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EVIDENCE

BEFORE THE

GRAND JURY

IN THE CASE OF

A. OAKEY HALL.

New York City 1871

Grand Jury Proceedings.

GRAND JURY ROOM, October 19, 1871.

ANDREW H. GREEN, sworn: Does not know of any act of Mr. Hall's in support of accusation or in connection therewith outside of his position as Deputy Comptroller. Submitted several bills with their attached warrants; does not know the order in which warrants have been signed; his practice is to sign the warrants first; does not enter into the merits of a bill unless doubts about its integrity have been raised; thinks he would send all the bills and vouchers attached to a warrant over to the Mayor for his signature; does not know the previous practice.

A. S. CADY, sworn:

Q. (*By District Attorney.*) How long have you been in the Comptroller's office?

A. Nearly nineteen years.

Q. Will you state in what capacity or capacities you have served in that office?

A. Six years as clerk to the Comptroller; eight years chief clerk in the County Bureau, and nearly five years as Clerk of Arrears.

Q. While you were in the County Bureau, did you become acquainted with the manner of doing business so that you can state to the Grand Jury the way in which the routine of the office is performed?

A. Yes, sir.

Q. Now, will you have the goodness to state to the Grand Jury what you call that list of items [paper shown]; do you call that an account?

A. An account or bill against the county.

Q. Whose bill is it?

A. This is a bill of Keyser & Co.

Q. For what?

A. It claims to be for furnishing chandeliers, brackets and fixtures, etc.

Q. Now, will you state what is the date of the bill?

A. The first date is October 20, 1869.

Q. What is the last date?

A. The last date is December 26, 1869.

Q. What is the amount of the bill?

A. The figures at the bottom show it to be $35,451.18.

Q. Will you state, after the bill is presented at the Comptroller's office by the claimant, what is the first thing that is done with it?

A. It comes into the hands of the Auditor, who examines the bill.

Q. What is it the duty of the Auditor to do?

A. To examine the bill in all particulars—extensions, footings, etc.

Q. The items?

A. Yes, sir.

Q. You mean by that he examines all the items of the bill?

A. All the items on the bill.

Q. Now, after he has examined the items of the bill, assuming that he finds it all right, what is the next thing the Auditor does?

A. If it is found all correct and decided upon to be paid?

Q. I mean what does he do next himself after he finds it all correct?

A. He approves it, putting the stamp on the face of the bill and writing his name across the certification.

Q. What is that stamp that he puts on it?

A. I can hardly read this, it is so faint.

Q. You know what it is without being able to read it—what does it read?

A. It is an approval, in substance, of the bill, and directing its payment.

Q. Just give it to us as it reads?

A. "City of New York, Department of Finance, examined by me and found correct;" then signed, "JAMES WATSON, Auditor of the County Bureau."

Q. Is that his handwriting?

A. Yes, sir.

Q. What next is done?

A. The warrant is drawn.

Q. Is that the warrant [showing a paper]?

A. That is the warrant for the first bill they had.

Q. Now, sir, who draws that warrant?

A. They are usually drawn by the Auditor or the book-keeper.

Q. If the book-keeper draws it, under whose direction does he draw it?

A. Under the direction of the Auditor.

Q. Not the Comptroller?

A. No, sir.

Q. The bill having been audited, this certificate put upon it, and the warrant filled up for the amount that it foots up, what is the next thing that is done with that warrant?

A. It is sent with the voucher to the Comptroller for his signature, and he signs it.

Q. What is the next thing that is done with it?

A. The warrant and voucher are then sent to the Mayor for his signature, after the Comptroller signs it; then to the Clerk of the Board of Supervisors for his signature. When the signatures are all obtained, it is returned to the County Auditor.

Q. What does he do with it?

A. He directs it to be entered on the audit book, on the book of warrants, the book of accounts—

Q. And an entry is made in the book of what?

A. First the date of the warrant corresponding with the date in the warrant.

Q. What next?

A. The appropriation from which it is paid.

Q. What next?

A. The name of the payee in the warrant, the purposes for which the warrant is drawn, and the amount—the sum of money;

then it is entered in another book called "the Registry of Warrants."

Q. What is done there?

A. The first is the date of the warrant, the number of the warrant, the name of the person to whom it is payable, and the amount of the warrant. Then it is signed by the Register or county book-keeper, which completes the warrant.

Q. That is that name across there—Lynes?

A. Yes, sir.

Q. Now with these things put together, what is it called?

A. We call these vouchers for the payment—

Q. You call this the warrant that draws the money?

A. Yes, sir.

Q. The other paper, when it is all completed by the Auditor, is called a voucher?

A. Yes, sir.

Q. Will you state what those two papers are [showing papers to the witness]?

A. The first is a certificate of audit by the Ad-interim Board, as it is termed.

Q. Who is that signed by?

A. This is signed by the Comptroller, Richard B. Connolly, and Wm. M. Tweed, the President of the Board of Supervisors.

Q. What is that paper?

A. This is a further certificate, signed by the Comptroller, Richard B. Connolly, directing the Auditor to prepare the warrant.

Q. Read them?

A. "The claim of Keyser & Co. against the County of New York having been duly audited by the Mayor, the Comptroller, and the President of the Board of Supervisors, in pursuance of and as authorized by section 4 of the act, chap. 382, Laws of 1870, the Comptroller hereby adjusts the claim and allows the sum of $36,830.80 in full settlement of all demands arising therefrom. The County Auditor will draw a warrant for the above stated sum, viz., $36,830.80, to the credit of Keyser & Co., and charge to the account of County Liabilities, and upon payment, receive and file a release and acquittance therefor.

(Signed) RICHARD B. CONNOLLY, *Comptroller.*"

Q. Mr. Connolly was one of the Board of Audit himself?
A. Yes, sir.
Q. And Mr. Tweed was another?
A. Yes, sir.
Q. This paper always fixes this whole thing?
A. Yes, sir, in these peculiar cases.
Q. I mean where they are audited by these men?
A. Yes, sir.
Q. Suppose any account is presented to the county not under this particular statute, does the Comptroller make out a paper of that kind?
A. No, sir.
Q. What does he make out?
A. He makes out nothing except signing the warrant; that is all.
Q. He relies on the Auditor?
A. Yes, sir.
Q. How long was Mr. Watson Auditor—during the whole term of Connolly's office?
A. Yes, sir; he was Auditor from 1863 to 1871; about eight years.
Q. Was he also Auditor under Mr. Brennan?
A. He was.
Q. That is, he was County Auditor?
A. He was County Auditor.
Q. Under Mr. Brennan, and also Mr. Connolly?
A. Yes, sir.
Q. His term of office continued about eight years under both of those administrations?
A. Yes, sir.
Q. Where is the receipt which is ordinarily taken—is that attached to the papers?
A. The receipt is taken on the bottom of the voucher.
Q. Just read that?
A. "New York, June 10, 1870. Received from R. B. Connolly, Comptroller, a warrant on the County Treasurer for the sum of $36,830.81, in full payment of the above account.

(Signed) KEYSER & Co."

Q. (*By a Juror*) I would like to ask if you recognize that signature as Keyser & Co., or if you are familiar with it?

A. I am not so familiar as to swear.

Q. Do you recognize the signature of Lynes on that warrant as his?

A. Yes, I do.

Q. Before that bill is rendered to the Comptroller, is it not rendered to some head of a bureau, requiring their indorsement or approval, under whom the work is done, or is it rendered directly to the Finance Department?

A. These bills were formerly submitted to the Board of Supervisors for their audit.

Q. Where did Keyser & Co. render that bill—were they not working under some bureau?

A. They were working under the direction of the Board of Supervisors, or a committee of that Board.

Q. In other departments it is usual for the bills to be rendered to the bureau under whom the work is done?

A. Unless the work is done under the direction of the Board of Supervisors; in that case the bill was rendered to them; it bears the signature of "Wm. M. Tweed, Chairman," whom I suppose is the chairman of the committee.

Q. Are those the signatures of the three parties?

A. Yes, sir.

Q. Who is the party connected with the city government who sees that the items of bills are correct—that the goods are delivered, and that the charges for those goods are not exorbitant?

A. It is the duty of the Auditor.

Q. The duty of the Auditor is to see that the goods are delivered?

A. No, sir; not that they are delivered; he would rely upon the certificate or receipt of the Bureau or Department.

Q. In the course of business in the city government, a gentleman—Mr. Cornell—delivering say ten thousand pounds of iron castings, and he renders a bill for that; on that bill is there any certificate, acknowledgment, or receipt on the part of any authorized person connected with the city government that those goods were actually received by the city? I merely ask you as to the

general course of business; I do not want any specific case. What would it be to-day if Mr. Cornell were to deliver ten thousand pounds of iron at the New Court-house—what official in charge would sign a receipt?

A. The Superintendent on the work or the Commissioner; they formerly had a Superintendent to receive them; I do not know how it is now.

Q. Suppose that this room had to be refurnished with chairs and tables, and Mr. Ingersoll were to send a bill along with them, who is the person who would receipt for those chairs and tables, so that when the bill came into your department you would know those chairs and tables were actually delivered—is there any such person?

A. The person in charge of the Grand Jury room should be the one to receipt for them.

Q. Do you actually require it should be done in your Department?

A. It has been required.

Q. Is that the rule?

A. Yes, sir.

Q. Then as each bill is rendered, so many chairs and so many tables, who is the party that checks off the cost that it is correct and puts their name to that?

A. There is no party that checks that, that I am aware of, till it comes to the Auditor.

Q. Then the Auditor, as I understand you, is the general overseer of all the merchandise, stationery, cast-iron, chairs, tables, carpets, everything that is furnished to the city government, and of the value of the things?

A. Yes, sir; to know that they are not exorbitant.

Q. Is he the purchasing agent?

A. No, sir.

Q. Has the Auditor anything to do with making the prices charged in the bills?

A. Yes, sir; it is his duty to reject it if the price is exorbitant.

Q. He is sole judge?

A. He and the Comptroller.

Q. He and the Comptroller are the sole judges of the value of everything that is done for this city and county?

A. So far as auditing the bills is concerned.

Q. After the Auditor has examined and passed the bill to the Comptroller, has it heretofore been the invariable custom for the Comptroller to examine it before signing it?

A. I do not know that it has been the invariable custom.

Q. Has it ever been the custom?

A. In former times it was; I know particularly from 1853 to 1859 it was. Since then I have not had so much to do with the matter of payments as to know all the bills that have been paid.

Q. From your experience in the office, do you consider it has been the custom since that time?

A. I do not know that it has of late years; on that point I cannot say anything that I do not know.

Q. Who was the Comptroller from 1853 to 1860?

A. Mr. Flagg.

Q. You spoke a while ago about the voucher going with the warrant to the Mayor and the Clerk of the Board of Supervisors; do you understand that that is the rule when the warrant is sent to the Mayor for his signature the voucher accompanies it?

A. During my knowledge of the payment of claims, it was the invariable rule.

Q. If a bill was rendered of particulars, certified and sworn to by a person who said that he delivered the goods, and no receipt for the goods on the part of any city official, and that sent to the Auditor with prices attached, and that party came after the money continually, has it been the practice, or would it be the practice, without any such receipt being attached to the goods, for the Auditor to audit the bills?

