Mr. Ross.)

To Mr. Ross:

9189. I was one of the election officers, last December, in the 3d district, 4th ward. I was there all day, with the exception of the time I made an arrest, when I had to go with the party. I know of no frauds being perpetrated there. If there had been any I think it is very likely I should have known it. I am republican in politics.

To Mr. BLAIR:

9190. There were some threats made, by some parties outside, against one of my colleagues. A number of persons made these threats all day, off and on. Costello, the inspector, is the one to whom I refer. It was alleged by many outside, that voters were kept back by unnecessary questions on his part, and parties came in and wanted to know why this was. Mr. Costello remarked that he was not doing anything more than performing his duty. That he was satisfied there were men registered there who were not entitled to be registered, but he had to receive them on account of their having naturalization papers, behind which he could not go. They called him all sorts of names, and said they would kick his big head off of him when he came outside. He had to be accompanied to the station-house at night by the policemen, in order to insure his safety, his life being regarded in danger. The police said it was best for me to go round with him also, and I went one block with them, then left and went on my way home unaccompanied by the police. Alderman Coman was there that day, and he made some threatening remarks against Mr. Costello—something about kicking his head off. Alderman Coman and he had some words.

To Mr. Ross:

9191. Coman insisted that Costello was keeping back the voters. Mr. Costello, when a man came up, would put questions to him, and when he was challenged would administer both oaths—the preliminary and the general oath. At this Alderman Coman took offence. I did not regard the vote as being unnecessarily retarded by his action. I presume there were some questions asked that were unnecessary. It is true that a good many men had to go away, when the polls were closed, without having had an opportunity to deposit their votes. I have no doubt that if Mr. Costello had not put so very many questions some more would have had an opportunity to vote. Eight hundred and fifty were registered, and about 750 only voted. The democratic inspector there was Peter Thurston. There were two democratic poll-clerks, which is not usual, there generally being one republican and one democrat. Mr. Johnson was one of them. If

there had been 80 more votes put in the box than what had been voted I think I would have known it. I remained until the polls were closed.

By Mr. BLAIR :

9192. Question. If 80 names had been put upon the poll-book that were not voted, would you have had any means of detecting that ?

Answer. No, sir.

9193. Q. You speak of Mr. Johnson being one of the poll-clerks ; what was his condition that day ? was there anything unusual about him ?

A. There was liquor there ; whether he had drank of it or not I could not tell. I did not observe anything that indicated that he was under the influence of liquor.

NEW YORK, *February 6, 1869.*

JOHN DILLON sworn and examined :

To Mr. BLAIR :

9194. I reside in New York city. I voted at the election of last fall. I was inspector of election in the 11th district, 6th ward.

9195. Q. State if you know anything that occurred there tending to affect the fairness of the election.

A. I know that all the police that belonged to the ward were removed ; by whose orders I could not positively swear ; but I thought that it was a very strange thing.

9196. Q. State anything else that you observed.

A. There are no more than 600 voters in that district, and there were 400 registered the first day. I was not there at that time. On that being discovered, Mr. Marshall asked me if I would go up and accept the office of inspector, as there appeared to be a great deal of fraud going on. I went up, and was appointed by Mr. Marshall. I was occupied there a day and a half, when I was removed. About 330 were registered whilst I remained. They worked very hard at first, but as soon as they discovered that I, an old resident of the ward, was there, they came with naturalization papers in their arms and in their pockets. Previous to that they had not had any. I was removed because it was reported that I had sold out to the democratic party. It was so reported in room 15, Fifth Avenue Hotel, by Mr. Marshall. It was done because it did not suit Mr. Marshall's purpose to leave me there. He wanted to play into Mr. Griswold's hands, and he could not do it. I do not remember how many were registered altogether. In one district there were no republican inspectors up to 8 o'clock on the morning of the election. We sent two gentlemen up there who offered to be challengers in the ward without any pay, but no one was appointed. There was no challenger at all in the 11th district on the republican side. The whole police force of the 6th ward were changed. Captain Jordan could make the change, but not without authority, I suppose. I know of no reason why this was done. The necessary effect of this change of police would be to facilitate frauds in the election.

To Mr. ROSS :

9197. At the time I acted as register I was living as much in Brooklyn as I was in New York ; as much in New York as I was in Brooklyn. I call New York my home. My family sometimes reside in Brooklyn and sometimes in New York. They were in Brooklyn at the time of the last election. In the fall they were living in the same house in which we have been living for the last 10 or 12 years. I sleep part of the time in Brooklyn and part of the time in New York. I voted in Brooklyn. I

suppose that might more properly be called my home. The commissioner has charge of the police, I presume, in this place, but I think Mr. Marshall has had the most charge. I could not say whether he was instrumental in having these policemen of the 6th ward removed, or not. I was present during the second day of registry, and part of the third. There were 320 registered the first day, and 18 the second. I think 407 had been registered before I got there. I could not tell as regards any fraudulent votes having been polled there. Personally I know of none. I did not act during election day. I could not say positively that I, of my own knowledge, know of any one being illegally registered at that place. I was born in the city and county of New York. I am now a clerk for Samuel Chapter. He is not doing any particular business just now; he has some real estate for sale; he was formerly a brewer. He lives at Pleasantville, Westchester county. I have been clerking for him for over a year. He commenced doing business at Nos. 8 and 10 Centre street, in this city, a year last January. I get paid my salary whenever I see proper to call for it. I sometimes call once a week, and sometimes two or three times a week, just as I happen to need it. Previous to going with Mr. Chapter I was in the lumber business, and had contracts with the government during the war. I have never been convicted of any criminal offence. I never was in the penitentiary.

NEW YORK, *February 6, 1869.*



AUGUST BROWNING sworn and examined.

To Mr. BLAIR:

9198. I reside at No. 2 Watt street, city New York. I know James and Patrick Goff. James Goff's character is that of a professional thief; he does nothing but steal; he has been arrested several times on that charge. I know John Glennon; he goes also by the name of Jack Squint; I know him better by that name than the other. I arrested James Goff myself on the 25th of October. I arrested Patrick Goff about seven or eight years ago.

To Mr. ROSS:

9199. James Goff was arrested for stealing a gold watch and chain and two diamond rings; he was put under \$1,500 bail.

NEW YORK, *February 6, 1869.*

THEODORE TAYLOR sworn and examined.

To Mr. BLAIR:

9200. I live at No. 207 East Eighty-fourth street. I am studying law with my uncle, Judge Russell. John McClusky I know, and have for a long time; I have known him so as to know who he was; for the last two or three years I have known him as a clerk for the city judge. I assisted last fall in filling up naturalization papers just the same as I would write any paper for the office; I had no knowledge of what the papers were. McClusky gave me a list of names of persons to fill in, and told me to take any I liked. I always wrote in my natural hand; I believe I signed papers with a mark in one or two cases; he told me I had better do that. I know Mr. Edward Ritter; he was a clerk there, and was also engaged with McClusky in filling up these papers; I suppose I assisted in filling up about 50 or 75.

To Mr. ROSS:

9201. I now believe these papers which I assisted in getting up were fraudulent, but I did not know anything about that then. I never thought it was wrong to write a man's name and put a cross to it with-

out his being there directing me to do so; I, of course, know it is wrong to forge a man's name. I believe I signed the man's name to these papers as a general thing—that is, I wrote the names, and I believe Mr. Ritter and Mr. McClusky signed them; I am not positive whether I signed any names to the papers or not. I am not aware of the fact whether Judge Russell knew I was engaged in this business or not; of course he saw me writing, but I do not know whether he knew what I was writing; I did it in my office. Ritter wrote some in my office and some in his own room; he had a private room. I am in my 19th year. I did not assist in taking the papers into court; I do not know whether they ever went into court or not. I have no political preferences myself. I commenced filling up these papers about three or four weeks before the election took place. I do not know where Ritter is.

NEW YORK, *February 6, 1869.*

JOHN MCCLUSKY recalled.

9202. Witness appears and produces eight of the papers about which he testified. All, with the exception of two, which were dated the 23d of October, were found to be of the date of the 21st of October, and all were issued from the supreme court and signed by Charles E. Loew, with the seal of the court thereon. Those of the 21st, are of the names of Patrick Fogarty, Dennis Quinn, Patrick Gilroy, William O. Donnell, James Eghert, and Michael Dooley. Those dated the 23d are in the names of Aaron Levy and Moses Levy.

9203. Q. State whether or not you procured these papers in the manner you have previously stated in your testimony before the committee?

A. Yes, sir.

9204. Q. These are part of the papers that you obtained in the manner you have previously stated in your testimony before the committee at Washington?

A. Yes, sir.

9205. Q. How did it happen that you did not use these eight?

A. I did not find anybody to give them to, I suppose.

NEW YORK, *February 6, 1869.*

GEORGE H. DUNBAR sworn and examined.

To Mr. BLAIR:

9206. I reside at No. 17 West Houston street, New York city. On the night of the 30th of November, between 10 and 11 o'clock, I was sent by Colonel Bliss to police headquarters with Mr. Ray and another young man to get the police census records; they were taken there to compare with the registers which we had at room 15 Fifth Avenue Hotel, to see whether these parties that had been registered actually lived at the numbers assigned to them in the different streets. We went to police headquarters and got the books; we took all the books there were in that room and took them to the Fifth Avenue Hotel; I stood at the carriage door until I saw every one taken into the Fifth Avenue Hotel, as I supposed, and if the hackman took two of them—put two under his coat—it was without my knowledge; I thought I was very careful to see every book go into the hack and see that every book was taken out. I was working there night and day for almost two weeks.

9207. Q. You intended to have all the books there?

A. Yes, sir. We had no way of knowing whether all the books were taken from the police office, because we did not take any account of them.

9208. Q. State whether the books were similar to those you see here. [Copies of Police Census shown witness.]

A. Yes, sir; I examined a great many of them; I had partial charge of the office most of the time for about two weeks, and they were similar to these.

By Mr. Ross:

9209. Q. Did you take the books from police headquarters that had been returned there by the registers?

A. No, sir; all we took were books similar to those that are here; they are copies of books that are required to be kept by the police authorities as census books, as I understand it.

9210. Q. Did not you have the other books there—the books that were returned by the registers? Are these the books made by the registers?

A. No, sir; these are the books made by the police authorities; the books that the registers used were issued and were to be returned to room 15, Fifth Avenue Hotel, or supposed to be returned there—that is, the books taken by the registers of the city.

9211. Q. That night, when you had these books there, those register books were there also, were they?

A. No, sir; they were all at room 15, or supposed to have been there.

9212. Q. There was another class of books that you took there that night.

A. Yes, sir; what we call "police books," that we examined. We examined these books with the registers. The register of a certain district of a certain ward would bring in his book as registering so many names, and such and such a day we would examine this police book as being a census of that ward and district, and we would check where we found them to be correct.

9213. Q. Who took these original registry books to the Fifth Avenue Hotel?

A. The registers themselves brought them there, and reported them there themselves.

9214. Q. Were they instructed to bring them there?

A. I cannot say; I presume they were.

9215. Q. How long were you at the Fifth Avenue Hotel that night?

A. I was there, sir, until about 3 o'clock the next morning.

9216. Q. How many were engaged in comparing these police books with the original register books that were there?

A. I suppose there were upwards of 20.

9217. Q. Do you know about how many of the original register books were there?

A. I could not tell you that.

9218. Q. How did they compare when you came to make the comparison?

A. I found a great many which were at fault; we found a great many had been registered whose names did not appear on the police books. We supposed the police books to be the correct ones, and that the books of the registry of the city were erroneous—that they had too many names on them.

9219. Q. What was this room, No. 15 Fifth Avenue Hotel, used for at that time?

A. It was the headquarters for the city central committee of the republican party.

9220. Q. How long were those original registry books kept there at those republican headquarters?

A. The first register books were brought in; they were examined and were returned to each and every register before the time of registry, so that they should have them ready the moment they should commence registering, on Saturday, at 3 o'clock in the morning; and I was from then until 10 o'clock in the morning returning the books that had not been called for.

9221. Q. You say other parties had those registry books besides those at these headquarters of the republican committee?

A. I did not say that any other parties had them. There were three or four places where they were to be called for by parties from our headquarters at a certain time to take them off, and to take all that were left to those places. Those places I could not designate.

By Mr. BLAIR :

9222. Q. You have been stating that the original registry books were brought to the Fifth Avenue Hotel; is that so?

A. Yes, sir.

9223. Q. Were they not copies?

A. No, sir.

9224. Q. Were not they brought there under a circular that had been issued expressly requiring them to bring copies, and were not these all copies, and are they not now in the possession of the committee that brought them there?

A. If they were copies, why should they be returned to the registers?

9225. I ask you simply if it was not the fact that these were copies of the registry that were brought to the Fifth Avenue Hotel under the directions of the republican central committee, under a circular sent to the registers?

A. I think you are right; I think they were—excuse me—as Charles A. Gray, who was a register for the 1st district and 1st ward, and the 3d district and 1st ward, had the register which he kept, and I made a copy of it and sent it up there myself, before I had anything to do with the place at all. They therefore must have been all copies, but they were returned.

By Mr. ROSS :

9226. Q. You did send them back to the registers?

A. Yes, sir.

9227. Q. So as to have them the time the election came off?

A. No, sir; so that they might add to them the names of those registering the last days of registration. I was mistaken, as I now remember, in thinking them originals; they were only copies.

9228. They are the same ones that they used at the election that you had there?

A. They used their registers, I suppose; there were three or four copies taken. These we had were copies.

9229. Q. Did you help to make those books?

A. No, sir; I helped to examine them.

NEW YORK, February 6, 1869.

DAVID CROWLEY sworn and examined.

To Mr. BLAIR :

9230. I have recently been to the county clerk's office for the purpose of ascertaining whether the papers called for by the committee were to be produced this evening. I went over there at 10 minutes past six, and I found the doors and shutters closed, and could not see any lights or any inside.

NEW YORK, *February 6, 1869.*

CHARLES S. STRONG sworn and examined.

By Mr. BLAIR :

9231. Question. Where do you reside ?

Answer. I reside at 223 Henry street, in the city of New York.

9232. Q. Have you prepared tables showing the vote of the sixth ward for a series of years ?

A. I have in my possession tables showing the vote of the sixth ward from 1856 to 1868 inclusive.

9233. Q. From what sources did you compile those tables ?

A. From the Tribune Almanac; 1868 was, I think, taken from the Transfer, the official paper. (Witness produces the tables referred to.) They are as follows :

Vote of 6th ward from 1856 to 1868, inclusive, (from Tribune Almanac.)

9233a. PRESIDENT—1856.

Buchanan, (democrat)	2, 357
Frémont, (republican)	294
Fillmore, (neutral)	229
Total	2, 880

9233b. MAYOR—1857.

Tiemann, (democrat, endorsed by republicans)	495
Wood, (democrat, regular)	2, 401
Total	2, 896

NOTE.—Tiemann was a democrat. The actual strength of parties is better shown by the vote for governor of almshouse, viz :

Deugro, (regular democrat)	2, 443
Smith, (republican)	340
Wagner, (American)	91
Total	2, 874

9233c. GOVERNOR—1858.

Morgan, (republican)	282
Parker, (democrat, regular)	2, 265
Burrows, (American)	27
Gerrit Smith, (abolition)	1
Total	2, 575

9234. MAYOR—1859.

Opdyke, (republican)	153
Wood, (Mozart democrat)	1, 110
Havermeyer, (Tammany democrat)	1, 340
Total	2, 603

9235. PRESIDENT—1860.

Lincoln, (republican)	397
Fusion ticket.....	2,827
Total.....	3,224

NOTE.—The fusion ticket was the invention of James Brooks. A set of presidential electors were nominated with the understanding they were to vote for Bell, Breckinridge, or Douglas, as might be determined by a majority of them, but against Lincoln, any way.

9236. MAYOR—1861.

Opdyke, (republican)	255
Gunther, (Tammany democrat)	1,717
Wood, (Mozart democrat).....	860
Total.....	2,832

Compare these :

9237. 1862, Governor (not given by wards.)

COMPTROLLER.—DECEMBER, 1862.

Hawes, (republican)	138
M. T. Brennan, (democrat)	3,014
Total.....	3,152

CONGRESS—NOVEMBER, 1862.

Walbridge, (republican and war democrat)	448
Ben. Wood, (Tammany and Mozart).....	1,891
Total.....	2,339

NOTE.—Increase at charter election over congressional, 813. Brennan lives in this ward; he is now police commissioner.

9238. MAYOR—1863.

Blunt, (republican*)	200
Gunther, (opposition democrat).....	726
Borle, (Tammany democrat)	1,509
Total.....	2,435

9239. 1864, President—vote by wards not given.

* Blunt was exceptionally popular with the democrats, being a supervisor. The contest was between the two democrats, both of whom were men of experience, and watched each other's canvass. Probably the vote was more nearly honest than ever before or since.

CONGRESS—1864.

Bryant, (republican)	71
Morgan Jones, (Tammany democrat)	2,846
Walsh, (Mozart democrat)	687
Total	3,604

GOVERNOR—1864.

Fenton, (republican)	347
Seymour, (democrat)	3,434
Total	3,781

9250. MAYOR—1865.

Roberts, (republican)	312
Hoffman, (Tammany democrat)	1,669
Gunther, (opposition democrat)	147
Hecker, (opposition democrat)	361
Total	2,489

9242. GOVERNOR—1866.

Fenton, (republican)	207
Hoffman, (democrat)	3,254
Total	3,461

9242. State officers, 1867:

SECRETARY OF STATE.

McKean, (republican)	186
Nelson, (democrat)	3,300
Total	3,486

9243. STATE SENATOR.

Leggett, (republican)	47
William M. Ward, (Tammany democrat)	1,983
Kerrigan, (opposition democrat)	1,209
Total	3,239

9244. In 1867 the democrats expected to and did carry the State. The vote was largely fraudulent; desperate efforts were made to win, in order to get the State officers, who were to constitute the State board of canvassers in 1868.

9245. 1868—from official canvass:

PRESIDENT.

Grant, highest number	403
Seymour, highest number	4,998
Total	<u>5,401</u>

GOVERNOR.

Griswold, (republican)	369
Hoffman, (democrat)	5,032
Scattering	2
Total	<u>5,403</u>

NEW YORK, *February 6, 1869.*

JAMES DUNPHY sworn and examined, (called at the instance of Mr. Ross.)

By Mr. Ross:

9246. Question. Where do you reside?

Answer. No. 19 Vandewater street.

9247. Q. What position did you hold at the presidential election last fall?

A. I was canvasser in the 3d election district of the 4th ward.

9248. Q. Who was your colleague?

A. William Peck, I think.

9249. Q. State if you gave your attention to the canvassing of the votes at that poll.

A. Yes, sir, both of us did.

9250. Q. State whether your associate canvasser was drunk or sober.

A. Sober, I think, sir.

9251. Q. State whether there was concurrence and unity of action in reference to the canvass of the votes.

A. There was some difficulty in regard to the manner of counting the vote.

9252. Q. In what way?

A. Well, we of course agreed to count the electoral vote first. We then took the votes out of the box, and then proceeded to count the tickets to see if they tallied with the number on the books of the poll clerks. We then divided the tickets, putting the democratic on one side and the republican on another. My associate then said "you commence first as you have got the biggest pile." I then opened a ticket and began reading off the names on it, thirty-three in number I think. My colleague protested against that method of doing the business, and said "if you are going to do that way we won't get through in two days." I replied "I don't care, I am going to count the votes that way if we never get through." He then said that "he had only got leave of absence till midnight, and that the way I was counting the votes was not the right, or usual way." He was a Metropolitan fireman and that is why he would have to leave at midnight. I insisted upon counting my way, and told him that was the way I was going to count them. I then went on and read off some ten tickets, which took some three quarters of an

hour or so when he said "I won't count no more in that way." I said very well, and sat down. We sat there then until nearly eleven o'clock because we could not agree. He would not listen to my tally nor I to his. The captain of police in that ward came in and heard his account of the difficulty, and told him not to do anything. He also sent for Mr. Leask, who is a kind of a head man in the republican party in that neighborhood, and Leask told him to stand on his oars, and not to do anything if I insisted in counting in my way, but stick it out. At eleven o'clock we commenced to count the tickets in the usual way.

9253. Q. What do you mean by the usual way?

A. Why, I counted out my tickets, and every time I counted ten I would pass them to him, and he would see that there was ten in the package, and that there was no gouging.

9254. Q. State if you cheated at all in the canvassing.

A. I could not cheat him at all—not a vote. He was very precise. I suppose he was sent there because he was a good canvasser. I have been a canvasser a good many years. I am pretty near certain I did not take a vote from him, and I know he did not take one from me.

9255. Q. If you know of any unfairness in the canvass of the votes in that district that night state it.

A. I don't know of any.

9256. Q. I will get you to state if you put in eighty-five or any other number of votes into that canvass that were not voted?

A. No, sir; how could I put them in? our count tallied with the poll-books.

9257. Q. Could any one else have done it?

A. I don't know how they could.

9258. Q. You was the democratic canvasser, so-called?

A. Yes, sir.

9259. Q. You say you put no tickets into the boxes that were not voted?

A. No, sir; I don't know how it could have been done. There was no one, I think, behind the table except the police.

9260. Q. Do you know Henry Johnson?

A. Only from acting with him on two election days. I know he is a pretty good drinker.

9261. Q. Was he drunk that day?

A. I should say he was.

By Mr. BLAIR:

9262. Q. You say you and your associate canvasser sat there and did nothing until 11 o'clock at night and then you commenced counting the votes in the usual way?

A. Yes, sir.

9263. Q. What was the usual way?

A. To take the tickets and look at the endorsement, see that the names were correct and no scratches on the tickets, then to put them up by tens and pass them to my associate; then he would look at them and see that they were all right and put them one side.

9264. Q. Why did you not count that way at first?

A. To delay the count.

9265. Q. Why did you wish to delay the count?

A. So that the vote of the city might not be got at to be sent through the State before 12 o'clock.

9266. Q. Had you any such instructions?

A. Yes, sir.

9267. Q. Who from ?

A. No one in particular.

9268. Q. Who from, I ask you, did you receive such instructions ?

A. From our ward canvassers ?

9269. Q. From who ?

A. Well, we all got together ourselves and made up our minds to do that way.

9270. Q. Who got together and arrived at that decision ?

A. The canvassers in our ward.

9271. Q. Republican or democratic canvassers ?

A. The democratic canvassers in our ward. I brought them together myself.

9272. Q. You called the meeting ?

A. Well, it was no meeting ; we happened to meet, that was all.

9273. Q. All the democratic canvassers were present from your ward—the 4th ward ?

A. All except one.

9274. Q. And you all agreed not to permit the counting of the votes to go on until a late hour ?

A. We agreed that we would count the tickets, but in such a way that it would take some hours to do it ; that we would read over every name on every ticket.

9275. Q. Who do you say called that meeting of officers ?

A. There was no call for a meeting.

9276. Q. Where did you meet ?

A. Where we were folding tickets.

9277. Q. Who first made the proposition to so count the votes as to delay the result being known ?

A. I did, sir.

9278. Q. Had you received instructions from any one so to do ?

A. Directions to that effect, of course.

9279. Q. Who from ?

A. Well, not directions, but it was supposed to be that. It was understood that was to be the arrangement in the different wards.

9280. Q. Who gave you those instructions in the first place ?

A. My alderman gave them to me.

9281. Q. Who is he—his name ?

A. Alderman Thomas Coman.

9282. Q. Acting mayor of the city subsequently ?

A. Yes, sir.

9283. Q. Did he tell you where he derived his authority to so instruct you ?

A. No, sir.

9284. Q. Do you know whether those instructions came from any democratic committee ?

A. Not positively.

9285. Q. Were you so informed ?

A. I don't know where they came from positively.

9286. Q. What did Alderman Coman tell you ?

A. He told me to count the vote, but to read every name on the electoral ticket every time.

9287. Q. Why did he say you was to do this ?

A. I have already explained.

9288. Q. He gave you the reason which you have stated to this committee ?

A. Yes, sir ; to delay the canvass so that our vote in the city could not

be known in the State until after theirs was received here. Previously, I believe, they heard from us before we did from them.

9289. Q. You were then to delay your canvass in the city so that the vote in the State should be counted before yours?

A. Yes, sir; or, perhaps, at the same time, but so that we should hear from them first.

By Mr. ROSS:

9290. Q. What was the reason, you say, for this action?

A. It was our impression that if we sent our returns into the State they would overcome our majority.

By Mr. BLAIR:

9291. Q. Were you present at Tammany Hall on the Sunday before election?

A. No, sir.

NEW YORK, *February 6, 1869.*

JOHN H. McCUNN recalled at the instance of Mr. Ross.

By Mr. ROSS:

9292. Question. State if you are acquainted with Hiram M. Clapp?

Answer. I don't know him at all, sir.

9293. Q. State if you recollect a police officer bringing a man before you named James Murphy?

A. There was but one occasion when a police officer brought a man before me; it must have been that man. Yes, it seems to me that the officer's name was Clapp. He was a sandy-haired man. I recollect that he brought a man before me in a beastly state of intoxication. He was sent by Judge Dowling to me, as a man who said he had false papers.

9294. Q. State if you made any threats of punishing this police officer?

A. Some one, I think, followed them to my court and complained to me that this police officer was preventing legal voters from getting in their votes. I told them that if Mr. Clapp or any other man attempted to prevent legal voters casting their ballots I would punish him. I am inclined to think the officer was a fair man, but extreme in his way.

9295. Q. I would ask you if you ever attended Judge Barnard's court when it was in session for naturalization purposes?

A. I was there once.

9296. Q. State as to your observation of the manner in which he conducted business.

A. As far as I saw, the business of naturalization was conducted fairly and honorably by Judge Barnard.

9297. Q. Do you know John McClusky?

A. I know a man by the name of McClusky who was an officer in the court of general sessions, over which I had the honor at the time to preside, but I don't know much about him.

9298. Q. Are you acquainted with his reputation?

A. I don't know much about him; I declare I don't.

9299. Q. Are you acquainted with his reputation for truth and veracity?

A. I don't think I am sufficiently acquainted with him to say anything about him. I don't think you ought to call on me to say anything about—; really, Mr. Ross, I don't know much about him; upon my word, I don't know anything—

By Mr. BLAIR:

9300. Q. In what capacity was Mr. McClusky about the court of general sessions?

A. He was first clerk to City Judge Russell.

9301. Q. Was he not your clerk at any time?

A. O, yes, sir—I think for three years, but I did not know anything about him. I appointed him at the request of the late John Clancy and Judge Brennan of this city. Really you are asking me, now, very delicate questions.

By Mr. ROSS:

9302. Q. How did he come to get out of your employ?

A. I was elevated to the superior court bench, and Judge Russell was chosen city judge.

The sub committee adjourned *sine die*, Mr. Ross protesting against such adjournment.

The following testimony was taken by the full committee, in Washington, D. C.:

WASHINGTON, *Saturday, February 13, 1869.*

JOHN I. DAVENPORT recalled and examined.

By the CHAIRMAN:

9303. Question. Will you present to the committee a copy of the letter sent by the chairman to Charles E. Loew, county clerk of New York, with the telegrams subsequently received from and sent to him during this week?

Mr. Davenport read the following:

HOUSE OF REPRESENTATIVES,
Washington, D. C., February 9, 1869.

