

TILDEN VOICE OVER

SIR: I have read the publications in the 'Tribune' of the 8th instant, purporting to be translations of cipher telegrams relating to the canvass of votes in Florida at the presidential election of 1876, and have looked over those printed in the 'Tribune' of this morning relating to the canvass in South Carolina. I have no knowledge of the existence of these telegrams, nor any information about them, except what has been derived from or since the publications of the 'Tribune.

So much for these telegrams generally. I shall speak yet more specifically as to some of them.

1. Those which relate to an offer purporting to have been made in behalf of some member of the State Board of Canvassers of Florida, to give, for a pecuniary compensation, certificates to the Democratic electors who had been actually chosen.

None of these telegrams, nor any telegram communicating such and offer, or answering such and offer, or relating to such and offer, was seen by me, translated to me, or the contents of it in any manner made known to me. I had no knowledge of the existence or purport of any telegram relating to that subject. Nor did I lean the fact that such and offer of Florida certificates had been made until long after the 6th of December, at which time the certificates were delivered and the electoral votes cast; and when the information casually reached me, as of a past event, it was accompanied by the statement that the offer had been rejected.

2. AS to the publications in the 'Tribune' of this morning, purporting to be translations of cipher telegrams relating to the canvass of votes in South Carolina in 1876, which I have seen since I wrote the foregoing, I can speak of them no less definitely and positively. No one of such telegrams, either in cipher or translated, was ever shown to or its contents made known to me.

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TILDEN VOICE OVER (CONT'D)

No offer or negotiation in behalf of the State canvassers of South Carolina, or any of them, or any dealing with any of them in respect to the certificates to the electors, was ever authorized or sanctioned in any manner by me directly or through any other person.

I will add that no offer to give the certificates of any returning board or State canvassers of any State to Democratic electors in consideration of office or money or property; no negotiation of that nature in behalf of any member of such board or with any such member; no attempt to influence the action of any elector of President and Vice-President by such motives - was ever entertained, considered, or tolerated by me or by anybody within my influence by my consent, or with my knowledge or acquiescence. No such contemplated transaction could at any time have come within the range of my power without that power being instantly exerted to crush it out.

A belief was doubtless current that certificates from the State of Florida, conforming to the actual vote of the people were in the market. 'I have not the slightest doubt in the world,' said Mr. Saltonstall, who was in Florida at the time, in a recent interview with the 'Herald' correspondent, 'that that [Florida] vote could have been bought, if Mr. Tilden had been dishonorable enough to desire it done, for a great deal less than fifty thousand dollars or twenty thousand dollars.' It was known that either one of the two members who composed a majority of the Florida State canvassers could control its action and give the certificates to the Democrats. Either one of them could settle the presidential controversy in favor of the Democratic candidates, who lacked but one vote.

How accessible to venal inducements they were, is shown by the testimony of McLin, the chairman of the Board of State Canvassers, in his examination, before Potter committee in June last.

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## TILDEN VOICE OVER (CONT'D)

He admitted that the true vote of the people of Florida was in favor of the Democratic electors, and that the fact even appeared on the face of the country returns, including among them the true return from Baker county, notwithstanding the great frauds against the Democrats in some of the county returns. He also confessed that in voting to give the certificates to the Republican electors he acted under the influence of promises that he should be rewarded in case, 'Mr. Hayes became President;' adding that 'certainly these promises must have had a strong control over my judgment and action.'

After the certificates of the Louisiana Returning Board had been repeatedly offered to Mr. Hewitt and others for money, they were given in favor of the Republican electors, who had been rejected by a large majority of the voters; and the members of this Returning Board now possess the most important federal offices in that State. The pregnant fact always remains that none of these corrupt boards gave their certificates to the Democratic electors, but they all did give them to the Republican electors.

I had perfectly fixed the purpose, from which I never deviated in a word or act - a purpose which was known to or assumed by all with whom I was in habitual communication - if the presidency of the United States was to be disposed of by certificates to be won from corrupt returning boards by any form of venal inducements, whether of offices or money, I was resolved to take no part in the shameful competition, and I took none. The main interest of the victory which resulted in my election was the was the expectation that through the chief magistracy a system of reforms, similar to that which had been accomplished in our metropolis and in our State administration, would be achieved in the federal government. For this object it was necessary that I should be untrammelled by any commitment in the choice of men to execute the official trusts of the government, and untrammelled by any obligations to special interests.

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TILDEN VOICE OVER (CONT'D)

I had been nominated and I was elected without one limitation of my perfect independence. To have surrendered or compromised the advantages of this position by a degrading competition for returning-board certificates would have been to abandon all that made victory desirable, everything which could have sustained me in the larger struggle that victory would have imposed upon me. I was resolved to go into the presidential chair in full command of all my resources for usefulness, or not at all.

While thus abstaining from an ignominious competition for such certificates, I saw these certificates obtained for the Republican electors, who had not been chosen by the people. These false and fraudulent certificates, now confessed and proved to have been obtained by corrupt inducements, were afterward made the pretexts for taking from the people their rightful choice for the presidency and vice presidency. These certificates were declared by the tribunal to which Congress had abdicated the function of deciding the count of disputed electoral votes to be the absolute and indisputable conveyance of title to the chief magistracy of the nation.

The State of Florida, which had united all her executive, legislative, and judicial powers to testify to Congress, long before the count, who were her genuine agents, which had by statute caused a re-canvass, the issue of new certificates, and a formal sovereign authentication of the right of the true electors to deposit the votes entitled to be counted, was held to be incapable of communicating to Congress a fact which everybody then knew and which cannot now be disputed.

Congress, though vested by the Constitution with the authority to count the electoral votes; though unrestricted either as to time when it should receive evidence, or as to the nature of that evidence;

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TILDEN VOICE OVER (CONT'D)  
 and though subject to no appeal from its decision - was declared to have no power to guide its own count by any information it could obtain, or by any authority which it might accept from the wronged and betrayed State whose vote was about to be falsified.