A. He ought not to.

Q. Would he have done it, or does he do it?

A. I do not know but there may have been bills paid as you speak of, but I cannot tell.

Q. What do you do now?

A. I think now they would not be paid.

Q. That is, they would not be audited?

A. Yes, sir; they would not be audited.

Q. You have been there nineteen years; have you ever known of any bill whatsoever being returned to the parties who made it, whether that bill was exorbitant in price, or whether the actual amount of goods was not received; have you ever known of such a thing as a bill being returned to the parties after they have sworn and certified to it?

A. I have known of their not being paid; whether they were returned to the parties or not I cannot say.

Q. Have you ever known the Auditor to send that bill back and say that it was not correct?

A. I cannot tell of its being returned, but he has refused to audit the bill.

Q. On what ground?

A. Exorbitant prices and other reasons.

Q. Can you name any specific cases?

A. I cannot; I know the fact.

Q. Was that under your administration at the time you were County Auditor?

A. I have never been County Auditor.

Q. Have you ever known a case where a warrant has been drawn and sent to the Mayor—I do not mean Mayor Hall, I mean any mayor—and returned to the Comptroller's office unsigned because of the exorbitant charge for the goods for which the warrant was drawn, or for any other reason?

A. I know they frequently were returned from the Mayor in several cases, but I cannot recollect any particular case, yet I know the fact.

Q. Do you remember the reason why?

A. For overcharges or for illegal charges.

Q. How long since, Mr. Cady?

A. I think in Mr. Haws' time, and I think in Mr. Flagg's time.

Q. You remember distinctly that they were returned from the Mayor's office under these two Comptrollers?

A. Yes, sir.

Q. Who were the Mayors of the city then, do you remember?

A. Mayor Wood and Mayor Tiemann were Mayors about that time.

Q. Were the bills made out at a lower rate or were the warrants drawn for the original amount?

A. I cannot speak positively; the Mayors very often went into an inquiry about the bill; I have not been in a position to know Mayor Hall's doings.

Q. Who is the gentleman in your office that we can get that information from?

A. Mr. Watson, the Auditor, who has had charge of those matters, is now dead; the new Auditor has no knowledge of it particularly.

Q. Not within the last six months?

A. Mr. Lynes, who has been County Auditor since Mr. Watson's death, is not in town; he is sick.

Q. There is no person in the office that we can get that information from?

A. Not in the County Bureau that I am aware of.

Q. Have you in passing bills ever known a bill when it has passed you to be high-priced and exorbitant?

A. Let me say here I have never been County Auditor; I was clerk in the County Bureau; I never had the auditing of any bills.

Q. Have you of your own knowledge known a bill that you have been required to sign that had been high-priced?

A. I have never had the signing of any of them; never have been in a position where I have been required to sign them.

Q. Never heard anything of that kind in the office?

A. Merely that the Auditor had charge of those matters.

Q. Have you ever heard in the last twelve or eighteen months anything about articles been charged high?

A. Yes, sir.

Q. Among the officials it is a common report?

A. Yes, sir.

Q. So much so that it has got outside?

A. I suppose so.

Q. How long ago was that?

A. These bills are in the early part of 1870.

Q. It has been current in your office that bills have been produced there and paid that have been exorbitant in price?

A. I have heard that spoken very frequently inside and outside.

Q. (*By District Attorney.*) Do you mean lately?

A. For two years.

(*By a Juror.*) If that was the case, naturally those who were auditing the bills would redouble their exertions that no bill should pass that was exorbitant?

A. They ought to.

Q. No bills have come back?

A. I have had no knowledge of those matters for the last five years myself, because I have been in another bureau entirely separate from it. I can only speak of it generally.

Q. Did you ever know the present Comptroller to refuse to sign a warrant for a claim when it had been regularly passed by the Board of Supervisors and submitted to the County Auditor, Mr. Watson or Mr. Lynes, on the ground that the claim was exorbitant?

A. I never knew it; never recollect hearing of it.

Q. When a warrant is sent to the Mayor's office, does the voucher invariably accompany the warrant?

A. I cannot say that it always does.

Q. As a rule it ought to?

A. It ought to.

Q. What is the object in sending before the jury these particular bills—are you aware of it?

A. I cannot tell the particular object.

Q. I would like to ask Mr. Cady, since Mr. Watson is dead and cannot give us any information on the subject, whether the Assistant Deputy Auditor, who was the son of Richard B. Connolly, knows anything about the transactions of the Auditor?

A. Mr. Connolly's son was in the City Auditing Bureau, not in the County.

Q. So that he would not be able to give us any information that we might ask from Mr. Watson if he was alive?

A. He had no connection with the County Bureau.

Q. Who was the Assistant Auditor of the County Bureau?

A. Mr. Lynes was; he was promoted to the Auditor's position.

Q. Do you know of your own knowledge of any bill that has been fraudulent?

A. Not of my personal knowledge.

Q. You are not aware that there are any such bills?

A. I have no personal knowledge.

Q. You have no evidence?

A. No, sir; nothing more than what I hear.

Q. Hear, how?

A. Nothing more than what I hear as a common rumor.

Q. Has anybody else information?

A. The two persons named, Watson and Lynes, are the ones that have had the entire work to do in the County Bureau.

Q. Who is the gentleman connected with your Department who looks over these checks or warrants after they are paid when returned from the bank?

A. The book-keeper has had charge of those; that was Mr. Lynes.

Q. The paying teller of the Broadway Bank pays these warrants when presented across the counter?

A. Yes, sir, if they are paid over the counter.

Q. Is Mr. Lynes sick?

A. I understand he is sick and out of the city.

Q. Do you know of your own knowledge that he is sick?

A. He has not been at the office for some time; I hear that he is sick and out of town.

Q. Where does he live?

A. In Brooklyn, I believe; he did live on Henry street, but I do not know the number; I understand he is in Connecticut, but I do not know where.

HENRY F. SPAULDING, sworn:

Q. (*By District Attorney.*) You have made a complaint against Mr. Hall, charging him with some sort of offence; will you state any facts in regard to the matter?

A. I have no facts of my own knowledge; my complaint was made on information and belief.

Q. You have no knowledge of any facts personally in regard to Mr. Hall yourself?

A. No, sir.

Q. Can you state anything else in regard to this case which throws any light upon it for the benefit of this Grand Jury?

A. I have not any evidence in my possession.

Q. Do you know, Mr. Spaulding, of any witness who knows any fact in regard to this particular investigation which you would suggest to the Grand Jury, aside from persons that are implicated themselves?

A. I do not know that I could name any particular one.

Q. (*By a Juror.*) You say you make this complaint against the Mayor upon knowledge and belief?

A. Information and belief.

Q. You say here in the complaint "the said Copeland, who is now before the Court;" it is upon the information you got from him?

A. Got from him, and the evidence that was brought before the Committee on Remedies.

Q. What kind of evidence?

A. It came through our lawyers; I mean on information and belief solely; Mr. Copeland's affidavit, I think, is attached.

Q. You know nothing more about it than what is in this paper and what Copeland says?

A. I saw some other affidavits in respect to some matter, but they were in the hands of Judge Barrett; I presume they are all here.

Q. Then you do not know that the Mayor did connive at any fraud, or that he has been guilty of any misdemeanor?

A. I stated before I did not know of my own knowledge; it is all on information and belief.

Q. You are one of the Committee of Seventy?

A. I stated so in the affidavit that I am one of the sub-committee; I am chairman of one of the Sub-Committees of Seventy; I made the complaint as chairman of the Committee of Remedies, and made it on information and belief.

WILLIAM S. COPLAND, sworn:

Q. (*By District Attorney.*) Mr. Copland, what has been your employment for the last few years?

A. Previous to my going into the Comptroller's office?

Q. Yes, sir?

A. Real estate business.

Q. At what time did you go into the Comptroller's office?

A. I think it was in January, 1870, the beginning of the year; it was about the 4th or 5th of the month.

Q. Will you state to the Grand Jury, if you please, in what capacity you were there?

A. As a clerk.

Q. In what Department?

A. In the County Bureau.

Q. Under Mr. Watson?

A. Yes, sir.

Q. What was your particular duty?

A. I was assistant book-keeper.

Q. Now, Mr. Copland, will you have the goodness to state any fact you know of your own personal knowledge in regard to this complaint against Mr. Hall?

A. I saw all the warrants that are represented in my affidavit which bore Mr. Hall's signature.

Q. What is the next fact?

A. Well, I should judge by the enormous quantity of warrants—

Q. Not judgment, I am asking for facts?

A. Then the vouchers that went over to Mr. Hall to be signed were not sworn to by the parties furnishing the goods, which is customary in all claims, whether it is furniture or anything at all; it has to be sworn to—a printed affidavit on the bottom of the voucher; they were not sworn to.

Q. In all cases?

A. All that I saw; I did not see the whole of the vouchers, but I saw all the warrants, and every single one that I saw was not sworn to.

Q. What number do you think while you were there?

A. Well, I saw a great many; I saw every one that came out from the office. As a general thing Mr. Watson kept those vouchers in his own private office and did not allow them to come out; we did not see them. Those that did come out were not sworn to. I saw a hundred or more.

Q. How many in your judgment were all those vouchers that you saw bearing the signature of Mr. Hall?

A. All that I saw were about a hundred.

Q. Will you state to the Grand Jury what other fact you know in regard to this complaint, confining yourself now to personal knowledge?

A. Well, there was one warrant that went over there for awnings on the County Court-house, which I should think any man signing that bill would know——

Q. Confine yourself to facts.

A. The warrant was, if I recollect, eighteen thousand and odd dollars for awnings for the County Court-house, and Mr. Hall signing that warrant, which he did, would know it was a fraud. That is all I know about it.

Q. Is that all the facts you know in regard to the case?

A. Yes, sir.

Q. Do you recollect any other fact?

A. All, I may say, in the way of facts I know is, that he signed all those warrants; I do not know anything else that I can recollect.

Q. Will you have the goodness to state whether these warrants, every one of them, were also signed by Mr. Connolly?

A. They were.

Q. And had every one of the bills upon which these warrants are based been audited by Mr. Watson?

A. Yes, sir.

Q. Before they were signed by Mr. Connolly?

A. Certainly.

Q. So, as I understand you, in the first place, Mr. Watson audited all these county accounts?

A. Yes, sir.

Q. In the second place, these warrants, under his direction, were all filled up for those amounts?

A. Yes, sir.

Q. In the third place, they were signed by the Comptroller?

A. Yes, sir.

Q. In the fourth place, they were countersigned by Mr. Hall, as Mayor?

A. Yes, sir.

Q. Were they also signed by the clerk of the Board of Supervisors?

A. Yes, sir.

Q. Were the warrants also indorsed across in the usual way by the County Auditor?

A. The County book-keeper.

Q. Mr. Lynes?

A. Yes, sir; the back of the voucher was stamped and signed by Mr. Watson.

Q. I speak of the book-keeper's signature across the end of the warrant; were they all signed and audited in that way?

A. Yes, sir.

Q. So that the auditing always precedes the signature of the Comptroller?

A. Yes, sir, the auditing by Watson.

Q. The Comptroller's signature follows?

A. Yes, sir; that is the first signature on the warrant.

Q. The next is the clerk of the Board of Supervisors?

A. No; of the Mayor, then the clerk of the Supervisors, then the book-keeper, then he enters the warrant on the book.

Q. Then the receipts are taken on the bottom of the voucher?

A. Yes, sir.

Q. Do you know any other fact about this case that you want to state?

A. No, sir.

Q. Who places the warrant in the County Bureau as contra-distinguished from the City Bureau?

A. Generally Mr. Watson; it was considered his business. Sometimes it was delivered by the book-keeper.

Q. What time did Mr. Watson die?

A. It was in the winter of 1870; it was cold weather.

Q. He was killed on the Harlem lane?

A. Yes, sir.

Q. (*By a Juror.*) From your statement of these facts, will you answer me, did not the fraud, if any, commence in the Comptroller's office and end there, first by the auditing of the bill there, and then by paying out the fraudulent warrants; did it not commence and end in the Comptroller's office?

