business; to talk with him and give him advice. Mr. Adams came to the store and I talked with him first about Mr. McCann's business, for about four or five minutes probably.

Q.—Tell the committee all that you can remember that took place between you about that business. A.—All I can remember, and I had not seen Adams before or since, was that I heard from Mr. McCann that he was going into business with him. Mr. McCann suggested for me to talk with him to find out just what I could as to what kind of a man he was. I was to judge him and report to McCann back. I said to Mr. Adams: "Why could you not go up to Harlem in business? Would it not be better?" "No," he said. "I think we will do well down here," or something to that effect. I cannot remember the exact words. I said: "By the way, do you know any of these Aldermen that is in this deal against us, that is trying to hold over Thompson?" I do not know whether I mentioned Pearson's name or not. I forget. But I know I was trying to stop and expose what was doing to hold over the Commissioner of Public Works, and I said to Mr. Adams, "Now, if you know anything about this, I wish you would let me know." But he said he could not give me any information and it dropped right at that. I had no more to say, so I saw Mr. McCann afterward and I told Mr. McCann I thought Mr. Adams was a smart fellow in the conversation I had with him; a very smart fellow. I said: "You know him better than I do?" He said, "Yes, he is a very smart fellow." "Well," I said, "I think he is a very smart man. That is all I can tell you; you know more about him than I do."

Q.—That is the substance of what passed? A.—It was rumored there was $80,000 up, and I had talked to McCann and McCann knew about it and said: "You might speak to Mr. Adams about it and get some information on that subject."

MAKING POSITIVE DENIALS.

Mr. Choate now called the attention of Mr. Croker to that portion of McCann's testimony in which McCann alleged that Croker had told him that he had been out all day about the money that was to be used for Mr. Grant's confirmation, and that he wanted to find out if McCann knew a certain man in the neighborhood who would be a safe custodian of the money and satisfactory to the Aldermen whom Croker and the others wanted to reach. Mr. Croker said with emphasis that all these statements were positively untrue. With equal force he denied that he had talked to Adams in order to find out if Adams would be a suitable stakeholder; and that he had opened any satchel or shown any "boodle" to McCann. The examination then went on in this way:

Q.—McCann says that in a day or two after your visit to his store he met you and you said: "Mac, those people wouldn't trust that fellow." Did any such thing as that occur? A.—No sir, no sir.

Q.—Did you make inquiries of any Aldermen about Adams and whether he was to be trusted? A.—I did not; no sir, no sir.

Q.—Did you say anything in substance or effect like that to McCann? A.—No sir, no sir. All that I heard about Adams was from Mr. McCann, who seemed to think pretty well of him—so well that he would bring him into business with him, and he wanted me to examine and inquire what sort of a man he was.

Q.—At that place Mr. McCann says in substance that he had previously recommended Mr. Adams to you as a suitable person to hold this money. Is that a fact? A.—No.

Q.—McCann says: "Mr. Croker told me that he knew a couple of Aldermen that he wanted to reach—there was two Aldermen that he wanted to reach—that he knew Adams knew." What have you to say about that? A.—Well, what I have got to say about that is this. That Mr. McCann had told me that he thought Mr. Adams knew a couple of Aldermen—I don't remember now whether it was Mr. Pearson or who it was—but he said that Mr. Adams knew a couple of Aldermen that I might talk with him about that would prevent the confirmation of Mr. Thompson or any other person Thompson might want to confirm. We were trying to stop the confirmation of the County Democracy candidate.

Q.—Will you state what the situation then was? A.—We were doing all we could to stop him from holding over.

Q.—Meaning by we? A.—The organization of Tammany Hall.

Q.—That's you? (Laughter.) A.—The whole organization—not me alone. I was only a part of it.

Q.—What was your idea? A.—We thought he would get his place for six years longer, and in the meantime there were rumors around that there was $80,000 up to prevent any successor taking his place who might be friendly to Tammany Hall, and we wanted to expose that in every way we could.

Q.—Mr. McCann says that you told him that Mr. Grant was your candidate for the Commissionership of Public Works. A.—That is not true.

Q.—Was Mr. Grant in fact your candidate? A.—No, sir.

Q.—Did you suggest him? A.—No, sir.

Q.—Did you solicit his appointment? A.—No, sir. I may have seen his name mentioned in the papers with others, but he was not the candidate for Tammany Hall.

Q.—Did you say to McCann that you believed Mayor Edson would secure his nomination if you could secure his confirmation? A.—No, sir. I never did.