9304. DEAR SIR: At a meeting of the select committee on alleged election frauds in New York, held this day, the subject of your refusal to produce before the sub-committee in New York on Saturday last the applications for naturalization on file in your office for the days of October 21 and 23, 1868, was considered, and before taking any final measures I was directed to request your immediate appearance before this committee in this city with said applications.

Respectfully, &c.,

WM. LAWRENCE,
Chairman Committee.

CHAS. E. LOEW, Esq.,
County Clerk of New York.

[Telegram.]

NEW YORK, *February 10, 1869.*

To Judge LAWRENCE,
Chairman Committee, &c., House Representatives:

9305. Called at the Astor House on Monday morning; found committee adjourned. When do they return to New York?

CHAS. E. LOEW,
County Clerk's Office.

[Telegram.]

WASHINGTON, *February 10, 1869—2.30 p. m.*

To CHAS. E. LOEW, *County Clerk, New York:*

9306. Will you come here as requested? Answer.

WM. LAWRENCE,
Chairman Committee.

[Telegram]

NEW YORK, *February 11, 1869.*

To Judge WM. LAWRENCE,
Chairman Committee, House Representatives :

9307. Your letter dated 9th, bearing postmark of 10th, has only just been received. That and telegram came to me same time. I did not and will not refuse to produce papers, but I am not permitted to bring county records away from the State. Is it me you want, or the papers? I will come on at once, if you wish. Please answer.

CHARLES E. LOEW,
County Clerk's Office.

[Telegram]

WASHINGTON, *February 11, 1869—4.20 p. m.*

To CHARLES E. LOEW, *County Clerk, New York :*

9308. Please answer: do you intend to come and bring the papers here as requested, or do you refuse?

WM. LAWRENCE,
Chairman Committee.

[Telegram.]

NEW YORK, *February 12, —.*

Hon. WM. LAWRENCE, *House Representatives, Washington :*

9309. I consider our telegrams probably crossed each other on the way. Have you not received mine? If you have, is it not an answer to yours?

CHARLES E. LOEW.

[Telegram.]

WASHINGTON, *February 12, 1869.*

To CHARLES E. LOEW, *County Clerk, New York :*

9310. I consider your answer a refusal to come here and bring the papers.

WM. LAWRENCE,
Chairman Committee.

[Telegram.]

NEW YORK, *February 13, 1869.*

To Hon. WM. LAWRENCE,
Chairman, House of Representatives :

9311. The telegram directed by you to county clerk was received and opened by me, Mr. Loew having left town last night on a prior engagement.

HENRY A. GUMBLETON.

9312. Q. State if you saw the applications for naturalization in the office of the county clerk—being the office of the clerk of the supreme court of New York city—purporting to be applications for October last; and if so, in what condition they were.

A. A day or two before the committee left New York, which was the 14th of January, 1869, the chairman of the committee, Mr. Ross, and myself, went from the room in the United States court building where the committee were sitting to the superior court clerk's office, and from there to the supreme court clerk's office, or rather to the office of the county clerk, who is *ex officio* clerk of the supreme court. We saw there Mr. Gumbleton, the deputy in charge of the office, and requested to see the naturalization applications for the month of October, 1868. Mr. Gumbleton threw open the doors of a book-case and said that they were all there. Judge Lawrence asked him particularly, "Mr. Gumbleton, when we were here before, it was stated that some of the papers were in a safe in another room; are they now all here, and are these all the papers which were issued in October, 1868?" Mr. Gumbleton replied that they were, and that the papers of each day were by themselves.

WASHINGTON, *February 13, 1869.*

HOWARD T. MARSTON recalled and examined.

By the CHAIRMAN:

9313. Question. State if you examined the applications for naturalization for the month of October last, on file in the office of the clerk of the supreme court of New York city; and if so, when and in what condition the applications for each day were found.

Answer. I examined the applications made between the 8th and 23d of October, 1868. They were brought to me by one of the clerks, with one or two exceptions, which I noted in my original minutes, and have written off this morning; each day's applications were by themselves—that is to say, they would come, perhaps, in one or two bundles, but we had them assorted and the applications of each day arranged by themselves. That examination commenced about the 6th of January last, and continued about two weeks. I do not recollect the precise length of time; I could tell by looking over these papers. On the 5th of January, 1869, I examined what purported to be all the applications for naturalization which were put on file on the 9th of October, 1868; on the 6th of January I examined what purported to be all the applications for naturalization filed on the 10th of October, 1868; on the 7th of January, 1869, I examined what purported to be all the papers for the 13th of October, 1868; on the 8th of January, 1869, I examined additional applications of the 8th, 9th, 10th and 13th of October, 1868, which were given me after I had begun the examination of the applications for the 15th of October. With these exceptions the papers were all given to me assorted for each day, except upon one occasion, when the papers of two days—I don't remember which—were mixed, and when I and Mr. Murphy, the clerk who had charge of the papers, assorted the papers. The clerk generally handed the applications to me for each day, so that I could make the examination for each day separately, but the papers were put up by Mr. Murphy. I know nothing about their condition. I only know how they were given to me.

9314. Q. State if Mr. Murphy took the papers from you in the same order in which he had given them to you—that is, each day's by themselves.

A. Yes; I examined the papers, and handed them to him. He put them up for each day in one bundle, and I went away.

By Mr. KERR:

9315. Q. Have you been in the city of Washington ever since you were examined by the committee before ?

A. Yes.

9316. Q. Have you been in the service of the committee ?

A. I do not know whether I have been or not. I have been at work upon the evidence which has been taken before this committee.

9317. Q. What have you been doing with the evidence ?

A. I have been indexing it.

9318. Q. Have you been doing anything else with it ?

A. I do not think I have done anything else. The correction I believe has been done by somebody else. In my indexing I may have made a correction of a name or two.

9319. Q. Have you been making a brief or synopsis ?

A. I have been making an index so as to be able to refer to any particular part.

9320. Q. Have you been aiding the committee in preparing their reports ?

A. No ; unless that is aiding them.

9321. Q. State whether any one not connected with this committee has ever examined the index and made use of it.

A. No ; it has not been out of my hands.

9322. Q. Who employed you to do this ?

A. I am employed in New York by the committee of the Union League club, of which I am not a member.

9323. Q. Who furnished you the evidence which has been taken before the committee, and which you have been at work upon ?

A. Mr. Davenport and I may have received some from Judge Lawrence, though I do not think I have.

9324. Q. When did you get the printed testimony ?

A. I have had it some time. I have been at work upon it a few days.

9325. Q. A week or two, have you had the evidence ?

A. I think I have had a part of it that time.

9326. Q. Have you done this under your employment by the League ?

A. I do not know how that is.

9327. Q. State if you have communicated the evidence or any part of it to anybody.

A. To no person that I am aware of ; I should know it if I had.

9328. Q. Have you not sent a copy of it to the League in New York ?

A. No, I have not.

9329. Q. Don't you know that copies of it have been sent there ?

A. No, I do not.

WASHINGTON, *February* 13, 1869.

JOHN I. DAVENPORT recalled.

9330. I employed Mr. Marston to assist me in making an analytical index of the testimony.

By Mr. KERR:

9331. Q. Did you employ Marston to do what he is doing upon this evidence for the committee ?

A. I employed him to aid me as the clerk of the committee ; *i. e.*, doing work which I was authorized and instructed to do by the chairman of the committee.

9332. Q. Did you employ him for the committee ?

A. I employed him to do work which I was instructed to do by the chairman.

9333. Q. Did you employ him to aid the committee in that work ?

A. No; to aid me as clerk of the committee.

9334. Q. Did you tell him you employed him by direction of the committee or of any member of it ?

A. No.

9335. Q. Did you so employ him ?

A. No.

9336. Q. Did you tell him he would be paid by the committee for his services ?

A. No; he understands that he can draw on me for his services.

9337. Q. By whom is he paid ?

A. By me.

9338. Q. By whom are you paid ?

A. I suppose by the committee for my services as clerk.

9339. Q. Do you expect to be paid by the committee also for what you do by his aid ?

A. I suppose his pay will come out of me primarily, and very probable ultimately. If I can get it out of any one else I shall certainly so do.

9340. Q. Is it your expectation that the money you pay him will come out of your own funds and never be repaid by anybody else ?

A. My expectation is if I can get it from any one else I shall do so. If I can get it from the funds of the sub-committee of the Union League club I shall get it from them. I do not expect that this committee will pay it, for I have never been able to get it to pay anything as yet for clerks or expenses.

9341. Q. Then Marston is in no sense acting for the committee ?

A. He is acting for me. When I arrived here I came alone, or rather Mr. Glassey came with me. Judge Lawrence gave me his views of what he desired done. He wished everything pertaining to naturalization cut from the evidence, and all assorted as to the different courts and the different counties; everything as to the frauds practiced, and as to the mode and manner of naturalization in the different courts pasted together, and an analytical index prepared in addition to the index giving the names of the witnesses and other matters, which I could not do between now and the first of May.

9342. Q. Do all these classes of evidence go into the final report of the committee with the evidence, or is it for the private use of the chairman ?

A. I understand it is for the use of the chairman in the preparation of the report of the committee, and to be published with the testimony, so far as the index is concerned, and a large table of errata of both typographical and other errors.

9343. Q. This classification of evidence is not to be printed with the report ?

A. No, I do not understand that it is to be printed with the report. Of course, some clippings are to be inserted. Finding, after I arrived here, that Mr. Marston was obliged to come on, I told him after his arrival to remain and assist me; I did this because, for the time that I have known him, I have found him very reliable. I have, until within a few days, kept the evidence all in my room and he has worked upon it there; but for the last few days I have allowed him to take such portions of the evidence as he was working upon and needed to his own room, and he has been engaged upon it there under my direction, and more or less under my eye.

9344. Q. Has this been done with the approval of the chairman? Did you communicate to the chairman the fact?

A. I communicated to the chairman the fact that Marston was at work upon this analytical index, in order that I might devote my time more especially to aiding him and the committee in other matters connected with the preparation of the report.

9345. Q. Have you any reason to believe that he has communicated this evidence to anybody else?

A. I have no reason to believe that he has communicated it. I have reason to believe that he has not. Certainly, he has not taken copies away.

By the CHAIRMAN:

9346. Q. Will you state what was said to Mr. Loew about the adjournment of the committee on the last Saturday, when he was summoned to appear before the committee with the naturalization papers?

A. My understanding and belief is that he was informed by Governor Blair that the committee would leave that night, and after he left the committee-room, and about 4 o'clock, Mr. Plumb—who testified in New York that he had charge of the records in the county clerk's office—came and called me out and asked me what papers the committee wanted. I told him it was stated in the subpoena, and that they were the papers for the 21st and 23d of October. He said that Mr. Loew had directed him to get them and bring them before the committee, and he desired to know how long the committee would remain in session. I told him until about 5, and then from half past 6 to about 8 o'clock; he said he would bring the papers over.

WASHINGTON, D. C., February 17, 1869.

CHARLES E. LOEW recalled and examined.

By the CHAIRMAN:

9347. Question. State if you are ready to produce to the committee the applications for naturalization made to the supreme court of the State of New York, in the city of New York, on the 21st and 23d of October last.

Answer. I will state that I have been and am ready to answer any question that the committee may see fit to put to me; that I always have been and am now.

9348. The CHAIRMAN. Please answer the question put to you.

A. I will state in answer to that question that I always have been, am now, and will be ready to obey any order, request, or subpoena of this committee, where it is in my power to obey; that in obedience to the request made by the chairman of the committee to me by letter, I asked the justices of the supreme court of the first judicial district for a permit to produce the applications for naturalization, under date of 21st and 23d October, before this committee at Washington. That application I made in writing to the supreme court, and is as follows:

To the supreme court of the first judicial district:

9349. The undersigned, clerk of the court, has been requested by a committee of the House of Representatives to bring to Washington certain original records of the court. He is advised by counsel that he has no such custody of them as would justify him in taking them out of the State of New York.

The undersigned is informed and believes that a majority of the committee intend to arrest him for contempt if he does not take the records out of the State to Washington. He is this morning in receipt of the following telegram from Washington:

WASHINGTON, February 11.

CHARLES E. LOEW, County Clerk New York:

Please answer: Do you intend to come and bring the papers here, as requested, or do you refuse?

WILLIAM LAWRENCE,
Chairman Committee.

The undersigned has nothing to suggest to the court upon the policy or impolicy, legality, or illegality, of taking court records out of the State, and submits the matter to the judgment of the court, whose records they are, and who alone, as he is advised, have the power in the premises—if power resides anywhere—to take the records off of file.

The undersigned informs the court that the said committee had a session in this city of a protracted nature; that he was repeatedly before it, and that it, by its agents, made a thorough search of all the papers in his office, which he allowed out of county, and which lasted for two weeks, during which time the agents of the committee had opportunity to make memoranda or copies of all the papers that they desired to.

The undersigned further says as matters of fact, that the records which he is asked to take out of the State and remove to Washington are at least 1,360 in number, and concern the muniments of title to political, civil, and property rights of 1,360 citizens of this State,

CHAS. E. LOEW, Clerk, &c.

NEW YORK, February 12, 1869.

In answer to this application, I received from the court a unanimous opinion, disallowing the application, which reads as follows:

NEW YORK, February 15, 1869.

9350. An application having been made to us by the clerk of this court for direction as to his authority to take the records of the court out of the State, in obedience to a writ of subpoena *duces tecum*, served upon him from a committee of the House of Representatives, we are of opinion that the act of the legislature of this State passed March 29, 1838, prohibits the clerk from removing from his office any record whereof a transcript can be read in evidence, and that he cannot even temporarily remove such record to the court without a special order of the court therefor; we further state, as our opinion, that the clerk has no authority to remove such records to Washington.

T. W. CLERKE,
D. P. INGRAHAM,
JOHN SUTHERLAND,
GEORGE G. BARNARD,
ALBERT CARDOZO.

A copy:

CHAS. E. LOEW, *Secretary*.

Upon that decision of the supreme court, I of course have no authority to remove the records of that court, they not being in my custody.

9351. Q. You decline then to produce the papers asked for?

A. I do not decline; I have not the authority; they are not in my custody, and I cannot produce them.

9352. Q. Do you not as clerk of that court have custody of its files and records?

A. As clerk of the court those records are in my office, but I have no custody of them authorizing me to take them out.

9353. Q. You have charge of them?

A. Simply the supervision of them, to allow people to examine them.

9354. Q. Does anybody else have the custody of them but yourself?

A. The justices have the custody of them.

9355. Q. Do the justices have charge of the rooms in which they are kept?

A. They have direction as to how the rooms shall be kept; I do not know what you mean by having charge of the rooms; they have entire charge so far as directing how they shall be kept and everything else about them.

By Mr. DAWES:

9356. Q. Were the papers mentioned in your subpoena in your office when the subpoena was served on you?

A. They were in the clerk's office of the supreme court.

9357. Q. And you are the clerk?

A. I am the clerk.

9358. Q. Do you decline to bring them here in obedience to that subpoena?

A. I say again that in obedience to the order of this committee I am willing to do anything in my power.

9359. Q. Do you say yes or no to my question, no matter what your reason may be ?

A. I say I have no custody of those papers and cannot bring them.

9360. Q. That is not the question put to you ; please answer directly.

A. I cannot bring them because I have not custody of them.

9361. Q. Do you decline to bring them ; will you answer that question ?

A. I am answering the question as best I can ; I cannot bring papers that I have not the custody of.

9362. Q. Will you answer the question ?

A. Under the decision of the supreme court I cannot bring them.

9363. Q. My question is whether you decline to bring them ?

A. I have no custody of them ; I do not see how I can answer the question otherwise than I have done.

Mr. Kerr objected to any further answer to the question being required of the witness.

The committee decided to require a direct answer.

WITNESS. I suppose, then, I may say what is really the fact, that I decline to bring the papers because I have not the custody of them.

9364. Q. Have you any other ground for saying that you have not the custody of them than that which you have already stated to the committee ?

A. Yes ; I have also the ground that if I had the custody of them and were to bring them it would be in violation of the official oath that I have taken, such an act being forbidden by the law.

By the CHAIRMAN :

9365. Q. Do you, or not, know that the records referred to are so made under the authority of an act of Congress, and that State laws have nothing to do with them ?

A. I have never examined the laws in that regard.

9366. Q. Are you, as one of the officers of the court, the custodian of its records ?

A. I am an officer of the supreme court, and the custodian of the records, subject to their control.

9367. Q. On the 20th of December last I presented to you a communication in New York, of that date, that you stated you would present to the supreme court and ask their order on it authorizing you to produce before the committee the naturalization records referred to. Did you present that communication to the court ?

A. The application I made to the court was prior to the time you asked me to present it ; I sent the application you gave me to the judges of the court, as requested by you, but never received any order upon that.

9368. Q. By direction of the resolution that passed the House of Representatives after the committee left New York, and by authority of the committee, I directed Mr. Glassey to make a list of the names of persons naturalized in October in the supreme court, with a list of the names of the witnesses and the residences of the applicants and the witnesses. Will you permit him to make those lists ?

A. I certainly gave that permission to the committee before, and am willing to give the order again and to do anything that will facilitate them in their investigation.

9369. Q. Do you know that the necessity for the production of those naturalization papers before the committee grows out of testimony received after the committee left New York ?

A. I certainly do not know anything about that.

9370. Q. State if you have been served with a subpoena here requiring you to produce those naturalization papers before this committee?

A. I will state that I was served, at half-past 6 last evening, with a subpoena to be at the chamber of the committee Thursday, February 18, 1869, at the hour of 10 o'clock a. m., with certain papers and records called for.

9371. Q. If further time be allowed you will you produce the papers?

A. I can only state again that I have no custody of the papers. I could not say that I could bring them, even if further time were allowed, unless the supreme court were to make an order to allow me to bring them, or put them in my custody so that I could bring them.

By Mr. DAWES:

9372. Q. Were you served with a subpoena in New York to produce those same papers before the committee, at their room, No. 32 Astor House, New York, on the 6th of February, 1869?

A. In answer to that question I would say that on last Saturday a week ago, at a quarter past 3, I was served with a subpoena to produce certain records before a sub-committee of this committee, at room No. 32 Astor House. I called at the committee-room to see the committee, not having the papers in the first place because it was not in accordance with the law for me to take them out of the office, and I called to ask the committee to come to the office or send an examiner. Governor Blair told me he wanted the papers, and I finally said I would send my clerk with them, which was satisfactory as far as I understood; and I went over to my office and directed my clerk, Edward M. Plumb, to take them over to the committee-room, and I thereupon left my office. The clerk subsequently reported that he could not select them out in time, but went with them on the Monday morning following and found the committee had adjourned. I beg to say that I have always tried to do anything the committee have ever asked from me in any way or form, and I am ready to continue to do so.

By the CHAIRMAN:

9373. Q. Do you know whether the papers were produced before the committee?

A. Of my own knowledge I cannot say.

9374. Q. Do you know whether any steps were taken by your clerk to obey your order?

A. I gave him the direction, and he never has disobeyed my order. When I came down on Monday morning I asked him if he had taken them to the committee. He told me that he had seen the clerk of the committee, Mr. Davenport, and informed him that he did not think he could get ready to take them over on Saturday evening. Before I came down on Monday morning he had been to the Astor House with the papers and found the committee had adjourned. I sent him back again a second time to see about it.

9375. Q. Were you not informed on Saturday that the committee would leave on Saturday night?

A. I was not; I had no knowledge of that kind.

By Mr. KERR:

9376. Q. Did you send any telegram on the 12th of February to me on the subject about which you have testified?

A. I believe I did.

9377. Q. Look at the telegram now shown you and say if it is the one you caused to be sent to me.

A. That is the telegram I caused to be sent to you.

It is as follows:

9378. [Telegram, dated New York, February 12, 1869—received at House of Representatives February 12, 1869.]

Hon. Mr. KERR, M. C.,
House of Representatives, Washington:

Was subpoenaed Saturday afternoon at a quarter after 3 o'clock to bring about 1,500 papers forthwith before the committee. I attended and offered to let the committee come or send to look at them immediately. They were so distributed on file that it was impossible to collect them before Monday morning. On Monday morning my clerk attended at the place of committee meeting with the papers, but found, to his surprise, that the committee had gone. I am now ordered by telegram of Judge Lawrence to bring them to Washington. I cannot take them out of the State without leave of the court whose records they are. I have just submitted the matter to the judges. If they allow me to bring them I will bring them. I am ready to answer any possible question, and have offered to produce any record in my office before the committee in the city of New York.

CHARLES E. LOEW, *County Clerk.*

9379. Q. State whether the application made to the justices of that court about which you have testified is the one to which you referred in the telegram.

A. Yes, sir; the same one.

9380. Q. And whether the order of the court that you have read was made on that application.

A. It was.

9381. Q. State if you know why it was not possible for Mr. Plum to comply with the directions you gave him to furnish the papers on that Saturday evening.

A. The reason of it was that when the committee desired the applications for naturalization they were arranged in alphabetical order and had to be taken out according to dates. After they had been counted and the information that the committee desired given, they were again arranged in alphabetical order without regard to date, so that the applications for the two days specified had again to be collected from the whole list.

9382. Q. Do you know how long it would take the clerk to do that?

A. I do not personally; I know it would be a pretty hard job.

9383. Q. Do you know for what purpose they were put back into alphabetical order?

A. So that any paper wanted could be more easily selected according to the name.

9384. Q. When were they put into alphabetical order?

A. After the gentlemen of the committee were through with the papers, as we supposed.

By the CHAIRMAN:

9385. Q. Is the record or list of names of those who were naturalized in October complete in the record-book?

A. It has not and could not be done; we had so many things to do for this committee.

9386. Q. Has a portion of that index or list of names been made up?

A. I do not know; I have not paid much attention to that; I do not know how far they have gone, or what they have done with it.

WASHINGTON, D. C., *February 17, 1869.*

EDWARD M. PLUM recalled and examined.

By Mr. KERR:

9387. Q. State to the committee whether on Saturday, the 6th of February, at any time during that day, you were directed by Mr. Loew, the

clerk of the supreme court of New York, for the city and county, to get up and take to a sub-committee of this committee, then in session in New York, any papers; and if so, which.

A. On that Saturday afternoon, between the hours of three and four, I was directed by Mr. Loew to produce before this committee certain naturalization papers of the 21st and 23d of October last.

9388. Q. Did you comply with that direction?

A. I did not comply with that direction myself. At the time the order was given me, I thought it would be impossible to produce them that afternoon, knowing they had been arranged in alphabetical order since the committee left New York. Mr. Loew stated to me that I must produce them, and left me. I said to him, "Very well." It was then about 20 minutes of four. I went to work at the papers, and seeing that it was impossible to get them done before 4 o'clock, not knowing how long the committee was going to stay, on my own responsibility I went over to the committee and saw Mr. Davenport, the clerk of the committee, at the door. I said to him that it would be impossible for me to produce the papers at that time, and asked him how long they would hold their session. He replied until 6 o'clock that evening. I then went back with the intention of producing the papers that evening, and commenced to take from the various letters, as they had been arranged, the applications made on the 21st and 23d of October. I worked at them until after 5 o'clock, and considering it impossible to complete the job, I deferred further work until next day. On Sunday morning I came down to the office and worked until I had completed them, after 4 o'clock Sunday afternoon. On Monday morning, when Mr. Loew arrived at the office, I told him I had been unable to get the papers ready Saturday evening, and had prepared them on Sunday, and that they were then ready. He told me to take them to the committee. I did take them over to the Astor House, and was informed by a gentleman at the office that the committee had left Saturday evening. I asked him to give me their whereabouts. He said they did not state whether they were going to Washington, and did not know whether they were still in the city of New York or not. I brought the papers back to the office, and they are there still.

By Mr. DAWES :

9389. Q. When Mr. Loew gave you the order on Saturday afternoon, did he tell you what papers he wanted you to produce?

A. I think he stated the naturalization applications of the 21st and the 23d of October. I am not positive as to that. These dates have been used so often since that I cannot say positively whether he stated them; I think he did.

9390. Q. When you appeared at the committee-room did you not ask what papers were wanted?

A. I did ask Mr. Davenport what papers he wanted. He said those papers from the 21st and the 23d. He was very busy at the time arranging for the other witnesses to enter the room, and I could not have the conversation or make the explanation at length as I desired to.

By the CHAIRMAN :

9391. Q. Did you have a portion of the papers selected out so that you could have presented that portion of them to the committee before six o'clock of the afternoon of that day?

A. I did select a portion of the papers.

9392. Q. Were you not informed by Mr. Davenport and by Governor

Blair that the committee would leave New York for Washington at 8.40 that evening?

A. By no one; I had no idea in the world that the committee was not going to remain there for a considerable time, otherwise I should not have deferred until Monday morning before calling on them again. I will state that after Mr. Loew gave me those directions I had no opportunity of consulting with him until Monday morning, and when I returned to the office Saturday evening all the clerks had left.

WASHINGTON, D. C., *February 18, 1869.*

JOHN I. DAVENPORT, (recalled.)

To the CHAIRMAN:

9393. I would present to the committee the copy of a telegram which I wrote on February 12th last, and to which I procured the signature of the chairman and caused to be sent to Samuel J. Glassey, New York, respecting a count of blank certificates of naturalization now on hand for the supreme court. It is as follows:

9394.

WASHINGTON, D. C., *February 12, 1869.*

To SAMUEL J. GLASSEY, 8 *Pine street, New York:*

Deliver the following message to Loew, and you are appointed to see count correctly made. Show him this as your authority, and make same request of Sweeney, for which this is like authority.

To CHARLES E. LOEW, *County Clerk New York, or his deputy:*

The committee request you to have counted at once, and certify to them, the number of blank applications and certificates of naturalization now on hand for the supreme court.

WM. LAWRENCE,
Chairman Committee.

9395. I was informed in reply that Mr. Gumbleton, the assistant deputy county clerk, to whom the telegram was shown—Mr. Loew, the clerk, being absent—reported that it would take some time to make such count. Thereupon on the 16th I sent a despatch, a copy of which I present to the committee, and which reads:

9396.

WASHINGTON, D. C., *February 16, 1869.*

C. S. STRONG, (care John I. Davenport,)

Rooms 27 and 28 No. 7 Murray Street, New York:

We want count to go on in supreme court, but only of certificates. Show to Loew and Gumbleton. Preparation of lists must be begun at once.

JOHN I. DAVENPORT,
Clerk Select Committee of Congress on New York Election Frauds.

9397. In compliance with the above I this morning received by mail from New York the following certificate:

9398.

COUNTY CLERK'S OFFICE, NEW COUNTY COURT HOUSE,
New York, February 17, 1869.

I, Henry A. Gumbleton, assistant deputy county clerk, do certify that I find, after counting the same, *one thousand eight hundred and sixty-two* blank certificates of naturalization in this office.

HENRY A. GUMBLETON,
Assistant Deputy.

WASHINGTON, D. C., *February 18, 1869.*

CHARLES E. LOEW recalled.

By the CHAIRMAN:

9399. Q. Is this certificate which I present you, and just given the committee by Mr. Davenport, in the handwriting of Mr. Henry A. Gum-

bleton, an assistant deputy of yours as county clerk of New York, and *ex officio* clerk of the supreme court ?