A. It commenced; but, of course, when the warrant went over to Mr. Hall, and as soon as Mr. Hall's signature was on that warrant it was legal, and could be paid without the signature of the Clerk of the Board of Supervisors or anything else, if Ingersoll or whoever got the warrant. If Mr. Hall chose to deliver it himself after his name was on it the warrant was good.

Q. Did not the fraud commence and end in the Comptroller's office?

A. I suppose it did.

Q. Vouchers sent over to Mr. Hall were not sworn to in many cases?

A. No, sir.

Q. Were they sworn to when the Comptroller signed them?

A. No, sir.

Q. Is that one of the bills [showing]?

A. Yes, sir.

Q. Has it been the invariable custom since you were at the Comptroller's office before signing the warrant; are you aware whether it was or not?

A. That I cannot say, for I was not present.

Q. (*By a Juror.*) You spoke about the bill of King; was there an affidavit attached to that bill of the party having furnished it?

A. I think not; I could not say positively, because I could not recollect.

Q. What was there particular about that bill?

A. I think it was enormous, in my eyes; there was only a hundred windows.

Q. Do you think Mr. Hall knew anything about that?

A. I should think he would; he has to put his name to it; he would have to be blind not to see it; it was before his eyes; he could not avoid seeing what he was signing.

Q. (*By another Juror.*) You say that Mr. Hall must have known such and such things; what was Mr. Connolly's condition of mind, who started this thing? I hold in my hand an invoice, which is not sworn to, of Keyser & Co. A warrant is started over to the Mayor's office with Connolly's name—you are attempting to depict Mr. Hall's condition of mind; tell us why

you suppose Connolly sent it; did he suppose the awnings were sent?

A. No; I suppose he was in the same boat; you asked me about Mr. Hall.

Q. Are you in the Comptroller's office at this time?

A. No, sir.

Q. When did you leave there?

A. If I recollect, the first of March; I do not know exactly; it was in the spring of 1871, this present year.

Q. Have you been discharged?

A. Yes, sir.

Q. For what?

A. Political reasons.

Q. What was that?

A. I was a friend of Mr. O'Brien, and of course when the troubles arose between Mr. O'Brien and Mr. Connolly I was amongst those that were discharged.

Q. There is enmity between you and the Comptroller?

A. No personal enmity.

Q. Where do you live?

A. No. 246 East Thirty-second street.

Q. Is that the reason?

A. I should judge so; he gave me no other reason; there was nothing that I done.

Q. Did you actually perform any service there as assistant book-keeper?

A. I did; I was engaged all the time.

Q. How long before you left your position there as assistant book-keeper, in the county office, were you aware that this thing was going on?

A. What called my attention to it, in the first place, I was given a book in January, 1870; the book-keeper gave me a book, called the Record of Vouchers, to write up, which contains all the accounts under the different heads; when I was copying it from the audit book, where the amounts are entered first, when I came to this account of County Liabilities, he came to me and said (Lynes, the book-keeper) that Mr. Watson, or the Comptroller, would be very angry if he knew anybody but him wrote

that account; I thought it very strange I could write all accounts in the book and not that; I thought I would inspect that; this was in January, 1870, when I first went there; so I looked over those accounts afterwards to see what was so wonderful in this account that he did not want me to write it; I saw Keyser forty and fifty thousand dollars, and Mr. Ingersoll for this, and no other thing hardly in that account but these claims; I guess there must be something in that; I had the curiosity to look further into the matter, and I discovered that there must be something wrong.

Q. What did you discover that was wrong?

A. These things were not sworn to; they were for enormous amounts for furniture and plastering, which, in my idea, never was in the place.

Q. Have you a knowledge that Mr. Hall knew anything about this?

A. Nothing more than his signature was attached to the warrants. I know that I never sign anything without reading it, and I suppose Mr. Hall knows more than me. I do not think that Mr. Hall, nor Mr. Connolly, or anybody else would sign away one hundred thousand dollars in warrants, without looking to see what it was about. I know, simple a man as I am, I would not sign such things without looking at them.

Q. You went there in January, 1870?

A. Yes, sir.

Q. In the performance of your duties in looking over some memorandums or vouchers, you were copying them off; what did you copy them off for?

A. Because I thought that I might want to use them at some future date to give them away.

Q. What motive had you for doing it?

A. It was more for curiosity than anything else, for the time being.

Q. What time was it in January when you were doing this?

A. I did not do the whole of it then; that was all through the year; it was not in that particular time. In January my attention was first called to this. If Mr. Lynes had not done that, I never would have thought, probably, of looking into this account.

Q. What time in January was that?

A. I think I had been there a couple of weeks.

Q. Watson was not dead?

A. No, sir; that was in the year 1870; Watson did not die till 1871.

Q. On whose recommendation did you enter the office?

A. Mr. O'Brien.

Q. When the difficulty occurred about O'Brien, you left?

A. Yes, sir.

Q. The probability is, if he had not had the quarrel you might have been there still?

A. Yes, sir.

Q. Still knowing these things were going on, why did you not report them?

A. I would think when I was in a place it would not be right to do a thing of that kind; it would be going against my employer.

Q. You made this statement for political reasons and were not impelled by patriotic motives in the matter?

A. Which statement?

Q. This statement [showing a paper]?

A. No; I did not make that for political reasons. You asked me why I was discharged. It was nothing about these things.

Q. What was your motive in volunteering to bring this matter before the public?

A. I felt a little "sore," as they say, considering that I worked diligently in the office and that I was discharged. I done my duty right enough, and I thought it was rather wrong to have me discharged.

Q. That is to say, because Comptroller Connolly discharged you because of the difficulty between the Comptroller and Mr. O'Brien, because of that fact you proposed to have Mr. Hall indicted for malfeasance in office; is that the position you take?

A. I suppose you may call it that. As far as Mr. Hall is concerned, I never spoke to him.

Q. In regard to the warrants signed from time to time, accompanied with the vouchers, the Comptroller's name was attached first?

A. It was.

Q. Do you know that the vouchers went over to the Mayor's office with the warrants?

A. Always.

Q. Always approved by the Auditor, first signed by the Comptroller, and returned with the signature of the Mayor?

A. They were.

Q. How long whilst you were in the employ of the city government did you know of these so-called frauds—how long have you hidden that in your political or personal breast?

A. I cannot say as to the whole of them, but I knew it when I had been in there two months.

Q. That is nearly eighteen months ago?

A. Yes, sir; I did not know the whole of them and I did not have them to give to anybody.

Q. You knew part of them?

A. Yes, sir.

Q. When did you first tell anybody?

A. I think it was along in November or December; it was in the fall, anyhow, of 1870.

Q. Who did you tell?

A. I told Mr. O'Brien.

Q. Do you know that these drafts were drawn upon the Broadway Bank?

A. Yes, sir.

Q. Do you know of any money that has been divided among parties?

A. That I could not say.

Q. You do not know of any person receiving any money?

A. No, sir; I know that the party that the warrant was drawn in favor of received the money, because I saw the indorsement on the warrant.

Q. You know nothing about whether parties divided the money with others?

A. I know nothing about it.

Q. Did you know that these bills were frauds?

A. I knew it by my own judgment; I thought so. There was one bill that I knew by my common sense was—the awning bill—was a fraud.

Q. Were you in the office when that bill passed through?
A. Yes, sir.
Q. Did you see the bill?
A. I saw it in filing it away.
Q. Before it was paid?
A. No, after it was paid.
Q. Was there any remark made in the office about it?
A. No, sir.
Q. No official passed any remark upon it?
A. No, sir; I did not tell anybody about it; I thought it was a fraud at the time.
Q. You never said a word to anybody else?
A. No, sir.

DANIEL TYRREL, sworn:

Q. (*By District Attorney.*) Where do you reside?
A. No. 41 Bedford street.
Q. In the city of New York?
A. Yes, sir.
Q. What is your business?
A. Carpenter, builder, and cabinet-maker—fitting up offices.
Q. Where is your place of business?
A. No. 57 Elm street.
Q. Are you acquainted with the value of all kinds of carpentry and cabinet work, such as is used in public buildings?
A. Yes, sir.
Q. Will you state whether you made any examination of the carpentry or cabinet work in the New County Court-house?
A. I have.
Q. Have you made an estimate on the value basis that it was just now?
A. Yes, sir.
Q. State the result of your examination?
A. [paper shown to witness] $132,375.
Q. What of it?
A. That is what I estimated the cost—what it was worth to make it.
Q. To make what?

A. All the cabinet and carpenter work in the new Court-house from top to bottom except that pertaining to the building proper.

Q. You mean fitting up and fixtures?

A. Yes, sir, and fixtures.

Q. Is that all you know about this case?

A. I believe it is.

Q. Who were you employed by to make these estimates?

A. Messrs. Edward Baxter & Co. through the Committee of Seventy.

Mr. Arthur T. J. Rice was concluding his testimony when the stenographer entered the Grand Jury room.

WILLIAM F. HAVEMEYER, sworn:

Q. (*By the District Attorney.*) The Grand Jury have subpœnaed you to throw some light upon this complaint against Mayor Hall. If you know any facts please state them?

A. I do not know anything.

Q. Do not know anything about it?

A. No, sir; if I understand your question.

Q. You have been Mayor of the city?

A. Yes, sir.

Q. You are a pretty sensible looking man; I guess you understand the question?

A. I became acquainted with Mr. Hall during the Tiemann controversy, a number of years ago; I renewed that acquaintance about three months ago when I was called upon to attend a meeting of the marketmen of the city, having been appointed as a sort of committee on the sale of markets, passed by the Commissioners of the Sinking Fund some time ago; I do not think I would know Mr. Hall if I should see him; all I know is what I have read in the papers in reference to his connection with the transactions which are exciting the attention of the public just now.

Q. (*By a Juror.*) During the time you were Mayor was it customary to have the vouchers before you in signing the warrants?

A. Always; I never signed a warrant without vouchers.

Q. And an affidavit attached to the vouchers?

A. Well, I do not know exactly the form; it is so long ago; I have no doubt that such affidavits were attached to the vouchers, but I have forgotten; I could not say positively if they were.

Q. Did you ever sign a warrant without a voucher having an affidavit to it?

A. Well, I never signed anything but what it was all right, that I will assure you.

Q. You say you would not?

A. I do not think, under any circumstances, I would sign a warrant without an affidavit.

Q. Not even if the Comptroller, or some other official whose duty it would have been to sign it, had signed, it if the voucher had come before you without an affidavit?