The monstrous conclusion was thus reached that the act of one man, holding the deciding vote in a board of State canvassers (for without his concurrence the frauds of the other ruling boards would have failed), in giving certificates known at the time, and now by himself confessed to have been obtained by the promise of office - certificates whose character was known months before Congress could begin the count - must prevail over all the remedies powers of the State of Florida and of the Congress of the United States combined, and must dispose of the chief magistracy of this Republic.  
 S. J. Tilden.

NARRATOR - VOICE OVER

Not content with this formal disavowal of any knowledge or participation in any negotiations for the exercise of any improper influence over the Returning Boards, Mr. Tilden addressed a sub-committee of the Potter committee, then sitting in New York, the following note: 15 Gramercy Park, Feb. 7, 1879.  
 'TO THE CHAIRMAN OF THE CONGRESSIONAL COMMITTEE:

TILDEN VOICE OVER

DEAR SIR: I learn from the public press that it is the desire of your committee to terminate its session in this city during the current week. I take the liberty of requesting that before you leave an opportunity be permitted me to appear before you to submit some testimony which I deem pertinent to the inquiry with which you are charged.  
 Very respectfully,  
 S. J. Tilden.

NARRATOR VOICE OVER

The sub-committee consisted of Hunton, of Virginia, the chairman; Springer, of Illinois, Stenger, of Pennsylvania;  
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## NARRATOR VOICE OVER

Hiscock, of New York; and Reed, of Maine - the first three Democrats and the last two Republicans. On Saturday, the 9th of February, by special arrangement Mr. Tilden appeared before the committee. It was a fearful ordeal. He was very feeble. His voice was scarcely audible above a whisper. By the treachery of political foes and the folly of political allies he had been suddenly cast down from a popular eminence rarely attained by any American, to the degrading abyss of a quarter sessions criminal, with the popular sentiment of the nation more or less infected by the poisonous breath of hostile partisan press. The situation was enough to have paralyzed and crushed a man of less nerve, less conscious of his ability to demonstrate the factious motives which had placed him in that position, and with less conscious of his ability to demonstrate the factious motives which had placed him in that position, and with less faith than his in the ultimate triumph of innocence and justice. The audience chamber was crowded almost to suffocation. Since the examination of Dr. Franklin by the Privy Council in London, in 1774, there has been no public hearing, I believe, in which there have been such vast and grave interests at stake upon the testimony of a single individual. The occasion was one of unusual impressiveness, especially when the cross-examination commenced. It soon became apparent that the Republican examiners were in the hands of their master. Before they had finishes, Tilden had changed places with them, and put them on the stand in defence of the administration. The following graphic account of the scene appeared in the New York Herald' of the following morning: At half-past eleven o'clock Mr. Tilden appeared, in company with his brother, Henry A. Tilden, and ex-Secretary of State Bigelow. Mr. Tilden was dressed in black, and had an air of great solemnity on his face, which looked as imperturbable and sphinx-like as ever. Since his last public appearance he seemed to have aged considerably, and yesterday he looked quite ill and feeble.

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## NARRATOR VOICE OVER

As he afterward explained, he was suffering from a severe cold. It was, indeed, quite a painful spectacle to see the slow, halting, lame walk with which he passed the table and reached his seat. His figure was stiffly drawn up and seemed incapable of bending, as though he were suffering from a paralytic contraction of the limbs. As he entered, every eye was curiously turned upon him. Not a muscle of his face relaxed with animation or expression as he stiffly extended his hand to Mr. Reed, of Maine, who received the salutation with something like a profound bow. Then Mr. Tilden gave his hand to Mr. Hiscock, the other Republican cross-examiner, and after saluting the Democratic members took off his elegant, silk-lined overcoat, stiffly turned round and seated himself at the table, while settling at the same time a large handkerchief in his break pocket.

Ex-Governor Tilden sat erect in his chair for over two and a half, and during the greater portion of this time he gave his testimony in that calm, quiet imperturbable manner peculiar to him, and without hardly moving a muscle or changing the expression of his countenance. His voice, which was hoarse, started very feebly, almost inaudibly. But as Mr. Tilden came to the corrupt negotiations alluded to in the cipher despatches, his hoarse voice rose suddenly to a pitch of loudness, vehemence, and dramatic intensity hardly ever observed in the ex-Governor during the most exciting periods of his life. During these portions of Mr. Tilden's evidence there was a flush of deep feeling over his face, and the mental excitement had such mastery over him that his lips twitched, and one of his hands, said to be smitten with paralysis, trembled in a most painful manner. And when Governor Tilden dramatically called on heaven and earth to witness the protestation of his innocence of all knowledge of the ciphers, bringing his clenched fist heavily down upon the table, there was a sympathizing outburst of applause.

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## NARRATOR VOICE OVER

There was only one relieving glimpse of humor during the entire examination lasting over two hours and a half; namely when Mr. Reed, of Maine, questioned him about 'corrupt attempts,' and the Governor returned dryly, 'Attempts to sell or buy, which?' at which there was some laughter. When the cross-examination had been concluded Governor Tilden held quite a whispered conversation with Mr. Hiscock. The moment Tilden withdrew, which he did in the same slow, halting, imperturbable manner in which he entered, the interest of the day seem to have ended, and the audience thinned out within a few minutes.

The official report of his examination was as follows:

## TESTIMONY OF MR. TILDEN BEFORE A SELECT COMMITTEE OF CONGRESS IN RELATION TO THE CIPHER DESPATCHES.

After Mr. Tilden had been sworn, the chairman of the committee said: Governor Tilden, we received your note requesting permission to appear before this committee and testify. And we shall be glad to hear anything you have to say upon the subject of these cipher telegrams, subject to cross-examination when you are through.

## TILDEN

I have not had an opportunity to see the lithographic copies of the cipher telegrams.