QUOTING TESTIMONY FREELY.

Mr. Choate left no part of the evidence of McCann bearing directly or indirectly on the famous $150,000 story unquoted; and Mr. Croker promptly and emphatically denied all of it. Mr. Choate took the evidence piece by piece so as to leave no room for any one to say that Mr. Croker had merely made a general sweeping denial. He not only made a sweeping denial of the truth in general of what Mr. McCann had declared, but he denied particularly and in detail every statement. He also repeated several times without any variation his own version of his visit to McCann, and stuck to his statement that that visit was made for the purpose of interviewing Adams, in the first place with the object of ascertaining the man's character in order that he might report on it to Mr. McCann, who had Adams in prospect as a business partner; and in the second place, incidentally, that Mr. Croker might find out for himself whether Mr. Adams knew anything about the rumors as to the County Democracy "plot" with regard to the Commissionership of Public Works and the alleged fund of $80,000 that had been gathered to secure the holding over in office of Hubert O. Thompson. The examination went on as follows:

Q.—How did you hear that $80,000 had been gotten together to secure the continuation of Thompson in office? A.—That was a general rumor all around.

Q.—Did the organization of Tammany Hall have a candidate for the Commissionership at the latter part of 1884? A.—Yes, sir.

Q.—They generally have a candidate whenever an office is open? A.—Yes, sir. (Laughter.)

Q.—Who was that candidate? A.—John McQuade.

Q.—Any other? A.—He was the only one who was suggested by the organization that I knew of. I believe that Fitz John Porter's name was sent in, but not through a committee. Mr. Kelly at that time was sick in his house. I went to his house and he gave me the name and also to another gentleman what he sent down to Mr. Edson to say that he, McQuade, was the man he desired to have made Commissioner of the Public Works. Mr. Kelly was sick at his house at this time and I conferred with him there every afternoon.

Q.—And Mr. Kelly was still acting as—well, as boss? (Laughter.) A.—Well, you may call it boss.

Mr. Choate now read McCann's testimony to the effect that Croker was to get 10 cents a barrel royalty on cement used by the Public Works Department and in the new Aqueduct if he got Mr. Grant appointed Commissioner. McCann, it should be remembered, said that the manufacturer who was to have the benefit of supplying the city in the event of Mr. Croker's candidate being successful was a man at Newburg on the Hudson. Mr. Croker said, calmly but deliberately, that all this was positively untrue. He never had any such conversation with McCann; he never told him that he would get 10 cents a barrel on cement used in the department or on the new Aqueduct should Grant be confirmed, and nothin got the kind as a matter of fact was ever thought of by him.

"I come now to another matter," said Mr. Choate. This was his prelude to taking up that part of McCann's evidence which was in some measure confirmed by the admission of Mayor Grant that he had given $10,000 in two sums of $5,000 each to Flossie Croker, who was his godchild. McCann had said that the sum was $25,000 and that it was given in five instalments of $5,000 each. Mr. Choate asked:

Q.—Do you remember the fact of Mayor Grant standing for your daughter when she was baptized? A.—Yes, sir.

Q.—Do you remember the fact of his making a present in money to that same daughter after he became Sheriff? A.—Yes, sir.

Q.—What were the amounts? A.—Five thousand dollars the first amount, $5,000 the second amount. Positively that was all. These presents were not made to my daughter in pursuance of any understanding, agreement or arrangement.

Q.—Did you know that he had any intention of giving that money? A.—No, sir; no, sir. No more than I know that you are going to give it.

Mr. Choate (hastily)—Well, I am not. (Laughter.)

Q.—Was there any understanding or suggestion from you or from Mr. Grant that in the event of his being made Sheriff any personal advantage should accrue to you or any member of your family? A.—Not in the slightest. Not in any shape or form.

Q.—In what form was this money? A.—It was in bills in an envelope. Mrs. Croker and I were in the parlor when Mr. Grant gave it. Mrs. Croker took it and I believe she put it in the safe upstairs. We had a safe in the house, in which Mrs. Croker had her own compartment. The next present of $5,000 was given in the following year under similar circumstances, and Mrs. Croker then took the money—that is, she took it away from the child after Mr. Grant handed it to the child. She did not take it directly.

Q.—Have you and Mrs. Croker invested that money for the benefit of that child? A.—Yes, sir, we have. We invested it in property at One-hundred-and-forty-eighth-st. and Seventh-ave. We purchased it from Cyrus Field, I think. My mother-in-law purchased it for us. She, Mrs. Catherine Fraser, mother of Mrs. Croker and Mrs. McCann, made it for us.