A. I would not have signed it unless it was in order. Now probably that requires a little explanation. These vouchers used to come to me in a bundle, and the warrants; I did not sign them as they sign them now; we used to do up our business rather regular. The quarterly salaries would be paid quarterly, and the vouchers always accompanied them. Well, if it was my salary I would sign it without looking at the voucher; I suppose the voucher would be there. If it was for an ordinary bill that I was acquainted with, and if it was a moderate amount, I probably would not look at the voucher, being acquainted with the business; but when I saw a bill presented by somebody that looked a little large, I would look at the voucher and see what the items were composed of, and if I thought they were too high I would send for the auditor, and ask him to explain it. He probably would bring me a contract that had been sent into the Comptroller's office by the Street Commissioner or by the Departments; he looked over them pretty sharply to see if the bills conformed to the contract; he would audit them and present them to me. I have no doubt every one of those bills were verified by the parties making the demands; I would look at them. I know, in one case, a bill was presented to me from the Almshouse; I thought it was a pretty large amount; I looked over the bill, and having been mixed in with the grocery business I

took up the bill for the Alms-house and found it was under contract. Well, for instance, there was the article of coffee; ten bags, if you please, of St. Domingo coffee, weighing sixteen hundred pounds. I thought to myself, that is not St. Domingo, because St. Domingo coffee does not weigh that much; Rio weighs 160 pounds. I sent for the gentleman who contracted for the Alms-house, and asked what kind of coffee it was. He said it was St. Domingo. I said, no, that was Rio. Then, said he, it was as red as St. Domingo. The Rio is higher price than St. Domingo. We came to the conclusion that it was damaged coffee that had been bought at auction. I made him knock off a pretty large slice from that bill. I found tea, rice, and molasses charged higher than I supposed the market price was. I investigated the affair, and, although he was a very respectable grocer, he made a great noise about it. Well, said I, if this all right, let me see your books. That he declined to do. After he had made the bill about square, I then paid it; but it was referred to a committee of the Common Council. They investigated and made quite a time about it. Wherever there were large amounts, I would look at them, but where there was a large pile of vouchers, and I was satisfied they were all right, I might not always. Besides, they came through General Ewen and young Maxwell, and I knew if I wanted any explanations, they were always at hand perfectly satisfactory.

Q. If you had faith in the men who had gone over these accounts, you passed them less carefully than you would if you had not?

A. Of course.

Q. Do I understand Mr. Havemeyer to say, in every case, while he was Mayor, in signing warrants drawn upon the treasury for money, the vouchers were attached to the warrants?

A. The warrants were in one pile and the vouchers in another.

Q. In every case the vouchers accompanied the warrants?

A. In every case the voucher accompanied the warrant.

Q. That is the only case you recollect of sending a bill back?

A. Yes, sir; that made quite a stir.

Q. That was the only time in your administration you sent a voucher back?

A. Yes, sir.

Q. When were you Mayor?

A. In 1845; some time ago.

Q. Did you examine every voucher you signed?

A. No; I do not say that, because, as I said before, there were small sums of salaries.

Q. What would you call a large amount then?

A. Two or three thousand dollars.

Q. Anything beyond that you would give a little closer attention to it?

A. Yes, sir; those were pretty large vouchers in a time when we raised by tax two millions of dollars to pay the whole expense of the city government.

Q. Do I understand you to say that the vouchers you signed were not required by law to be sworn to?

A. No, I do not say so; I have no doubt every one was sworn to, but at the same time to say so at this interval of time I could not; everything that was legally right was.

Q. Do you know anything direct in reference to these particular vouchers that have been shown to you implicating Mayor Hall?

A. I have not seen any of the vouchers.

Q. About how much did you disburse when you were Mayor?

A. Well, I should have to guess at it.

Q. That is the present form. It may refresh your memory a little by looking at it [handing witness a paper].

A. I do not think there was as much. Of course this is a county bureau. Our county bureau at that time consisted of the city bureau. The Board of Supervisors did not hold more than three or four meetings a year; it did not amount to anything. Small affairs passed through the Comptroller in the ordinary way. Of course there have been a great many changes since that time. I do not know how they audit it [looking at a bill] except on the signature of Mr. Tweed. They audited them on the signature of Mr. Tweed, who is supposed to have examined them, or through his clerks.

Q. The expenses of the city at that time were about two millions of dollars?

A. Yes, sir; they may have been a little more. I think the public schools cost about five hundred dollars; the police cost about five hundred dollars; the alms-house cost about five hundred dollars.

RICHARD A. STORRS, sworn:

Q. (*By District Attorney.*) When a warrant is drawn for a bill in the County Bureau by the County Auditor, all ready for signature, who signs it first?

A. The Comptroller.

Q. Is that warrant dated at that time?

A. No, sir.

Q. It never has any date until it comes back signed by the Mayor?

A. Not till it is entered in the audit-book of the County Auditor.

Q. The warrant has never any date until it has been signed by the Comptroller and Mayor, and if it is a county concern it goes through the Board of Supervisors, and comes signed by the Clerk of the Board of Supervisors?

A. Yes, sir.

Q. When do you insert the date?

A. Immediately on the date of its entry upon the audit-book of the county; that is about the time it is paid.

Q. That corresponds, ordinarily, to the time of the receipt?

A. Yes, sir.

Q. So that the receipt of a party signing a warrant and the warrant generally bear about the same date?

A. Yes, sir; there may be some cases where parties do not call for a day or two.

Q. So that if five hundred warrants should appear as dated in one day that would be no evidence that they were signed by the Mayor, Comptroller, or Clerk of the Board of Supervisors on that day, but would rather indicate that it was about the day when the warrant was handed over to the claimant?

A. When the warrant was entered upon the book.

Q. Generally it is handed over about that time?

A. Yes, sir.

Q. (*By a Juror.*) When a warrant goes to the Mayor's office, does the voucher always accompany it?

A. Yes, sir.

Q. Always?

A. Yes, sir.

Q. (*By the Foreman.*) Who is the messenger between the Comptroller's office and the Mayor's office, that carried the warrants and vouchers?

A. I do not know who the messenger was; I cannot answer that; there are several men employed as messengers.

Q. (*By a Juror.*) Are the vouchers usually voluminous?

A. Some of them are very voluminous.

Q. Is it the invariable rule of your office to have affidavits accompanying vouchers?

A. Not always, sir; not on all accounts—generally, though.

Q. What accounts are exempt?

A. The payments to Departments—like the Department of Parks or the Department of Health.

Q. Would you be kind enough to step forward and look at this voucher; what would be the custom with that [showing a paper]; do you discover any irregularity in that voucher, warrant, etc., the whole thing together?

A. I have not seen any affidavit accompanying this.

Q. Is that irregular or not?

A. I should think it ought to require an affidavit.

Q. The juror asks you, is that irregular or not?—it is either "yes" or "no"?

A. I should think, according to the rule, it would require an affidavit.

Q. Yesterday, we had some testimony here that the first person who signs is the Comptroller?

A. Yes, sir.

Q. Then it is taken over to the Mayor?

A. Yes, sir.

Q. I want to ask this question: Does the Mayor sign that in his ministerial capacity, or is the check upon the Comptroller—the Comptroller did sign this before the Mayor?

A. Yes, sir; that is the rule.

Q. How long have you been in the Comptroller's office?

A. Since 1857.

Q. In fourteen years' experience, how many times have you ever known a voucher to be returned by the Mayor—from all these various mayors—in consequence of its being irregular?

A. I have known a number of instances.

Q. Can you tell them to us?

A. I cannot recall them.

Q. Has Mr. Hall ever?

A. Mr. Hall has returned them.

Q. On what ground?

A. Well, on the ground of irregularity, I suppose.

Q. What irregularity; was it for goods not delivered, or was it for exorbitant prices?

A. That I cannot answer.

Q. Has he never gave any reason when he returned them?

A. I am unable to answer that.

Q. Within the last year?

A. Yes, sir.

Q. Is there any law requiring bills to have an affidavit attached, or is it a regulation of the Department?

A. It may relate to that statute requiring an affidavit.

Q. Have you examined them; what do you find that makes them irregular; have you ever seen these vouchers before?

A. I do not recollect of ever seeing them.

Q. Would they pass before you?

A. No, sir.

Q. What are your particular duties?

A. Deputy Comptroller, looking more particularly after the keeping of the accounts—the book-keeping part of it, and assisting the Comptroller in matters that he required me to do.

Q. This is supposed to have gone to the Comptroller from the Auditor's office? [paper shown.]

A. Yes, sir.

Q. You keep the accounts, I understand?

A. I do not keep the accounts; I simply supervise the book-keeping.

Q. All these payments were charged to the account of what do you call it?

A. County Liabilities.

Q. You knew then, at the time those warrants were paid, that these enormous sums were being charged to the County Liability account?

A. I knew after they had been almost paid—not until they were nearly all paid.

Q. They were audited by the County Auditor, and paid by the County Treasurer?

A. Yes, sir.

Q. All these enormous sums being charged to the County Liability account did not come to your knowledge until the actual warrants were paid?

A. Not until the accounts were paid.

Q. When was that?

A. 1870.

Q. Did these enormous payments for various matters ever excite your suspicion, or cause any remark from you to anybody on the subject?

A. I thought they were pretty heavy claims; I supposed the Auditor knew what he was about—doing his business properly.

Q. Did you speak to anybody about it?

A. I do not recall; I might have remarked casually that those were heavy bills, but I do not recall any definite conversation with anybody in reference to them.

Q. You did not consider it your duty as Deputy Comptroller of the city of New York to call anybody's attention to it?

A. The matter was entirely with the Comptroller; the Deputy Comptroller was simply a clerk in the office.

Q Mr. Green is now the Deputy Comptroller, as I understand it?

A. Since the last Legislature an act has been passed giving the Deputy Comptroller certain powers.

Q. Were you not Deputy Comptroller under that act?

A. No, sir; I was Deputy Comptroller after the act passed last May.

Q. You knew last May of all those vouchers?

A. I was not deputized by the Comptroller under the special act to do anything except to sign a few salary warrants.

Q. Mr. Green exercises the full power of Comptroller, and we supposed in calling you before us, you being Deputy Comptroller at that time, held almost the same powers as Mr. Connolly?

A. No, sir; I never had the powers Mr. Green possesses.

Q. What position did Mr. Copeland hold in your office?

A. He was an assistant in the County Bureau.

Q. In what manner did he obtain copies of these bills?

A. If he obtained them, he obtained them from the books.

Q. Is any warrant on a voucher legally signed by the Mayor, without an affidavit, legal, or is there a certain law that that should be certified by him and signed?

A. I presume it is legal.

Q. I mean, is it unlawful if it was signed by the Mayor without an affidavit?

A. No.

Q. Do you know whether these vouchers are of the same character as those stolen, or, in other words, were those stolen irregular like these; do you know?

A. No, sir, I do not; but I think the bulk of them had affidavits; that was my impression of the vouchers; I supposed these had affidavits until I looked at them.