## THE CHAIRMAN

Will you be kind enough, Governor Tilden, to speak a little louder?

## TILDEN

If you will excuse me, I have a slight cold; but I will speak as loud as I can. Upon publication of the cipher telegrams in the 'New York Tribune' - those relating to South Carolina, on the 16th of October, 1878; those relating to Florida on the 8th of October, 1878 - I read those translations;

(MORE)

TILDEN (CONT'D)

I did not recognize among them a single one that I had ever seen in cipher or translation, or the contents of which had in any way been made known to me. With respect to those of them that relate to negotiations to induce members of the Canvassing Boards of South Carolina and Florida to give the Democratic electors their certificates, I swear positively that I never saw one of those telegrams, either in cipher or translation the contents of no one of them, nor the purport of any one of them, was communicated to me in any manner whatever.

I had no knowledge, no information, no suspicion that such a correspondence, had existed until their publication was announced in the 'New York Tribune,' followed by the publication a few days later. No offer, no negotiation in behalf of any member of the Returning Board of South Carolina, of the Board of State Canvassers of Florida, or of any State, was ever entertained by me or by my authority or with my sanction; no negotiations with them, no dealing with them, no dealing with any one of them was ever authorized or sanctioned by me in any manner whatsoever.

The first information I ever received that any such negotiation had ever existed between any Democrat and any member of the Board of State Canvassers of South Carolina to give their certificates to the Democratic electors was on the 20th day of November, 1876. I am not able to fix that day positively by my own recollection, but I fix it by circumstances. It was the day that Colonel Pelton was in Baltimore. I remember the fact, and fix the date from the circumstances that have appeared during this investigation. On the morning of the 20th of November, 1876, Mrs. Colonel Pelton mentioned in my presence that her husband had gone to Philadelphia. It was a casual mention. I did not know that he was going to leave the city, or that he had left the city until she mentioned it; and her mention of it was so casual as not to attract any attention. A little later in the morning -

THE CHAIRMAN

Do you mean Philadelphia?

TILDEN

Philadelphia. A little later in the same morning I was called on by the treasurer of the National Democratic Committee, Mr. Edward Cooper, apparently on his way down town. He told me that Colonel Pelton was in Baltimore. He told me that Colonel Pelton had received, or was receiving, an offer in behalf of somebody representing, or claiming to represent, the canvassers of the State of South Carolina to give their certificate to the Democratic electors for a sum of money. I immediately said that no such offer should be entertained; that no negotiations of that nature should be tolerated; that not a cent of money should be furnished for any such purpose; and that Colonel Pelton must be immediately telegraphed to return to New York. I did not at that time know that Mr. Smith M. Weed had gone to South Carolina, or that he was there, or that he had been there at any time. I had not seen him after the election, and had no information of his whereabouts at that time. The conversation with Mr. Cooper was very brief. The whole matter was disposed of within five to ten minutes. I made no inquiry into details, and there was no discussion between us. Mr. Cooper concurred with me entirely in the measures to be taken; and although I took it for granted that he would make every necessary communication on that subject, I did not leave it to that. I obtained from him Colonel Pelton's address in Baltimore, and caused him to be immediately telegraphed to in a peremptory manner to return to New York. My dispatch was in ordinary language. I had no cipher; I could not read a cipher; I could not translate into a cipher. It never occurred to me that there was any reason for any concealment. My belief is that the dispatch as sent in my own name. I think it was sent within ten minutes after Mr. Cooper's communication to me.

(MORE)

TILDEN (CONT'D)

Colonel Pelton returned that night to New York.

With respect to Florida, I never saw any one of the Florida telegrams either in cipher or in translation. The contents of no one of them, so far as I know, were ever communicated to me - I mean the telegrams relating to this subject; and I do not think that the contents of those relating to the course of the controversy down there were communicated to me. I am not able, in looking them over, to recall any one of them that I have ever seen. I did not know - I was not informed - that there had been any offer from anybody claiming to represent the Florida board or any member of it to give their certificates to the Democratic electors, until after the certificates had been delivered and a vote of the electors deposited for transmission to Washington. My first information on the subject was subsequent to that - after the 6th day of December, 1876. Some time after Mr. Marble returned - I do not know when, whether it was before I went to England or not - he mentioned to me one day, as a bygone affair, that the vote of Florida was offered, or rather the certificates that would yield us the vote; but he said that the offer had been declined. Some time last summer, about the time that the letter of Mr. Marble on the Electoral Commission appeared, I made a remark about the matter - I spoke to Colonel Pelton about this offer from Florida,. He answered in a single sentence, that all offers had been declined. That is all the knowledge I had on the subject until the publication of these despatches. With respect to Oregon, I never saw any one of those despatches. I now refer to despatches that are contained in the 'Tribune' Extra, No. 44.

MR. SPRINGER

This pamphlet?

TILDEN

Yes, sir. I never saw any one of those despatches in cipher or translation.

(MORE)

TILDEN (CONT'D)

The substance of no one of them we ever communicated to me, except a despatch from Governor Grover stating that he would give the certificate to the Democratic electors. The substance of that despatch was communicated to me by somebody. I did not know that it came in cipher until after it appeared in the examination by Mr. Morton's committee; and in what form that communication as made, I cannot now state, but I was aware of the fact. Some of the telegrams appear to have been addressed to Colonel Pelton at No. 15 Gramercy park, which is my residence. I asked one of my young men to look them over and tell me how many there were. I think he told me there were fifteen of the Florida despatches so addressed, chiefly sent from Mr. Marble. So far as I know or believe, none of those despatches were ever delivered to my house.

MR. STENGER

Do you say chiefly sent to Mr. Marble?

THE CHAIRMAN

He's says chiefly sent from Mr. Marble.