FLOSSIE'S MONEY INVESTED.

Mr. Choate produced memoranda which had been handed to him by Mr. McClure, the lawyer who examined the title. These papers show that on November 30, 1887, Mrs. Catherine Fraser paid cash $16,500. There was a mortgage of $20,000 and $20,000 outstanding, and the date of the contract was October 15. In July, 1889, the property was conveyed by Catherine Fraser to Richard and Elizabeth Croker, his wife.

Mr. Choate—What was the object of getting the property in the joint names of you and Mrs. Croker? A.—One object was that this money for Flossie might be put out to advantage.

Q.—Was it in pursuit of an understanding between you and Mrs. Croker that it was done? A.—Yes, sir.

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Q.—You took this $10,000 and added $6,500 of your own? A.—Yes, sir.

Q.—Can you tell the committee whether that has been a safe investment of that money? A.—I think it has, sir. There is a mortgage of $20,000 on it today, and I think to-day it is safe to say it is worth $70,000 or $72,000.

Q.—So that every dollar that you put in of that $10,000 has doubled in value? A.—Yes, sir.

Q.—You knew, I suppose, taking it in your joint name, that in case of the death of either the survivor would hold it? A.—Yes, sir.

Q.—What was the object of that property being contracted for in the name of Mrs. Catherine Fraser? A.—Well, I thought probably that she could get it cheaper than I could.

Q.—That is, if it were disclosed to the owner that you were looking for it, he might want more money? A.—Yes, sir. Mrs. Fraser always speculated in property. She was a pretty good buyer, and for that reason I selected her. My wife suggested her and I agreed to it.

Q.—I call your attention to another subject. It appears that the deed has been put in evidence by James Keating of property at No. 38 West One-hundred-and-twenty-fifth-st. transferred to you on June 6, 1885. Will you state the facts with reference to Mr. Keating's connection with that transaction?

The witness referred Mr. Choate to Mr. McClure's memoranda, from which it appeared that the contract for the purchase of the property was $65,000 and was made in the name of James Keating on May 6, and $5,000 was paid on the contract. A mortgage was given by Keating to the New-York Savings Bank for $25,000 and was now outstanding. The balance was cash—$35,000. Mr. Choat asked:

Q.—Did Keating have any interest in the contract? A.—Not in the slightest.

Q.—How came the contract to be made in his name? A.—Just as a convenience to me. Mr. Hardy was a neighbor of mine in the next block and I did not want to let him know that I was buying the property. I thought Mr. Keating or some one else could buy it cheaper than I could. I gave Mr. Keating the money and told him to buy the property and he did so. The money did not come from Mr. Keating.

Q.—We now come down to the Mount St. Vincent in the Park. What was your connection from first to last with the lease of the Mount St. Vincent Hotel or restaurant in the Park? A.—I first got the lease from the Park Commissioners through the interest of Mr. Kelly and Mr. Sauer, who is now dead. I held no office at that time. It was over a year before I held the office that the lease was obtained and the lease was obtained nearly a year before the building was finished. That is to my best recollection. I ain't positive of that. I was out of a place and Mr. Kelly thought I would like to go into the business, and Mr. Conklin went in with me, with the understanding that he was to equip the place and I was to be part owner, of half of everything, and on that understanding I went in with him. After I obtained an office and McCann was failing in business, and his wife and others had spoken to me about getting him something to do, I said: "I will try and give him this place," and I told Mr. Conklin that I thought that I had some one who would buy him out. He wanted to get out as he had his business in Twenty-third-st. to attend to. I told him my brother-in-law would buy him out if he was reasonable. I said: "If he buys you out I will turn all my interest over to him without a dollar." So I did.

Q.—Did you have any transaction with McCann personally about it? A.—No, sir. No more than to intercede with Conklin to help to get the place for him.

Q.—But was it in the name of Conklin? A.—Yes, sir. He took the lease from the city. I had nothing to do with it at all.

Q.—Mr. McCann says that you owed him at that time $3,000 for merchandise? A.—That is not so.

Q.—It appears by his schedule of the assignee when he failed in Eighth-ave. that your amount of indebtedness to McCann was $94 75. Did you owe anything else? A.—I did not even know that I owed him that much. I did not think that I owed him a cent.

Q.—He says you now owe him $4,000, contracted since he went into the Mount St. Vincent? A.—Well, I don't owe him a cent to my knowledge at all.