Q. These, I understand, are those that were not stolen?

A. Yes, sir.

Q. Where were they—overlooked?

A. No, sir; they were not in that pigeon hole.

Q. Out of their place?

A. Yes, sir; they were being copied, as I understand, by direction of the Comptroller.

Q. Mr. O'Rourke was a clerk in your office?

A. Yes, sir.

Q. He had an opportunity of copying those vouchers and warrants after leaving the office? How was it that Mr. O'Rourke, who was only a clerk in the office, had an opportunity of knowing this, while you held the position of Deputy Comptroller and had not your attention called to them?

A. My engagements were in another room entirely; I was not in the County Bureau; I was in another Department; I simply

visited that Bureau once a day—passed through it. O'Rourke was at the desk in the Bureau.

Q. The juror asked you the question whether the Mayor could sign that without an affidavit and still perform his duty, whether it would be illegal; would it affect the warrant?

A. No, sir.

Q. Mr. Storrs, do I understand you to say in every case where a warrant is presented for signature a voucher accompanied the check?

A. As far as my knowledge goes it has.

Q. In what department of the city government is the bank balance kept—is it in your office or in the City Chamberlain's? If I were to go to any official and ask, "How much money has the County Treasurer got standing to his credit?" where would I go to for that information?

A. You would have to go to the County Treasurer; he sends in his accounts every week; we know on Monday morning of every week what the balance is.

Q. You know how much balance he has in the Broadway (Tenth National) Bank?

A. Yes, sir.

Q. You have that balance every week?

A. Yes, sir.

HENRY G. STEBBINS, sworn:

Q. (*By District Attorney*). Do you know the nature of the complaint against Mr. Hall?

A. Yes, sir.

Q. Do you know any fact which you can give to the Grand Jury of your own knowledge to throw any light on this complaint?

A. I do not.

Q. What is your position, Mr. Stebbins?

A. My business?

Q. Yes, sir.

A. I am a broker.

Q. And you have been for a good many years?

A. Yes, sir.

Q. And have not been connected in any way with the city and county government?

A. No, sir; except as Central Park Commissioner for a number of years.

Q. That was several years ago?

A. No, sir; a year ago.

Q. You know nothing in connection with that Department which would throw light on this question?

A. No—nothing.

Q. Any other department of the city government that you know anything about, of your own personal knowledge, will you please state it, that throws any light on this complaint?

A. I cannot say that I do.

Q. You are chairman of the Committee of Seventy?

A. Yes, sir.

Q. This complaint originates from your body; have you seen this complaint?

A. Yes, sir.

Q. It originates from your body, does it not?

A. It originates or originated with counsel employed by that body, but it was never presented to that body.

Q. Was it presented to a sub-committee, do you know?

A. Not to my knowledge.

Q. Do you know of anybody who could give us any information on this subject—bring us any facts? From your position as chairman of the Committee of Seventy you must be the recipient of a great deal of information, a great many facts must be brought to your knowledge connected with the present condition of public affairs in this city; could you suggest any name or person to us that could give us any information concerning the charge before us against Mayor Hall?

A. I should say no more than what has been already given to the public in the action of various committees of that body and other committees, and facts which have been published.

Q. Would you suggest any names of witnesses or facts?

A. None other than what generally seems to be credited or believed, or is current.

Q. Could you suggest anybody to us who would give us this

information, which is generally believed to be current, so that we can get it down to a fact?

A. I have no other knowledge by which I could give you those facts you desire more than any other member of this Committee?

Q. (*By a Juror.*) Do you know that this Committee of Seventy have any positive evidence before them tending to criminate or convict Mayor Hall under these charges?

A. I do not.

Q. This charge was made by Mr. Spaulding, who says that he is chairman of the Committee on Remedies?

A. Yes, sir.

Q. Do you know he is the party that made the charge?

A. Yes.

Q. Do you know the nature of the charge?

A. I do; I understand it to be a charge of misdemeanor or neglect of duty; I saw the affidavit upon which that charge by the counsel was worked into shape, and all that Mr. Spaulding, I think, knew of it was based on that affidavit, on information and belief, of course.

Q. As I understand you, Mr. Stebbins, you are very positive of your own knowledge you know nothing that would tend to convince us of our duty in the premises concerning this charge against Mayor Hall—you know nothing in your individual capacity, or even as the chairman of the Committee of Seventy; have you in your possession any facts that would help us to come to a conclusion in the case?

A. I have not.

Q. And you, Colonel Stebbins, do not know that Mayor Hall had been guilty of a misdemeanor from any fact that you know?

A. Not on the case as it stands to-day before my mind.

Q. Did I understand you to say that the Committee of Seventy did not see the present complaint before it was issued?

A. It was never laid before them to my knowledge.

Q. Then it was done by the instructions of the sub-committee?

A. No, sir; the counsel was employed to examine into these various statements in respect to frauds in the city government, to endeavor to ascertain their source, to find out the offenders, and

to assist the authorities in bringing them to justice, as I understood the duties of that committee. In order to accomplish this, counsel was necessary. There was a committee made to select counsel—four gentlemen were designated, and they examined into these various charges, these various public statements—and take such steps as they, in their judgment, thought wise and necessary to accomplish the objects of the Committee of Seventy. Amongst other things, they brought this suit, and I supposed at the time (although I did not know it myself until after the papers were prepared, and only the day before they were served), that they considered the facts which they had collected, the testimony which was under their control, were all that was necessary to establish this charge of misdemeanor against the chief magistrate of the city.

Q. Do I understand you to say that the action was the action of counsel without specific instruction from the body who employed him?

A. I can only say in this case that specific thing was not brought to the attention of the Committee of Seventy, nor to the sub-committee, that I have any knowledge. I think, however, that I am not conscious of any general expression of disapproval, or that the counsel in any way exceeded their duties. I think they were selected because it was supposed that they were men of sagacity and wisdom, and would follow with earnestness any chain of testimony that they thought was sound. It was deemed wiser that the counsel should press the matters in this way, at least they evidently thought so, and amongst other things they did this.

Q. You would not, then, say at this moment that Mayor Hall has been or is guilty of misdemeanor from your knowledge?

A. I could not possibly have that knowledge.

Q. In the course of the examination of the Committee of Seventy, among the records of these amounts said to be frauds upon the city treasury, what magnitude, in your judgment, or in your knowledge, have they been found to be—what is the gross amount of frauds?

A. From the reports which have already been made I do not think that any one can really form a correct judgment, because

there are reports still to be made of examinations in other Departments, as I understand it.

Q. How do you get at that?

A. I should regard myself as able to get at it after we have a full, complete, and final report of the Committee known as the "Committee of Counsel," of which Mr. Booth is Chairman. I think he has made but a partial report. The figures I do not exactly remember, but I infer there is to be another one when there will be an addition to the one already given.

Q. How far have they got?

A. He is busy at it now; I met him a short time since, when he told me that he should make another report.

JACKSON S. SCHULTZ, sworn:

Q. (*By District Attorney.*) Will you state whether you know the nature of this complaint as against Mr. Hall?

A. I do not, except from the public papers.

Q. You have read it in the papers?

A. Yes, sir.

Q. Now, will you state whether you have any knowledge yourself, any personal knowledge, of any facts connected with this prosecution against Mayor Hall for a misdemeanor, which would enable this Grand Jury to form any judgment on the subject?

A. Of my own personal knowledge, I do not.

Q. Do you know Mr. Hall?

A. I know him by sight, and know him to speak to him.

Q. You have no knowledge in connection with these affairs that will throw any light on the subject?

A. No, sir.

Q. Do you know the names of any witnesses that you will suggest to this Grand Jury who will give them any light on the subject--can you give us any information as to persons who will testify to facts?

A. Mr. John H. Keyser has made certain statements to me in regard to forgeries, and has made certain assignments to me.

Q. Was that in connection with Mr. Hall's affair.

A. Mr. Hall has certified, as I understand it, that certain material has been furnished to the city, and Keyser states, has never been furnished by him. That is all I know.

Q. Did I understand you to say that Mr. Hall had certified certain things had been furnished?

A. I saw the warrant signed by Mr. Hall, and also the vouchers.

Q. Do you understand the mode that the business has been done in the Comptroller's office?

A. No, sir; I do not.

Q. (*By District Attorney.*) Is this what you refer to [showing a paper]?

A. That I would call a warrant; this is a voucher, and on here is the receipt.

Q. (*By a Juror.*) You do not mean to be understood that the Mayor had examined the bill and certified that it was correct?

A. No, sir.

Q. Anything else that you can suggest on the subject?

A. I have no suggestions to make.

Q. Did Keyser say that the Mayor knew when he was signing this warrant, that he had not furnished the goods—you do not understand Keyser to say that?

A. No, sir; I understood Keyser to say distinctly that the warrants based upon those vouchers were never supplied by him—that he never furnished the material, nor did he furnish the bills, to use a mercantile phrase.

Q. As I understand Mr. Schultz, Keyser said his name was forged to certain vouchers?

A. Yes, sir; both to the vouchers and the warrants?

Q. Is Keyser a friend of yours?

A. Yes, sir; I have known Mr. Keyser a good many years.

Q. Could you not get Mr. Keyser to come here?

A. He is out of town; he is very sick; the doctor called upon me and said it was very essential that he should go out of town; he will be here in a couple of weeks if he is not dead; I know it was understood between himself and myself that he was to leave town. I got my suggestion from Dr. Otis that it was not safe for him to remain in town any longer. I think he has gone to Florida; he will be back in the course of two weeks.

Q. Do you know of your knowledge any information, which

you have got in the course of your examination, of any party who has received money indirectly or directly from the payment of vouchers—bonus on the vouchers?

A. Only from indorsements which I have seen upon them; of my own knowledge, I do not know.

Q. Do you know of anybody that knows anything about it that we can bring here;

A. Of my own knowledge, I do not know.

Q. Are you acquainted with Mr. Keyser's signature?

A. I think I am.

Q. Suppose you look at one of those warrants and see if it is his signature [warrants shown]?

A. I should say those were not his signatures; I am not so sure about that. I think not; I am not very familiar with it; I have seen him write a dozen times; I have got some letters of his in my pocket.

SAMUEL W. TILDEN, sworn:

Q. (*By District Attorney.*) You are an attorney and counsellor-at-law?

A. I am.

Q. And reside in the city of New York?

A. I do.

Q. Do you know, generally, what the complaint is against A. Oakey Hall?

A. No; I do not.

Q. Do you know that it is a misdemeanor?

A. Yes; but I have never read anything about it.

Q. Do you know any fact of your personal knowledge that you can state to this Grand Jury which will throw any light on the complaint against Mayor Hall?

A. I do not. I know Mr. Hall's alleged participation in the auditing of $6,312,000 county liabilities.

Q. That you only know from the books?

A. No, sir.

Q. You do not know whether he had any affidavits?

A. No, sir; only the opinion founded on documentary evidence.

Q. Do you know of anybody who could give us any information on this subject which would lead us to a proper conclusion?

A. I should presume there must be clerks in the Comptroller's office.

Q. Do you know of them, so that we could bring them before us?

A. No, sir; I cannot name anybody, because my attention has not been called to this subject, and I made no inquiry about it; I have seen all the warrants.