A. It is, sir.

9400. Q. Please so certify in writing, at the foot thereof.

The witness then wrote at the bottom of said certificate, and under the signature of Mr. Gumbleton, the following :

9401 I certify that Henry A. Gumbleton is assistant deputy county clerk, and that the foregoing is in his handwriting.

CHAS. E. LOEW,
County Clerk.

WASHINGTON, February 18, 1869.

WASHINGTON, D. C., February 22, 1869.

9402. John I. Davenport was recalled, and testified that he had in his possession and now produced the original paper presented to the committee by Adam Gillespie, stating the number of naturalizations in the superior court in New York each year, from 1856 to 1868, inclusive; that said paper was printed in the evidence as No. 7207, and was throughout in the handwriting of Joseph Meeks, the deputy clerk of the superior court, and was signed officially "Joseph Meeks, deputy clerk superior court," and certified that the number of naturalizations in that court in 1868 was 27,897, the precise number previously testified to by Owen E. Westlake, the clerk who was directed to make a count thereof.

WASHINGTON, February 24, 1869.

JOHN H. BELL recalled.

By Mr. BLAIR :

9403. Question. When you were examined at Middletown you were asked this question: "I ask you if you have delivered any papers [meaning naturalization papers] to anybody?" You answered then: "I do not know as I am obliged to answer any such question at all." I then put the question "Will you answer?" You said "No." I now repeat the question: "I ask you if you have delivered any papers to anybody?"

Answer. Yes, sir.

9404. Q. State, if you please, to whom.

A. I think his name was Patrick Kron.

9405. Q. Did you deliver any papers to any other person?

A. No, sir.

9406. Q. Where did you obtain the paper delivered to Patrick Kron?

A. I got it in the City Hall. He came in the store and said he was a poor man; that he had been down after his paper and got it, and by some means or other the clerk had made a mistake and misspelled his name. He asked me if I would take it down and get one spelled right. I went to the City Hall, where I supposed the court was; a gentleman stood at the door; I told him of the mistake, and I asked him if I could get it corrected from Krone, as they had misspelled his name, to Kron. He said it could not be done in less than an hour and a half; I told him I could not wait an hour and a half, but I told that I could come back about three o'clock. He said they would have it ready then. About three o'clock I went back there; he stood by the door; I asked him for that paper, if it was ready. He said it was. He took it out of his pocket and handed it to me. I read it over to see if the same clerk had issued it that did the previous one. The first one was signed by Sweeny. This one had the same name on it. I took the paper home and gave it to Kron.

9407. Q. Who was this person whom you saw at the door?

A. I did not know him.

9408. Q. Do you know his name?

A. No; I have never seen him since, and never saw him before. He seemed to be an active man at the door; I took it for granted that he was the doorkeeper.

9409. Q. Could you get in at the door?

A. I could not get in at the door myself.

9410. Q. How came you to take the paper back?

A. My impression was that it would be the quickest way.

9411. Q. Had you been directed by anybody as to how you should proceed?

A. I had received directions from nobody as to how to proceed. I supposed, of course, if I took it back to the clerk and stated what the difficulty was, there could be another given in place of it.

9412. Q. Did you pay anything for this?

A. I was thinking whether I did or not. I hardly think I paid him anything. I do not recollect for certain.

9413. Q. In what court was this done?

A. In the City Hall.

9414. Q. You say the paper was signed by Sweeny?

A. I think it was by "Sweeny, clerk."

9415. Q. Did you receive back the paper you delivered there?

A. I received back another paper, I think. The name had not been changed. I looked at it to see and am positive that the name had not been changed, but I received a new paper with the name correctly spelled.

9416. Q. What was that paper?

A. It was a naturalization paper; a certificate having the seal of the court and the signature of the clerk.

9417. Q. When was that?

A. I think it was two or three days after the first registry day, because he had gone to have his name registered to vote, and then he had been told of the mistake. I think it was in October, 1868.

9418. Q. Do you know of any other naturalization papers being procured for people in your neighborhood, from New York, in the month of October?

A. I will state exactly how it was. When he handed me this paper he handed me a little package to take to Middletown; I opened it when I got home. I saw it was a few naturalization papers—not less than five or more than ten. I went up to our desk, a public desk. I saw a little package containing about two or three papers directed "Scotchtown." That night we had a club meeting up-stairs. I said to some of our boys, some man has sent up a little package for Scotchtown; if they want it they can get it during the night. Somebody took it away; that is all I know about naturalization papers.

9419. Q. Who was the person who took away the package?

A. I do not recollect. There were two or three hundred persons at the club meeting. I paid no particular attention to it.

9420. Q. Who gave you this package of naturalization papers?

A. This doorkeeper at the City Hall in New York city; the same man who had changed the paper for me.

9421. Q. Do you remember any of the names contained in the naturalization papers brought from New York?

A. I do not; because I only looked at one or two, merely to see what they were.

9422. Q. Did he tell you where to take them?

A. He only told me to take them up to Middletown.

9423. Q. Did he give you directions what to do with them?

A. He gave me no directions what to do with them. I took it for granted that they were papers going to somebody there who had been down to the city.

9424. Q. Do you know the way in which those papers came to be granted to persons in Middletown?

A. I do not. I do not know that they were for people in Middletown.

9425. Q. Do you know what became of the balance of the papers besides what you sent to Scotchtown?

A. I do not; they were all taken away.

9426. Q. Was this package addressed to anybody on the outside?

A. No; there were two or three in the package which were marked "Scotchtown."

9427. Q. You remembered all these things when you refused to answer at Middletown?

A. Yes.

9428. Q. Do you know of any other naturalization frauds being attempted to be practiced during that fall?

A. No.

By the CHAIRMAN:

9429. Q. You say you had a meeting of the club; what club?

A. The democratic club.

9430. Q. Where was it held?

A. It was held over our store in Middletown. I should have answered your question at Middletown, but somehow we got a bad start. We did not happen to agree, and the consequence was, all this trouble came up. I am very sorry myself; I could just as well have answered you then as now.

By Mr. BLAIR:

9431. Q. Was there any meeting of your political friends to consult about this matter before you came with the sergeant-at-arms?

A. There was no meeting and not a word was said to me. I thought our boys did not show me a great deal of respect. No man called on me.

By Mr. HOPKINS:

9432. Q. Whom did you tell you had some naturalization papers that you had brought up from New York?

A. I told you I did not recollect. I stepped up to the meeting, and I said to the boys that some papers were at my desk.

9433. Q. You don't know what boys went down to get them?

A. There were something like three hundred out that night. I do not know who took them.

9434. Q. When you went down from the meeting they were gone?

A. Yes, sir.

By Mr. ROSS:

9435. Q. You lived in Middletown?

A. Yes.

9436. Q. Do you know what time Governor Blair commenced taking testimony that morning?

A. Yes; it was one or two o'clock p. m., on Monday.

9437. Q. Do you know of witnesses being ordered by the democrats to attend there to prove frauds?

A. Yes; there were some subpoenaed.

9438. Q. Do you know whether they were heard?

A. I think Governor Blair adjourned about the time they were to appear.

9439. Q. About how many, so far as you know, were subpoenaed to appear before the committee?

A. Some five or six.

9440. Q. What time did he adjourn?

A. I think it was somewhere about seven o'clock, as near as I can recollect.

9441. Q. About what time of the day were you before the committee?

A. It must have been somewhere about four or five o'clock, as near as I can remember.

9442. Q. State who were accompanying Governor Blair—whether any other member of the committee was with him?

A. There was no other member with him. I guess nobody was with him.

9443. Q. Was General Van Wyck with him?

A. He was there; but not in the room at all. I met him at the door as I was going up, and he ordered the doorkeeper to open the door for me.

9444. Q. Was he in the room himself with Governor Blair?

A. I do not think he was while I was there.

9445. Q. Did he have an ante-room at the head of the stairs?

A. He did.

9446. Q. What direction did he give to the doorkeeper?

A. To pass me in where Governor Blair was.

9447. Q. Was General Van Wyck in consultation with the witnesses there at that time?

A. He seemed to be in general consultation there with all that came in.

9448. Q. If you know anything further pertinent to the matter of examination there you can state it.

A. I was going to state to Governor Blair what I knew of some men getting papers there, which he did not want me to state. That was what made a little difference of opinion, and made me say that I would not answer any more questions. I wanted to state that there was a man there by the name of Patrick Terrill who received his papers at the Brewery. He came to me before he received any papers at all, to consult with me whether or no he had better get the papers.

9449. Q. What further do you know about it?

A. I told him to get the papers.

Mr. Blair objected to the further statement of conversation.

9450. Q. Did Governor Blair refuse to take testimony implicating the republican party in frauds?

A. He objected to taking it—so I understood.

Mr. Blair objected to the witness making statements on hearsay, and remarked that it was for the same reason that he had objected to taking the testimony spoken of at the time; that it was hearsay.

WITNESS. No; I think I positively knew it. I do not positively want to swear to it; but I know it, as a great many men know things to be true.

Mr. LAWRENCE. Do you propose to take things under oath that you are not willing to swear to?

WITNESS. I was telling what I knew, as we know a great many things from the statements of others.

By Mr. ROSS:

9451. Q. Did you suggest or propose to Governor Blair the names

of witnesses by whom it could be proved that the republican party had been guilty of a violation of the election law ?

A. Yes; I took a paper out of my pocket, and told him I would give him the names of the persons, if he would subpoena them, by whom he could find out directly where they got their papers.

9452. Q. Implicating the republican party directly in fraud ?

A. Yes.

9453. Q. Did he evince any disposition to follow the men ?

A. No; he did not. He told me he did not want to see anything of them.

9454. Q. State now whether you are satisfied that you could then or could now furnish evidence showing the republican party guilty of frauds in the election in the State of New York last November ?

Mr. Lawrence objected to the witness answering the question, as it was as to what he believed about it.

The question was taken, "Shall the question be put to the witness," and decided in the negative.

So the question was overruled. The question was decided by a vote of the committee, to be put in the following form :

By Mr. DAWES :

9455. Q. Have you any fact, within your knowledge, that goes to show that the republican party, in the State of New York at the last election, committed any fraud ?

A. If I saw a person pay a man for his vote at the polls, change his ticket openly and hand it up, would you consider that a fraud ?

9456. Q. State what fact you know.

A. I saw a man by the name of Joseph Crawford change a man's ticket, and pay him a \$5 bill to take and put in a republican ticket.

9457. Q. In what place ?

A. In Middletown.

9458. Q. Do you know the name of the man whose ticket was changed ?

A. His name was John Kane.

9459. Q. Do you know any other fact ?

A. I did not see any others with my own eyes.

9460. Q. Is this all you know about Crawford which you have testified to now ?

A. I know that he changed Kane's ticket, as I stood close to the ballot-box. The voters came round in a circle, and as he was raising his hand to put up his ticket, Crawford took his ticket out of his hand and put in a republican ticket, and he put it in the ballot-box.

9461. Q. Do you know what ticket he had in his hand ?

A. A democratic ticket.

9462. Q. How do you know ?

A. I saw it.

9463. Q. What time did you see it ?

A. I do not think it could have been three minutes before he voted.

9464. Q. Did you see the man all the time before he voted ?

A. He stood so far ahead of me. (Three or four feet.)

9465. Q. How do you know that Crawford gave him a republican ticket ?

A. He would not be very apt to give him a democratic ticket.

9466. Q. Do you know that he gave him a republican ticket ?

A. I could not swear to it.

By Mr. ROSS :

9467. Q. Tell, as near as you can, how many witnesses there were summoned for the purpose of proving fraud upon the election at Mid-

dletown, perpetrated by the republican party at the last November election, who were in attendance and were not heard by Governor Blair.

A. Somewhere about four or five.

9468. Q. Do you know of these witnesses and others being subpoenaed and going on the cars to another town, Goshen, to give testimony before the committee, and Governor Blair going to another place and not coming there?

A. I do not know anything about the committee. I know the men did not go, because they were told not to go.

9469. Q. By whom?

A. By Mr. Sweet and by John G. Wilton.

9470. Q. Who were they?

A. Sweet acts with the republican party; Wilton is collector of our district.

9471. Q. What are the politics of the man you mentioned as taking a democratic ticket out of the hands of an elector and putting in another ticket with a \$5 bill.

A. He was a republican.

9472. Q. State anything further which you know about election frauds, either by voters or by illegal naturalization papers, in New York last fall.

A. I know about this Terrel. He brought me a paper and showed it to me, and said—

Mr. Blair objected to the witness stating what another man had said.

WITNESS. He went and brought me the paper and showed it to me. He came to consult with me whether he had better get it, (a naturalization paper.)

9473. Q. Do you know where and how he got his paper?

A. He said Sweet had sent it to The Brewery.

Mr. BLAIR. All you know is what a man told you—that Sweet had sent word to him?

A. Yes.

9474. Q. I desire you to state, if you can, how many men were in waiting to testify in relation to frauds perpetrated at the November election in New York at the time Governor Blair adjourned the committee at Middletown.

A. I saw about two at John G. Wilton's office, who came in about the time the committee went out. I am satisfied if Governor Blair had staid there 10 minutes one of them would have sworn positively that he got his papers at The Brewery—a republican establishment.

By Mr. KERR:

9475. Q. Do you know of any other person procuring fraudulent naturalization papers from the republican headquarters termed The Brewery, in that town?

A. Edward Southwell got one there.

9476. Q. Do you know of any other?

A. No.

9477. Q. Do you know of any other frauds practiced by the republicans or anybody else upon the election?

A. It is a pretty hard matter to talk about these election frauds. You go to the polls and see every man interested, with his pockets full of money, handing it out. It is a pretty hard matter to keep track of.

9478. Q. Do you know of money being used other than what you said was used by the republican party to control the elective franchise last fall in your place?

A. As I said before, I did not see any republican hand out money under my eye, except what I have stated. The evidence was what I have heard and what I believed by the condition of men.

9479. Q. How do you know that Southwell got his paper at The Brewery?

A. I think he has sworn to it.

9480. Q. I ask you how you know it?

A. By what he says. I do not pretend to say I saw him get it.

9481. Q. Were you present at the committee-room when the committee adjourned on Monday?

A. No; you did not allow anybody in.

9482. Q. Where were you?

A. About 150 feet from you.

9483. Q. Where?

A. On the street.

9484. Q. You were not in the building at all at the time?

A. No; I was not.

9485. Q. Do you know whether any conversation took place between me and the certificate member of Congress, Green, as to the adjournment?

A. No.

9486. Q. Do you know whether Green stated that he would be willing that the committee should adjourn, and he would bring such witnesses as he wanted from Middletown to Goshen?

A. No.

9487. Q. Did you know that Green was in attendance during the day while the committee sat at Middletown?

A. No; only from what he said. I saw him there in town.

9488. Do you know whether he had subpoenas for his witnesses?

A. He said he had a few.

By Mr. DAWES:

9489. Q. Did you go to Goshen?

A. No.

9490. Q. What knowledge have you, then, of anybody's going to Goshen and not finding a committee there?

A. I did not say so.

9491. Q. Have you any knowledge of the committee meeting at Goshen?

A. No.

9492. Q. Did you hear Sweet tell anybody not to go to Goshen?

A. No.

9493. Q. Why did you state, then, that Sweet told anybody not to go to Goshen?

A. I said that a man told me that Sweet said so to him.

9494. Q. All you know about men being notified not to go to Goshen is what you heard from other people?

A. What men told me themselves, as I said. I asked them why they did not go. They said they were told not to go; who told them I do not know.

By Mr. ROSS:

9495. Q. Did General Van Wyck make any threats or statement to you or to others in relation to your having to be brought down here?

A. He did not tell me anything about it.

By Mr. HOPKINS:

9496. Q. You say you advised Terrel to go to The Brewery and get his naturalization papers?

A. I did.

9497. Q. Did he go ?

A. He brought back his papers.

9498. Q. Did you see the papers ?

A. Yes.

9499. Q. From what court were they issued ?

A. From the supreme court of New York city.

9500. Q. What clerk signed it ?

A. I do not think I could tell.

9501. Q. Do you know whether this man Terrel had ever been to New York to procure the papers ?

A. He said he had not.

9502. Q. What are the politics of this man Terrel ?

A. Well, it's a pretty hard matter to tell. He did not vote at all. He said he was going to vote the democratic ticket.

By Mr. ROSS :

9503. Q. Did you see the locality of the ante-room occupied by General Van Wyck in connection with Governor Blair when he was taking the testimony ?

(Question objected to and waived.)

9504. Q. State how these rooms were situated that were occupied by General Van Wyck and Governor Blair.

A. General Van Wyck had a room on one side of the hall and Governor Blair had a room on the other side.

9505. Q. Did the witnesses go in there and consult with General Van Wyck before they went in to give their testimony to Governor Blair ?

A. All the witnesses were sent in there first, I think, while I was there.

9506. Q. Did General Van Wyck profess to exercise any jurisdiction over the door as to who should go in ?

A. I cannot say, because I did not stay any longer than to just go in.

9507. Q. He directed the doorkeeper to let you in ?

A. Yes.

9508. Q. Does General Van Wyck live at Middletown ?

A. Yes.

9509. Q. Does he live in that building where the testimony was being taken ?

A. Nobody lives in that building. It is occupied by lawyers' offices and stores.

9510. Q. Did General Van Wyck have an office of his own there ?

A. I do not think he had.

By Mr. BLAIR :

9511. Q. Did you say that all the witnesses saw General Van Wyck when they came in ?

A. I said, I think they did. When I came there General Van Wyck was at the door.

By the CHAIRMAN :

9512. Q. Do you know Christian Bercult ?

A. No, I do not.

9513. Q. Did you ever have a certificate of naturalization ?

A. No.

9514. Q. Did you keep a list of names at your store of persons to be naturalized ?

A. No. Near the fall election, the boys generally kept in there a list of who had got their papers.

9515. Q. Mr. Ross has asked you about money being raised at the election; do you know of any being raised?

A. Nothing more than to pay our little expenses for the use of our hall, lights, and such things as that.

9516. Q. Do you know of a man by the name of Joseph Johnson, a colored man?

A. Yes.

9517. Q. What is the name of his father-in-law, another colored man?

A. I do not recollect.

9518. Q. James Gale, is it?

A. There is a colored man there by the name of James Gale.

9519. Q. Do you know what property, if any, James Gale owns in Middletown?

A. I do not, of my own knowledge?

9520. Q. Do you know what his politics are?

A. I could not say that.

WASHINGTON, February 24, 1869.

DAVID W. REEVE sworn and examined.

By Mr. BLAIR:

9521. Question. Where do you reside?

Answer. At Wayawanda, Orange county, New York.

9522. Q. Were you subpoenaed to attend before the committee when it was sitting at Middletown?

A. It appears that the committee understood so. I did not understand so.

9523. Q. Who subpoenaed you?

A. There was a young man by the name of Weed came to me, and said he had a subpoena for me.

9524. Q. Did he show it to you?

A. I do not recollect whether he opened it or not.

9525. Q. Did you read it?

A. I did not.

9526. Q. Did you inquire of him as to what it contained?

A. I did.

9527. Q. State what you asked him, and what he said to you.

A. He said to me that he had a subpoena for me. I said, "What?" He said for an investigation. He did not say where. He said it was an investigation that was going on. I said to him, "Who pays my witness' fees?" He said, "I have not any money." "Well," said I, "I believe a witness is entitled to his fees before he is obliged to go." He said, "You make out your bill against the government." I said to him, "Make out a bill against the government for \$1 or \$1 25! That would be a very small thing; they would not notice it at all." It wanted then about 10 minutes of 3 o'clock. I said to him, "I do not know anything about any committee of the kind; I had heard nothing about it." I stated, further, that I had not time to stay, if I could possibly help it; that I went away pretty early in the morning on some business, and my farm business (I was selling milk) required me here pretty early in the afternoon to take my milk away. I stepped into a store to get some feed. He said, "What do you think about coming down?" I said, "I do not know; I will think about it; if I have time I will come down." He went away. I went into a saloon and got an oyster stew. He came in there and laid down a paper on the end of the counter. He said, "Will you take this paper?" I said to him, "What is this for?" He said, "It is a subpoena." "Odell

Weed," said I, "I consider myself entitled to a fee before I am subpoenaed as a witness." He turned around and walked out; I was about through eating my oyster stew; I got up and walked out.

9528. Q. Did he leave a copy of the subpoena with you?

A. I cannot tell you. I never read it. I do not recollect that he said what it was. He said, "Will you take this paper?"

9529. Q. Will you state whether it was such a paper as that, (showing a printed form of subpoena.)

A. I could not.

9530. Q. You did not look at it on the ground that he did not pay your fees?

A. He called me out, and showed me a paper, and just opened it and closed it up. I do not know whose name was signed to it, or anything of that kind.

9531. Q. Where did this occur?

A. In the village of Middletown.

9532. Q. Did he tell you whether or not the committee were sitting at that time in Middletown?

A. I do not recollect that he did.

9533. Q. Did you ask him where the committee were?

A. I do not know that I did.

9534. Q. Did he not tell you in what building the committee were sitting.

A. I did not ask him that.

9535. Q. Did you look into the paper to see?

A. I did not. He just opened the paper, and closed it up.

9536. Q. Did you have anything to do with the distribution or delivery of any naturalization paper to any person during the October previous to the last election?

A. I do not know that I did.

9537. Q. Did you have any in your possession at any time?

A. I do not know that I did, except from hearsay.

9538. Q. Did you deliver any paper that you now suppose was such a paper?

A. I now suppose it was, from what I have heard.

9539. Q. To whom did you deliver it?

A. To John T. Bradley and William P. Clark.

9540. Q. What papers were they which you delivered to these two men?

A. I delivered them a paper. I do not know whether it was sealed up. I do not know what was inside of it. It was a paper that was wrapped up.

9541. Q. Did it have any mark upon it, of any sort.

A. Yes; it had directions; one direction to Bradley and one to Clark.

9542. Q. Where did you get the papers?

A. A man handed them to me in Goshen.

9543. Q. Who was that man?

A. I do not know.

9544. Q. I understood you to say that the papers were directed to these men.

A. Yes.

9545. Q. Were they in envelopes addressed on the outside to these men?

A. I think they were. I cannot tell you exactly.

9546. Q. What was said to you when they were delivered to you?

Mr. Kerr objected to the question of what was said, as mere hearsay.

The objection was overruled, by a vote of the committee, on the ground that what was said was a part of the act of delivery.

By Mr. DAWES :

9547. Q. What did these men say to you when they delivered these papers ?

A. I was in Goshen on some business at the clerk's office, and had my horse tied in the street. The man came out of the hotel, or some building, I do not know what, and said: "Are you going up by John Bradley's?" I said "I was." "Will you take these papers along?" said he. I said to him that I would; that it was right on my road home.

9548. Q. Was that all that was said ?

Q. It was.

9549. Q. Did you not ask him what papers they were ?

A. I did not ask him a word about it, nor did he tell me a word about it. Mr. Bradley was at work in his corn-field right before his house. I stopped and halloed to him. He came to the road. I handed him the paper and said to him that a man requested me to leave that with him.

9550. Q. Did he open it at the time, or did you ?

A. He did not open it at the time, nor did I.

9551. Q. Did you learn there what sort of a paper it was ?

A. I did not.

9552. Q. Do you know anything about the delivery of any other naturalization papers that fall except these ?

A. I do not. Black lives about a mile from Bradley's, right on the road between Bradley's and Goshen. Clark was coming home, and just drove in the gate as I was passing along, and I handed the paper to him.

9553. Q. You do not know the name of this man who gave you these papers.

A. I do not. I never saw him before, or since, and do not know who he was.

By Mr. DICKEY :

9554. Q. When did you first learn that they were naturalization papers ?

Mr. Kerr objected to the question on the ground that it was mere hearsay, and that it assumed a fact which had not been proven.

The objection was overruled and the question was again put to the witness.

A. I do not know yet that they were naturalization papers, only by mere hearsay.

By Mr. LAWRENCE :

9555. Q. State if there was any arrangement where you reside that you were to procure certificates of naturalization for persons ?

A. No, sir.

By Mr. ROSS :

9556. Q. Please state whether you were active as a politician at the election canvass last fall.

A. I want you all to understand that I am not a very strong politician. I worked a little for both parties last fall. I was interested in two men. The balance of the ticket I cared nothing about.

By Mr. BLAIR :

9557. Q. Did you give to Clark another paper to hand to a man by the name of John Hansel ?

A. No. I gave him but one paper. I gave Clark this paper. It was rolled up. I do not know who it was for, or what was in it.

By Mr. Ross :

9558. Q. State if you know anything about frauds perpetrated on the elective franchise by the republican party in your county at the last election.

A. I do not know exactly what you consider frauds—whether you mean by naturalization papers, or by money, or anything else.

9559. Q. Both, or all; anything that involves a violation of the law in connection with the last election.

A. I do not know whether there was very much fraud about it. I know when it was said money was used, some parties furnished me with money to use for them.

9560. Q. Did they furnish it for you to use unlawfully, or lawfully?

A. Perhaps I do not understand all these things as well as a great many men.

9561. Q. What were the facts?

A. A republican handed me some money and wished me to use it.

9562. Q. How much did he hand you?

A. I think \$20, or a little more. I cannot say exactly how much.

9563. Q. Did he tell you to do anything unlawful with it—that you knew to be unlawful?

A. I do not know that he did. So far as I know anything about the matter, I will tell you. I think, to the best of my knowledge, this man handed me \$20 and says, "You are going to do something for us. I know it costs some money. I wish you would do all you can, and use it the best way you can."

9564. Q. Did you buy any votes with it?

A. No; I never bought any man's vote in my life, and I never will.

9565. Q. Do you know anything further in relation to frauds upon the election by either party?

A. I do not know that I do positively myself. I know it from hearsay and opinion. I have my own opinion about this matter. I was an inspector of election in the town.

9566. Q. Did you receive any fraudulent votes, knowing them to be fraudulent? You were the democratic inspector of election?

A. I was the democratic inspector. With reference to some of the votes, I had my own opinion about them. I saw some papers presented there by men who voted the republican ticket, that I had some doubts about. They were men who came there and offered to have their names recorded and showed me their papers. I was not acquainted with them personally. A man with whom I was acquainted came with them; a very respectable man by the name of S. S. Brinsmade, who was running a factory there.

9567. Q. Where did they say they got their papers?

A. They told me they got them in New York.

9568. Q. Who were the papers signed by?

A. I could not tell who they were signed by. Brinsmade said he would qualify that they were all correct. They were registered; the day of election came, and they were all challenged. A challenge was left as soon as we opened the polls, for some 40 or 50 different persons on both sides of the house. Both sides challenged all they thought suspicious.

9569. Q. How many of these men were there?

A. There were four of them.

9570. Q. Did they swear their votes in ?

A. They did.

9571. Q. Do you know what ticket they voted ?

A. They voted the republican ticket.

9572. Q. Did they live there ?

A. They lived in the town at the time ; at least they said they did ; they swore to that fact. They were there and voted.

9573. Q. Do you know where they got their certificates ?

A. I do not. They said they got them in New York.

9574. Q. Do you know whether they came through the Brewery ?

A. I do not.

By Mr. DAWES :

9574½. Q. Do you know any fact touching these men that shows they were illegal voters ?

A. I do not know any facts in the matter.

9575. Q. How do you know they voted the republican ticket ?

A. I know it in two or three different ways : the republican and democratic tickets were not printed in the same kind of letters in the first place, and in the next place, when the tickets were folded they left the heading out so that it could be seen. These men did not deny that they voted the republican ticket.