Q.—McCann says that when you went abroad this last time you left your finances in such a way that your wife could not get along and he had to help her by paying her bills from day to day? A.—I left my wife comfortable when I went away. I left her a suitable provision, namely, $300 a month and a house without rent.

Q.—May I ask you if that amount fairly represents your family expenses? A.—Yes, sir. I took half the family and left half with her.

Q.—About when was the birthday of your child Flossie. A.—I think it was about October 5.

THE CROSS-EXAMINATION BEGINS.

Here Mr. Choate remarked, "I think that's all, Mr. Ivins," and took his seat, and Mr. Ivins arose, and standing well back from the witness, as is his custom, shook a bundle of papers that he held in his right hand, and began his cross-examination. Mr. Croker was not at all perturbed by the change in examiners though no contrast in men and manner can be imagined that is stronger and more striking than that between Mr. Ivins and Mr. Choate. During the cross-examination of Mr. Croker, Mr. Ivins asked him many questions that could not have been agreeable to him, and yet it was not he who took offence at them, but the irritable and sharp and ready-tongued first "friend of the committee" W. Bourke Cockran, who, much exasperated by several questions that were received with the greatest equanimity by the gentleman to whom they were addressed, interfered more than once in his usual emotional style. The cross-examination began in this way:

Q.—You say you have been in this city about forty years, Mr. Croker? A.—Yes, sir.

Q.—Am I correct in my understanding that you are American born? A.—No, sir.

Q.—What was your business before you went into public life? A.—I was a machinist.

Q.—When? A.—When I was eighteen or nineteen years old. I served my time from the time I was thirteen or fourteen years old. When I was about nineteen, I think, I stopped working as a machinist. I worked in the Harlem Railroad shops. When I left that I went to the Marine shops in Brooklyn, and I was there six or seven months.

Q.—That was a public place, wasn't it? A.—Oh, no.

Q.—In the Navy Yard? A.—Oh, no.

Q.—What was your next business after that? A.—I don't hardly recollect. I think I was appointed a court officer.

Q.—Were you appointed a court officer before you opened your liquor store on Second-ave. or after? A.—I never owned a liquor store on Second-ave. I never had a liquor store or had I the slightest interest in a liquor store directly or indirectly.

Q.—Did you ever take a lease for premises to be occupied for a liquor store? A.—No, sir.

Q.—Did you ever negotiate for the purchase of a liquor store for yourself or any of your friends? A.—Not that I can remember.

Q.—Well, what has been your business since you ceased working as a machinist? A.—It has generally been in politics.

Q.—Have you had any other business? A.—I had an ice business in White Plains. That was from 1880, 1882 and 1883.

Q.—During which time, however, you were in New-York City and active in politics? A.—I did not act much in politics when I was up there in the ice business. I lived up there.

Q.—In what year was it you were appointed court officer? A.—I cannot recollect. It was along in the '60s—1865 or 1866.

Q.—Is it not a fact that you were a court officer in Judge Barnett's court? A.—Yes, sir. I think that was in 1865, 1866 or 1867. Just before I was elected Alderman.

Q.—The same Judge Barnett who was impeached, I mean? A.—Yes; I was in his court part of the time.

Q.—Who secured your appointment as court officer? A.—James O'Brien. I think I must have been a court officer two years probably. I cannot recollect the dates. I think I ran for Alderman when I was court officer. I hain't positive. It was either during the time or immediately after. I was engineer of Engine 28 when the new department came in, and I believe I was elected Alderman while I was engineer.

Q.—Were you engineer while you were court officer? A.—No, sir.

Q.—Then your office of engineer came in between the time you were court officer and were elected Alderman? A.—I think so. Am not positive.

Q.—What year did you run for the Aldermanship? A.—1868 or 1869, I think.

Q.—Is it not a matter of fact that you were called to fill the vacancy caused by the election of Mr. O'Brien to the shrievalty and you then served one year only? A.—One year only, and I ran again in 1869 in the fall. And in May, 1870, I was legislated out of office by the Tweed charter.

Q.—Who secured your nomination as candidate for Alderman? A.—Who secured it?

Q.—Yes. A.—Well, I think I secured it myself. (Laughter.) With the help of those around.

Q.—Isn't it the fact that Sheriff O'Brien suggested you as his successor and co-operated with you in securing your nomination? A.—Well, probably he did.