Q. What you do mean by all the warrants, Mr. Tilden?

A. I have seen all the warrants that were made under the special audit of the Special Board of Auditors, Messrs. Tweed, Connolly, and Hall, amounting to about $6,312,000.

Q. What they call the *ad interim* board?

A. Yes, sir; I should suppose the thing was genuine or not by looking at the signatures.

Q. What do you know that is wrong about the $6,312,000 of warrants?

A. Well, I was not present at the signing of them, at the delivery of them, or at the auditing and use of them. I may make this explanation: I have very satisfactory evidence that the people received the money on the whole of them.

Q. Was it Mr. Hall?

A. Not so far as I know; I cannot say negatively that it was not Mr. Hall, but I can say I have no evidence that it was Mr. Hall.

Q. In your examination how much did the city lose in the payment of that $6,312,000?

A. That would be a mere opinion; I think it was almost all fraud.

Q. I believe experts have passed on all that?

A. No.

Q. The whole amount of that was deposited?

A. No, not the whole amount of it; all excepting $112,000 was deposited to three accounts; about $340,000 to the New York Printing Company, and all the balance to three accounts in the Broadway Bank, originally deposited; I traced all these personally.

Q. What three accounts were they; were either of them Mr. Hall's?

A. No; of course I ought to explain that; I cannot tell anything about to whom the proceeds were paid over by the persons who deposited them beyond the evidence furnished in the account. There were a good many checks given to parties unknown—unknown as far as the accounts of the bank are concerned—because the bank shows the amounts paid, but it does not show to whom the amounts were paid except in some instances. I have not any knowledge that bears on the complaint against Mr. Hall. There was about $5,700,000 deposited to the account of three parties.

Q. Was the money deposited in an individual or official capacity?

A. Individual.

Q. Not in their official but individual capacity?

A. Individual.

Q. And Mr. Hall is none of the parties?

A. No, sir.

Q. Do you think Mayor Hall exceeded his authority, or neglected his duty, or that he knew that those checks were fraudulent?

A. Of course I have not any knowledge about that, and it would scarcely be proper for me to express an opinion; my opinion is, of course, that the auditing was not a ministerial but a judicial duty; I think every lawyer thinks that I think Mr. Hall is entirely wrong in his defence when he contends it is a ministerial duty; but this is a legal opinion, and has nothing to do with this case.

Q. What was your answer?

A. I say that the auditing of these claims, by the three gentlemen appointed to audit them, was not a ministerial duty, but a judicial duty, in which they were bound to look into the validity of the claims, and the amount of those claims, and were answerable in good faith for the performance of that duty; but that is not a question that concerns this particular case, as I suppose; it is my duty to give the Grand Jury any information I have.

Q. If I understand Mr. Tilden aright he is not able to give us

any information of his personal knowledge, nor is he able to give us the names of any parties who could give us the positive knowledge of the connivance of the Mayor?

A. "Connivance" is a word of peculiar import; that Mr. Hall signed those warrants is a thing that can be easily ascertained.

Q. We want some evidence as to his corrupt motive?

A. That is a point on which I have made no investigation, and have not any more knowledge than belongs to the rest of the community.

THOMAS A. LEDWITH, sworn:

A. (*By District Attorney.*) Judge Ledwith, do you know what the nature of this complaint is against Mr. Hall, as you have observed in the newspapers or otherwise?

A. I do not, beyond what I saw stated in some articles; I think I never read the affidavits.

Q. It is a misdemeanor?

A. I understood it to be.

Q. Will you state whether you have any knowledge yourself on the subject connected with any facts by which you can throw any light on this question before the Grand Jury, in reference to this case?

A. None whatever.

Q. Do you know anything about it, except what you have derived from information, reading the newspapers, and talking with other persons?

A. Nothing whatever?

Q. Cannot state any fact whatever?

A. No, I have no fact whatever to state in regard to it.

Q. Do you know anybody who does know?

A. I do not.

TUESDAY, October 24, 1871.

By Mr. JACKSON, to the District Attorney:

Q. What is the gravamen of the complaint against Mayor Hall?

District-Attorney GARVIN:

A. Neglecting to inquire into the correctness, justice, or legality of fraudulent claims hereinafter specified, and wilfully and intentionally neglecting to brand all such claims as fraudulent, and to prosecute those who presented the same, and wilfully and intentionally neglecting to refuse to countersign the warrants upon which all such fraudulent claims were paid.

Q. Is this a statutory misdemeanor?

A. It is: I will get the statute.

JOHN H. MASTERSON, sworn.

By District Attorney:

Q. What is your business?

A. Mason and builder, and contractor.

Q. Is that your affidavit [paper shown]?

A. Yes, sir.

Q. State what facts you desire to mention in reference to this matter before the Grand Jury?

A. I have already stated in my affidavit all that I have got to state--that I would be very happy to contract with the city of New York for the amount specified here.

Q. Do you mean the new Court-house?

A. Yes, sir.

Q. Repeat what it is to the Grand Jury?

A. Doing all the plastering that was done there, ornamental and plain; I am getting plastering done of the same description for about forty cents a yard, and I consider $3.50 a foot to be a large price for the cornices; at a rough measurement there is about 60,000 yards of plastering and about 5,000 feet of cornice in the buildings.

Q. (*By a Juror.*) How much would that come to in the aggregate?

A. About $45,000, calculating fifty cents a yard for the plain plastering and about $3 a foot for the cornice, taking the large with the small cornice; there are some cornices there that could not be done for less than $5, and others could be done for fifty cents a foot.

Q. (*By District Attorney.*) Are you a mason and builder?

A. Yes, sir.

Q. (*By a Juror.*) How much has been charged for this work?

A. Well, I heard it was something along about $1,000,000—somewhere along there; I will do it for $50,000, and give security for $100,000 or $200,000.

Q. Are you a practical plasterer?

A. Yes, sir; I served my time as such, and plastered buildings as large as that is, and larger.

Q. In your own name or for others?

A. For others as a journeyman.

Q. Are you in business for yourself?

A. Yes, sir.

Q. What is the style of your firm?

A. Formerly Stewart & Masterson; I am now doing business for myself; I have plastered Tammany Hall, the Union Dime Savings Bank, and several other large banks and large buildings.

Q. Was that William R. Stewart?

A. No, sir; James Stewart.

District-Attorney GARVIN—This is the statute that you want to see: "Any officer of the city government or person employed in its service who shall wilfully violate or evade any provision of this Act, or commit any fraud upon the city, or convert any public property to his own use, or knowingly permit any other person so to convert it, shall be deemed guilty of a misdemeanor."

Q. Does that answer the question, do you think, Mr. District Attorney, that I asked?

A. Yes, sir.

Q. I do not think you understood me. These vouchers were presented without any affidavits; is the signing of a warrant without an affidavit attached to the voucher a statutory misdemeanor?

A. No, sir; the only statute under which proceedings can be had against Mr. Hall or any of these gentlemen by way of indictment is that statute which I have read to you.

Q. Is there any law printed on the back of those warrants which says there must be an affidavit?

A. It don't make it a crime not to do it. This complaint referred to the statute I read in the words of the chapter and section.

Q. If he signed these warrants without an affidavit attached to the voucher, was that a statutory misdemeanor?

A. Unless it comes within the statute it does not. He has got to do it wilfully and knowingly with intent to convert the public property. If he does that he is guilty of a misdemeanor.

Q. You have not introduced testimony here to show that the signatures to those warrants are Mr. Hall's; is that necessary?

A. I assume they are. If anybody has any doubt about it, Mr. Brown is here; I have subpœnaed him for the purpose of showing definitely that they are his signatures. I refer you to the affidavit upon which this proceeding is taken in which they specify the section. It does not come within this statute or within this complaint, and has nothing to do with this case except the section I have read to you.

JAMES O'BRIEN, sworn:

Q. Where do you reside?

A. No. 144 East Thirty-fourth street.

Q. Go on and state, if you please, Mr. O'Brien, whether you know the nature of this complaint against Mayor Hall? You have read it, and know what it is from the newspapers; will you state, Mr. O'Brien, whether you have any knowledge or any facts which will throw any light on this complaint before the Grand Jury againt Mr. Hall?

A. Well, I do not know any real facts—only what you see every day published in the newspapers.

Q. Have you any personal knowledge as to any of these affairs?

A. No, sir.

Q. Can you give the Grand Jury any light on the subject in any way connected with your own personal information?

A. No; I do not think I can.

Q. Do you know of any peculation or any appropriation of the public funds by Mr. Hall, so far as he is concerned.

A. No; as far as Mr. Hall is concerned, he signed those warrants. It looks to me that a man of Mr. Hall's position would not do it without he would be patted on the back, that he would be made Governor, or that he would have some emoluments.

Q. (*By a Juror.*) That is simply a matter of opinion?

A. No; I should think a smart man like Mr. Hall would detect those warrants; he was in a position to do it.

Q. (*By District Attorney.*) That is your judgment?

A. Yes, sir.

Q. You do not know any fact about it?

A. No, I do not.

Q. (*By a Juror.*) I understand of his own personal knowledge he knows nothing of the misdemeanor on the part of the Mayor?

A. No, only what I see in the newspapers every day.

Q. You can point us to nothing that will aid us in coming to a conclusion in that direction—no facts?

A. No facts.

Q. Can you give us the name of any witness who could give us any information?

A. I do not know as I can.

Q. Does Mr. Lynes in the Comptroller's office know anything about the matter?

A. Well, I think he could give you a great deal of information.

Q. Mr. O'Brien, what would you consider a fair compensation for appraising the real estate of this great city, at the request of the Commissioners of the Sinking Fund?

A. I cannot tell.

GEORGE JONES, sworn:

Q. (*By the District Attorney.*) Mr. Jones, what is your business?

A. I am a publisher.

Q. Of what?

A. Of the *Daily Times* newspaper.

Q. Called the *New York Daily Times?*

A. Yes, sir.

Q. How long have you been engaged in that business, Mr. Jones?

A. Between twenty and twenty-one years.

Q. You have general information, I suppose, as to this complaint against Mr. Hall?

A. I suppose I have the general information that the people have.

Q. You have seen it published in the newspapers; you know what it is?

A. Yes, sir.

Q. Confining yourself to that complaint, will you have the goodness to state to the Grand Jury whether you have any personal knowledge as to any appropriation of the public money or misconduct of Mr. Hall in connection therewith that would throw any light on this subject to the Grand Jury?

A. I have the information that all people have who have read the statements and have opinions as to the credibility of those statements; I have no personal knowledge.

Q. You have no knowledge of any facts personally connected with this investigation?

A. None whatever.

Q. Derived, I suppose, from the same sources other people have?

A. Yes, sir.

Q. (*By a Juror.*) I have read the editorials, probably two or three months in your paper, on this question; the paper has not ceased almost daily to brand Mr. Hall as a thief. Can you give us of your own knowledge any information that will help us to come to a conclusion that he has proved himself to be a thief?

A. There is a difference between me as an individual and the newspaper; the newspaper is an impersonality; I am an individual. I do not propose to answer any questions in relation to the paper. I am here as an individual.

Q. You will understand that we are expected to perform a certain duty, and there is no man here that proposes to swerve one hair from what he believes to be a strict, conscientious discharge of that duty. Now we are seeking after information. If Mayor Hall has been guilty we want that made clear to us by testimony, and we cannot act from any other stand point except truth. Now, according to your own knowledge, can you give us any information yourself that you know that will help us to come to a conclusion in this case of Mayor Hall?