WASHINGTON, D. C., *March 3, 1869.*

GEORGE WILKES sworn and examined.

By the CHAIRMAN :

9576. Question. Please state your residence and occupation.

Answer. I reside in New York city, and am the editor of "Wilkes' Spirit of the Times."

9577. Q. State whether in November last you were absent from New York ; and if so, when you returned ?

A. I left New York November 28 for Europe, and arrived in New York again last Thursday evening.

9578. Q. State whether you had any conversation with Florence Scannel in New York city a week or so before the election in November last in relation to falsely registering voters ; and if so, what it was ?

A. I never had any such conversation with anybody with a view to falsely registering voters for the republican party ; I may have had such conversations with persons indifferently years ago, or since I came home, but I never had any such conversation at any time with any person with the view of using any voters falsely registered for the republican party. I do not know that I know Florence Scannel ; I met a great many people in New York with whom I conversed on the subject of the election, and whose names I do not know.

9579. Q. State if there was any conversation between you and Florence Scannel, Marcus Cicero Stanley, James Gorey, John E. McGowen, and Marshal Murray, or any of them, in relation to falsely registering names to vote in the interest of the republican party ?

A. I never had such conversation with anybody.

9580. Q. Are you personally acquainted with James Gorey ?

A. I never heard his name until I saw it in the testimony here.

9581. Q. Do you know John E. McGowen ?

A. I do not.

9582. Q. Do you know of any false registering or repeating by any republican at the last November election in New York city ?

A. I do not.

9583. Q. Do you know of any arrangement having been made with a view of so falsely registering or repeating ?

A. I do not.

9584. Q. Did you make any such arrangement ?

A. I did not.

9585. Q. Do you know of any election fraud being perpetrated by any republicans in New York city at the last presidential election ?

A. None whatever.

By Mr. Ross :

9586. Q. Do you know of money being contributed for the purpose of controlling the election ?

A. No, sir; I did not use a dollar myself, and I only know second-hand from persons who have been examined that there was money used. I can state that the committee of which I was chairman had but \$5,000 for the whole canvass, and I was told that \$3,000 of that was spent for the purpose of manning the polls with disabled soldiers, and that the rest was used for the ordinary routine matters, such as room rent, &c.

GENERAL INDEX.

A.

	Page.
Arnoux, Gabriel A., examination of	46, 47
Adams, Robert G., examination of	165, 166
Application for naturalization of Patrick O'Brien	154
George Hoffman	155
Adolph Slechelseine	156
Alexander M. McCann	157, 158
John J. Mercer	159
Antonio Gomez	160, 161
blank forms in use in court of common pleas ..	77, 78, 80
blank forms in use in superior court	78, 80
blank forms in use in supreme court	81-84, 161-165
Austin, Martin B., examination of	286-288
Acker, Samuel S., examination of	518, 519
Allen, James, examination of	632
Adams, James B., examination of	691
Ashurst, Joseph S., examination of	799, 800
Ashhurst, John, examination of	808, 809
Allen, Theodore, examination of	824-826

B.

Block, Theodore, examination of	35-37
Bogert, Albert, examination of	39-41
Barrett, George P., examination of	41-44
Beoney, Henry, examination of	44-46, 409-411
Butts, Henry, examination of	16-20
Burton, Charles W., examination of	25
Barnegat, Charles, examination of	89-91
Boeck, Maximilian, examination of	137-139
Bliss, George, jr., examination of	185-190, 819, 820
Bross, Andrew J., examination of	209
Brophy, James J., examination of	230-233
Bridgman, William H., examination of	261
Bixby, Butler H., examination of	261, 262
Barrett, William C., examination of	262
Burke, Patrick, examination of	96
Baker, Abraham, examination of	303-305
Belmont, Simeon E., examination of	307, 308
Brewster, Thomas, examination of	308, 309
Bennett, T. Easton, examination of	404-407
Benson, Joseph, examination of	427, 428
Brennan, Mathew T., examination of	442, 443
Bogart, William H., examination of	454, 455, 561-564, 657, 658
Bell, Clark, examination of	484, 485
Bergen, Edward H., examination of	515
Brady, Michael, examination of	544, 545
Baker, Samuel, examination of	554-557
Banks, Wright, examination of	614-619
Brady, John R., examination of	652-654
Bishop, Victor, examination of	656
Bernard, Reuben, examination of	673
Bostwick, James L., examination of	673-675
Burke, Oliver, examination of	677
Butler, James P., examination of	681, 682
Biser, Anthony, examination of	690, 691
Bradley, John J., examination of	763, 764
Borcold, Christian, examination of	765, 766
Bell, John H., examination of	772, 773
Burns, Luke, examination of	774
Behme, Henry, examination of	774
Bradley, Patrick, examination of	776
Briggs, George, examination of	783
Butcher, Thomas, examination of	784
Bowhen, Owen, examination of	787-788

	Page.
Brew, Burton, examination of	790
Broadhead, T. R., examination of	790
Broadhead, George, examination of	790
Briady, Edward S., examination of	810-811
Burke, Michael, examination of	815
Buddington, Charles, examination of	817, 818
Blake, John, examination of	824
Bommer, Lawrence, examination of	828
Browning, August, examination of	831
C.	
Courtney, Samuel G., examination of	9-12
Cottrell, Joseph, examination of	58-59
Crowley, David, examination of	179, 209, 210, 235, 314, 315, 834
Crandell, Stephen M., examination of	193
Chapman, Henry J., examination of	203-204
Clifford, James E., examination of	208
Carey, Lorenzo, examination of	274, 275
Coyle, John, examination of	376
Carberry, John, examination of	402
Costello, Michael, examination of	407-409
Colvin, James A., examination of	433-435
Cummings, John, examination of	437
Certificates of naturalization.	8, 9, 25, 77, 78, 79, 60, 81, 82, 83, 84, 139, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164
Cronin, Bartholomew, examination of	456, 457
Cook, Peter, examination of	477-480
Clark, James, examination of	505-507
Campbell, Louis, examination of	560-561
Cook, William H., examination of	604
Costello, Robert, examination of	624
Clark, John, examination of	624-625
Clark, Edward, examination of	626
Cobb, Edward, examination of	626-627
Cooper, Jacob W., examination of	630
Collins, James, examination of	660-664
Coul, William, examination of	667-668
Callan, Christopher, examination of	699-706
Clark, William P., examination of	762-763
Cameron, Pat, examination of	768-769
Clark, Lewis, examination of	776
Carr, Lewis E., examination of	786, 787
Carroll, William, examination of	792, 793
Crist, Virgil, examination of	798
Cartler, Edmund, examination of	803
Casey, Thomas, examination of	809
Crook, Thomas, examination of	809
Coyle, John, examination of	810
Cumberlidge, John, examination of	810
Connell, James, examination of	815
Clapp, H. M., examination of	823
Casey, Joseph, examination of	827
D.	
Daly, R. H., examination of	33-35
Donnelly, John, examination of	225-227
Day, Richard, examination of	233, 234
Dolan, Hugh F., examination of	234, 288, 289, 291, 292
De Voursney, Abraham, examination of	272-274
Duffy, Patrick, examination of	207
Dunne, John, examination of	292-295
Donnelly, Francis, examination of	299-303
Donovan, Henry, examination of	366
Dorans, William, examination of	448-450, 452, 453
Dumble, Joseph, examination of	491, 492
Darling, Henry, examination of	497-500
Dopovan, John, examination of	529, 530
Davenport, John I., examination of	602-604, 696-698, 761, 842-844, 845-847, 853
Dennis, James, examination of	612, 613
Doherty, Cornelius, examination of	632, 633

	Pagr.
Davison, William, examination of	656, 657
Dwyer, Timothy, examination of	667
Driscoll, Daniel, examination of	771, 772
Donnegan, Anthony, examination of	793
Dixon, Frank B., examination of	809
Deming, Charles S., examination of	813, 814
Dunn, Patrick, examination of	814
Dillon, John, examination of	830, 831
Dunbar, George H., examination of	832-834
Dunphy, James, examination of	838-841

E.

Ey, John, examination of	57, 58
Emott, James, examination of	489-491
Edwards, Michael, examination of	572-574
Ennis, Peter, examination of	775
Egleston, George, examination of	780, 781
Eith, Joseph, examination of	785, 786
Ellis, Thomas, examination of	794-797
Elliott, C. G., examination of	811, 812

F.

Fox, Charles, examination of	59-60
Feeny, Patrick T., examination of	87, 89
Foster, John A., examination of	118, 119, 235, 236, 523-526, 598-603
Flynn, Thomas, examination of	254-256
Fitzgerald, Mathew, examination of	400-402
Ferguson, Hiram B., examination of	564-568
Farrell, Lawrence, examination of	590-595
Ferguson, Charles, examination of	621, 622
Fox, John, examination of	630, 631
Foley, Terrence, examination of	657
Fuller, Jerome, examination of	686-688
Foster William S., examination of	692
Flynn, John, examination of	761, 762
Fitzgibbon, James, examination of	783, 784
Farrar, Michael, examination of	806, 807
Ford, Patrick, examination of	815

G.

Gould, Thomas, examination of	63-66
Goldstein, Emanuel S., examination of	69, 77
Glasey, Samuel J., examination of	112, 118, 215, 218, 595, 598, 698, 699,
Gilmore, T. J., examination of	208, 209
Gale, Moses D., examination of	309-314
Greene, William H., examination of	315-317
Grant, Charles, examination of	428-430
Garvin, Samuel B., examination of	446-448
Greig, T. W., examination of	455, 456
Gilmore John, examination of	458-460
Gifford, George B., examination of	496, 497, 534, 535, 536
Green, James, examination of	507-509
Grant, Charles, examination of	520-521
Gorman, James, examination of	521
Gorry, James, examination of	569
Gregory, John, examination of	586-590
Gunn, John, examination of	611
Gaillard, Joseph, examination of	612
Glennou, John, examination of	625
Gumbleton, Henry A., examination of	633, 634
Gillespie, Adam, examination of	636, 637, 652-654, 732-735
Gillespie, Cornelius, examination of	774
Garrison, Chauncy, examination of	782
Gimarton, James, examination of	788
Green, John, examination of	790
Garvin, Samuel V., examination of	816
Golden, James, examination of	820, 821

H.

Heimburgh, Melchior, examination of	66, 67
Hurrelle, Timothy, examination of	68

	Page.
Hunt, Richard G., examination of	204-206
Hendrick, Wm. H., examination of	237-252
Hoffman, John T., examination of	99, 112
Hoffman, John T., proclamation of	99
Hall, James F., examination of	236, 237
Hall, Oakey A., examination of	275-279, 324-337
Hawley, S. C., examination of	285, 286
Heyman, Isaac, examination of	376-379
Heath, Edward B., examination of	390-392, 748-751
Harris, George, examination of	419-422
Hopcroft, George, examination of	440, 441
Hoffman, George H., examination of	443-446
Hill, George, examination of	482-484
Hale, Peter, examination of	504
Hogan, David, examination of	531-533, 569
Hughes, John, examination of	622, 623
Heath John, examination of	637-642
Hallam, George F., examination of	657
Hogan, Edward, examination of	664-666
Horsfelt, Adam, examination of	670
Haggerty, Patrick, M., examination of	675, 676
Hayner, Irving, examination of	677-691
Hanley, John, examination of	766
Hanley, Patrick, examination of	766
Hoyt, Charles, examination of	768
Hackett, Edward, examination of	777
Hirst, John, examination of	778, 779
Hoyt, H. V. D., examination of	812
House, E. H., examination of	815
Hussey, Peter, examination of	821

I.

Irving, James, examination of	374-376
Irwin, D. B., examination of	775, 776

J.

Jenner, William A., examination of	48-51
Jay, John, examination of	182-185
Joralemon, Wm., examination of	212-214
Jarvis, Nathaniel, jr, examination of	195-201, 578
Jouassohn, Louis, examination of	415-418, 514, 515
Jones, Morgan, examination of	437-438
Johnson, George, examination of	480-482
Jones, John, examination of	548-551
Jansen, Andrew E., examination of	673
Johnson, Henry, examination of	735-745
Johnson, Joseph, (colored,) examination of	782
Jackson, James H., examination of	798
Janicky, Charles, examination of	800, 801

K.

Kruger, Henry, examination of	56, 57
Kerwin, Michael, examination of	93-95
Keenan, Patrick H., examination of	288
Kent, Edwin R., examination of	383-388
Kennedy, John A., examination of	557-559
Keating, John, examination of	578-581
Kagle, John, examination of	623, 624
Kennel, John, examination of	634, 635
Knowles, Calvin, examination of	690
Kelly, Patrick, examination of	787
Kirk, Samuel, examination of	803
Kneer, Wendelin, examination of	807
Kane, Tomas, examination of	814
Kelby, James, examination of	816, 817

L.

	Page.
Leigner, Andrew B., examination of.....	91-93
Leverson, M. Richard, examination of.....	119-137, 655
Loew, Charles E., examination of.....	140, 154, 179, 182, 256, 257, 847-851, 853, 854
Lynch, Timothy, examination of.....	177-179
Livingston, Morris, examination of.....	253, 254
Lawrence, John M., examination of.....	392-395
Lee, John, examination of.....	398, 399
Loutrell, William J., examination of.....	441, 442
Lyle, Henry, examination of.....	460-470, 477
Lucas, James A., examination of.....	501
LeBarnes, John W., examination of.....	547, 551-553
Loftus, Peter, examination of.....	632
Laird, Mitchell, examination of.....	668-670
Luckey, Joseph L., examination of.....	685, 686, 689
Levi, Richard, examination of.....	797
Lynn, James H., examination of.....	799
Ludlow, Theodore W., examination of.....	814

M.

Murray, (Marshal) Robert, examination of... 1-8, 51-56, 305, 306, 517, 518, 528, 529, 530, 533,	534, 545-547, 551, 568, 569
McLaughlin, Patrick, examination of.....	68, 69
McMurray, William J., examination of.....	95
Miller, Joseph A., examination of.....	97, 98
Mulligan, John J., examination of.....	252, 253
McMahon, John, examination of.....	264, 265
Mitchell, Edward, examination of.....	37-39
McDonald, Logan, examination of.....	22-25
McAlpine, R. W., examination of.....	210-212
Moran, James, examination of.....	279-281
Mottel, Louis J., examination of.....	295-299
Meeks, Joseph, examination of.....	317-324, 728-732
McCunn, John H., examination of.....	337-347, 500, 501, 627, 628, 811, 842
Marston, Howard T., examination of.....	351, 366, 581, 692-696, 844-845
Mills, Nathaniel R., examination of.....	366, 367
McKean, John B., examination of.....	367-374, 745-748
Mack, Patrick, examination of.....	413-415
Melville, James, examination of.....	425-427
McKinna, Arthur, examination of.....	395-398
Mabee, George, examination of.....	450-452, 455, 522, 523, 553, 554
Meloy, Joseph, examination of.....	457, 458
Mellville, George, examination of.....	501-504
Merritt, George, examination of.....	521, 522
McGowan, examination of.....	526, 527
McGlade, Thomas A., examination of.....	547, 548
Murray, Francis, examination of.....	605-609
McCabe, John, examination of.....	609-611
Mullaly, John, examination of.....	628-630
McCarthy, Charles, examination of.....	631
Mullen, John J., examination of.....	642-648
McKee, Hugh, examination of.....	666
McClusky, John, examination of.....	707-723, 827, 832
Mahoney, Michael, examination of.....	777
Miller, Nathan J., examination of.....	777, 778
Miller, Reuben C., examination of.....	781
McCord, Walter L., examination of.....	784, 785
McGuyen, John, examination of.....	788
McKee, John, examination of.....	792
McNeal, William, examination of.....	793
Moore, Thomas, examination of.....	797
Martin, Joseph, examination of.....	807
Meagher, John, examination of.....	809, 810
Mowney, Terrence, examination of.....	822
Murphy, Jerry, examination of.....	824
McLaughlin, Dennis, examination of.....	829, 830

N.

	Page.
Naturalization certificates, issue of, to fictitious persons:	
James R. Smith	8
Samuel Reynolds	9
Patrick Rafferty	9
Walter Shirley	25, 26
Andrew B. Leigner	93
Maximilian Boeck	139
Neelis, James J., examination of	263, 264
Nolan, Sylvester E., examination of	435, 436
Nichols, James, examination of	485, 486
Norton, John, examination of	570-576
Newmark, M. J., examination of	656
Neay, Thomas, examination of	682-685
Nettleton, Charles, examination of	821, 822

O.

Osborne, John, examination of	85-87
Ostrander, Alexander, examination of	223-225
O'Brien, James, examination of	379-383, 432, 433, 509-511, 515-517
Olney, George R., examination of	676, 677
O'Donovan, John, examination of	772
O'Brien, Patrick, examination of	801, 802
O'Brien, Patrick, examination of	808
O'Brien, Patrick, examination of	810
O'Brien, Dennis, examination of	815
Owen, Nelson, examination of	816

P.

Pohl, Peter, examination of	98
Perrine, John D., examination of	262
Paine, Joseph E., examination of	281-285
Phillips, Lewis C., examination of	289-291
Phyfe, John, examination of	306, 307
Potter, Thomas, examination of	418, 419
Plumb, Edmund M., examination of	493, 851-853
Pettit, Austin D., examination of	493-496
Pullman, Christopher, examination of	536
Powers, Patrick, examination of	766, 767
Powers, Edmund, examination of	767, 768
Peele, Richard, examination of	807

Q.

Quinlan, Michael, examination of	194
Quackenbush, D. P., examination of	770

R.

Raynolds, Samuel, examination of	20-22
Roberts, Samuel A., examination of	190, 191
Robertson, John, examination of	208
Reinhart, Joseph, examination of	222, 223
Rodgers, John, examination of	399, 400
Ryan, Thomas, examination of	438-440, 519, 520
Reilly, Charles, examination of	473-475
Rowell, John M., examination of	619, 620
Rome, Jacob, examination of	635, 636
Rogers, Charles H., examination of	635, 636
Riordan, Michael, examination of	764, 765
Roland, Patrick, examination of	773
Repp, Charles, examination of	802, 803
Robinson, Seth K., examination of	814
Russell, Joseph E., examination of	826, 827

S.

Page.

Springer, John Henry, examination of.....	46, 47
Simms, William Thomas, examination of.....	12-16
Shirley, Walter, examination of.....	26-31
SurrIDGE, Thomas, examination of.....	31, 32
Siep, Charles Henry, examination of.....	60-63, 87
Sherman, Porter J., examination of.....	84, 85
Sullivan, Daniel, examination of.....	95, 96
Stewart, Dougal, examination of.....	96, 97
Secret circular, Samuel J. Tildens.....	109
Sweeney, James M., examination of.....	166, 167
Sloan, William D., examination of.....	192, 193
Springstein, N. H., examination of.....	218-220
Seixas, Solomon, examination of.....	227-230
Shea, Dennis, examination of.....	388-390
Shandley, Edward, jr., examination of.....	402-404
Sweetzer, Henry E., examination of.....	422-425, 642
Sanford, Edward, jr., examination of.....	511, 512, 515, 559, 560
Sullivan, Thomas, examination of.....	528, 529
Smith, M. Malcolm, examination of.....	536-539
Scannel, Florence, examination of.....	539-544, 557, 753-761
Strong James, examination of.....	574, 575
Smith, James, examination of.....	620, 621
Snyder, Charles, examination of.....	670
Skelly, Bernard, examination of.....	671-673
Smith, John D. B., examination of.....	682
Smith, George, examination of.....	769, 770
Southwell, Edward, examination of.....	779, 780
St. John, examination of.....	791
Suttle, George W., examination of.....	791
Smith, Martin, examination of.....	807, 808
Stivers, M. D., examination of.....	813
Stanley, Marcus C., examination of.....	630-642
Strong, Charles S., examination of.....	835-838

T.

Tilden, Samuel J., examination of.....	257-259
Teller, Clarence N., examination of.....	259-261
Tweed, William, examination of.....	265-272
Thurston, John P., examination of.....	430-432
Tupper, P. F., examination of.....	658-660
Thompson, James A., examination of.....	751-753
Tyrsel, Patrick, examination of.....	780
Tracy, Richard, examination of.....	788, 789
Titus, William, examination of.....	794
Tichen, Frederick, examination of.....	822
Taylor, Theodore, examination of.....	831, 832

U.

Utley, Robert, examination of.....	475, 476
Urmy, Samuel S., examination of.....	173-177
Unswarth, Robert, examination of.....	797

V.

Van Buren, Benj., examination of.....	206, 207
Vandervoort, Henry, examination of.....	388
Vorhees, Abraham, examination of.....	582, 613, 614, 706, 707, 828, 829
Volmer, Paul, examination of.....	631
Van Elon, Solomon, examination of.....	791
Vail, Wilmot M., examination of.....	792
Vinall, George F., examination of.....	792

W.

Wolf, Mathias, examination of.....	67, 68
Willis, Ansen, examination of.....	171-173

	Page.
Wing, Samuel S., examination of	173-177
Westlake, Owen E., examination of	201-203, 235
Wilbour, Charles E., examination of	214, 215, 411-413, 448
Woltman, Henry, examination of	220-222
Ward, Hugh, examination of	225
Walling, George W., examination of	347-351
Woodward, William W., examination of	436-437
White, John H., examination of	470-473, 501, 535, 648-651
Wood, William, examination of	487-489
Willsen, William, examination of	512-514
Ward, James, examination of	575-577
Wood, John, examination of	582-586
Ward, William, examination of	637, 655
Wood, James R., examination of	789
Wilson, Nicholas, examination of	804-806

Y.

Young, William W., examination of	47, 48
York, Thomas H., examination of	492, 493

ANALYTICAL INDEX.

- Arnoix, Gabriel A., examination of, 491-306.
Referred to, 823.
- Arrests, by order of Judge McCunn.
Referred to, 3639, 3642.
- Arrests, by police on bench warrant.
Referred to, 3743.
- Arrests, by inspectors for frauds at election.
Referred to, 1252, 1253, 1807, 1900, 1946, 1984, 1931, (page 193,) 2783, 2788, 3068, 3844, 3993, 5099, 8370.
- Arrests, by deputy sheriffs.
Referred to, 1813, 1836, 1900, 1984, 1931, (page 193) 3902, 5509.
- Arrests, by police for frauds at election.
Referred to, 305, 306, 319, 331, 352, 1080, 3400, 3676, 7521, 9131, 9165, 9166, 9184.
- Arrests, by United States marshal.
- Arrests, made on forged warrants.
Referred to, 3550, 6848, 7021.
- Applications for naturalization, list of, to German democratic general committee.
Referred to, 95, 96, 874, 882, 877, 878.
- Applications for naturalization, blanks, how obtained.
Referred to, 912, 1028.
- Applicants for naturalization, class of.
Referred to, 922, 923.
- Applications for naturalization, rejection of.
Referred to, 1936, 4377, 4396.
- Avenue A and 116th street.
Referred to, 1701.
- Avenue C, Nos. 66 or 68, &c.
Referred to, 2061, 2105, 2231, 2339, 2728.
- Avenue D.
Referred to, 2067.
- Allen, Theodore, examination of, 9171, 9173-3.
Referred to, 1185, 1188.
- Adams, Robert G., examination of, 1701, 1716.
- Armstrong.
Referred to, 1819.
- Austin, Martin B., examination of, 3024, 3042.
Referred to, 2113, 2679.
- Atkinson.
Referred to, 2799.
- Allen, Wesley.
Referred to, 2941, 3542, 3743, 3744.
- Acton, Thomas C.
Referred to, 3515, 4436, 6025, 6026, 9132, 9141, 9149, 9150, 9151.
- Appointments of deputy sheriffs.
Referred to, 3863, 3881.
- Anderson, John C.
Referred to, 5044, 6033.
- Atlantic Garden, Bowery.
Referred to, 5227, 5228, 5427.
- Aaron, Barney.
Referred to, 5504, 5854, 7005, 7012, 7017.
- Acker, Samuel, examination of, 5522, 5523.
- Allen, James, examination of, 6980.
Referred to, page 657.
- Adams, Charles Francis.
Referred to, 7054.
- Adams, James B., examination of, 7584.
- Allen, John.
Referred to, 9172.
- Ashurst, Joseph, examination of, 8958, 8967.
- Ashurst, John, examination of, 9088, 9100.
Referred to, 9100d.
- Broadway, Nos. 6, 4, 585.
Referred to, 2453.
- Barnard, Judge G. G.
Referred to, 726, 728, 1132, 1317, 1332, 1335, 1336, 1344, 1354, 1367, 1400, 1404, 1407, 1409, 1445, 1447, 1451, 1519, 1527, 1536, 1538, 1541, 1548, 1560, 1606, 1649, 1663, 1674, 1683, 1691, 1696, 2121, 2178, 2230, 2259, 2773, 2777, 3137, 3138, 3165, 3689, 3771, 3784, 3786, 3844, 3845, 3847, 3849, 3852, 3856, 3928, 3948, 4025, 4644, 4649, 4894, 8026, 7783, 7831, 7941, 8400, 8404, 8411, 9133, 9136, 9295, 9296.
- Bleeker and Greene streets, corner of.
Referred to, 2453, 2557.
- Bennett, George or William.
Referred to, 2453.
- Boston harbor.
Referred to, 2504.
- Bleeker, Paymaster.
Referred to, 2504.
- Bleeker, Anthony J.
Referred to, 2514, 5143.
- Brunson, Major.
Referred to, 658.
- Barnegat, Charles, examination of 988-1024.
- Blume, Robert.
Referred to, 2117.
- Baker, Maurice.
Referred to, 2118.
- Bayard street, Nos. 62, 64, 68, 162.
Referred to, 2373, 2276, 2456, 2457, 3053.
- Baxter street, No. 67.
Referred to, 2276, 3064.
- Broome street, No. 531, &c.
Referred to, 2543, 4024.
- Burns, Pete.
Referred to, 2456, 2464, 2581, 2600.
- Bridgman, William, examination of, 2769, 2770.
- Birmer, Adam.
Referred to, 2805.
- Bauman, Lawrence.
Referred to, 2805.
- Blank forms, minor applications in common pleas.
Referred to, pages 77, 78.
- Blank forms, application, when previous intention declared.
Referred to, page 80.
- Blank forms, minor applications in superior court.
Referred to, pages 79, 80.
- Blank forms, applications, when previous intention declared.
Referred to, pages 78, 79.
- Blank forms, minor applications in supreme court.
Referred to, pages 83, 84, 93, 154, 156, 157, 159, 160, 163.
- Blank forms, application, when previous intention declared.
Referred to, pages 82, 163.
- Blank forms, application to supreme court when honorably discharged from the army or the navy.
Referred to, pages 81, 82, 161.
- Barrett, Judge.
Referred to, 1937, 1948, page 194.
- Brady, Judge.
Referred to, 1948, page 194.
- Bush, Joseph.
Referred to, 2022.
- Brinker, ———.
Referred to, 2061.
- Brown, Thomas J.
Referred to, 2067, 2070, 2207, 2204.
- Bross, Andrew J, examination of, 2113, 2115.
Referred to, 2679, 2714, 3033.
- Brown, James.
Referred to, 2116, 2695, 3855.
- Blair, J.
Referred to, 2116.
- Brown, ———.
Referred to, 2936, 2937.
- Burke, Patrick, examination of, 1099, 1104.
Referred to, 1093, 1095, 1096.
- Brennan, Commissioner Matthew T., examination of, 4430, 4437.
Referred to, 1236, 3515, 4163.
- Butta, Henry, examination of, 149, 196,
Referred to, 287.
- Burton, Charles W., examination of, 259, 262.
Block, Theodore, examination of, 379, 411.
Referred to, 825.