Q.—Wasn't it understood at that time that you were Mr. O'Brien's candidate? A.—Yes, I think it was.

Q.—Were you not at that time in active political co-operation with Mr. O'Brien? A.—At that time, yes, sir.

Q.—You say you were only in office five months during your second term. Was the personnel of the Board very materially changed? A.—I think it was. I think the 1870 Board was entirely against Tweed. He sent for us all that year, one after another, to ask us if we were going to support his nominations. We told him no. Then he said "You will go out of office." "Well," we said, "we will go out." We had made an arrangement, Sam Barlow, George Purser and Mr. Tilden were into it and others, to stand together, the Young Democracy against Mr. Tweed.

Q.—Did you talk with Mr. Barlow about it? A.—I don't recollect. But he went, Mr. Barlow, to talk with some Senators in Albany.

Q.—Whom did you understand that from? A.—From Mr. O'Brien, I think.

Q.—Do you believe that Mr. O'Brien is a man worthy of credence?

MR. CHOATE OBJECTS.

At this point Mr. Choate made the first of several interruptions in the cross-examination. He asked what was the sense of that question and expressed the opinion that Mr. Ivins was taking a broad range into ancient history. Mr. Croker said that Mr. O'Brien and he were at that time friends and that he knew little about politics. When Mr. Croker found out Mr. O'Brien's methods, he did not believe in them and stopped associating with him. Mr. Ivins asked: "Would you believe O'Brien to-day if he told you that Mr. Barlow had that conversation?" Mr. Croker replied: "I believe Mr. O'Brien's hate is so desperate to me that he would say anything."

"That is not the point," said Mr. Ivins. "The point is that if Mr. O'Brien told you that he had gone in with Mr. Barlow and others, would you believe his statement?" "I would not believe him," was the reply.

Q.—Did you ever talk with Mr. Tilden about the matter? A.—No, sir.

Q.—Or about any political matter? A.—No, sir.

Q.—Then with whom did you talk about that arrangement for the purpose of preventing the confirmation of Mr. Tweed's nominees?

Mr. Choate, although the witness said he could answer that very easily, said that he hoped the committee before encouraging such a remote line of examination as Mr. Ivins was pursuing would refer to their letter of instructions and consider whether this was reasonably within it. Mr. Ivins, somewhat hotly said the resolution of instructions covered municipal methods of business in this city, and there was no limit whatever in point of time. He continued: "A witness is here who is under cross-examination. Any questions which may tend to show the credibility of that witness or to disprove it; any questions which may tend to show how that witness regards official position and what while in office he may be willing to do and actually did do, whether it were twenty years ago or forty years ago, are entirely material. I designed to show by this witness that he deliberately made an oath at that time, being a member of the Board of Aldermen, in direct and open violation of his oath to support the Constitution of the United States and of the State of New-York."

Mr. Ivins handed to Mr. Croker a paper and asked if he recognized the signature attached to it. He said he saw his signature. The paper ran as follows:

The undersigned Aldermen of the City and County of New-York, being duly and severally sworn, do depose and say that they will not in their official capacity as such Aldermen vote for the confirmation of the appointment of any officer created under the provisions of the city charter or any laws of this State, or adopt any ordinance or resolutions affecting the powers, duties and interests of any municipal department of said city or county government without consulting with Messrs. Henry H. Genet, Thomas J. Creamer, Michael Norton, ———, George W. McLean, and George H. Purser, and first obtaining the consent of said last mentioned gentlemen to any such contemplated action.

(Signed by)
JAMES BARKER,
ANTHONY MILLER,
PETER CALKIN,
N. SEGER,
JAMES McKEEVER,
JOHN MOORE,
RICHARD CROKER,
———
GEORGE McCREGIER.

Sworn to before me this 26th day of March, 1870.
JOEL O. STEVENS,
Commissioner of Deeds.

Mr. Ivins—Do you know what became of this paper after you signed it? A.—I believe it was held by Mr. O'Brien. Will you permit me to make a statement about that?

Q.—Certainly, tell the whole story. A.—The Young Democracy got control of the Board against Mr. Tweed. Mr. Tweed had the Senate, as was thought, but when the Senators found out that Mr. Tweed could not control them they were willing to come with us and go away from Tweed. They said to Mr. O'Brien, or whoever it was that went there, "If you can assure us that the Board of Aldermen of New-York is against Mr. Tweed we will go with you," and upon that we signed this against Mr. Tweed to show that the Board of Aldermen was not with him. We were legislated out of office because we did that