TILDEN

Chiefly sent by Mr. Marble. So far as I know, none of these were ever delivered at my house. Colonel Pelton's habits and hours and my own were entirely different. I was still Governor of New York, and had many executive duties to perform. I was burdened by the daily reception of people coming from all parts of the United States. From three to five hours a day were, I think usually devoted to these receptions by me. Colonel Pelton seldom came into the house until after I had been long in bed. He was very busy at the committee-rooms, and I saw very little of him. I think if any considerable number of telegrams had come to the house, I should have found it out in some way. I do not believe that any of these cipher telegrams ever came into my house. At any rate, they never met my eye or came within my knowledge.

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## TILDEN (CONT'D)

Now, one word as to the gentleman who went to the South, to the disputed States, to watch and guard the canvass in behalf of the Democratic party. That measure originated with either Mr. Hewitt or General Grant. Within a day or two after the election, I think, General Grant wrote a letter in which he proposed such and expedient. Mr. Hewitt either had started it before, or embraced it immediately after. I did not select or send the gentleman who went to those States. With few exceptions, they were not selected or sent after consultation with me. I did not attempt to supervise their action. I did not communicate with them. In no instance during the whole of that time did I ever communicate, directly or indirectly, with any gentleman who was in the South on that business; I never received any communication from any of them, except one, signed by Mr. Randall, Mr. Ottendorfer, Mr. Larmar, and Mr. Watterson, suggesting that some kind of a proposition should be made by me to Mr. Hayes. I never answered that despatch except verbally to Mr. Ottendorfer, after he returned and called on me. I was very busy all that time. I took it for granted that these gentlemen understood their business, and I did not undertake to direct them. The idea that they were my personal agents in any sense has no foundation in fact. They were representatives and delegates of the Democratic party, chosen generally by its organization. No man, so far as I know, ever went to any of those States with any commission, authority, or any contemplation to do anything that a gentleman ought not to do, or to do anything but defend the interests of the Democratic party, and to watch and guard those interests against apprehended fraud.

During the whole time, from the 7th day of November, 1876 which was the day of the election, until the 6th day of December the same year, which was the day on which the electors met and deposited their votes for transmission to Washington, I maintained a uniform attitude.

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## TILDEN (CONT'D)

My purpose was under no circumstances to enter any competition to obtain votes, the certificates of the Canvassing Boards of the disputed States, even those to which I believed we were entitled, except by discussion, argument, reason, truth, justice. There never was a time- not a moment, not an instant - in which I ever entertained any idea of seeking to obtain those certificates by any venal inducements, any promise of money or of office to men who had them to grant or dispose of. My purpose on that subject was perfectly distinct, invariable; and it was generally assumed by all my friends without discussion. It may have been sometimes expressed, and whenever the slightest occasion arose for it to be discussed it was expressed. It was never deviated from in word or act.

To the people who, as I believe, elected me President of the United States, to the four millions and a quarter of citizens who gave me their suffrages, I owed duty, service, and every honorable sacrifice; but not a surrender of one jot or tittle of my sense of right or personal self-respect.

Whatever disappointment to those who voted for me; whatever the public consequences of suffering a subversion of the elective system, by which alone free government - self-government - can be carried on; by whatever casuistry, a different course might have been advocated or defended - I was resolved that if there was to be an auction of the chief magistracy of my country, I would not be among the bidders.

[Applause]

## THE CHAIRMAN

The room will be cleared if this applause does not cease. It is expressly understood that there is to be no manifestation of approbation or disapprobation on either side.

TILDEN

I was determined in such an event, or in the apprehension of such an event, that I would meet such a degraded condition of public affairs, not by sharing it in any degree, not by acquiescence, not by toleration, but by an unqualified and perpetual protest, appealing to the people to reassert and reestablish their great right - the greatest of their rights, the right without which all others are worthless - their right to elective self-government. I have done so.

(The Cross-examination.)

THE CHAIRMAN

(to Messrs. Reed and Hiscock)

Will you ask Governor Tilden any questions?

(The cross examination was begun by Mr. Reed.)

MR. REED

Governor Tilden, who was your private secretary at the time of these transactions?

TILDEN

George Smith. Do you mean my private personally secretary or as governor?

MR. REED

Personally.

TILDEN

George W. Smith.

MR. REED

I find among these telegrams in the 'Tribune' one. No. 40, addressed to George W. Smith, No. 15 Gramercy park, in the cipher which was used in these incriminating despatches. It relates to a suggestion in regard to Oregon, and was transmitted by Mr. Manton Marble to George W. Smith, No. 15 Gramercy park. Did you ever see that despatch?

TILDEN

I do remember having seen it.

MR. REED

Have you any impression in regard to it - whether you did receive it or not? Will you kindly look at the translation of the original?

TILDEN

I have no doubt Mr. Smith can tell. He is here. He has been summoned by the committee.

MR. REED

Well sir, can you?

TILDEN

I have no recollection of it.

MR. REED

None whatever?

TILDEN

(reading)

'The Governor suggested' -

MR. REED

The translation follows it. Will you look over the translation and see if that recalls to your mind having received that despatch?

TILDEN

Mr. Smith may have shown it to me. He will no doubt tell himself; I have no recollection of it.

MR. REED

Doesn't that suggestion in it about O'Connor's opinion recall anything to your mind?

TILDEN

I do not remember that Mr. O'Connor was ever applied to for an opinion on that subject.

MR. REED

Or that any suggestion was made that Mr. O'Connor's opinion should be obtained on the subject.

TILDEN

I do not remember; it might have been made.

MR. REED

You have read these various publications in reference to these despatches?

TILDEN

I read them immediately on their publication.

MR. REED

Do you recollect one despatch in this same cipher from Louisiana which began, 'Bigler to Russia,' and was translated Bigler to Tilden - do you recollect that?

TILDEN

I do not remember it.

MR. REED

Do you remember that which was also sent to George W. Smith, your private secretary - do you remember if that despatch was submitted to you?

TILDEN

I should think it likely that if Mr. Smith received the despatch; he would have submitted it to me.

MR. REED

He was your private secretary, and if he had received either of these despatches, it would have been his duty to submit them to you?