- Bogert, Albert, examination of, 422, 429.
Referred to, 939, 941, 1726.
- Barrett, George P., examination of, 441, 465.
Referred to, 822.
- Beeny, Henry, examination of, 466, 486.
Referred to, 2825.
Recalled, 4135, 4137.
- Bliss, Colonel George, Jr., examination of, 1928, 1969.
Referred to, 57, 1270, 1394, 2453, 2534, 2636, 2665,
2677, 2695, 4616, 4673, 6909.
Recalled, 9145, 9152.
- Bentham, Jeremy.
Referred to, 1327.
- Bibles.
Referred to, 1335, 1336, 1360, 1937, 2121, 3813,
3814, 3816, 3931, 4135, 4655, 6657, 4678, 4680.
- Bleecker street.
Referred to, 1378.
- Betzl, August.
Referred to, 817, 1688, page 179; 2116, 2695, 3855.
- Beaune, Henry.
Referred to, 817, 821, 1688, 2116, 2625, 3855.
- Bill.
Referred to, 1702.
- Black, Jack.
Referred to, 1819.
- Bennett, John.
Referred to, 1819, 1820, 4110.
- Boeck, Maximilian, examination of, 1466, 1494.
Referred to, 2033, page 235; 3406, 3414, 3419,
3536, 3615, 3925, 4012.
- Bennett, Thomas.
Referred to, 1725.
- Barbour, Judge.
Referred to, 1745, 3419, 3420, 3571, 3600, 4375.
- Brophy, James J., examination of, 2362, 2411.
Referred to, 1876, 2141, 2304.
- Bixby, Butler H., examination of, 2771, 2772.
- Barrett, William C., examination of, 2773, 2778.
- Blush, Charles F.
Referred to, 2905.
- Bauscher, Herman.
Referred to, 2905.
- Betta, —.
Referred to, 2966, 2968, 2967.
- Brady, —.
Referred to, 2975.
- Baker, Abraham, examination of, 3258, 3289.
- Brown, —.
Referred to, 3270.
- Belmont, Simeon E., examination of, 3312, 3328.
- Brewster, Thomas, examination of, page 308, 3329.
- Bosworth, Judge.
Referred to, 3515, 4128.
- Bogart, A. C. H.
Referred to, 3352.
- Burns, Francis.
Referred to, 3999.
- Brady, Michael.
Referred to, page 363, 4034, 4035.
- Boyle, Thomas.
Referred to, 4049.
- Barclay, James.
Referred to, 4057.
- Beeny, Colonel.
Referred to, 4078.
- Bennett, T. Easton, examination of, 4117, 4131.
- Bennett, James G., Jr.
Referred to, 4132, 8992.
- Bedford, Gunning S.
Referred to, 4132.
- Bowdell, George.
Referred to, 4132.
- Benson, Joseph, examination of, 4269, 4284.
Referred to, 4249, 4251, 6033.
- Barnum, —.
Referred to, 4383.
- Burdell, —.
Referred to, 4383.
- Bell, —.
Referred to, 4418.
- Bogart, William H., examination of, 4564, 4568.
List of names, presented by, pages 454, 455.
Referred to, 4568.
Recalled, 6063, 6094.
List of names, presented by, 6964.
- Bell, Clark, examination of, 4986, 4987.
- Beames, Joseph.
Referred to, 4986, 4987.
- Beglan, James.
Referred to, 5126, 5127.
- Barrett, Thomas.
Referred to, 5155, 5882.
- Bancker, Thomas A.
Referred to, 5157, 5161, 5171, 5174, 5175, 5177,
5391, 5708.
- Burke, Leander.
Referred to, 5396.
- Bergin, Edward H., examination of, 5480.
Referred to, 5479.
- Bartlet, George.
Referred to, 5495.
- Brady, Michael, examination of, 5819, 5831.
Referred to, 5550.
List of illegal registries, presented by, 5819.
- Banks, Wright, examination of, 6853, 6895.
Referred to, 5792.
Record of naturalization, presented by, 6854.
Applications for naturalization, forms of, pre-
sented by, pages 617, 618.
- Baker, Samuel, examination of, 5954, 6003.
Referred to, 6176, 6177, 6231, 6234.
- Blunt, Orison.
Referred to, 6952.
- Brady, John R., examination of, 7207 $\frac{1}{2}$, 7232.
- Bishop, Victor.
Referred to, page 656.
- Bell, Isaac.
Referred to, 7413.
- Bostwick, James L., examination of, 7442, 7470.
Referred to, 7439, 7440.
- Bernard, Reuben, examination of, 7440, 7441.
- Burke, Oliver, examination of, 7498.
- Buller, James P., examination of, 7521, 7523.
- Brannegan, Patrick.
Referred to, 7521.
- Baker, Elijah.
Referred to, 7097, 7030.
- Bleer, Anthony, examination of, 7567, 7563.
- Bradley, John J., examination of, 8612 $\frac{1}{2}$, 8631.
Referred to, 8595, 8596, 8601.
- Boreold, Christian, examination of, 8649 $\frac{1}{2}$, 8663.
- Blake, John W.
Referred to, 9166.
- Bell, John, examination of, 8764 $\frac{1}{2}$, 8783.
- Burns, Luke, examination of, 8784 $\frac{1}{2}$.
- Behne, Henry, examination of, 8789 $\frac{1}{2}$, 8797.
- Bradley, Patrick, examination of, 8813 $\frac{1}{2}$, 8815.
- Briggs, George, examination of, 8860 $\frac{1}{2}$, 8863.
- Butcher, Thomas, examination of, 8866 $\frac{1}{2}$.
- Bowben, Owen, examination of, 8891.
- Brew, Burton, examination of, 8909 $\frac{1}{2}$.
- Broadhead, T. R., examination of, 8909 $\frac{1}{2}$.
- Broadhead, George, examination of, 8909 $\frac{1}{2}$.
- Brady, Edward S., examination of, 9100 $\frac{1}{2}$.
Letter of, presented by, 9100 $\frac{1}{2}$.
- Bacon, —.
Referred to, 9102, 9105, 9108.
- Burke, Michael, examination of, 9129 $\frac{1}{2}$.
- Buddington, Charles, examination of, 9133, 9144.
- Blake, John, examination of, 9169, 9170.
- Bommer, Laurence, 9184, 9185.
- Browning, August, examination of, 9198, 9199.
- Courtney, Samuel G., examination of, 67, 90.
Referred to, 2, 64, 92, 150, 1158, 1189, 1585.
- Centre street, No. 13.
Referred to, 2, 676.
- Centre street, No. 1.
Referred to, 3334, 3336, 4173, 4626, 4639, 4664,
4698, 7350, 7352, 7356, 7384.
- Centre street, No. 6.
2, 4, 31, 33, 83, 96, 106, 112, 127, 151, 170, 178,
199, 203, 218, 231, 254, 257, 650, 676, 681, 734,
796, 828, 844, 850, 886, 867, 894, 900, 901, 927,
955, 1080, 1364, 1760, 2255, 2263, 2695, 2747,
2813, 2814, 2954, 2956, 2159, 3776, 3861, 4168,
4173, 4698.
- Chambers street, No. 25.
Referred to, 127, 181, 183, 217, 844, 4880, 4883.
- Cragie, Francis.
Referred to, 413, 414, 416.
- Certificates, naturalization, sale of, 2, 87, 93, 151, 156,
201, 603, 628, 615, 619, 629, 631, 769, 777, 1032,
1066, 1081, 1119, 1136, 1471, 1479, 1702, 2099,
2299, 2695, 4106, 4650, 4658, 5543.
- Committee on alleged election frauds in New York—
Resolution of, 1694.
Resolution of, page 180.

- Committee on alleged election frauds in New York—
Letter of, page 181.
- Charley, ———
Referred to, 1702.
- Columbia street.
Referred to, 1783.
- Crochan, Michael.
Referred to, 1807.
- Colvin, Colonel.
Referred to, 1840.
- Crowley, David, examination of, 1892, 1894.
Recalled, 2116, 2118, 2430, 3384, 3385, 9230.
- Carmon, Colonel.
Referred to, 1908, 1909, 1916.
- Cook, W. W.
Referred to, 2724.
- Comins, ———
Referred to, 2934.
- Canvassing, mode of, 572, 575, 8284, 5156.
- Certificates of naturalization, issue of to fictitious persons, 604, 608, 615, 619, 622, 1250, 1317, 1702, 1806, 1637, 2061, 2099, 2103, 2264, 2413, 2449, 2695, 2753, 2805, 3986.
- Cottrell, Joseph, examination of, 625, 636.
Referred to, 638, 692, 740, 767, 775, 804, 1125.
- Certificates of naturalization, issue of, without appearance in court, 752, 780, 788, 926, 927, 929, 1058, 1085, 1252, 1253, 1362, 1469, 1783, 1806, 1937, 2061, 2099, 2103, 2264, 2413, 2449, 2695, 2753, 2805, 3986, 4060.
- Cook, John.
Referred to, 784.
- Clifford, Robert.
Referred to, 2892.
- Coff, ———
Referred to, 2975.
- Cisco, ———
Referred to, 3002.
- Coe, ———
Referred to, 3002.
- Clerks, in employ of Rosenberg.
Referred to, 852, 861, 863, 871, 873, 895, 900, 905, 919, 920.
- Common pleas court of, when engaged in naturalization.
Referred to, 915, 1994.
- Cook, ———
Referred to, 926.
- Challenges.
Referred to, 932, 933, 939, 1295, 1398, 1794, 1795, 1796, 1817, 1823, 1900, 1930, 1968, 1984, 1931, (page 193.) 2221, 2333, 2341, 2342, 2349, 2350, 2354, 2355, 2378, 2693, 2895, 2902, 3261, 3314, 3993, 4132, 4133, 4135, 4311, 4332, 4366, 4387, 4418, 4421, 4601, 4606, 5542, 5556, 6848, 7027.
- City Hall, No. 12.
Referred to, 956, 974, 1107, 1330, 1333, 1350, 1364, 1386, 1414, 1472, 1474, 1478, 1504, 1505, 1517, 1764, 1776, 1779, 1967, 1938. (page 194.) 2061, 2750, 2805, 4000, 4626, 4639, 5118, 5130, 5132, 5136.
- Culpin, Pop.
Referred to, 1075.
- Clinton street, No. 24.
Referred to, 2117.
- Caps, changing of.
Referred to, 2276, 2278.
- City Hall Place.
Referred to, 2428.
- Conroth, Michael.
Referred to, 2416.
- Cuba.
Referred to, 2499.
- Cherry street, No. 450.
Referred to, 1094.
- Courts, forcible ejection by order of judge, and denial of admittance, &c.
Referred to, 1336, 1409, 1410, 1560, 1569, 2121, 3771, 3798, 3799.
- Cardosa, Judge.
Referred to, 1579, 4163.
- Crandall, Stephen M., examination of, 1930, 1946, pages 193, 194.
Referred to, 1812.
- Chapman, Henry J., examination of, 2050, 2095.
Referred to, 2329, 2344, 2345.
- Clifford, James E., examination of, 2100, 2102.
- Callon, Timothy.
Referred to, 2113.
- Cooper Institute.
Referred to, 2937.
- Connery, Jeremiah.
Referred to, 3177.
- Caffrey, John.
Referred to, 3461.
- Campbell, Captain.
Referred to, 3675.
- Connolly, Michael.
Referred to, 3742.
- Conover, William D.
Referred to, 3742.
- Coyle, (detective.) John, examination of, 3850, 3851.
Referred to, 3844, 3845, 3847.
- Conner, William C.
Referred to, 3925.
- Colters, ———
Referred to, 4060.
- Cuddy, Alderman, card of, page 239.
Referred to, 2456, 2457, 2458, 2649.
- Cuddy's Hotel.
Referred to, 2638.
- Cunningham, Paymaster.
Referred to, 2514.
- Caasidy, Morris.
Referred to, 2756.
- Canvassers, examined.
Referred to, 2769, 2771.
- Carey, Lorenzo, examination of, 2913, 2932.
Referred to, 27794, 3065.
- Croner, Abraham.
Referred to, 2805.
- Connolly, Richard B.
Referred to, 2829, 6649.
- Churchill.
Referred to, page 389.
- Conroy, William.
Referred to, 4058.
- Costello, Michael, examination of, 4132, 4134.
Referred to, 4181, 4181, 4184, 4185, 4186, 4341, 4343-50, 4387, 4388, 4392, 4331, 4334, 4335, 4430, 4436.
Reputation of, 4392, 4393, 4431.
Referred to, 8285, 8287, 8293, 8334, 8341, 8348, 8376, 9190, 9191.
- Crechan, Robert, (Judge.)
Referred to, 4103, 4105, 5722, 6857.
- Canvassing, delay in.
Referred to, 4113, 4363, 8284, 5158, 9262.
- Campbell, Judge.
Referred to, 4128.
- Coman, Alderman.
Referred to, 4132, 4163, 4183, 4387, 9190, 9191, 9281, 9286.
- Chadwick.
Referred to, 4135.
- Corson, Cornelius.
Referred to, 4153, 4160.
- Certificates of naturalization fraudulently granted.
Referred to, 4628, 4632, 4704, 5343, 6248.
- Clark, Andrew.
Referred to, 4800.
- Clark, James, examination of, 5287, 5333.
Referred to, 5390.
- Costello, ———
Referred to, 5398.
- Compton House.
Referred to, 4201, 4239, 5558, 5663, 5861, 5862, 5865, 6004, 6007, 6009, 6112.
Fictitious names registered from, 5796.
Referred to, 8503, 8517, 8558, 8528, 8529, 8557, 8558, 8561, 8562.
- Conkling ticket.
Referred to, 4290, 4297, 4299, 4300, 4301, 4316, 4317, 4318, 4319, 4320, 4324.
- Carboy, Michael.
Referred to, 4295.
- Cuddy, William.
Referred to, 4327, 4328, 4329, 6947.
- Colvin, James A., examination of, 4363, 4374.
- Crounce, ———
Referred to, 4383.
- Cummings, John, examination of, 4386.
- Cronin, Bartholomew, examination of, 4572, 4590.
Referred to, 3999.
- Cook, Peter, examination of, 4880, 4925.
Referred to, 3359, 3414.
- Campbell, Louis, examination of, 6034, 6062.



- Cassidy, —**
 Referred to, 6040, 6042, 6045, 6054.
- Cook, William H.,** examination of, 6697, 6704.
 Referred to, 6947.
- Cooper, Jacob W.,** examination of, 6965, 6968.
 Referred to, 6849.
- Costello, Robert,** examination of, 6937, 6938.
- Clark, John,** examination of, 6939, 6940.
- Clark, Edward,** examination of, 6945, 6946.
 Referred to, 7040.
- Cobb, Edward,** examination of, 6947, 6950.
- Chambers, Wm. R. W.,** examination of, 7044, 7054.
 Referred to, 7940.
- Collins, James,** examination of, 7313, 7393.
- Callan, Christopher,** examination of, 7670, 7740.
 List of witnesses presented by, 7670.
- Coffin, Elias,**
 Referred to, 7335, page 667.
- Coul, William,** examination of, 7346, page 667; 7355,
 page 668.
- Curran, Alderman,**
 Referred to, 8294.
- Clark, William P.,** examination of, 8663, 8612.
- Cameron, Pat.,** examination of, 87024, 8719.
- Clark, Lewis,** examination of, 8904, 8813.
- Carr, Lewis E.,** examination of, 8876, 8888.
- Carroll, William,** examination of, 8909m., 8912.
- Crist, Virgil,** examination of, 8951e, 8957.
- Cartler, Edmunds,** examination of, 90174.
- Casey, Thomas,** examination of, 9100a.
- Crook, Thomas,** examination of, 9100c.
- Coyle, John,** examination of, 9100g.
- Cumberlege, John,** examination of, 9100a.
- Connell, James,** examination of, 91297.
- Clapp, H. M.,** examination of, 9165, 9166.
- Dwyer, Deputy Marshal,**
 Referred to, 2, page 393, 4045.
- Dally, R. H.,** examination of, 356-378.
 Referred to, 380, 392, 400.
- Dolan, John,**
 Referred to, 442, 443-446, 447, 450, 451, 452, 460,
 822.
- Delancy street, No. 154,**
 Referred to, 863.
- Democratic General Committee, (German.)**
 Referred to, 654, 683, 797, 798, 828, 829, 859.
 List of applications to, for naturalization, 874-
 882.
- Denham, Michael,**
 Referred to, 958, 974.
- DeWitt, Clinton**
 Referred to, 1184.
- Dargan, Richard,**
 Referred to, 1252.
- Duffy, Patrick,** examination of, 2099.
 Referred to, 1253, 1688, page 179, 3788, 3855.
- Dayton, Isaac,**
 Referred to, 1270, 1287, 1300, 1301, 1315.
- Democratic officials and politicians—Testimony relative to.**
 Referred to, 1335, 1336, 1337, 1339, 1340, 1341-
 1343, 1347, 1348, 1354, 1356-1364, 1366, 1367,
 1372, 1373, 1374, 1407, 1409, 1412, 1786, 1797,
 2635, 2904.
- Dunphy, —**
 Referred to, 1345, 1354, 1369, 1370, 8289, 8291,
 8332, 8352, 8358.
- Darcy, —**
 Referred to, 1367.
- Dougal, —**
 Referred to, 1367, 1369.
- Doe, John,**
 Referred to, 1546, 1625.
- Dunn, Michael,**
 Referred to, 1688, 2117, 3783.
- Doollu, John,**
 Referred to, 1688, page 179, 3855.
- Dalton, John,**
 Referred to, 1812, 1984.
- Daly, Patrick,**
 Referred to 1834.
- Doogan, William,**
 Referred to, 1847.
- Donnelly, John,** examination of, 2303-2326.
 Referred to, 1876, 2141, 2406, 2409, 3855.
- Day, —**
 Referred to, 1984, page 192.
- Daly, Judge,**
 Referred to, 1948, page 194.
- Dehlinan or Dellinger, Paul,**
 Referred to, 2105, 2106, 2734.
- Davenport, John I.,** examination of, 6686-6696.
 Referred to, 2107, 4039, 4667, 5363, 5410, 6532,
 6533, 6535, 6659, 8210.
 Recalled, 7643-7647, 8564-8593.
 Recalled, 9303-9312.
 Communications by telegram, &c. between Con-
 gressional committee and Chas. E. Loew,
 presented by, 9304-9310.
 Recalled, 9320-9346, 9393-9398.
 Communications to S. J. Glassey et al., presented
 by, 9394-9398.
- Dallinger, —**
 Referred to, 2203.
- Day, Richard,** examination of, 2419-2426.
- Dolan, Hugh F.,** examination of, 2427-2429.
 Recalled, 3051-3053, page 291, 3069.
- Darling, James,**
 Referred to, 2453, 2454, 2639, 3053, 3385.
- De Voussery, Abraham,** examination of, 2895-2912.
 Referred to, 4135, 4136.
- Donnelly, Francis,** examination of, 3195-3256.
 Referred to, 3260, 3269.
- Davies, Judge,**
 • Referred to, 1147, 3492.
 Opinions of, 3492, 3557.
- Donovan, Henry,** examination of, 3742.
- Duer, Judge,**
 Referred to, 4128.
- Dorans, William,** examination of, 4496-4527.
 Referred to, 4192, 4199, 4236, 4211, 4221, 4236,
 4231, 4237, 4251, 4269, 4272, 4277, 4279, 4310,
 4935, 4928, 4938, 5959, 5963, 5967, 5998, 6847.
 Recalled, 4539-4563.
- Davis, William,**
 Referred to, 4211.
- Dorra, Thomas,**
 Referred to, 4611.
- Durgan, C. A.,**
 Referred to, 5079.
- Dumble, Joseph,** examination of, 5099-5101.
- Dodson, William,**
 Referred to, 5100.
- Darling, Henry,** examination of, 5163-5209.
 Referred to, 5142, 5144, 5152, 5225, 5696, 5703.
- Dunn, Bill,**
 Referred to, 5355, 5356, 5359, 5380, 5362, 5364, 5370.
- Doubleday, Major General,**
 Referred to, 5565.
- Depew, —**
 Referred to, 5567.
- Donovan, John,** examination of, 5635-5644.
 Referred to, 5604, 5612, 5613, 5645.
- Dennis, James,** examination of, 6848-6850.
 Referred to, 6954, 6955, 6959, 6960, 6963, 7020.
- Doherty, Cornelius,** examination of, 6961-6967.
 Referred to, page 657.
- Davison, William,** examination of, 7245-7273.
- Dwyer, Timothy,** examination of, 7332-7343, page 667.
 Referred to, 7322, page 666, 7328, page 666, 73-
 31, page 666.
- Dunne, John,** examination of, 3099-3134.
 List of names presented by, in 11th district, 6th
 ward.
 Referred to, page 294.
- Dally, —**
 Referred to, 8738.
- Driscoll, Daniel,** examination of, 87364-8759.
 Referred to, 8774, 8778, 8779.
- Donnegan, Anthony,** examination of, 89128.
- Dixon, Frank B.,** examination of, 9100a.
- Deming,** examination of, 91244-9129.
- Dunn, Patrick,** examination of, 91297.
- Dillon, John,** examination of, 9194-9197.
- Dunbar, George H.,** examination of, 9206-9229.
- Dunphy, James,** examination of, 9246-9291.
- Elections.—Names of inspectors of registry and elec-
 tion, sworn and examined:**
 Charles C. Reed, 329, 27th district, 9th ward.
 Theodore Block, 379, 21st district, 17th ward.
 Edward Mitchell, 412, 4th district, 15th ward.
 Albert Bogert, 422, 4th district, 19th ward.
 George G. Hewett, 430, 19th district, 20th ward.
 George P. Barrett, 441, 7th district, 12th ward.

Elections.—Names of Inspectors.—Continued.

Henry Beeny, 466, 9th district, 6th ward.
 John H. Springer, 487, 6th district, 19th ward.
 William W. Young, 508, 4th district, 17th ward.
 William A. Jenness, 575, 5th district, 18th ward.
 Porter G. Sherman, 928, 8th district, 17th ward.
 John Ornbom, 938, 4th district, 19th ward.
 Dugald Stewart, 1105, 17th district, 20th ward.
 Sam'l J. Glassey, 1251, 16th district, 20th ward.
 Anson Willis, 1782, 16th district, 16th ward.
 Samuel S. Urmy, 1805, 15th district, 21st ward.
 Timothy Lynch, 1859, 5th district, 8th ward.
 Samuel A. Roberts, 1965, 2d district, 17th ward.
 Stephen M. Crandall, insp'r of elect'n, but not of registry, 1930, page 193, 15th dist., 21st ward.
 Henry J. Chapman, 2050, 16th district, 16th ward.
 Richard G. Hunt, 2069, 19th district, 11th ward.
 Benj. Van Buren, 2076, 16th district, 16th ward.
 Andrew J. Brown, 2113, 12th district, 13th ward.
 William Joralemon, 2141, 5th district, 6th ward.
 N. H. Springstein, 2201, 19th district, 11th ward.
 John Donnelly, 2303, 5th district, 6th ward.
 Solomon Selvas, 2327, 16th district, 6th ward.
 James J. Brophy, 2362, 5th district, 6th ward.
 John J. Mulligan, 2679, 12th district, 13th ward.
 Thomas Flynn, 2704, 19th district, 13th ward.
 James J. Neells, 2779, 6th district, 6th ward.
 John McMahon, 2805, 1st district, 11th ward.
 Abraham De Vouney, 2895, 9th district, 6th ward.
 Lorenzo Carey, 2913, 6th district, 6th ward.
 Martin B. Austin, 3024, 12th district, 13th ward.
 Lewis C. Phillips, 3164, 6th district, 6th ward.
 Francis Donnelly, 3195, 3d district, 11th ward.
 Solomon E. Belmont, 3312, 12th district, 8th ward.
 Henry Donovan, 3742, 13th district, 21st ward.
 Dennis Shea, 3986, 4th district, 4th ward.
 Arthur McKenna, 4050, 5th district, 1st ward.
 Michael Costello, 4132, 3d district, 4th ward.
 Patrick Mack, 4163, 5th district, 4th ward.
 Thomas Potter, 4179, 3d district, 4th ward.
 John P. Thurston, 4330, 3d district, 4th ward.
 Bartholomew Cronin, 4572, 4th district, 4th ward.
 Joseph Maloy, 4591, 4th district, 4th ward.
 John Gilmore, 4598, 7th district, 4th ward.
 Joseph Dumble, 5009, 2d district, 4th ward.
 George Merritt, 5550, 5th district, 16th ward.
 James Dennis, 6848, 7th district, 21st ward.
 John Mullaly, 6954, 7th district, 21st ward.
 Jacob W. Cooper, 6965, 7th district, 21st ward.
 John Kennell, 7004, 2d district, 3d ward.
 Charles H. Rodgers, 7018, 8th district, 21st ward.
 McLaughlin Dennis, 9189, 3d district, 4th ward.
 John Dillon, 9194, 11th district, 6th ward.

Ey, John, examination of, 617, 624.
 Referred to, 608, 610, 612.

Expense of naturalization, how paid.
 Referred to, 859.

Essex Market court.
 Referred to, 927.

Ellis, William.
 Referred to, 1327.

Eaton, —. 1394.

Essex street, No. 103.
 Referred to, 1476.

Elizabeth street.
 Referred to, 2273.

Eric Railroad Company.
 Referred to, 2876, 2872.

East Broadway.
 Referred to, 3675, 3676, 3690.

Edwards, Charles.
 Referred to, 4110.

Elliott, Joseph.
 Referred to, 4166.

Eastburn, John.
 Referred to, 5018.

Emott, James, examination of, 5086, 5089.
 Opinion of, 5086, 5089.

Edwards, Michael, examination of, 6228, 6247.
 Referred to, page 657.

Evers, Frederick.
 Referred to, 7027.

Ennis, Peter, examination of, 87974, 8803.

Egleston, George, examination of, 88564, 8857.

Elth, Joseph, examination of, 88704, 8875.

Ellis, Thomas, examination of, 89134, 8951.

Elliott, G. C., examination of, 9100 J, 9109.

Ellis, —.
 Referred to, 91244, 9125, 9126, 9127, 9129.

Fitzpatrick, John.
 Referred to, 372, 392, 394, 335, 399, 400.

Fitzpatrick, Dennis.
 Referred to, 335, 312, 319, 330, 331, 815.

Fox, Charles, examination of, 637-649.
 Referred to, 650, 638, 605, 1114, 1136.

Fielding, Charles.
 Referred to, 825, page 178, 3855.

Feeny, Patrick T., examination of, 954-987.

Fox, John, congressman.
 Referred to, 2391.

Farly, John.
 Referred to, 2439.

Flynn, Thomas, examination of, 2704-2717.
 Referred to, 2679, 3333.

Fyfe, Douglas.
 Referred to, 2779.