A. I have answered that already; I have said that I could not as an individual.

Q. Can you give us the name or names of any persons who are cognizant of this misdemeanor, or who can give us any information on that point?

A. I cannot give you the names of any one that furnishes information to a newspaper.

Q. What we want?

A. I see what you are at; you want me to give you the names of persons who give us information.

Q. What I want is simply this: we are examining witnesses here, among the witnesses the most distinguished and prominent men of our city, men whose word alone without their oath would be sufficient for us—we want to get at the truth. We want you to answer this—not in regard to your newspaper, but without regard to it—can you give us the name or names of any person who know that Mayor Hall has corruptly discharged the duties of his office—that he has been guilty of a misdemeanor, that he has wrongfully and corruptly allowed the public moneys to be appropriated and paid to parties without a proper equivalent being given therefor?

A. Yes, sir; I suppose, in answer to that question, it would be proper to say that it is known to the whole of this public that moneys have been drawn from the city treasury by the signature of Mayor Hall, for which no equivalent has been returned. There is a flood of evidence which is open to you and to every gentleman here as well as to me.

Q. What we want is the testimony that will connect Mayor Hall with signing away the public money with a knowledge on his part that the city had not received an equivalent for it?

A. Well, the signing of checks for furniture that will fill the Court-house ten times over, I think, would be evidence enough. There are plenty of names to which you can go to get the information. Ask Mr. Ingersoll, or anybody else, how much furniture he put in the City Hall—whether the furniture for which his bills called for was put there.

Q. You must know this—that Mayor Hall has been guilty of misconduct or he has not been guilty of it. If he has been

guilty, can you give us any names of witnesses that can prove his guilt?

A. I will give you the names of all the parties that have drawn large sums of money for which they gave nothing in return, or barely nothing. I do not know, as an individual, any more than Mr. Oliver knows.

Q. I would like to ask Mr. Jones if he has in his possession any evidence on which he bases the charge made through the *Times* that Mr. Hall is a thief, or has been guilty of theft; has he any positive information in his possession on which he bases that charge through the *Times?*

A. I stated to you that the *Times* and George Jones were not identical things.

Q. Have you in your possesssion any such evidence?

A. I have the same evidence the public has had and has been published.

Q. Have you any control over the columns of the newspaper called the *Times?*

A. I do not propose to go into the interior working of the *New York Times.*

Q. We desire to act upon some testimony. We have summoned everybody. Can you suggest anybody that we could summon that could give us any positive information?

A. If this Grand Jury will not act upon the evidence that is open to the whole public, neither will they act upon anything that can be obtained; that is my opinion.

Q. You mean to say if we had positive proof we would not indict?

A. I mean to say if you do not act upon what you have got, you will not act at all. I know all the facts that have been published uncontradicted, and copies of the documents themselves which have been sworn to, which is evidence enough to me. All the documents in relation to these great expenditures, the copies of the vouchers have been sworn to, and on those have been based the prosecution.

Q. Will you look at those vouchers?

A. I do not know anything about them.

Q. If I understood you correctly in reply to a question by

Mr. Oliver, you stated that there were leading articles in the *Times* newspaper, with which you are connected, daily charging persons with being thieves, and yet, when called upon, you cannot give any evidence as to a party having committed the act?

A. I wish to say this in reply—that I should take it in the hands of every man who can read as evidence when you say the *Times* says so and so. I tell you very plainly that the *Times* and myself are two parties. The New York *Times* is responsible for whatever it says at law.

Q. Can you tell us the men who wrote those articles?

A. No, sir.

Q. Can you tell us the party who wrote the articles which you published?

A. There were a great many wrote them.

Q. Referring to the charge against Mayor Hall?

A. There is a great many.

Q. Mr. Jones, does not everybody who sends you an article for publication accompany it with his name, and don't you hold him responsible?

A. I told you I don't propose to give you anything of the interior working of the *Times*, neither shall I.

ARTHUR T. J. RICE, sworn:

Q. You are one of the paying tellers [of the Broadway Bank]?

A. I am paying teller.

Q. Is that the Mayor's signature [paper shown]?

A. I should say that that resembles the Mayor's signature.

Q. There is another one, Mr. Rice?

A. Yes, sir; from the general character of the signature I should say it is.

Q. You would pay that warrant on that signature?

A. Yes, sir.

Q. All other things being correct in your estimation, you would pay it on that signature?

A. Yes, sir; I should.

Q. Will you tell whether that draft was paid over the counter, or whether it went to the exchanges?

A. I never saw this check before myself, and I do not see any evidence that it has been exchanged.

A. [Another one shown.] I never saw that check before, to my knowledge.

Q. Did it go through the clearing-house?

A. I could not say.

Q. You do not know that it has been paid of your own knowledge?

A. No; I would not swear that it has been paid.

AUGUSTUS L. BROWN, sworn:

Q. (*By the Foreman.*) Will you stop here and look at these warrants, and see if you recognize the signature of Oakey Hall—whether in your judgment it is his signature upon them?

A. I am not so familiar with Mr. Hall's handwriting lately, since he has been Mayor, but I should think they do not look like his handwriting—that is, they are somewhat different from the way—

Q. Are you familiar with his signature now?

A. I see it very rarely now.

Q. How does it compare, in your judgment, with the signatures you have seen heretofore of the Mayor's?

A. Well, it looks like his handwriting.

Q. Would you be willing to swear positively that it is his handwriting?

A. No, I will not.

Q. Will you swear to the best of your belief that it is not his signature?

A. I should say that was not (indicating No. 2046), there is a peculiarity about the "K" which is different; the reason I have my doubts about it is in the manner of writing the "K;" it looks like his handwriting, yet I am hardly able to swear.

Q. Are you in a position to know the circumstances of Mayor Hall?

A. Very well; I think no one knows them so well.

Q. If it is not improper, will you say to the jury to what extent he is a man of fortune?

A. Yes, sir; I have no objection to state very decidedly.

Q. You have been a partner of his for a good many years?

A. I have been Mr. Hall's partner in business and his intimate friend for upwards of eighteen years; I have known of his matters generally, and I have generally had to do with them; up to about three years ago, I think Mr. Hall hardly kept any bank account; I kept it entirely for him; Mr. Hall, I should think, to-day is a man worth from sixty to seventy thousand dollars in all; I think I know all his property; he has very carefully concealed it from me, unless I do know everything that he has; exactly what it is, I have no objection to state it if the jury desire it; Mr. Hall owns the lease of the house in which he lives, No. 13 West Forty-second street; I know of it, for I attended to it and paid for it, in fact, through my own cash account before he was Mayor of the city; it cost twenty thousand dollars; it is hardly worth that at the present time, because five years of the lease has expired; it is a three-story and attic house, quite a narrow house, twenty feet wide; I know the house thoroughly; that is his city house; about five years ago he purchased the place where he lives in New Jersey; I am familiar with all the circumstances connected with it; he paid twelve thousand dollars for it; that is before he was Mayor; he has added to it a little; I have generally known what he did add to it; he has made some little additions; he has a very large family, eight or ten in the family; a dozen, I suppose; I suppose that that property has run up to fifteen or sixteen thousand dollars; I am not aware that Mr. Hall has, nor do I believe, he owns any other property except his library, which is a very nice one, in the basement of his house, and a law library at the office, which I insured for him for fifteen hundred dollars; I suppose this law library is worth two thousand dollars; the miscellaneous library is of uncertain value; there are a good many nice books in it; I suppose it might bring, sold at auction, three, or eight, or ten thousand dollars; there are some choice editions, but it is merely an accumulation of the last twenty-five years slowly along.

Q. Do you know anything about Mr. Hall's bank account? It is represented in the papers sometimes that Mr. Hall has been known to deposit very large amounts, and I have heard it said

that within the last thirty days that he has had as high as two hundred thousand dollars on deposit?

A. I do not. Mr. Hall latterly has kept a banking account of his own. I occasionally pay bills for him.

Q. What bank does he keep an account in?

A. The Tenth National, I think. I want to state, if it is proper, in regard to what I have seen about Mr. Hall's wealth, it is a very great mistake. Now his wife and daughters are in Europe to-day travelling out of some little means which Mrs. Hall inherited from her father and the children from their grandfather. They chose to take a little legacy, four or five thousand dollars, and take a summer trip. I know Mr. Hall, from conversation I had with him, did not feel himself able to pay their expenses abroad, and they chose to take that amount to go over on account of the illness of one of the daughters.

Q. Has Mr. Hall an interest in the firm of Brown, Hall & Vanderpoel?

A. Yes, sir.

Q. He still receives his remuneration?

A. Yes, sir; receives pretty considerable remuneration from that firm.

Q. Have you any objection to state what division he had within the last two years?

A. I have no objection to state it here, although it is about the first time I ever have. I now under my oath state that if Mr. Hall were to die to-day, and everything he had in the world sold, and his little debts around paid which he owes, I do not believe, so help me God, that he would have sixty thousand dollars in the world.

Q. To your knowledge has Mayor Hall put any money in his wife's or children's name?

A. Not one penny that I am aware of. Mrs. Hall's father died about two years ago, and she received some money, which I know was partly used in furnishing the house and things of that kind. I know how close Mr. Hall has lived himself, and I think there is no one in the world who can go on and state as much about his private affairs as I can, for he has always talked most confidentially with me.

Q. Is there any way possible that he could be made wilfully cognizant of the fraudulent warrants?

A. Not wilfully; but there is one peculiarity about Mr. Hall. Of course, as the managing man of our office, and a pretty large business, I have seen a great deal of Mr. Hall. If there is anything that he dislikes or he seems to have an aversion to, it is the detail of items. I was not able to get him to overlook the annual accounts; he seems to have perfect confidence in those with whom he is associated. I have not been able to get at anything except to have him put his signature.

Q. It was because he considered you a responsible man?

A. Yes, sir; if he had not the utmost confidence in me I believe our concern would be broken.

Q. (*By the District Attorney.*) This complaint states certain things which Mr. Hall set up in his answer, which was put into this complaint of Mr. Foley's in regard to obtaining an injunction. Now, that being in this complaint, I consider it my duty to put it before the Grand Jury, and for the purpose of doing that I would ask you if you at any time examined these papers and the answer that was put in by Mr. Hall? If you have, will you have the goodness to look at it and see if that is it?

A. I have seen a copy of this paper; in fact, I have a copy in the office.

Q. That is the answer?

A. Yes, sir.

Q. And is that the affidavit which accompanies the answer?

A. Yes, sir; this is Mr. Hall's affidavit in answer to the case of John Foley, which was used on the motion. I recognize those as copies of the papers; I have similar copies.

Q. (*By Mr. Jackson.*) Will you read the section 84.

District Attorney: My point about it is this: The following is a true copy of that part of his sworn answer in which he makes such admission: "And defendant has always countersigned or attested to the validity of any warrant without any inquiry into the nature or propriety of the claim comprehended in the warrant, beyond that afforded by the approvals already given, not only of the Comptroller, as the head of the Finance Department, but of the Auditor, whose further duty it is by law and ordinance to

investigate and settle the same, with the single exception of there appearing on the face of the warrant, or the bill, or the voucher a discrepancy, an inconsistency, or suggestion of error. And defendant avers that an idea of the number of warrants he has so attested to the validity of, as already drawn, may be derived from the fact that during two years and a half thirty-nine thousand two hundred and fifty-seven of them, as defendant finds by recent investigation, have passed through his office."