TILDEN

I think so.

MR. REED

Have you any doubt that he did?

TILDEN

He was my personal secretary.

MR. REED

Your personal secretary, precisely; that is what I mean.

TILDEN

Mr. Charles Sebbens was my secretary as governor.

MR. REED

It would have been Mr. Smith's duty to have submitted them to you. Have you any doubt that he did submit them?

TILDEN

I do not know anything about the existence of such a despatch; I have no recollection about it.

MR. REED

It would seem Governor Tilden, that your personal secretary had this cipher. Do you know whether he did or did not have it, of your own knowledge?

TILDEN

I do not think that he did have it.

MR. REED

How then, were these despatches translated if he not have the cipher.

TILDEN

He may not have been able to translate them. He may have had to get somebody else to do it.

MR. REED

What do you know about this cipher?

TILDEN

I do not know anything about it.

MR. REED

You never had it?

TILDEN

I never had it.

MR. REED

And you do not know what it was?

TILDEN

I could not have put any message into cipher if I had tried; I could not have got any one out of it.

MR. REED

I am merely suggesting that these dispatches seem to indicate that your personal private secretary had this same cipher which has been used in this incriminating despatches in order to give you an opportunity to state any facts in connection with them which will throw light upon that circumstance which seems to be indicated by these despatches. Have you any facts with which you can assist us?

TILDEN

He is here. He has been summoned by the committee.

MR. REED

Well, I want to know whether you ever knew that he had it?

TILDEN

I do not think he had the cipher at all - the cipher that was used at the Everett House.

MR. REED

When Colonel Pelton returned from Baltimore, did you have an interview with him?

TILDEN

I suppose I did.

MR. REED

Do you recollect whether you did or not?

TILDEN -

No doubt I did.

NOTE: Mr. George Smith afterwards testified that he never received this despatch; that he never knew of its existence, or anything about it, except that he had seen it in publication in the hands of the committee, and in the regular issue of the New York Tribune.

MR. REED

Will you be kind enough to state what that interview was?

TILDEN

I cannot recall it in detail. I have no doubt I expressed impatience.

MR. REED

Will you give your best recollection as to the substance of that interview? Of course I am not expecting you repeat words, because none of us can do that; but will you give us the substance of what you said to him, and what he said to you?

TILDEN

I do not think he said anything to me. I think it was a mere outburst of impatience and displeasure that he had had anything to do with the Baltimore transaction.

MR. REED

To which he made no reply?

TILDEN

I think he made no reply.

MR. SPRINGER

I did not hear what you said Mr. Tilden.

TILDEN

I said my impression was that it was a mere outburst of displeasure and impatience on my part that he had anything to do with the transaction.

MR. REED

You knew, Governor Tilden, the position which Colonel Pelton occupied in relation to the Democratic National Committee?

TILDEN

I suppose so; yes, sir.

MR. REED

You knew he was acting secretary, and that these telegrams in large numbers were coming to him, did you not?

TILDEN

I knew that a great many telegrams were coming to him.

MR. REED

He was residing then at your house?

TILDEN

He was.

MR. REED

Did you, after this Baltimore transaction came to your knowledge, make any effort or suggestion that he should be removed from the position in which you knew he was?

TILDEN

I don't think I did.

MR. REED

Why not?

TILDEN

In the first place, I did not know of the Baltimore transaction, except to the extent, that he had been receiving an offer there. I did not know that he had made any negotiations or given any encouragement. I did not acquire any knowledge that these despatches had passed backward and forward until their publication. In the conversation with Mr. Cooper I did not acquire any information on the subject, except in a general way. I thought the best way to deal with the thing was to stop it; and I did stop it, and stopped it effectually. I did not believe it possible that any such transactions could be afterward renewed. Besides, I knew that Colonel Pelton had no power. He was sometimes called acting secretary, but he had command of no money. He had no actual power; he was not able to do anything without the concurrence of other men. I did not imagine he would attempt to do anything of the sort again.

MR. REED

Did not the fact that he had once attempted to do it give you an idea that he would be likely to do it again?

TILDEN

I did not suppose that he had attempted to do anything; I simply supposed he had received an offer.

MR. REED

Will you be kind enough to give us the conversation you had with Mr. Edward Cooper, as nearly as you can recall it?

TILDEN

I have given it to you in a general way.

MR. REED

I should like to press the question. I should like to have it as fully as you can give it; and if you will be kind enough to put it in the form of what he said, and what you said, I shall be obliged.

TILDEN

The conversation with Mr. Cooper did not occupy more than five or ten minutes.

MR. REED

Did he begin the conversation?

TILDEN

He began the conversation.

MR. REED

What did he say? Or if you cannot give that, what was the substance of his opening remark?

TILDEN

He communicated to me the fact that Colonel Pelton was in Baltimore; the fact that Colonel Pelton was receiving an offer of this nature.

MR. REED

Did he tell you the amount of the proposition?

TILDEN

I think he probably gave it.

MR. REED

Did he tell you the he had received a telegram from Colonel Pelton asking for money?

TILDEN

I do not know whether he told me that or not; he may have done so.

MR. REED

What further conversation was took place?

TILDEN

The substance of the conversation was that Pelton was in Baltimore, and that the certificates of the canvassers of the State of South Carolina were offered, and that he was down there doing something - dealing with them, or looking into it in some way.

MR. REED

Did he tell you anything about Colonel Pelton's having cautioned him not to tell you?

TILDEN

No.

MR. REED

Nothing of that sort was mentioned.

TILDEN

No, he did not mention that he had seen him the night before.

MR. REED

Where were you the night before?

TILDEN

I don't remember.

MR. REED

Do you remember whether you were in New York or not?

TILDEN

I think I was; I did not know that Colonel Pelton was going away.

MR. REED

When did you next hear of corrupt attempts, after this, in any of the States?

TILDEN

What do you mean by corrupt attempts?