Firth, Isaac.
 Referred to, 2805.

Fulke, —.
 Referred to, 2805.

Ferguson, Hiram, examination of, 6096-6162.
 Referred to, 3196, 3200, 3201, 3213, 3214, 3222, 3223, 3226, 3231, 3237, 3240, 3247, 3248, 3270, 5492, 5654, 5679, 5867, 5882, 6163.

Fullerton, William, opinion of, 3537.

Fitzgerald, Samuel.
 Referred to, 3844.

Fox, John.
 Referred to, 3866, 3884, 4037.

Fenton, Governor.
 Referred to, 1188, 1205, 1900, 3743.

Forty-second street.
 Referred to, 1253, 2266.

Franklin street.
 Referred to, 1362, 2314.

Flanagan, —.
 Referred to, 1367.

Fehling, Charles.
 Referred to, 1688, 3780.

First avenue, Nos. 61 and 921.
 Referred to, 1689, 1894, 2037.

Fourth Avenue, Nos. 444 and 449.
 Referred to, 1807, 1847, 1856, 1858.

Forty-first street west, No. 318.
 Referred to, 2116.

Fitzgerald, Mathew, examination of, 4096-1098.

Fitzgerald, Thomas.
 Referred to, 4110.

Field, —.
 Referred to, 4135, 4327.

Fifth Avenue hotel.
 Referred to, 2, 212, 1268, 1381, 1900, 1959, 2387, 2520, 3087, 3675, 4166, 4438, 4446, 4793, 4802, 5575, 5580, 5588, 5633, 5654, 5666, 5682, 5690, 5693, 5753, 5771, 5716, 6098, 6097, 6117, 6118, 6134, 6164, 7056, 7057, 7058, 7086, 7087, 7089, 7091, 7241, 9149, 9166, 9206, 9210, 9213, 9215, 9222, 9225.

Fryc, Robert.
 Referred to, 5543, 5544.

Foster, John A., examination of, 1316-1323.
 Referred to, 702, 737, 739, 1250, 6533, 6535, 6536, 6614, 6626, 6627, 6637, 6641, 6686, 7196.
 Recalled, 2431-24384.
 Recalled, 6648-6685.
 Tables, &c., presented by, 5562, page 526.
 Referred to, 8364, 8364.

Fagin, —.
 Referred to, 6006.

Farrell, Laurence, examination of, 6528-6628.
 Referred to, 6629, 6634, 6646, 6648, 6703, 7170, 7183.

Ferguson, Charles, examination of, 6913-6916.
 Referred to, 7040.

Fox, John, examination of, 6969-6970.

Fort Lafayette.
 Referred to, 7056, 7068.

Foley, Terrence, examination of, page 657.

Fuller, Jerome, Judge, examination of, 7554-7559.
 Referred to, 7546, 7548.

Foster, William S., examination of, 7586-7593.

Flannagan, Peter.
 Referred to, 8309.

Flynn, John, examination of, 8594-8602.
 Referred to, 8613, 8614, 8615, 8616, 8617, 8620, 8623, 8626.

Farrar, Michael, examination of, 90654-9083.

Ford, Patrick, examination of, 9129 h.

- Grand jury, indictments of.**
 Referred to, 88, 629, 1151, 1153, 1154, 1155, 1157, 1158, 1161, 1162, 1163, 1164, 1165, 1167, 1168, 1253, 2817.
 Members of, 4785, 4791, 4793.
- Grau, Michael.**
 Referred to, 630.
- Goldstein, Emanuel S., examination of, 796-925.**
 Referred to, 658, 948, 949, 953, 1661, 2100, 3861.
- Gould, Thomas, examination of, 694-739.**
 Referred to, 1249, 1250, 1316, 1317.
- Glassey, Samuel J., examination of, 1248-1315.**
 Referred to, 702, 737, 739, 1317.
 Recalled, 2178-2200.
 Referred to, 5563, 5823, 6366, 6533, 6535, 6626, 6628, 7196..
 Recalled, 6629-6647, 7648-7669.
 Referred to, 6649, 6686, 6688, 8066, 8164, 8269, 8270, 8363.
- Gillespie, Adam, examination of, 7039-7039, 7207.**
 Referred to, 827, 3406, 3414, 8164, 8165, 8186, 8169, 8176.
 Recalled, 8223-8255.
 Count testified by, 8255.
 Referred to, 8416, 8417, 8422, 8439, 8440, 8451, 8453, 8454, 8455, 8456, 8457, 8458, 8459, 8462, 8464.
- Gomez, Antonio.**
 Referred to, 856, 865, 1686, 1689, 1894, 3789.
- Green street.**
 Referred to, 1378, 2453.
- Garvin, Judge, examination of, 4480, 4494.**
 Referred to, 1738, 1745, 1937, 2024, 2043, 3419, 3420, 3571, 3573, 3581, 3596, 3600, 4004, 4117, 4118, 4124, 4172, 4375, 7324, 7330.
- Gillem, James.**
 Referred to, 1897, 1834, 1844-1845, 1984, 1985, 1927, page 193, 1934, page 193.
- Gillmore, T. J., examination of, 2105-2112.**
 Referred to, 2783, 2729.
- Goodwin, James.**
 Referred to, 2458.
- Grant & Truin.**
 Referred to, 2673, 3285.
- Gorkey, —.**
 Referred to, 2975.
- Griawold, John A.**
 Referred to, 983, 2674, 4029, 4635, 4037.
- Goff, Patrick.**
 Referred to, 1330, 1331, 1334, 1345, 1349, 1350, 1351, 3460, 3655, 3808, 3859, 5541, 9131, 9171, 9172, 9198.
- Gale, Moses D., examination of, 3329-3383.**
 Referred to, 1337, 2812, 2815, 2829, 2953, 4639.
- Gallagher, G.**
 Referred to, 1345, 1354, 1367.
- Gould, William.**
 Referred to, 2031.
- Governor's Island.**
 Referred to, 2474, 2516, 2517, 2678.
- Glynn, James.**
 Referred to, 2500.
- Goerck street, Nos. 26 and 29.**
 Referred to, 2113, 2685, 2693, 27154.
- Greene, William H., examination of, 3386-3403.**
 General Committee of Tammany Hall, circular of, 3553.
- Gram, James.**
 Referred to, 3783.
- Grant and Colfax.**
 Referred to, 4037.
- Grant, Charles, examination of, 4285-4329, 5542-5547.**
 Gutterman.
 Referred to, 4383.
- Gilmore, John, examination of, 4598-4621.**
- Greig, T. W., examination of, 4569-4572.**
 Population of 6th ward, N. Y. City, presented by, page 456.
- Gallagher, Owen.**
 Referred to, 4650, 4753, 4775.
- Gallagher, John.**
 Referred to, 4768.
- Graham, John.**
 Referred to, 5018.
- Gildon.**
 Referred to, 5053.
- Glenn, James.**
 Referred to, 5126.
- Gifford, George B., examination of, 5139-5161.**
 Referred to, 5164, 5167, 5170, 5174, 5177, 5190, 5197, 5199, 5301, 5203, 5206, 5307, 5225, 5712, 6719.
 Recalled, 5694-5711, 5717-5718.
- Greene, James, examination of, 5334-5381.**
 Referred to, 6033.
- Glover, John R.**
 Referred to, 5543.
- Gorman, James, examination of, 5548-5549.**
- Goney, James, examination of, 6168-6169.**
- Groves, Charles.**
 Referred to, 6366, 6387, 6388, 6390, 6403.
- Gregory, John, examination of, 6455-6327.**
- Gunn, John, examination of, 6246.**
 Grinnell.
 Referred to, 6532.
- Gaillard, Joseph, examination of, 6847.**
- Gleunon, John, examination of, 6941-6942.**
- Gumbleton, Henry A., examination of, 6988-7003.**
 Referred to, 9312.
- Gilmorr, Councillman.**
 Referred to, 7313, 7355, 7362, 7365, 7367, 7376, 7389.
- Gillespie, Cornelius, examination of, 87854-8788.**
- Garrison, Chauncey, examination of, 88574-8860.**
- Gibborn, James Fitz, examination of, 88634-8866.**
- Gilmartin, James, examination of, 88924.**
- Green, John, examination of, 8909c.**
- Gray, James.**
 Referred to, 90654.
- Grady, Jeremiah.**
 Referred to, 9074.
- Gedney, Judge.**
 Referred to, 90884, 9090.
- George, Judge.**
 Referred to, 9101.
- Garvin, Samuel V., examination of, 9130.**
 Books presented by, 9130.
- Golden, James, examination of, 9153-9155.**
- Hewett, George G., examination of, 430-440.**
- Hats, changing of, 2273-2276.**
- Heinburch, Melchoir, examination of, 740-766.**
 Referred to, 630, 767, 808.
- Hurrell, Timothy, examination of, 775-780.**
 Referred to, 630, 806.
- Herman, (supervisor.) G. W.**
 Referred to, 654, 655, 636, 657, 674, 799, 830, 862, 3364, 3861.
- Hennet, Augustus.**
 Referred to, 658.
- Herman, Isaac, examination of, 3852-3861.**
 Referred to, 804, 809, 813, 815, 817, 822, 823, 824, 825, 1510, 1689, 3755, 3922, 3932.
- Honig, William.**
 Referred to, 817, 820, 1688, (page 179.) 2116, 2665.
- Herbert, Joseph.**
 Referred to, 1688, (page 179.) 2117, 3783, 3855.
- Henny, Frederick.**
 Referred to, 1688, (page 179.) 2117, 3783, 3855.
- Hoffman, George.**
 Referred to, 1689, 1894.
- Hickey, George E.**
 Referred to, 1819, 1821.
- Hunt, Richard G., examination of, 2060-2075.**
 Referred to, 2203, 2205, 2227, 2241.
- Hudson street, Nos. 288 and 68.**
 Referred to, 2427, 2430, 2431, 2960, 3328.
- Hall, James F., examination of, 2439-2451.**
- Hendrick, William H., examination of, 2452-2678.**
 Referred to, 4564.
- Hodge, —.**
 Referred to, 2541, 2543.
- Houston street, east, Nos. 69 and 263.**
 Referred to, 927, 2453, 2600, 2605.
- Hooley's Minstrels.**
 Referred to, 980.
- Hoffman, John T., examination of, 1137, 1247.**
 Proclamation of, 1140.
 Referred to, 1314, 2176, 2734, 2738, 2880, 2305, 2937, 8281, 8288, 8304.
- Harvey, —.**
 Referred to, 1345.
- Hogan, Patrick.**
 Referred to, 1367.
- Henri, Lassey.**
 Referred to, 1378, 1412.

Harris, John.
Referred to, 3496.

Hillocher, Cyrus.
Referred to, 27534.

Harburger, Herman.
Referred to, 2805.

Hutchings, Assistant District Attorney.
Referred to, 2817, 3743.

Haggerty, Edward M.
Referred to, 28954, 2898, 2899.

Hunter, John W.
Referred to, 3002.

Hawley, S. C., examination of, 3009-3323.
Henry street, Nos. 167, 169, and 197.
Referred to, 3043, 3046, 3051, 3098, 3367, 3370, 4108, 4110.

Hallenback, Mathew O., examination of, 3054-3056.

Hughes, George.
Referred to, 3360.

Heath, Edward B., examination of, 4003-4023.
Referred to, 3421.
Recalled, 8416-8448.

Hall, A. Oakley, examination of, 2933-2958.
Referred to, 1307, 1309, 1962, 2385, 2402, 2738, 4320, 4779, 4793.
Recalled, 3490-3569.
Resolution and circular of T. H. G. C., presented by, 3490.
Letter of, to Judge Davies, 3492.
Opinion of Judge Davies *et al.*, presented by, 3557.
Circular of T. H. G. C., presented by, 3553.
Opinion of Attorney General, presented by, 3568.

Hilton, Henry. (Judge.) opinion of, 3537.
Referred to, 3605, 3608.

Howe, Counsellor.
Referred to, 3686, 3844, 3847, 6026.

Harma, Daniel.
Referred to, 3844.

Habeas corpus.
Referred to, 1814, 1900, 2198, 3511, 3512, 3610, 3611, 3666, 3685, 3686, 3687, 5095, 5096, 6026.
Copy of, 3849.
Allowance of, 3849.
Order of discharge, endorsed on, 3849.
Referred to, 9150.

Hadden, John.
Referred to, 4095.

Hastings-on-the-Hudson.
Referred to, 4080, 4082, 4087, 4089, 4092, 4096, 4097, 4099, 4101, 4106.

Haggerty, Patrick M., examination of, 7471-7481.
Referred to, 4135, 4136, 7449, 7464.

Harrington, Patrick.
Referred to, 4166.

Hennett, Julius.
Referred to, 4168.

Herron, Gershom M.
Referred to, 4168, 4170.

Harris, George, examination of, 4187-4231.
Referred to, 4249, 4251, 4521.

Howard, Michael.
Referred to, 4295.

Hopcroft George, examination of, 4406-4414.

Hasbrouch, D. B.
Referred to, 4432, 6024, 6168, 8304, 8321, 8325.

Hoffman, George H., examination of, 4438-4479.

Hill, George, examination of, 4941-1985.
Referred to, 5003, 6033.

Harris, Morgan.
Referred to, 5143.

Hanberry, —.
Referred to, 5147.

Hawley, James.
Referred to, 5228, 5229, 5238, 5297, 5420.

Hale, Peter, examination of, 5283-5286.

Huffschildt, Jacob.
Referred to, 5543.

Howell, —.
Referred to, 5557.

Hogan, David, examination of, 5648, 5638.
Referred to, 5689, 5663, 5873, 5882, 5884, 5911, 5913, 5914, 5916, 6097, 6112, 6122, 6134, 6138, 6144, 6152, 6153, 6154, 6155, 7056, 7059, 7063, 7096.
Recalled, 6167.

Hoffman House.
Referred to, 5654, 5667, 5683, 5687, 5692, 5693, 5878, 5879, 5882, 6097, 6129, 6131, 6165, 6166.

Hoff, Charles.
Referred to, 5668.

Hinchman, —.
Referred to, 6094.

Hughes, John, examination of, 6917, 6923.
Referred to, 7040.

Heath, John, examination of, 7042, 7043.
Referred to, 7233.

Hallen, George F., examination of, page 657.

Hogan, Edward, examination of, 7394, 7321, page 666.

Harrington, Thomas.
Referred to, 7348, pages 667, 668.

Horsfelt, Adam, examination of, 7385, 7397, pages 670, 671.

Hayner, Oliver, examination of, 7497, 7520.
Handel, John.
Referred to, 8604, 8606, 8608, 8612.

Hawley, John, examination of, 8663, 8671.

Hawley, Patrick, examination of, 8671, 8673.

Hoyt, Charles, examination of, 8698, 8702.

Husey, Peter.
Referred to, 9133, 9136.
Arrest of, 9133.

Hackett, Edward, examination of, 8815.

Hurt, John, examination of, 8836, 8843.

Hogan, Thomas.
Referred to, 9065.

Hogan, Edward.
Referred to, 9100 b.

Hoyt, H. Y. D., examination of, 9109, 9121.

House, E. H., examination of, 9129 c.

Husey, Peter, examination of, 9156, 9157.



I.

Inspectors of registry and election examined:

Charles C. Reed, 329, 27th district, 9th ward.
Theodore Block, 379, 21st district, 17th ward.
Edward Mitchell, 412, 4th district, 15th ward.
Albert Bogert, 423, 4th district, 19th ward.
George G. Hewitt, 430, 19th district, 20th ward.
George P. Barrett, 441, 7th district, 12th ward.
Henry Beeny, 466, 9th district, 6th ward.
John H. Springer, 487, 6th district, 19th ward.
William W. Young, 508, 4th district, 17th ward.
William A. Jenner, 515, 8th district, 18th ward.
Porter G. Sherman, 925, 8th district, 17th ward.
John Osborn, 938, 4th district, 19th ward.
Dugold Steuart, 1105, 17th district, 20th ward.
Sam'l J. Glawsey, 1251, 16th district, 20th ward.
Anson Willis, 1782, 16th district, 16th ward.
Samuel S. Urmy, 1805, 15th district, 21st ward.
Timothy Lynch, 1859, 5th district, 6th ward.
Samuel A. Roberts, 1965, 2d district, 17th ward.
Stephen M. Crandell, inspector of election, but not of registry, 1930, (page 193.) 15th district, 21st ward.

Henry J. Chapman, 2050, 16th district, 16th ward.

Richard G. Hunt, 2060, 19th district, 11th ward.
Benj. Van Buren, 2076, 16th district, 16th ward.
Andrew J. Bross, 2113, 12th district, 13th ward.
Wm. Joraleman, 2141, 5th district, 16th ward.
N. H. Springsteen, 2201, 19th district, 11th ward.
John Donnelly.

Solomon Seixas, 2327, 16th district, 6th ward.
James J. Brophy, 2326, 5th district, 6th ward.
John J. Mulligan, 2679, 12th district, 13th ward.
Thomas Flynn, 2704, 19th district, 13th ward.
James J. Nealis, 2799, 6th district, 6th ward.
John McMahon, 2805, 1st district, 11th ward.
Abraham De Vounsey, 2895, 9th district, 6th ward.

Lorenzo Carey, 2913, 6th district, 6th ward.
Martin B. Austin, 3024, 12th district, 13th ward.
Lewis C. Phillips, 3064, 6th district, 6th ward.
Francis Donnelly, 3195, 3d district, 11th ward.
Solomon E. Belmont, 3312, 12th district, 18th ward.

Henry Donovan, 3742, 13th district, 21st ward.
Dennis Shea, 3986, 4th district, 4th ward.
Arthur McKenna, 4050, 3rd district, 1st ward.
Michael Costello, 4132, 3d district, 4th ward.
Patrick Mack, 4163, 5th district, 4th ward.
Thomas Potter, 4179, 3d district, 4th ward.
John P. Thurston, 4330, 3d district, 4th ward.
Bartholomew Cronin, 4372, 4th district, 4th ward.
Jules Malay, 4591, 4th district, 4th ward.
John Gilmore, 4598, 7th district, 4th ward.

Inspectors of registry and election examined:

Joseph Dumble, 5099, 2d district, 4th ward.
 George Merritt, 5550, 5th district, 16th ward.
 James Dennis, 6848, 7th district, 21st ward.
 John Mullaly, 6954, 7th district, 21st ward.
 Jacob W. Cooper, 6965, 7th district, 21st ward.
 John Kennell, 7004, 2d district, 3d ward.
 Charles H. Rodgers, 7018, 8th district, 21st ward.
 Dennis McLaughlin, 9189, 3d district, 4th ward.
 James Dillon, 9194, 11th district, 6th ward.

Ingraham, Judge.
 Referred to, 1519.

Illegal voting.
 Referred, to, 1857, 1864, 1883, 2113, 2273, 2770, 2772, 3051, 3053, 3055, 3233, 4030, 4049, 4058, 4067, 4135, 4187, 4193, 4216, 4238, 4269, 4271, 4286, 4501, 4503, 4509, 4601, 4602, 4616, 4819, 4926, 4943, 4945, 4948, 4980, 4993, 5027, 5031, 5227, 5288, 5425, 5658, 5659, 5662, 5758, 5763, 5776, 5868, 6370, 6788, 6792, 6804, 6906, 6913, 6917, 6920, 6937, 6939, 6941, 6942, 6945, 6947, 6969, 6971, 6973, 7042, 7043, 8283, 8284, 8552, 8554.

Irving, James, examination of, 3844, 3849.

Irwin, D. B., examination of, 88034, 8808.

Jarvis, Deputy Marshal.
 Referred to, 2.

Jenner, William A., examination of, 515, 542.
 Referred to, 2577.

Jonasohn, G., Dr.
 Referred to, 658.

Jew, Charles.
 Referred to, 996.

Jourdain, _____.
 Referred to, 1362, 1422, 1438.

Jones, Judge.
 Referred to, 1738, 1745, 3571, 4375.

Jones, _____.
 Referred to, 1857.

Joralemon, William, examination of, 2141, 2167.
 Referred to, 1876, 2304.

Jay, John, examination of, 1900, 1928.
 Referred to, 3605, 3608.

James, Judge.
 Referred to, 1900, 1909, 1917, 1922, 1923, 3558, 3511, 3512, 3604, 3605, 3608, 3666, 3667, 9149.

Jourdan, captain of police.
 Referred to, 2903, 3100, 3101, 5485, 6020, 6022.

Jordan, Mathew.
 Referred to, 3317.

Jones, Henry A.
 Referred to, 3394.

Joachimson, Counsellor.
 Referred to, 3661.

Jackson club.
 Referred to, 3903.

Jones, Ex Congressman.
 Referred to, 4132.

Jonasohn, Louis, examination of, 4162, 4178.
 Recalled, 5474, 5478.

Jordan, Thomas.
 Referred to, 4365.

Jones, Morgan, examination of, 4387, 4396.

Johnson, George, examination of, 4926, 4940.
 Referred to, 5004.

Jacker, Edmund.
 Referred to, 5543.

Jones, John, examination of, 5867, 5914.
 Referred to, 5495, 5654, 5915, 6093, 6112, 6114, 6134, 6138.

Johnson, _____.
 Referred to, 5955.

Jarvis, Nathaniel, Jr., examination of, 1947, 2021, pages 194, 201.
 Referred to, 2100.
 Recalled, 6310, 6312.

List of persons naturalized presented by, 6310.

Jansen, Andrew, examination of, 7434, 7439.

Jersey City.
 Referred to, 4961, 4965, 4970, 4978, 5063, 5070, 5072, 5080, 5239, 5241, 5312, 5319, 5323, 5353, 5366, 5452, 5453, 5460, 5465, 5549, 5505, 5517, 5965, 6036, 6174, 6176, 6180, 6183, 6229, 6231, 6281, 6414, 6483, 6492, 6506, 6821, 6822, 6826, 6909, 6915, 6922, 6946, 6948, 7043, 7184, 7275.

Johnson, Henry, examination of, 8256, 8376.

Johnson, Joseph, (colored), examination of, 88604.

Jackson, James H., examination of, 8951 d.

Jackey, Charles, 89671, 29e2.

Kaffenberger, Gottlieb.
 Referred to, 509, 824, 926, 929, 1688, page 179, 3855.

Kennedy John A., examination of, 6913-6832.
 Referred to, 558, 559, 569, 2453, 2525, 2533, 2535, 26954, 2943, 3010, 3022, 3128, 3536, 3544, 3675, 3691, 3698, 3704, 4411, 4438, 7111, 7112, 7113, 7114, 7115, 7118, 7129, 7167, 7169, 9145, 9149, 9150.

Kruger, Henry, examination of, 607-616.

Referred to, 603, 605, 606, 618, 619, 813.

Kumberg, _____.
 Referred to, 608, 610, 619, 2702.

Kohler, Jacob.
 Referred to, 656.

Kemmerer, _____.
 Referred to, 658, 863.

Kent, Edwin R., examination of, 3925-3922.

Referred to, 812, 3739, 3788, 3852.

Kerwin, Michael, examination of, 1056-1077.

Referred to, 827, 1726, 2028, 3406, 3419, 3595, 3616, 3622.

Kelley, Thomas.

Referred to, 1029, 1049, 1045, 1065, 1067, 1074.

Kelley, Sheriff.
 Referred to, 3862, 3873.

Kewtch, _____.
 Referred to, 1370.

Koch, Edward.
 Referred to, 3755, 3759, 3852, 3855, 3932.

King, John.
 Referred to, 2116.

Kelley, _____.
 Referred to, 2712, 27154.

Kohn, Eleazer.
 Referred to, 2805.

Keenan, Patrick H., examination of, 3041-3053.

Referred to, 3333, 3366, 3386, 3394, 3399.

Kelley, Justice.
 Referred to, 3512, 7021.

Knight, _____.
 Referred to, 1627, 8394.

Kane, Patrick.
 Referred to, 5100.

Kerr, _____.
 Referred to, 5392.

Kerr, _____. (member of congressional committee.)

Referred to, 5507, 5508, 5512.

Kerrigan, _____.
 Referred to, 6111.

Keating, John, examination of, 6313-6358.

Referred to, 6271, 6272.

Kagle, John, examination of, 6924-6936.

Referred to, 7040.

Kennell, John, examination of, 7004, 7017.

Knowles, Calvin, examination of, 7561-7566.

Kelley, Patrick, examination of, 6889-6890.

Kirk, Samuel, examination of, 90144-9017.

Kneer, Wendelin, examination of, 90834.

Kane, Thomas, examination of, 91292.

Kely, James, examination of, 9131-9132.

Loew, Charles E., examination of, 1495-1684.

Referred to, 72, 73, 77, 305, 323, 340, 355, 858,

422, 447, 493, 509, 516, 604, 636, 724, 812, 998,

942, 1079, 1253, 1339, 1374, 1445, 1506.

Recalled, 1685-1701, pages 179-182.

List of applicants and witnesses presented by,

page 181.

Referred to, 1966, 2100, 2105, 2110, 2116, 2174,

2178, 2180, 2187, 2192.

Recalled, 2718, 2732.

Referred to, 3218, 3219, 3746, 3747, 3749, 3754,

3756, 3758, 3759, 3791, 3853, 3855, 3925, 3932,

3960, 3973, 3981, 5543, 6969, 6991, 6992.

Parties signing name of, 6990.

Referred to, 8394, 8714, 8792.

Recalled, 9347-9386.

Application to supreme court presented by, 9349.

Opinion of supreme court presented by, 9350.

Telegram identified by, 9378.

Recalled, 9389-9401.

Identification of signature by, 9401.

Referred to, 9367, 9368, 9369, 9392.

Livingston, _____.
 Referred to, 83.