To Mr. BROWN:

Q. Will you look at that affidavit and see if it accompanied the answer?

A. Yes, sir; my firm were attorneys for Mr. Hall on the motion.

EDWARD BULL, sworn:

Q. (*By District Attorney.*) Will you state what your business is?

A. Carpet business.

Q. How long have you been dealing in carpets?

A. I have been twenty-five years in business.

Q. You live at 721 Pacific street, Brooklyn?

A. Yes, sir.

Q. Will you state what you know about this case?

A. I was requested to examine the carpets in the new Courthouse and make an estimate, which I did; the whole amount of the valuation I placed upon them was twelve thousand dollars; it did not come to that, but I called it twelve thousand dollars.

Q. (*By a Juror.*) Do you know how much the city paid for them?

A. Nothing more than what I seen in the papers—$350,000.

Q. Is there anything further you know about this case?

A. No, sir.

Q. You do not know anything of your personal knowledge about this complaint?

A. No, sir.

Q. Do you know whether A. Oakey Hall bought any carpets?

A. That I could not answer; I do not think he did.

ROBERT B. PALMER, sworn:

Q. (*By District Attorney.*) Are you cashier of the Tenth National Bank?

A. I am.

Q. Will you have the goodness to state to the Grand Jury how long you have been such cashier?

A. Since the 11th of January, 1870.

Q. Will you state to the Grand Jury whether A. Oakey Hall has an account in that bank?

A. He has an account.

Q. About what time did that account commence?

A. In the early part of 1870.

Q. Will you state whether it has continued down to the present time?

A. It has.

Q. Will you state, if you please, the average of his account in that bank during that period of time to which you have referred?

A. I estimated it less than five thousand dollars.

Q. That is the average balance?

A. I estimated it less than five thousand dollars.

Q. Give us about the amount you estimated.

A. Something less than five thousand; it is a moderate personal account; there is no heavy transaction in it.

Q. Will you state the amount of his deposits to-day, or yesterday, or the last time you looked at it?

A. I referred to it this morning; it has been for several days between eleven and fifteen hundred dollars.

Q. Within the last two years have there been any large amounts deposited by Mr. Hall?

A. The largest amount I can recollect was under thirty thousand dollars; I think between $27,000 and $28,000; it rested only for a day or two; apparently a check was out against it; it is an unusual thing for his account to appear with a large balance; that was the largest balance he ever had in bank; that was some time last year; I do not know the date; it could be ascertained; it was apparently deposited for which a check was outstanding at the time; a check came in within a day or two

to the same amount; it might have been the payment of a lease or something of that sort.

Q. Do you know of anything in relation to this charge against the Mayor?

A. I do not.

Q. Can you give the Grand Jury any information?

A. I do not know what the charge is, except I am subpœnaed; I presumed it was in reference to the account in the bank; we had no other transaction with Mr. Hall except in the bank.

Q. You know that it is published that the Mayor has committed malfeasance?

A. I have read in the paper that he had $250,000 or $300,000 in the bank, which is absurd; it is not the case; it is untrue, and never has been; the largest transaction we ever had was this one case; there may have been one or two cases approximating to it.

Q. The money was put in to meet a check for two or three days?

A. Yes, sir.

Q. Independent of that, do you know of anybody who can give us any information?

A. I do not.

WILLIAM A. BOOTH, sworn:

Q. (*By District Attorney.*) You are Chairman of the Committee, I believe, or a member of the Committee in regard to some investigation with regard to city and county accounts?

A. Yes, sir.

Q. You have been connected with that investigation for some time?

A. Since the 5th of September.

Q. Have you read sufficiently or talked with anybody sufficiently to know what the nature of this complaint is against Mr. Hall?

A. I know nothing of it except the subpœna that brings me here.

Q. Do you know generally what the complaint is?

A. I know there is a complaint against Mr. Hall.

Q. Will you state whether you have any personal knowledge

of any fact which can throw any light on this subject before the Grand Jury as to any misconduct of Mr. Hall in regard to peculations or appropriation of the public funds to his own personal account?

A. I do not think I possess any knowledge about that point.

Q. Do you know of his allowing anybody else to do it, so far as you know anothing about it?

A. I do not.

Q. Can you give this Grand Jury any information on the subject which you possess; any knowledge yourself?

A. That is a broad question.

Q. I am speaking of personal knowledge?

A. If it has any connection with his duties as Mayor that is one thing.

Q. That would be your opinion; I speak of your personal knowledge?

A. My personal knowledge is simply confined to the examination of warrants bearing his signature, which were probably fraudulent.

Q. That is all you know?

A. That is all I know.

Q. (*By a Juror.*) If I understand your answer, you do not know anything of your own knowledge that would lead us to believe or to give us the information that Mayor Hall has been guilty of misdemeanor in the discharge of his office as Mayor?

A. No, sir; nothing of my own knowledge, except as I have examined these warrants which he has signed, and which seem to be incorrect.

Q. You do not mean to testify that Mayor Hall knew himself that they were not correct?

A. I do not, sir.

Q. Do you know of any witnesses we can subpœna here that can give us information as to Mayor Hall's personal knowledge?

A. No, I do not; not if the knowledge does not come within our investigating committee. We have had no intercourse with Mayor Hall; we have not investigated directly to him; our investigations have been with papers mainly, and with accounts

which appeared to be fraudulent—not in conferences with those persons.

Q. We want to pass upon the question whether Mr. Hall has been guilty of conniving at fraud?

A. Nothing in all my investigations have shown or given me a knowledge that he either has been corrupt or that he has connived.

Q. I understand you have no knowledge that Mr. Hall signed any of those warrants with a guilty knowledge?

A. I have no evidence.

Q. Nor you do not know of any person that can give us that information?

A. No, I do not.

Q. Look at these [papers shown]?

A. These vouchers were examined by the different sub-committees; I did not attend to the duties of the sub-committee. The sub-committee on the Court house, on armories, on printing, and on pay-rolls, each attended to their own duties, and reported to me, and I to the general committee; I have seen vouchers similar to this, but not this one.

Q. Who can we get that information from that these are frauds?

A. You will have to go into an investigation as to the delivery of these articles and the prices, and then did Mr. Keyser, from his book, deliver these things; I have not gone into personal matters connected with Mayor Hall; if the gentlemen will allow me to explain; Mayor Hall is called to sign a warrant for this; with that is attached this bill in all cases; in some days, it appeared in evidence before us, that he signed those warrants for very large amounts to the same parties—two or three hundred thousand dollars—with these vouchers attached; they ought to put him on his guard; I think Mayor Hall has been very derelict in duty; I do not know that he has misappropriated a dollar of the funds or that he has done it with an evil intent or a guilty knowledge.

Q. You give that simply as a matter of opinion?

A. Only the knowledge that comes to me from reading such papers, and the way he must have done day after day, signed these for immense amounts. I have them in my pocket for seven millions, where the city did not get seven hundred thousand dol-

lars—I have got the statements, not the warrants. Our papers all refer to the registry of the vouchers, and to the registry of the warrants; we have the entire accounts taken off—hundreds of sheets; we have got the results but not the items.

Q. Who got the money, do you know?

A. Of my own knowledge, I do not know.

Q. You state you have a memorandum that seven millions of dollars has been paid by the city and all the value the city got was seven hundred thousand dollars; do you swear to that?

A. I have got the report from the Committee in my pocket; the Committee reported to me on Saturday as the result of their investigations.

Q. Have you found that those warrants were signed by Mayor Hall?

A. Some of them we have examined; some we have not. As far as we have examined, they are signed by Mayor Hall.

Q. You did not find any affidavits attached to those warrants?

A. Very few affidavits to the warrants; when they were large amounts there were no affidavits.

Q. To render the warrants regular and to render the course of the Mayor regular, the affidavit should be attached to each voucher?

A. That is the law; every voucher must be sworn to.

CHARLES W. LAWRENCE, sworn:

Q. How long have you been in the County office?

A. I never was in it.

Q. How long have you been in the Comptroller's office?

A. I was in the Comptroller's office in 1849 and stayed there from 1849 to 1853.

Q. What position do you hold now?

A. Clerk to the Comptroller.

Q. Clerk to Mr. Connolly?

A. Yes, sir.

Q. Will you be kind enough to explain how the vouchers are attached to those warrants when they enter the Comptroller's office and how they leave?

A. I never had anything to do with the vouchers or warrants personally. All I know is the method of doing business; that the warrants went with the vouchers to the Mayor; they were not attached to each other at all; they were separate papers.

Q. They go as separate papers?

A. Yes, sir; the warrant is generally put inside of the voucher—one accompanies the other; they are not attached to each other at all.

Q. Is the affidavit invariably attached to the voucher?

A. It should be.

Q. Is the affidavit sworn to?

A. It should be on the county voucher.

Q. Do you know anything of your own knowledge in regard to Mayor Hall and the peculations?

A. No, sir.

Q. Do you know of anybody that does?

A. I do not know anything except by common hearsay; I do not know anything of my own personal knowledge.

Q. What are the duties of clerk to the Comptroller; give us an idea what they are?

A. It is to examine the general affairs of the office, take charge of the real estate, take charge of the taxes on the property of the city, and whenever any question arises as to a mistake in taxation, getting up the facts and present them to the Comptroller to apportion the taxes if any errors arise.

Q. It is not a part of your duty, then, to take charge of any papers which may come before the Comptroller for signature and pass upon them before you pass them to the Comptroller?

A. No, sir.

EDWARD W. BAXTER, sworn:

Q. (*By District Attorney.*) Mr. Baxter, what is your business?

A. Furniture manufacturer.

Q. Did you examine the new Court-house in reference to the furniture?

A. Yes, sir.

Q. State what the value of the furniture of the new Court-house is?

A. I estimated it to be not exceeding in value $97,500.
Q. Will you state what the amount paid was?
A. I know nothing about that.
Q. Would you furnish it for that?
A. Yes, sir.
Q. And give security for the same?
A. Yes, sir.
Q. Mr. Lehman is a partner of yours?
A. Yes, sir.
Q. He says the same thing?
A. He is here to speak for himself.
Q. He examined it with you?
A. Yes, sir.

GRAND JURY ROOM,
NEW YORK, October 25, 1871.

The Hon. JOHN K. HACKETT, *Recorder :*

The Grand Inquest in and for the City and County of New York, having carefully examined the complaint preferred against A. Oakey Hall, Mayor of this city, and the evidence submitted not sustaining the charge, it has by a vote, nearly unanimous, dismissed the charge; but in the evidence submitted, the Grand Inquest find that A. Oakey Hall has been careless and negligent in the discharge of his duties, in affixing his signature to warrants without giving the vouchers that consideration which the public interests demanded.

Further, The Grand Inquest has ordered that the presentment be published, and that the record of the testimony taken be also published, and in pamphlet form.

GEORGE J. FORREST,
Foreman.