MR. REED

I mean these corrupt transactions that are depicted here.

TILDEN

Do you mean attempts to sell, or attempts to buy?

MR. REED

Both, Governor, or either.

TILDEN

I never heard of any attempt on the part of our people to buy; the atmosphere was full of rumors.

MR. REED

Have you not read these Smith-Weed despatches, and the whole account which you nephew gives them? And after that do you say that you never heard of any attempt to buy? Do you mean to say that?

TILDEN

I mean to say that I did not hear at that time.

MR. REED

Will you say that you have never heard of any attempts to buy?

TILDEN

I meant up to the time of the publication of these despatches.

MR. REED

But since then you have heard of it?

TILDEN

I regard those as attempts to sell rather than attempts to buy.

MR. REED

It is a distinction which you, of course, have a right to make. With regard to these attempts to sell, when did you first hear of corrupt attempts to sell, subsequent to this Baltimore transaction?

TILDEN

I cannot say; the atmosphere was full of rumors.

MR. REED

At what time did you become conscious of this fullness of the atmosphere, Governor Tilden?

TILDEN

There were rumors at the investigation before Field's committee about cases of that kind. I met, last summer, a gentleman in the cars-

MR. REED

Well, I am not after this. I think I expressed it clearly - these criminal attempts either to buy or sell, which are mentioned here in the Tribune' Extra; when did you first hear of them after the Baltimore experience?

TILDEN

I did not hear anything more about Baltimore or about South Carolina. That was the end of that. I did not hear anything about Florida till after the vote was given.

MR. REED

Who first told you of the Florida performance? I will use a neutral term.

TILDEN

I cannot remember; I first heard of it after the gentleman that went to Florida had returned.

MR. REED

Did Mr. Marble tell you?

TILDEN

Mr. Marble told me some time; I think it was later.

MR. REED

Are you aware that Mr. Marble has testified that he never told you of it?

MR. STENGER

He cannot be aware of that because Mr. Marble did not so testify.

MR. REED

I understood him so.

MR. STENGER

I think you are mistaken.

MR. TILDEN

I said I do not know whether it was before I went to England or not. Mr. Marble mentioned to me, some time, that the certificate of Florida was offered.

MR. REED

Was it before what is called the 'Ark and Shekinah' letter?

TILDEN

Yes, sir.

MR. REED

Did he tell you the particulars of the transmission of those despatches?

TILDEN

He did not.

MR. REED

Did he make any talk to you about this being a danger-signal that he transmitted?

TILDEN

He did not.

MR. REED

He never alluded to it in those words or anything like it?

TILDEN

He merely mentioned the circumstance.

MR. REED

How did he mention it?

TILDEN

He mentioned it as a past transaction.

MR. REED

In what terms, as nearly as you can recollect? Will you give us the conversation?

TILDEN

He said the Florida certificates were for sale. I did not inquire into the particulars, for several reasons.

(MORE)

TILDEN (CONT'D)

In the first place, it was long past, and he mentioned it like any other fact in bygone history.

MR. REED

He did not give you details, and you did not ask for them?

TILDEN

I did not make any inquiry.

MR. REED

Did you make any inquiries of your nephew as to the particulars of this South Carolina matter?

TILDEN

I did not.

MR. REED

Why not?

TILDEN

I did not think it was necessary.

MR. REED

Did you not feel any interest in it?

TILDEN

I only felt an interest in stopping it.

MR. REED

Then you did not regard that as a danger-signal?

TILDEN

Regard what as a danger signal?

MR. REED

The transmission of the propositions in any way?

TILDEN

Are you speaking of South Carolina?

MR. REED

Yes, sir.

MR. SPRINGER

Mr. Marble's despatch was with reference to Florida.

TILDEN

I do not know what you mean by danger-signals.

MR. REED

Would it occur to you that the transmission of a proposition to sell would be a danger signal?

TILDEN

I should think that a man who had the power to sell, and made the proposition, wanted to sell.

MR. REED

And the man who transmitted it would transmit it rather for the purpose of purchase than as a danger-signal?

TILDEN

That would depend on the motives of the man who transmitted it.

MR. REED

Colonel Pelton is a nephew of yours?

TILDEN

Yes, sir.

MR. REED

When did he first begin to reside in your house?

TILDEN

About nine years ago, I think.

MR. REED

When did he cease his residence there?

TILDEN

About the 1st of July.

MR. REED

He had been your military secretary while you were governor, and was at the time of these transactions your military secretary?

TILDEN

He was.

MR. REED

And with your knowledge and consent was the acting secretary of the Democratic National Committee?

TILDEN

He was not with my consent, though he was with my knowledge.

MR. REED

You knew it?

TILDEN

I knew he called himself acting secretary.

MR. REED

You knew he was really acting secretary?

TILDEN

I knew he was very active in the business.

MR. REED

And that he was really acting secretary?

TILDEN

I came down from Albany in the latter part - the third or fourth week - of September. The canvass was two-thirds completed while I was in Albany. When I came down here I found Colonel Pelton acting as secretary.

MR. REED

Did you make any objection to his acting as secretary?

TILDEN

I did.

MR. REED

To whom?

TILDEN

To several gentlemen of the committee.

MR. REED

Will you kindly name them?

TILDEN

I cannot now.

MR. REED  
Cannot you name any of them?

TILDEN  
No.

MR. REED  
Did you make any objection to him, and request him to cease acting in that capacity?

TILDEN  
I did not request him to cease, but I was not pleased with it, for several reasons.

MR. REED  
Did you manifest your displeasure to him?

TILDEN  
I manifested my regret.

MR. REED  
To whom?

TILDEN  
To him.

MR. REED  
What did he say?

TILDEN  
I cannot tell you.

MR. REED  
But you did not go to the extent of insisting on his ceasing to act in that capacity?

TILDEN  
I did not. I have no hesitation in stating to you all about it.