- Levi, Colonel.
Referred to, 656, 674.
- Lynch, Dennis.
Referred to, 816.
- Lukas, William.
Referred to, 824, 926, 927, 1688, page 179, 3855.
- Lehman, John.
Referred to, 825, 1688, page 179.
- Leigner, Andrew B., examination of, 1025-1053.
Referred to, 3429.
- Luttrell, —.
Referred to, 3317.
- Leuchtner, Andrew B.
Referred to, 3421.
- Langner, August.
Referred to, 3788.
- Lenninger, August A.
Referred to, 3855.
- Lawrence, John M., examination of, 4024-4053.
- Lee, John, examination of, 4060-4086.
Referred to, 4067, 4089, 4093, 4101.
- Lawler, William, examination of, 4099-4100.
Referred to, 4101.
- Leverson, Montague Richard, examination of, 1324, 1465.
Referred to, 1605, 3774, 3944, 7044, 7048, 7049, 7050, 7051.
Recalled, 7239, 7244.
Referred to, page 656.
- Lush or Lusk.
Referred to, 1335, 1465.
- Ludlow street jail.
Referred to, 1813, 6848.
- Lynch, Timothy.
Referred to, 2141, 2304, 2406, 2408, 2409, 2410.
- Loyal League.
Referred to, 1941.
- Lexington avenue, No. 179.
Referred to, 1920, 1921, page 192.
- Lyons, Joseph.
Referred to, 2061.
- Laurence, Abraham R.
Referred to, 2178.
- Lee, —.
Referred to,
Levingston, Morris, examination of, 2695, 2703.
Lounsberry, G. W.
Referred to, 2753, 2767.
- Lockman, Bernhard.
Referred to, 4168, 4169.
- Loutrell, William J., examination of, 4415, 4429.
- Lists of repeaters; persons purporting to be naturalized; tabular statements; parties registering from different houses, &c., presented to the committee by different parties.
Referred to, pages 451, 452, 454, 455, 456, 492, 493, 5443, 5561, 5747, 5819, 5861, 6064, 6248, 6851, 7207, 7560, 7954, 7670.
- Lyle, Henry, examination of, 4622, 4778.
Referred to, 4803, 4807, 4814, 4815, 4857, 4866, 4871.
Recalled, 4874, 4878
Referred to, 5106, 5117, 5128, 5129, 5130, 5131, 5210, 5218, 5219, 5475, 5322, 5324, 5329.
Character of, page 628.
- Love, Arthur.
Referred to, 4647, 4650.
- Laurence, Henry.
Referred to, 4630, 4650.
- Le Barns, John W., examination of, 5858, 5860.
Referred to, 4935.
Recalled, 5918, 5945.
Referred to, 7278.
- Lucas, James R., examination of, 5220, 5221.
Love, Robert.
Referred to, 5542.
- Lesser, Samuel.
Referred to, 5543, 5544, 5547.
- Loftus, Peter, examination of, 6978, 6979.
Referred to, 7246, 7250, 7266.
- Loew, Edward V.
Referred to, 6995, 7000.
- Laird, Michael, examination of, 7356, page 668, 7375, page 669.
Referred to, 7335, page 667.
- Luckey, Joseph L., examination of, 7546, 7553.
Recalled, 7560.
- Levi, Richard, examination of, 8951a.
- Lynn, James H., examination of, 8958.
- Ludlow, Theodore W., examination of, 9129, b.
- Murray, Robert, examination of, 1, 66.
Referred to, 6, 9, 75, 77, 81, 83, 87, 93, 95, 146, 156, 196, 209, 212, 225, 322, 363, 447, 496.
Recalled, 543, 606.
Referred to, 608, 615, 618, 624, 813, 1154, 1155, 1161, 1162, 1163, 1175, 1176, 1177, 1178, 1179, 1180, 1271, 1506, 1611, 1689, 2698, 2956.
Recalled, 3290, 3293.
Referred to, 4674, 4800, 4963, 5314, 5485, 5490, 5493, 5494, 5496, 5497, 5571, 5581, 5589.
Recalled, 5510, 5521, 5593, 5598.
Referred to 5601, 5604.
Recalled, 5621, 5624.
Referred to, 5626, 5628, 5638, 5639, 5641.
Recalled, 5645, 5647.
Referred to, 5651, 5654, 5656, 5666, 5667, 5682, 5687, 5688.
Recalled, 5689, 5693.
Referred to, 5751.
Recalled, 5832, 5857.
Referred to, 5860, 5867, 5870, 5871, 5873, 5879, 5880, 5882, 5902, 5906, 5911, 5913.
Recalled, 5915, 5917.
Referred to, 6023, 6096, 6117, 6120, 6122, 6134, 6157, 6162.
Recalled, 6163, 6166.
Referred to, 6423, 6 24, 6425, 6443, 6437, 6510, 6511, 6759, 6830, 6247, 7056, 7057, 7058, 7068, 7069, 7122, 7128, 7130, 7275, 7293, 7295, 7297, 7299, 7301, 7324, 7327, page 666, 8062.
- McKean, John B., examination of, 3745, 3844.
Referred to, 72, 696, 812, 1347, 1446, 1506, 1508, 1530, 1535, 1586, 1595, 1598, 1612, 1633, 1641, 1653, page 153, 1687, 1702, 1716, 3852, 3855, 3928, 3932, 6989, 6990, 8151, 8153.
Recalled, 8377, 8514.
- McDonald, Logan, examination of, 221, 258.
Referred to, 855.
- Moore, Joe.
Referred to, 305, 366, 311, 319, 327, 1253, 2099.
- Mallory, Charles.
Referred to, 1065.
- McMurray, William J.
Referred to, 1078-1080, 1236.
- Miller, Joseph A., examination of, 1113-1132.
Money for election purposes.
Referred to, 1191, 1227, 1230, 1231, 1233, 2862.
- Maniarie, police commissioner.
Referred to, 1236, 3515, 4436, 4437, 5755, 7078.
- Mills, John Stewart.
Referred to, 1327.
- McCunn, (Judge,) John H., examination of, 3569-3672.
Referred to, 1333, 1335, 1340, 1354, 1362, 1366, 1367, 1369, 1370, 1372, 1373, 1407, 1408, 1423, 1425, 1429, 1432, 1438, 1444, 1462, 1606, 1737, 1745, 1937, 1967, 3380, 3419, 3420, 4007, 1976, page 196, 2024, 2043, 4417, 4118, 4124, 4168, 4172, 4173, 4175, 4375, 4380, 4398, 4399, 4481, 4493, 4625, 4628, 4640, 4642, 4700, 4743, 4764, 4777, 4814, 4877, 4885, 4887, 4889, 4894, 4901, 5474, 5476, 8072, 8404, 8411.
Recalled, 5210, 5219, 6950, 6953, 9292, 9302.
Referred to, 7324, 7326, 7346, 9165.
- McCaffrey, —.
Referred to, 1345.
- Weeks, Joseph, examination of, 3404-3489.
Referred to, 1726, 1733, 1736, 1768, 1770, 3010, 3585, 4000, 4920, 7032, 7033, 7034.
Recalled, 8164-8222.
Referred to, 8452, 8467.
- McArthur, John, jr., examination of, 303-328.
Mitchell, Edward, examination of, 412-421.
- Muller, August.
Referred to, 493, 496, 823, 1107, 3855.
- McLean, —.
Referred to, 581.
- McLaughlin, Patrick.
Referred to, 3604.
- Mode and manner of obtaining naturalization papers for fictitious persons.
Referred to, 856, 864-866, 1250, 1317, 1330, 1335, 1336, 1344, 1354, 1358, 1362, 1366, 1367, 1369, 1374, 1418-1421, 1419, 1454, 1702, 1937, 1966.
- McCarthy, —.
Referred to, 1367, 2454.

- Mode and manner of naturalization.
 Referred to, 1541-1546, 1715, 1753-1756, 1937,
 1966, page 195, 1976, page 196, 2123, 2133-
 2136, 2296, 2413, 3137, 3409, 3374, 3578, 3934-
 3940, 4005, 4080, 4087, 4092, 4117, 4480, 4466,
 4493, 4887, 7209, 7211, 7443, 7449, 7497.
- Murphy, Patrick.
 Referred to, 1588, 3651.
- Mercer, John J.
 Referred to, 1626, 1689, 1894, 3789.
- McCann, Alexander.
 Referred to, 1626, 1689, 1894.
- McCarty, James.
 Referred to, 1688, 2116, 3783, 3855.
- Miller, August.
 Referred to, 1688, page 179.
- Malla, William.
 Referred to, 1726, 2028, 2031, 2039, 3406, 3419,
 3855, 4014.
- Montgomery, James.
 Referred to, 1726, 2028, 2037, 3406, 3419.
- Monell, Judge.
 Referred to, 1745, 3571.
- McPherson, George.
 Referred to, 3323.
- Miller, Anthony.
 Referred to, 3333.
- Mulligan, _____.
 Referred to, 3335, 3342.
- McCaffrey, John.
 Referred to, 3636, 3663, 3669, 3833, 3862.
- Moore, Nicholas.
 Referred to, 1847.
- Moore, John.
 Referred to, 1847.
- Murray, William.
 Referred to, 1847.
- Metropolitan Hotel.
 Referred to, 1900, 1910, 1911, 2738, 2936, 3511,
 3604, 6234.
- McGovern, James.
 Referred to, 2931.
- McGovern, Thomas.
 Referred to, 2037.
- Mulligan, John J., examination of, 2679-2693.
 Referred to, 2113, 2714, 2717, 3033, 3034.
- Mansfield, _____.
 Referred to, 2303.
- McAlpine, R. W., examination of, 2119-2140
- McMan, _____.
 Referred to, 2425.
- Moran, James, examination of, 2939-2993.
 Referred to, 2430.
- Malony, John.
 Referred to, 2439, 2913.
- Morrissey, Michael.
 Referred to, 2439.
- McDermont, James.
 Referred to, 2439.
- Mitchell, Peter.
 Referred to, 2453, 2456, 2457, 2557, 2560, 2562,
 2588, 2593, 2606, 2615, 2619, 2630, 2634, 2639,
 4030.
- Mott street, Nos. 60 or 70, 66, 62, 68, and 70.
 Referred to, 2453, 2456, 2458.
- Marston, Colonel Ward.
 Referred to, 2491.
- Macauley, Captain.
 Referred to, 2499.
- Manhattan Club.
 Referred to, 2742, 2743, 2937.
- McMahon, John, examination of, 2805-2809.
- Mills, Captain, of the 8th precinct, examination of,
 3743-3744.
 Referred to, 2941, 3542, 3543.
- McKay, Gordon.
 Referred to, page 291.
- Mottel, Louis J., examination of, 3135-3194.
- Moses, Albert.
 Referred to, 3170.
- Marvin, Lemuel H.
 Referred to, 3183.
- McKnight, Peter.
 Referred to, 3197, 3262, 5492, 6100, 6109, 6111.
- McKnight, David.
 Referred to, 3197, 3221, 3227, 3238, 3262, 3267,
 3275.
- Marston, Howard T., examination of, 3710-3742.
 Referred to, Exhibit A, B, C, &c., presented by,
 (pages 353, 354, 355, 356, 357, 358, 359, 360, 361,
 362, 363, 364, 365.
 Recalled, 6359-6364.
 Lists of witnesses presented by, 6361, 7394.
 Recalled, 7594.
 Recalled, 9313-9329.
 Referred to, 9330, 9341, 9313, 9341.
- Mecken, Alexander.
 Referred to, 3789.
- McCaffry, Patrick.
 Referred to, 3855, 3362, 4117, 5539, 8210, 8212,
 8409.
- McDunn, J.
 Referred to, 3855.
- Morse, _____.
 Referred to, 3853.
- Maloy, Julius.
 Referred to, 3999.
- Moran, _____.
 Referred to, 4025, 4028, 4018, 4352.
- McKenna, Arthur, examination of, 4054-4080.
 List of non-residents, presented by, page 397.
- Monroe and Jackson streets, corner of.
 Referred to, 6370, 6371, 6379, 6382, 6396.
- Money for the support of witnesses till called to tes-
 tify.
 Referred to, 6533, 6632, 6657, 6688.
- Murray, Francis, examination of, 6703-6781.
- McCabe, John, examination of, 6788-6845.
- Moore, Deputy Sheriff.
 Referred to, 6847.
- Mullaly, Captain John, examination of, 6334-6965.
 Referred to, 6849.
- Morrow, George.
 Referred to, 4110.
- Moran, John.
 Referred to, 4117, 8408.
 Number by the name of, as per New York
 Directory. Referred to, page 629-630.
- McLaughlin, _____.
 Referred to, 4132, 4334, 4396, 8271, 8365.
- Mack, Patrick, examination of, 4163-4167.
 Mandamus, writ of.
 Referred to, 4163, 4166.
- Morris, George W.
 Referred to, 4166.
- McCorboy, Joseph.
 Referred to, 4165.
- Miller, Peter.
 Referred to, 4166.
- Melville, James, examination of, 4237-1263.
 Referred to, 4521-4522.
- McPherson, _____.
 Referred to, 4425, 4427, 4429.
- Mulberry street, No. 300.
 Referred to, 4406, 4438.
- Mabee, George, examination of, 4528-4539.
 List of repeaters, presented by, pages 451-452.
 Recalled, 4568.
 Recalled, 5558-5562.
 Referred to, 5795.
 Recalled, 5946-5953.
 List of names presented by, 5953.
- Maloy, Joseph, examination of, 4591-4597.
- McGrath, Robert.
 Referred to, 4611.
- McCartin, James.
 Referred to, 4986.
- Morrissey, John.
 Referred to, 4986.
- Millville, George, examination of, 5226-5279.
 Referred to, 6033.
- Morris, _____.
 Referred to, 5290, 5291, 5295.
- Morris, James.
 Referred to, 5337, 5308, 5333, 5412.
- Murray, Charles.
 Referred to, 5313, 5316, 5320, 5331, 5514.
- Morrison, James.
 Referred to, 5301, 5412, 5415.
- Murray, James.
 Referred to, 5414.
- Merritt, George, examination of, 5550, 5557.
- McGowan, John E., examination of, 5569, 5594
 Referred to, 5596, 5598, 6091, 6093.

- Mueller, Anthony.
Referred to, 5609, 5614.
- Money, paid and promised for repeating.
Referred to, 5831, 5633, 5673, 5867, 5884, 6097, 6098, 6103, 6112, 6723, 6740, 6791, 6906, 6915, 6922, 6934, 6937, 6939, 6940, 6941, 6945, 6946, 6947, 6948, 6970, 6973, 6978, 6980, 6981, 7097.
- Murphy.
Referred to, 5734.
- McGlaze, Thomas A. examination of, 5861-5866.
List of names identified by as residents of the Compton House.
Referred to, 5861.
- Moore, Matchee.
Referred to, 6330.
- Moore, Alderman.
Referred to, 7406, page 665.
- Moore, Patrick.
Referred to, 7405, page 665.
- McKee Hugh, examination of, 7322-7331, page 666.
Referred to, 7333, 7336, 7334, page 667.
- Mansfield, Judge.
Referred to, 6848, 6850, 7021.
- Mills, John W., judge.
Referred to, 6861.
- McCarthy, Charles, examination of, 6971, 6972.
Referred to, 5542, 7346, 7247, 7253, 7366.
- Mullen, John J., examination of, 7095-7168.
Referred to, page 657, 7395, 7399, 7404, 7321, page 666.
- McClucky, John, examination of, 7749-8163.
Referred to, 8377, 8379, 8392, 8393, 9200, 9201, 9297, 9300.
Recalled, 9178-9182.
Recalled, 9202-9205.
Papers presented by, 9202.
- Mullin, John J.
Referred to, 8534.
- Marshall, ———.
Referred to, 8492, 8504, 8510, 8512, 8539, 8544, 8546, 8547, 8548, 8550, 8551.
- Manner of counting naturalization papers, 8428-8443.
- Mahoney, Michael, examination of, 88151-8817.
- Miller, Nathan J., examination of, 88174-8836.
- Miller, Reuben C., examination of, 88571.
- McCord, Walter L., examination of, 88661.
- McGuyen, John, examination of, 892.
- McKee, John, examination of, 89691.
- McNeal, William, examination of, 8912a.
- Moore, Thomas, examination of, 8951a.
- Monahan, Ned.
Referred to, 90651.
- Monahan, Thomas.
Referred to, 90651.
- Milapaugh, ———.
Referred to, 90831.
- Martin, Joseph, examination of, 9084-9085.
- Meagher, John, examination of, 9100d.
- Money given and promised for votes.
Referred to, 9129a, 9129c, 9129e, 9129f.
- Monany, Terrence, examination of, 9162.
- Murphy, Jerry, examination of, 9167-9168.
- McLaughlin, Dennis, examination of, 9189-9193.
- Marshall.
Referred to, 9196-9197.
- Murphy, James.
Referred to, 9165-9167.
- Murphy, (clerk in city clerk's office.)
Referred to, 9313, 9314.
- Naturalization certificates, sale of.
Referred to, 2, 87, 93, 151, 156, 201, 603, 608, 615, 619, 629, 630, 769, 777, 1032, 1066, 1080, 1119, 1136, 1471, 1473, 1702, 2099, 2297, 2695, 4092, 4094, 4100, 406, 4650, 4658, 5343, 8643, 8802, 8906, 9153, 9171.
- Naturalization certificates, issue of, to fictitious persons.
Referred to, 604, 615, 1250, 1317, 1702, 1806, 1937, 1966, 2061, 2099, 2103, 2264, 2297, 2413, 2449, 2695, 2753, 2805, 3966.
- Norton, Charles E.
Reference to, 626, 629, 630, 632, 634, 636, 638, 640, 642, 644, 645, 648, 741, 744, 766, 768, 773, 776, 780, 924, 1131.
- Naturalization certificates, obtained without appearance in court.
Referred to, 752, 780, 788, 926, 927, 929, 1031, 1058, 1084, 1136, 1252, 1253, 1362, 1469, 1702, 1783, 1806, 1937, 1966, 2061, 2099, 2103, 2264, 2297, 2413, 2449, 2695, 2753, 2805, 3966, 4080.
- 4082, 4087, 4099, 4163, 5542, 6848, 7354, page 668, 7360-7369, page 669, 7380, page 670, 7390, page 670, 7400, page 671.
- Noelsch, John.
Referred to, 825, 1688, 3855.
- Naturalization certificates, court costs of.
Referred to, 860, 1645, 3539.
- Naturalization certificates, fraudulent, names of parties in possession of.
Daniel O'Donohue, 942, 943.
Andrew B. Leigue, 1031.
Michael Kerwin, 1059.
Michael Sullivan, 1084, 1094.
Peter Pohl, 1133, 1136.
Maximilian Boeck, 1471, 1479.
Charles Storm, 1966.
Patrick Duffy, 2099.
John Ruberty, 2103.
Joseph Reinhart, 2664.
Richard Day, 2414.
John Malony, 2439.
Michael Morrissey, 2439.
John Farley, 2439.
James McDearmont, 2439.
Henry Beau, 2695.
August Beitel, 2695.
James Brown, 2695.
Wm. König, 2695.
Adam Birner, 2805.
Laurence Bauman, 2805.
Eleszer Kohn, 2805.
Isaac Firth, 2805.
Herman Bauscher, 2805.
Peter Schmidt, 2805.
Phillip Simmer, 2805.
Abraham Kroner, 2805.
Charles Ollendorf, 2805.
Anthony Stultz, 2805.
Joseph Wirtheimer, 2805.
John Rodgers, 4087.
William Lauler, 4099.
Hng Ward, 4082.
Barney Ward, 4082.
John Carberry, 4082.
William King, 4082.
David Walsh, 4082.
Patrick Hurley, 4082.
- Naturalization certificates, fraudulently granted.
Referred to, 943, 944, 963, 969, 995, 1013, 1059, 1084, 1118, 1250, 1252, 1253, 1317, 1335, 1336, 1344, 1358, 1362, 1367, 1369, 1370, 1469, 1473, 1474, 1480, 1783, 1806, 1825, 1937, 1966, 2099, 2103, 2264, 2297, 2413, 2449, 2695, 2753, 2805, 3966, 4080, 4082, 4092, 4096, 4099, 4628, 4632, 4704, 4794, 4795, 5543, 6848, 7345, page 668, 7360, 7369, page 669, 7380, page 670.
- Norris ———.
Referred to, 1115, 1124.
- New York Tribune.
Referred to, 1328, 2120, 4495, 6239.
- Nolan, Thomas E.
Referred to, 1725.
- Naturalization, proportion of, heretofore as compared with 1868.
Referred to, 1731, 1732, 4129, 4130.
- Norton, Peter.
Referred to, 2453, 2456, 2459, 2463, 2468, 2520, 2521, 2524, 2538, 2542, 2543, 2548, 2552, 2555, 2556, 2562, 2590, 2591, 2592, 2610, 2612, 2619, 2621, 2625, 2630, 2659.
- Norton, Michael, alderman.
Referred to, 2453, 2459, 2613, 2622, 2625, 2630, 3061.
- Norton, Dave.
Referred to, 2453.
- North, Samuel.
Referred to, 2738, 2936, 3538, 3539, 5564, 5565.
- Neelis, James J., examination of, 27794, 2805.
Referred to, 292, 3065.
- Norton, Michael, senator.
Referred to, 3904, 4024, page 393, 4041, 4045, 4049, 4050.
- New Jersey, or Jersey City.
Referred to, 1968, page 197, 4961, 4965, 4970, 4978, 5063, 5070, 5072, 5080, 5239, 5241, 5312, 5319, 5323, 5453, 5366, 5452, 5453, 5460, 5465, 5549, 5505, 5517, 5965, 6038, 6174, 6176, 6180, 6183, 6229, 6231, 6321, 6414, 6482, 6492, 6506, 6821, 6822, 6826, 6909, 6915, 6922, 6946, 6948, 7043, 7184, 7275.

- New York Printing Company.**
 Referred to, 2100, 2168, 4138, 4495.
- Names presented by Patrolman John Dunne, in the 11th district, 6th ward.**
 Referred to page 294.
- Naturalization certificates, applications for, rejected.**
 Referred to, 4117, 4118, 4777.
- Nolan, Sylvester E., examination of, 4375, 4382.**
New York Times.
 Referred to, 4495.
- Nervina, inspector.**
 Referred to, 4611.
- Nichols, James, examination of, 4988, 5026.**
 Referred to, 6033, 6170, 6184.
- Norton, Daniel.**
 Referred to, 5018.
- Noble, Daniel.**
 Referred to, 5530, 5505, 5511, 7187.
- Norton, John, examination of, 6170, 6247.**
 Referred to, page 656.
- Newmark, M. J.**
 Referred to, page 656.
- Neany, Thomas, examination of, 7528, 7544.**
 Blank form of oath of witness presented by, 7529.
 Blank form of alien's declaration presented by, 7544.
- Naturalization done by clerks.**
 Referred to, 7435, 7484, 7496.
- Naturalization, applications for, applicants and witness signatures in same writing.**
 Referred to, 7605-7632, 7648, 7699, 7720, 7744.
- Naturalization certificates granted by clerks.**
 Referred to, 9102, 9103.
- Nettleton, Charles, examination of, 9158-9159.**
Osborn, Commissioner.
 Referred to, 649, 1252, 1253.
- Osborn, John, examination of, 938-947.**
O'Donohue, Daniel.
 Referred to, 942, 943, 1688, page 179.
- O'Brien, James, examination of, 3862-3924.**
 Referred to, 1215, 1311, 1819, 1924, 3983, 3984, 3985.
 Indictment of, copy, page 433.
 Sentence of, 3953.
 Referred to, 4539, 4550, 4546, 4547, 4554, 4556, 4557, 4559, 4561, 5193, 5335, 5336, 5376, 5380.
 Brothers of, 5382.
 Recalled, 5483-5509.
 Referred to, 5512, 5604, 5624, 5628, 5632, 5644, 5904, 5907, 5993, 6091, 6189, 6471, 6630, 6649, 6657, 6686, 7171, 7172, 9131.
- Oatt's, manner of administering.**
 Referred to, 1335, 1336, 1337, 1347, 1348, 1357, 1359, 1545, 1546, 1551, 1554, 1655-1657, 1658-1660, 2121, 2125-2136, 2129, 363.
- O'Brien, Patrick.**
 Referred to, 1686, 1689, 1834, 3789.
- O'Reilly, Dennis.**
 Referred to, 1367.
- O'Brien, Laurence.**
 Referred to, 1819, 1820.
- Ostrander, Alexander, examination of, 2271-2290.**
Ogilvie, —.
 Referred to, 2779, 2921, 3065, 3067, 3978.
- Ollendorf, Charles.**
 Referred to, 2805.
- Orton, —.**
 Referred to, 2938.
- O'Neil, Dennis.**
 Referred to, 3047.
- O'Brien, Hugh.**
 Referred to, 3333.
- O'Hara, James.**
 Referred to, 3844.
- O'Brien, Jeremiah.**
 Referred to, page 389.
- Oliver street, Nos. 68 and 79.**
 Referred to, page 389.
- O'Riley, Owen.**
 Referred to, 4366, 4369.
- Odell, —.**
 Referred to, 6111.
- Olney, George R., examination of, 7482-7495.**
O'Donovan, John, examination of, 8739-8764.
O'Brien, Patrick, examination of, 8982-9005.
O'Neal, Pat.
 Referred to, 9006.
- O'Brien, Patrick, examination of, 9088, 9089.**
O'Briens, Patrick, examination of, 910, 910a.
- O'Brien, Dennis, examination of, 9159.**
Owen, Nelson, examination of, 9129.
Pohl, Peter, examination of, 1133-1136.
 Referred to, 630, 644, 804.
- Police, board of, how constituted.**
 Referred to, 1235-1244.
- Perrine, John D., examination of, 2779.**
 Referred to, 1253, 2266, 3296, 3297.
- Pettitjean, Dr.**
 Referred to, 1362.
- Park, Park street, and Park place, Nos. 1 and 7.**
 Referred to, 1783, 1889, 2281.
- Pearl street, No. 472, 474 and 476.**
 Referred to, 1889, 2408, 8295, 8358.
- Parties furnished with name and residence for the purpose of repeating.**
 Referred to 2273, 2277, 2453, 2454, 2619, 2623, 4201, 4238, 4289, 4517, 4926, 4942, 4992, 5032, 5660, 5778, 5798, 5802, 6371, 6716, 6789, 6908, 6914, 6920, 6939, 6943, 6969, 7043, 8040, 8538, 8543.
- Poll list or book.**
 Referred to, 3052, 3053, pages 291, 308.
- Philliptown, Putnam county.**
 Referred to, 2439, 2451.
- Prince street.**
 Referred to, 2453.
- Philadelphia navy yard.**
 Referred to, 2490, 2492, 2493.
- Portsmouth navy yard.**
 Referred to, 2499, 2504, 2510.
- Phalon's barber shop.**
 Referred to, 2724.
- Paine, Joseph E., examination of, 3000, 3091.**
 Recalled, 3004-3008.
- Phyfe, John, examination of, 3294-3311.**
Phillips, Lewis E., examination of, 3064-3093.
 Referred to, 2779, 2921.
- Pickford & Co.**
 Referred to, 3341, 3362.
- Porter, John R., opinion of, 3537.**
Potter, Thomas, examination of, 4179, 4186.
Purser, George H.
 Referred to, 4438, 4443.
- Pettit, Austin V., examination of, 5106, 5138.**
 Referred to, 4636, 4629, 4647, 4734, 4758.
- Plumb, Edward M., examination of, 5154, 5105.**
 Table presented by showing the number of persons naturalized in New York county from the 6th to the 23d of October, inclusive
 Referred to, page 493; referred to, 3085, 3951; recalled, 9387, 9382.
- Putnam, George.**
 Referred to, 5143.
- Pullman, Christopher B., examination of, 5719, 5721.**
 Referred to, 5149, 5717, 5718.
- Pierce, William.**
 Referred to, 6539, 6599, 6629, 6646, 6642, 6686, 6688, 6703.
- Perjury.**
 Referred to, 6174, 6176, 6180, 6301, 6229, 6231, 6236, 6271, 6313, 6350, 6351, 7246, 7247.
- Powers, Patrick, examination of, 8673, 8684.**
Powers, Edmund, examination of, 8684, 8692.
Partello, Edward.
 Referred to, 9067.
- Peele, Richard, examination of, 9083.**
Quinan, Michael, examination of, 1936, 1946; page 194.
Quackenbush, D. P., examination of, 8726, 8736.
Quillan, Michael.
 Referred to, 9060.
- Queen, Patrick.**
 Referred to, 9070.
- Reynolds, Lemuel.**
 Referred to, 1510, 1513.
- Roe, Richard.**
 Referred to, 1625.
- Rush, Joseph.**
 Referred to, 1726, 2032, 3406, 3617.
- Roome, Samuel.**
 Referred to, 1778.
- Roberts, Samuel A., examination of, 1965, 1983.**
Robertson, Chief Justice.
 Referred to, 1976, page 196, 3571, 4375, 5737, 6864, 6865.
- Robertson, John, examination of, 2103, 2104.**
Rose. Referred to, 2936.