MR. REED  
Of course I cannot go into the whole matter; I only want to go into certain aspects of it. Did you know Mr. Smith M. Weed?

TILDEN  
Yes, sir.

MR. REED  
How long have you known him?

TILDEN

I cannot say; some years.

MR. REED

Has he been in confidential relations with you?

TILDEN

No more than many prominent Democrats.

MR. REED

But as much as other prominent Democrats?

TILDEN

As much as some and less than others.

MR. REED

When did you first know he was in South Carolina?

TILDEN

Not till after he came back.

MR. REED

Was it concealed from you?

TILDEN

I do not know. No, I guess not.

MR. REED

How did it happen that you did not know he was there?

TILDEN

Because I did not undertake to know all that was being done by the committee.

MR. REED

Did you not undertake to keep the general run of it, and of what was going on in the South?

TILDEN

Not a very close run.

MR. REED

Well, you undertook to keep the run of it, didn't you?

TILDEN

When the legal proceedings in Florida were in agitation I gave particular attention to them.

(MORE)

TILDEN (CONT'D)

I did not undertake to keep much run of these visiting statesmen.

MR. REED

Not even to know their names?

TILDEN

I knew their names when I heard them through the public journals.

MR. REED

And you say now you knew nothing of Mr. Smith Weed's presence in South Carolina until after his return?

TILDEN

I say so positively.

MR. REED

Did you have any talk with Mr. Weed about his transmittal of this proposition?

TILDEN

I presume I did.

MR. REED

Well, sir, state it.

TILDEN

In which I took him to task for taking part in such transactions? I did not feel particularly responsible for Mr. Weed.

MR. REED

At the time was the Oregon affair published, Governor Tilden?

TILDEN

Published as the result of an investigation by a sub-committee of the Senate.

MR. REED

About what time?

TILDEN

I cannot tell you the date.

MR. REED

About what time? Tell as nearly as you can.

TILDEN

In the winter of 1877.

MR. REED

Mr. Pelton remained in your house during that time until July, after the publication of the Oregon despatches.

TILDEN

He did.

MR. REED

Mr. Manton Marble occupied confidential relations with you, didn't he?

TILDEN

He occupied relations with me which to a certain extent were confidential.

MR. REED

He stopped to bid you good-by before he started to Florida. Do you remember that interview?

TILDEN

I recollect seeing him before he went to Florida.

MR. REED

What transpired at the interview?

TILDEN

Nothing more than leave-taking. I gave him no instructions as to what he should do - no suggestions.

MR. REED

You say you did not keep a very close run, and did not pay much attention to what the visiting statesmen were doing there, if I understand you right, in South Carolina and Florida. Do I?

TILDEN

Yes.

MR. REED

Did you have any purpose in not doing that?

TILDEN

I had not; I supposed they had been selected by the committee of the Democratic party to do a particular duty, and were competent to do it, and I did not undertake to supervise or direct them. I did not give any human being any advice or instructions in that connection.

MR. REED

Did Mr. Edward Cooper, when he told you of that South Carolina proposition, inform you that he had given your nephew any encouragement that he would furnish the money?

TILDEN

He did not.

MR. REED

Did he make any suggestion of any kind which conveyed that idea in any way to your mind?

TILDEN

He did not. As I before said, the conversation was very brief. It opened by a mere statement of facts, and I responded so quickly that there was no chance for any discussion. I was irritated at the idea of Pelton mixing himself up in any such transaction. If I had felt disposed to engage in such a transaction, Pelton would have been the last man in the United States that I would have commissioned to have anything to do with it, or allowed to have anything to do with it. I considered his interference to be a piece of officious meddling.

MR. REED

You published a card on or about October 18, relating to these despatches, did you not?

TILDEN

I did.

MR. REED

In that card you made no allusion to these particulars of your knowledge of the transaction which failed at Baltimore, did you?

TILDEN

I did not.

MR. REED

Why not?

TILDEN

There was no occasion to do it.

MR. REED

I ask the question - why you did not state in this card of explanation to the public, the particulars that you did know of this Baltimore transaction?

TILDEN

Because it was not pertinent to what I was stating.

MR. REED

In one paragraph in the letter you say, 'I have no knowledge of the existence of these telegrams, nor any information about them, except what has been derived from or since the publications of the Tribune.'

TILDEN

That is true.

MR. REED

Yes, sir; but were you not aware at the time that that would convey, and did you not intend it to convey, the impression to the public that you knew nothing about these transactions until the publication of the despatches in the 'Tribune'?

TILDEN

I did not intend to convey anything of the kind.

MR. REED

Do not you see that it does convey that?

TILDEN

No; I do not.

MR. REED

I mean to a reader who does not know as much as you do?

TILDEN

Read the phraseology, and you will find it as I say.

MR. REED

I have no knowledge of the existence of these telegrams, nor any information about them, except what has been derived from or since the publications of the Tribune.' That is literally true you say?

TILDEN

Certainly.

MR. REED

You say it is literally true; but don't you see that it conveys, and did you not intend it to convey, to the public, at the time, the impression that you knew absolutely nothing about the transactions themselves?

TILDEN

No; I did not.

MR. REED

You at least concealed the fact, or at least you did not make public the fact, that you had information with regard to the transactions themselves?

TILDEN

Will you be good enough to read the next sentence?

MR. REED

So much of these telegrams generally' - but then you proceed to speak of Florida; I am confining myself to the South Carolina ones. You can see the letter; I want to be perfectly frank with you.

TILDEN

You will observe that the two States of Florida and South Carolina are treated separately for this publication. The paragraph immediately following deals in detail with South Carolina.

MR. REED

Oh, no; it deals with the Board of  
Canvassers of Florida.

TILDEN

No; it deals with South Carolina.

MR. REED

It does in the copy I have.

TILDEN

Read the next paragraph under 'secondly.'