- Ryan, James.**
Referred to, 3047.
- Rafferty, Patrick.**
Referred to, 874, 3232, 1510, 1686, page 179, 2118, 3788, 3855.
- Raynolds, Samuel,** examination of, 197-220.
Referred to, 80, 322, page 179, 2118, 3788, 3855.
- Reed, Charles E.,** examination of, 329-333.
- Repper, Frederick.**
Referred to, 509, 2805.
- Rosenberg, Benjamin B.**
Clerks of, by whom paid, 662.
- Registration, frauds committed and attempted in—**
Referred to, 935, 1107, 1252, 1253, 1847, 2392, 2420, 2439, 2453, 2458, 2605, 3851, 4024, 4036, 4043, 4 55, 4108, 4110, 4135, 4383, 4599, 5227, 5228, 5425, 5542, 5758, 5763, 5772, 5806, 5819, 5824, 6092, 6094, 6370, 6710, 6789, 6908, 6914, 6924, 6939, 6943, 6945, 6947, 6969, 6971, 6973, 7042, 7096, 7099, 8494, 8496, 8572.
- Rosenberg, Benjamin B.**
Referred to, 2, 3, 4, 5, 7, 9, 11, 12, 14, 31, 32, 38, 41, 64, 68, 69, 83, 89, 93, 95, 97, 106, 108, 112, 113, 114, 124, 127, 132, 137, 138, 139, 143, 157, 174, 175, 185, 189, 190, 195, 199, 206, 208, 214, 215, 220, 222, 229, 230, 233, 238, 251, 258, 649, 653, 654, 664, 670, 678, 682, 684, 686, 690, 691, 692, 736, 803, 810, 811, 832, 835, 836, 844, 852, 856, 861, 865, 871, 885, 887, 891-893, 894-896, 898, 900, 901, 919, 948, 949, 953, 1152, 1159, 12 6, 1565, 16 4, 1635, 1637, 1646, 1661, 1686, 1763, 2263, 2199, 2695, 2696, 2698, 2746, 2747, 2775, 2843, 2956, 3157, 3342, 3343, 3358, 3551, 3601, 3776, 3861, 4168, 4169, 4171, 4172, 4173, 4664.
- Rupert, —.**
Referred to, 927.
- Registries, sworn in.**
Referred to, 941, 1785, 1804, 1878, 1940, 1943, 2054, 2 56, 2061, 2065, 2164, 2209, 2210, 2220, 2309, 2310, 2323, 2395, 2453, 2454, 2458, 2605, 2681, 27994, 3067, 3256, 3314, 4600.
- Repeaters and repeating.**
Referred to, 1809, 1988, 2273, 2275, 2276, 2453, 2454, 2770, 2772, 2889, 29 2, 2912, 3316, 3318, 3325, 3328, 3391, 3392, 3675, 3851, 4024, 4030, 4049, 4187, 4193, 4205, 4216, 4238, 4269, 4271, 4286, 4293, 4294, 4303, 4304, 4315, 4383, 4502, 4505, 4509, pages 451, 452, 4816, 4819, 4943, 4945, 4948, 4990, 5012, 5027, 5031, 5227, 5288, 5425, 5654, 5659, 5662, 5669, 5678, 5758, 5763, 5867, 5892, 6097, 6370, 6376, 6458, 6463, 6649, 6707, 6711, 6788, 6792, 6804, 6946, 6913, 6917, 6920, 6924, 6930, 6937, 6939, 6941, 6942, 6943, 6945, 6947, 6969, 6971, 6973, 6978, 6980, 6981, 7042, 7043, 7096, 7099, 7275, 8494, 8554.
- Reinhart, Joseph,** examination of, 2264-2270.
Referred to, 1253, 2779, 3294, 3297, 3299, 3300, 3305.
- Registries, from the houses of Wm. M. Tweed, Police Justice Shandley, and Coroner Keeuan.**
Referred to, 33864, 3387.
- Repeaters' books, &c.**
Referred to, 3691-3698, 3703, 3708.
- Rodgers, John,** examination of, 4087-4091.
- Registries, from 169 Henry street.**
Referred to, 3051.
- Registries, from 162 Bayard street.**
Referred to, 3053.
- Registries, from 116 Varick street.**
Referred to, 3098.
- Registries, from 197 Henry street.**
Referred to, 3098.
- Registries, from 167 Henry street.**
60 Mott street.
62 Bayard street.
70 Mott street.
142 Sullivan street.
679 Houston street.
117 Spring street.
84 Greene street.
595 Broadway.
- } Referred to, 3385.
- Rayn, Thomas,** examination of, 4397-4405.
Recalled, 5524-5541.
- Raynolds, James.**
Referred to, 4650, 4753, 4755.
- Rynders, Isaac.**
Referred to, 4799.
- Reilly, Charles,** examination of, 4816, 4858.
Referred to, 6043.
- Republican naturalization committee, clerks of.**
Referred to, 4912.
- Ryan, Peter.**
Referred to, 5100.
- Rodgers, Charles H.,** examination of, 7018-7031.
Referred to, 6250.
- Rowell, John M.,** examination of, 6896-6905.
- Romr, Jacob,** examination of, 6943, 6944.
- Russell, Judge.**
Referred to, 7872, 7880, 8078, 8096, 9300, 9302.
- Reeves, David W.**
Referred to, 8604, 8608, 8616, 8621, 8631.
- Riordan, Michael,** examination of, 86314-8649.
- Roland, Patrick,** examination of, 87834-8785.
- Repp, Charles,** examination of, 90054-9014.
- Rayn, Joseph.**
Referred to, 9068.
- Robinson, Seth K.,** examination of, 9129a.
- Russell, Joseph E.,** examination of, 9174, 9175.
- Sinms, William T.,** examination of, 91-148.
Referred to, 2, 69, 680, 849, 855, 864, 866, 885, 887, 3789.
- Smith, James R.**
Referred to, 807, 84, 322, 825, 1475, 1509, 1511, page 179, 2118.
- Supreme court, certificates purporting to be of—**
Referred to, 76, 78-81, 84, 85, 86, 87, 92, 232, 259, 262, 305, 322, 330, 340, 354, 358, 442, 493, 509, 516, 604, 608, 622, 630, 639, 740, 1034, 1079, 1085, 1252, 1253, 1506, 1611, 1686, 1688, 1966.
- Shirley, Walter,** examination of, 263-302.
Referred to, 259, 262.
- Surridge, Thomas,** examination of, 334-355.
Arrest of, 352.
Referred to, 1688, (page 179,) 3855.
- Stewart, Dougal,** examination of, 1105-11 .
Referred to, 973, 983.
- Sniffen, —.**
Referred to, 1176.
- Staten Island.**
Referred to, 1317.
- Sergeant-at-arms.**
Referred to, 1317.
- Schmidt, William.**
Referred to, 1345, 1688, (page 179,) 3855.
- Spencer, —.**
Referred to, 1345.
- Spier, Gottlieb.**
Referred to, 1370.
- Smith, Hugh.**
Referred to, 1688, (page 179,) 2117, 3823, 3950.
- St. Thomas.**
Referred to, 2499.
- Sweeney, James M.,** examination of, 1717-1781.
Referred to, 413, 425, 961, 1077, 1085, 1607, 1726, 2100, 2182, 2183, 2187, 2192, 3136, 3404, 34044, 3407, 3408, 3422, 3437, 3480, 3488, 3585, 4117, 4397, 4195, 5543, 6852.
Parties signing name of, 7, 37.
Referred to, 8416, 8425, 8444, 8447, 8466.
- Superior court of the city of New York, certificates of naturalization purporting to be of.**
Referred to, 425, 1726, 2028, 2033.
- Springer, John H.,** examination of, 487.
- Scannell, Florence,** examination of, 5748-5818.
Referred to, 516, 522, 535, 538, 5939, 6163, 7073, 7077, 7078.
Recalled, 6004-6012.
Recalled, 8472-8583.
- Seip, Charles H.,** examination of, 650-693.
Referred to, 875.
Recalled, 948-953.
- Sutherland, Judge.**
Referred to, 1519.
- Smith, John.**
Referred to, 1587-1588.
- Smith, James M.**
Referred to, 1686, 3768, 3855.
- Sleehelaine, Adolph.**
Referred to, 1686, 1689, 1894, 3789.
- Schmidt, Thomas.**
Referred to, 1688, (page 179,) 3835.
- Schneider, Sebastian.**
Referred to, 1688, (page 179,) 3835.
- Schaffer, Jacob.**
Referred to, 1688, (page 179,) 3855.
- Sanger, August A.**
Referred to, 1628, (page 179,) 1079, 1080

- Stumpf, Ludwig.
Referred to, 658.
- Sterne, Henry.
Referred to, 824, 926, 927, 1688, (page 179,) 3788, 3855.
- Schlaffer, Jacob.
Referred to, 825.
- Seigner, Andrew B.
Referred to, 827, 2734.
- Supreme court, when engaged in naturalization.
Referred to, 915, 918, 920, 921, 1407, 1527, 3796, 3797, 3852.
- Superior court, when engaged in naturalization.
Referred to, 915, 921, 1335, 1344, 3573, 3599, 3600, 4117.
- Superior court of the city of New York, seals of.
Referred to, 1736, 1768, 1770.
- Seixas, Solomon, examination of, 2327-2362.
- Slater, Wm. P.
Referred to, 1812, 1931, (page 193.)
- Shark-y, Michael.
Referred to, 1830.
- Sundev.
Referred to, 1963, 4390.
- Statutes.
Referred to, 1927, 1966, 1967.
- Storm, Charles.
Referred to, 1966, 1967.
- Springsteen, N. H., examination of, 2201-2230.
Referred to, 2454, 2409.
- Sullivan street, Nos. 142, 143, and 54.
Referred to, 2458, 2539, 2612, page 291, 4024.
- Somers, David.
Referred to, 2453, 2566, 2573, 2581, 2604.
- Spring street, No. 117.
Referred to, 2453.
- St. Nicholas Hotel.
Referred to, 2724.
- Sweeney, Peter B.
Referred to, 2738, 2874, 2878.
- Sherwin, J.
Referred to, 2753.
- Schmidt, Peter.
Referred to, 2805.
- Sumner, Phillip.
Referred to, 2835.
- Shultz, Anthony.
Referred to, 2805.
- Sherman, Porter G., examination of, 925-937.
- Speck, —.
Referred to, 1080.
- Sullivan, Daniel, examination of, 1082-1096.
Referred to, 1099, 2028, 2731, 3406, 3419, 3593, 3385, 3619.
- Sullivan, John.
Referred to, 1103.
- Sullivan, Edward.
Referred to, 1726.
- Sloan, Wm. D., examination of, 1984-1929, (pages 192, 193.)
- Smith, Thomas, examination of, 4031-4107.
Referred to, 2294, 2295, 4083, 4085, 4090, 4091, 4092, 4094, 4098, 4099, 4100, 4106, 5732, 5734.
- Spencer, Charley.
Referred to, 2927, 3893, 3894, 3899, 3900.
- Signatures, examination of, by an expert.
Referred to, 3004-3038.
- Stump, Martin.
Referred to, 3214.
- Sellscock, —.
Referred to, 3320.
- Shandley, (Justice) Edward J., examination of, 4108-4116.
Referred to, 3366, 3395, 3402, 4363, 4374.
- Supreme court, seals of.
Referred to, 1651-1653, 3750, 3752, 3832-3836.
- Smith, Henry.
Referred to, 3783.
- Seymour, Thomas.
Referred to, 3844.
- Scudder, Daniel.
Referred to, 3852, 3855.
- Shea, Daniel, examination of, 3986, 3999.
- Seymour and Blair.
Referred to, 4037.
- Sheehan, William.
Referred to, 4058.
- Smith, Malcolm, examination of, 5722-5747.
Referred to, 4080, 4081, 4082, 4101, 4105, 6869, 6825, 6886.
List of persons naturalized, presented by, 5747.
- Spies, John.
Referred to, 4109.
- Spies, Samuel.
Referred to, 4109.
- Sweetzer, Henry E., examination of, 4232-4237.
Referred to, tables Nos 1, 2, 3, &c., presented by, pages 422, 423, 424, and 425.
Recalled, 7092-7094.
- Smith, —.
Referred to, 4521, 5454, 5463.
- Strong, (Major,) Charles S., examination of, 9231-9246.
Referred to, 4536, 5822, 5823, 5949.
Tables relating to 6th ward, presented by, 9233-9246.
- Shea, —.
Referred to, 4577, 4580, 4591, 4592.
- Sheehan, —.
Referred to, 5029, 5100.
- Sanford, Edward, jr., examination of, 5412-5423.
Recall-d, 5479.
Recalled, 6033.
- Stephens, John.
Referred to, 5442, 5548, 5549.
- Stanley, Marcus C., examination of, 7055-7091.
Referred to, 5486, 5572, 5592, 5595, 5597, 5620, 5656, 5685, 5750, 5751, 5754, 5755, 5758, 5764, 5765, 5766, 5771, 5773, 5812, 5867, 5870, 5913, 6097, 6122, 6166, 6528, 6531.
- Surratt, John H.
Referred to, 5564.
- Sullivan, Thomas, examination of, 5599-5620.
Referred to, 5621, 5626, 5631.
- Seannell, Deputy Sheriff.
Reference to, 5938.
- Strong, James, examination of, 6248-6270.
List of names presented by, 6248.
- Shay, Johnny or Jimmy.
Referred to, 6769, 6770.
- Smith, James, examination of, 6906, 6912.
Referred to, 7040.
- Stewart, William R., referred to, 6952.
- Snyder, Charles, examination of, 7376-7394, (page 670.)
- Skelly, Bernard, examination of, 7398-7433, (pages 671-673.)
- Smith, John D. B., examination of, 7524-7527.
- Smith, George.
Referred to, 8727, 8729.
- Smith, George, examination of, 8719-8736.
- Southwell, Edward, examination of, 8643-8632.
- Southwell, William J., 8652-8656.
- St. John, Mr. —, examination of, 8909.
- Stuttle, George W., examination of, 8909A-8929.
- Shaw, W. T.
Referred to, 9083.
- Smith, Martin, examination of, 9086-9088.
- Stivers, M. D., examination of, 9124-9124.
- Tammany Hall, and committee of, &c.
Referred to, 437, 202, 219, 204, 203, 257, 683, 737, 1310, 1317, 1783, 1962, 2553, 2256, 2486, 2742, 2811, 2826, 2846, 2861, 2864, 2876, 2881, 2937, 2952, 2954, 3137, 3143, 3145, 3146, 3147, 3148, 3149, 3152, 3156, 3493, 3567, 4025, 4052, 3300, 3334, 3339, 3342, 3343, 3344, 3351, 3352, 3359, 3371, 3378, 4173, 4495, 4652, 4664, 4783, 5134, 5754, 5812, 4638, 4639, 4741, 4918, 7384, 7392, 7393, 9291.
- Tickets, (red,) democratic, for naturalization fees.
Referred to, 242, 685, 802, 1337, 1374, 1646, 1647, 1689, 1702, 1706, 3190, 3357, 3358, 3360, 3361, 3374, 3371, 3377, 3378, 3825, 3826, 3828, 3829, 3830, 3843.
- Tickets, (white,) republican, for naturalization fees.
Referred to, 212, 1647, 3828, 3829, 3830, 3843, 4918, 7383.
- Tweed, William M., examination of, 2810-2894.
Referred to, 181, 2390, 2738, 2742, 3088, 3331, 3307, 4495, 6952.
- Tauffer, August.
Referred to, 656.
- Thompson, —.
Referred to, 827.
- Third avenue.
Referred to, 863.

Thirty-fourth street and Ninth avenue.
 Referred to, 1252, 1253, 2254, 2425.
 Twenty-third street and avenue.
 Referred to, 1800.
 The Senate.
 Referred to, 1830.
 Thirty-second street East, No. 120.
 Referred to, 1837.
 Thirty-second street and Second avenue, corner of.
 Referred to, 1966, 3903, 5182, 6848, 4192, 4196,
 4206, 4226, 4237, 4238, 4269, 4283, 4510, 4527,
 4520, 4510, 4544, 4546, 4554, 4559, 4926, 4929,
 4992.
 Trenton, New Jersey.
 Referred to, 1928, (page 197.)
 Thirty-fifth street and Ninth avenue, corner of.
 Reference to, 2699.
 Thirty-seventh street West, No. 244.
 Referred to, 2281.
 Tryon Row.
 Referred to, 2955.
 Threats, violence, intimidation, &c.
 Referred to, 981-987, 1812, 3264, 3269, 3282, 3742,
 3999, 4057, 4132, 4164, 4612, 7102, 9190.
 Tilden, Samuel J., examination of, 2733-2752.
 Circular purporting to be of, 1210, 2734.
 Referred to, 1211, 1214, 2176, 2936.
 Tracy, ———.
 Referred to, 1345.
 Tabular statements, number of persons registering
 and voting from same house, &c.
 Referred to, 2023, 2129, 3049, 3051, 3753, 3055,
 3092, (page 308,) 3385, (pages 353-366.)
 Travis, W. H.
 Referred to, 2453, page 291, 3094.
 Teller, Clarence N., examination of, 2753-2768.
 Threal, ———.
 Referred to, 28954, 2899.
 Thompson, George.
 Referred to, 2961, 2964, 2970, 3476, 3414, (page 657.)
 Thurston, John, examination of, 4330-4352.
 Referred to, 4186.
 Taylor, James B.
 Referred to, 4495.
 Toulon.
 Referred to, 4514.
 Train, George Francis.
 Referred to, 4986, 4987, 5282, 5283, 5284, 5286.
 Tupper, P. F., examination of, 7274-7312.
 Taylor's Hotel.
 Referred to, 5323, 5353, 5366, 5461, 5549, 5517,
 6035, 6042, 6322, 6304, 6909, 7275, 7787, 7304.
 Taylor, Theodore.
 Referred to, 8391.
 Thompson, James A., examination of, 8419-8471.
 Tyreek, Patrick, examination of, 86524.
 Tracy, Richard, examination of, 8924-8909.
 Titus, William, examination of, 8912, 8913.
 Tichen, Frederick, examination of, 9163, 9161.
 Taylor, Theodore, examination of, 9200, 9201.
 Union League Club, committee of, rooms, &c.
 Referred to, 1260, 1317, 1381, 1900, 1904, 2178,
 2180, 2191, 2194, 2289, 2576, 4034, 4069, 4166,
 4671, 4676, 5141, 5142, 5151, 5163, 5188, 5696,
 5700, 5713, 5716, 5822, 5826, 5829, 6067, 6170,
 6072, 6074, 6077, 6079, 6366, 6631, 6640, 6638,
 6645, 7172, 7178, 7244, 8269, 8306, 8312, 8313,
 8315, 8316, 8362.
 Committee of, 7202.
 Urmy, Samuel S., examination of, 1803-1838.
 Arrest of, 1813.
 Referred to, 1900, 1919, 1921, 1924, 1925, 1926,
 1984, 1985, 1931, page 193, 1932, page 193, 3608,
 3902.
 Utley, Robert, examination of, 4837-4873.
 Referred to, 4669, 6671, 4672, 4746, 4771, 4772,
 4813, 4815.
 Ullman, Captain.
 Referred to, 7162.
 Unswart, Robert, examination of, 8951c.
 Votes, sworn in.
 Referred to, 932, 933, 1295, 1807, 1841, 1945, 1967,
 1971, (page 193,) 2067, 2141, 2155, 2205, 2628,
 2712, 2753, 2759, 3028, 3076, 3217, 3312, (page
 389,) 4 63, 4344, 4375, 4589.
 Voters, proportion of foreign birth.
 Referred to, 931, 940, 1784, 1786, 1823, 1832, 1862,
 2 97, 2149, 2219, 2316, 2351, 2691, 2871, 2908,
 2929, 3029, 3080.

Varick street, No. 116.
 Referred to, 1363, 3055.
 Valentine, ———.
 Referred to, 1627, 8794.
 Van Buren, Benjamin, examination of, 2076-2098.
 Referred to, 1789, 2051, 2329, 2344, 2345.
 Votes, rejected.
 Referred to, 2320, 2372, 2392.
 Vera Cruz.
 Referred to, 2409.
 Vanderpoel.
 Referred to, 3536.
 Varley, (alias Roddy,) William.
 Referred to, 3675.
 Vandervoort, Henry, examination of, 3983 to 3985.
 Record of court relating to James O'Brien, pre-
 sented by, 3985.
 Votes, illegal.
 Referred to, 1857, 1864, 1888, 2113, 2273, 2770,
 2772, 3051, 3 53, 3355, 3233, 4033, 4049, 4058,
 4067, 4135, 4187, 4193, 4216, 4238, 4269, 4271,
 4286, 4501, 4503, 4509, 4601, 46 2, 4416, 4819,
 4926, 4943, 4945, 4948, 4980, 4993, 5027, 5031,
 5227, 5288, 5425, 5652, 5659, 5662, 5758, 5763,
 5776, 5868, 6370, 6788, 6792, 6804, 6906, 6913,
 6917, 6920, 6937, 6939, 6941, 6942, 6945, 6947,
 6969, 6971, 6973, 7042, 7043, 8283, 8284, 8552,
 8554.
 Voorhees, Abraham, examination of, 6365-6367.
 Recalled, 6251.
 List of witnesses presented by, 6851.
 Recalled, 7741-7748.
 Recalled, 9126-9188.
 Volmer, Paul, examination of, 6937-6977.
 Verplank's Point.
 Referred to, 7376, 7378, 7381, (page 670.)
 Referred to, 7397, 7398, 7406, (page 671.)
 Van Elon, Solomon, examination of, 8909, f.
 Vail, Wilnot U., examination of, 8909, f.
 Vinall, George F., examination of, 8909, f.
 Van Wyck, ———.
 Referred to, 9129, f.
 Wilkes, George.
 Referred to, 1394, 5652, 5752, 5754, 5755, 5758,
 5764, 5770, 5779, 5875, 6846.
 Winkens, John.
 Referred to, 1688, (page 179,) 3788, 3855.
 Wallace, John.
 Referred to, 1736, 2028.
 Willis, Anson, examination of, 1782-1874.
 Referred to, 2051, 2054, 2056, 2078, 2 79, 2090,
 2129, 2337.
 Westlake, Owen E., examination of, 2022-2049.
 Referred to, 2 78, 2179, 2182, 2183, (page 235.)
 3106, 3415, 3457, 8164, 8168, 8169, 8172, 8174,
 8177, 8416, 8417, 8412, 8443, 8456, 8157, 8469,
 8470.
 Waltman, Henry, examination of, 2231-2263.
 Referred to, 2061, 2062, 2072, 4021.
 Winters, or Winter, Frederick.
 Referred to, 2101.
 Washington street, No. 62.
 Referred to, 2118.
 Webster, E. D.
 Referred to, 2 92, 93.
 Whiting, ———.
 Referred to, 586.
 Wolf, Mathias, examination of, 767-774.
 Referred to, 630, 807.
 Welschel, C.
 Referred to, 656.
 Warneck, Charles.
 Referred to, 824, 926, 927, 1628, (page 179,) 3855.
 White, John H., examination of, 4779-4875.
 Referred to, 1264, 1270, 1271, 1275, 1282, 4671,
 4673, 4870, 5139, 5142, 515 5, 5160, 5162, 5164,
 5165, 5188, 5189, 5192, 5199, 5203, 5204, 5208,
 5563, 5694, 5696, 5698, 5699.
 Recalled, 5225.
 Recalled, 5712-5716.
 Recalled, 7170-7206.
 Referred to, 8063.
 West Broadway.
 Referred to, 1362.
 Ward, Henry, examination of, 2291-2302.
 Westchester county.
 Referred to, 2292, 2753, 4080.
 Ward, John.
 Referred to, 2408.



- Wilson, Andrew.
Referred to, 2429.
- Walters, Charles.
Referred to, 2543, 2521, 3328, page 309.
- Welch, James.
Referred to, 2453, (page 291.)
- Wallen, Henry D.
Referred to, 2475, 2431.
- Washington.
Referred to, 2494, 2495, 2498.
- Wirthelmer, Joseph.
Referred to, 2805.
- Writing, examination of, by an expert.
Referred to, 3034, 3006.
- Ward, Alexander.
Referred to, 3333.
- Williams, George.
Referred to, 3400.
- Walling, George W., examination of, 3673-3709.
Referred to, 3844, 4532, 4536, 7114.
- Walton.
Referred to, 3793.
- Wenhold, Thomas.
Referred to, 3844.
- Watson, James.
Referred to, 3844.
- Wooster street, No. 132.
Referred to, 4021.
- White Plains.
Referred to, 4080, 4083, 4085, 4087, 4089, 4099, 4101, 4102, 4103.
- Welsh, David, examination of, 4092-4094.
- Weaver, James.
Referred to, 4110.
- Woodward, William W., examination of, 4383-4385.
Referred to, 4135.
- Wilbur, Charles E., examination of, 2168-2177.
Recalled, 4138-4162, 4495.
- Wall, Richard.
Referred to, 4166.
- Wood, Colonel.
Referred to, 4228, 4507, 4962, 5499, 5505, 5520, 5521, 5570, 5963, 5965, 5966, 5969, 5975, 5977, 5978, 6167, 6273, 6276, 6278, 6280, 6303, 6305, 6306, 6313, 6315, 6317, 6323, 6327, 6341, 6355, 6422, 6431, 6432, 6499, 6760, 6765, 6847, 7186, (page 657.) 7275, 7276, 7278, 7282, 7284, 7295, 7296, 7300, 7303, 7335, 7307, 7308.
- Welch, Edward.
Referred to, 4296.
- Woods, —.
Referred to, 4592.
- White, —.
Referred to, 5016, 5039.
- White, James.
Referred to, 5019.
- Wood, William, examination of, 5027-5085.
- Ward, Samuel.
Referred to, 5397.
- Wilson, William, examination of, 5421-5173.
Referred to, 5479, 5480.
- Willis, —.
Referred to, 5350.
- Willey, J. C. W.
Referred to, 5947.
- Wood, —.
Referred to, 2104, 6033.
- Ward, James, examination of, 6271-6309.
Referred to, 6313, 6314.
- Ward, William, examination of, 7040, 7041.
Referred to, 6284, 6291.
Recalled, 7233-7238.
- Wood, John, examination of, 6368-6454.
- Wells, —.
Referred to, 6686, 6688.
- Witness, professional.
Referred to, 7313.
- Wood, Fernando.
Referred to, 8060.
- Welch, Robert.
Referred to, 8309.
- Witter, Edward.
Referred to, 8390.
- Wood, James W., examination of, 8867-8870.
- Wilson, Nicholas, examination of, 90171-9065.
- Young, William W., examination of, 508-514.
Referred to, 824, 926.
- Yonkers.
Referred to, 856, 868-870, 1629.
- Young, Captain, (detective).
Referred to, 2550, 4132.
- York, Thomas H., examination of, 5102-5104.
Statement showing the number of persons naturalized in Kings county from 1856 to 1868, presented by, (page 492.)
Statement showing the number of persons naturalized during October, 1868, presented by, (page 493.)
- Yard, —.
Referred to, 6249.