MR. REED

Very well, I will call your attention to that. You say; 'Secondly, as to the publications in the Tribune purporting to be translations of cipher telegrams relating to the canvass of votes in South Carolina, I can speak of them no less definitely and positively. None of such telegrams, either in cipher or translated, was ever shown to me, or its contents made known to me.' There you confine your denial that you knew anything about it to the telegrams, and do not deny the fact that you knew of the transaction.

TILDEN

Well?

MR. REED

Well, now, does it not strike you, and did it not at the time, that that was calculated to convey to the public the impression that you not only knew nothing of the telegrams, and their contents as such, but also that you knew nothing of the transaction?

TILDEN

No.

MR. REED

Will you look at it and see if that would not be the natural conclusion from that?

TILDEN

The question was what I knew about these telegrams. I knew nothing about them.

MR. REED

Was not the ultimate question what you knew about the transaction?

TILDEN

That was a separate question.

MR. REED

Was not the question which you were replying to before the public?

TILDEN

I will deal with that in a moment. If you observe, my language is different in the case of South Carolina, and of Florida.

MR. REED

But it is a difference that one would not notice until after this discussion?

TILDEN

I cannot help your understanding of the language. The language is used with perfect accuracy and perfect truth. The proposition was this: I could not say I knew nothing about any negotiation in South Carolina, for I knew very little. I knew nothing that was contained in any of these telegrams; I knew no details of any of these negotiations; but I did know there had been an offer, and I knew the offer had been refused through my intervention. That is all I knew. I did not know that there had any further negotiations that to receive the offer and finally to refuse it. I did not know that there had been any offer in Florida; so the language of the statement had to be different.

MR. REED

That is, you were avoiding a misstatement on account of certain facts which you knew, and which at the same time you knew the public did not know. Isn't that true?

TILDEN

Certainly.

MR. REED

And so you made your denial in such shape and form that it would avoid this fact when it became known, did you?

TILDEN  
I made my denial-

MR. REED

(Interrupting)

Consistent with this fact when it should become known?

TILDEN  
Strictly consistent with the truth.

MR. REED  
But you say, 'No one of such telegrams, either in cipher or translated, as ever shown to me, or its contents made known to me.' Were you not conscious, then, at that time that that matter which you were explaining to the public was not the telegrams after all, but the negotiations?

TILDEN  
I cover that in my next sentence.

MR. REED  
But you don't cover it in this?

TILDEN  
I did not do everything in one sentence. Be good enough to read the next sentence.

MR. REED  
Yes, I am very familiar with it. Why did you, Governor Tilden, when you came to make this answer to the public, say frankly that you knew of the transaction, so far as you did know of it, and that you then stamped it out instead of using language, which, as you see, might convey to the public the impression that you not only knew nothing about the telegrams, but nothing about the transaction itself?

TILDEN  
I do not see anything of the kind. On the contrary, any intelligent man understands the English language would understand that.

MR. REED  
In the light of the present testimony, do you mean?

TILDEN

Without reference to that.

MR. REED

Would anybody infer from this letter that you had any information with regard to the transaction at all.

TILDEN

No man would infer that I had no knowledge of the offers. There might have been a thousand offers made without my knowledge.

MR. REED

Did you intend to convey the impression that no offers had been made to you?

TILDEN

I did not; I intended to avoid that assumption.

MR. REED

Then why did you not frankly state what was the fact?

TILDEN

Because, if there had been a hundred men talking to me about such transactions, suggesting and advising them, I was under no obligation, and had no occasion, to state it to the public.

MR. REED

But there were no a hundred men; there was one particular transaction to which your attention had been directed by the 'Tribune' disclosure. Why did not you mention that one transaction? If you intended to deal frankly with the public, why did you not mention that one transaction?

TILDEN

I had not seen any of these parties, and did not know whether the despatches were true or not. I did not know anything about them. When I drew this card I had not seen a human being with regard to them. I had not seen Mr. Weed; I had not seen Mr. Pelton. I was not going to inculcate them on subjects which I did not know anything about.

MR. REED

But at that time you did not know that Mr. Pelton had gone to Baltimore to engage in a transaction of that kind?

TILDEN

I did not say that.

MR. REED

Why did you conceal from the public your knowledge of that fact?

TILDEN

I knew only that Mr. Pelton had gone there to receive a proposition.

MR. REED

Why did you keep that fact from the public? That would not incriminate anybody except those whom you knew deserved to be incriminated.

TILDEN

I did not know that.

MR. REED

Why did you not state that?

TILDEN

It was not necessary; it was not pertinent.

MR. REED

Was it not necessary for the information of the community? You undertook to inform the community as to what you knew about this matter. Now, undertaking to inform them by sitting down and writing that letter on the subject, how did it happen that you omitted this fact, of which you knew? That is what I want to get at.

TILDEN

Because that fact was not pertinent to my discussion.

MR. REED

Was it not pertinent to the information which you were giving to the public as to your knowledge of this subject?

TILDEN

It was not pertinent to the things I undertook to the state.

MR. REED

That is, among the things you undertook to state this was not?

TILDEN

No.

MR. REED

You say that the transaction of the Board of Canvassers to Florida was mentioned to you casually, as a past event, accompanied by the statement that the offer had been rejected.

TILDEN

Yes.

MR. REED

By whom was that made?

TILDEN

By Mr. Marble.

MR. REED

Why did you not, in your card, inform the public who stated that to you?

TILDEN

It was not necessary.

MR. REED

Did the non-necessity of withholding that information arise from the fact that on the face of those despatches Mr. Marble was very severely incriminated, and your own statement that he had mentioned it to you would tend to confirm the public impression of that transaction?

TILDEN

Not in the least; I should not have hesitated to put his name in.

MR. REED

You cannot state why you did not?

TILDEN

No.

MR. REED

Why was it omitted? It looks to me as if it had been studiously omitted. What have you to say with regard to that?

TILDEN

It was not.

MR. REED

You did not keep it out on purpose, or in furtherance of any design that you then had in your own mind?

TILDEN

No.

MR. REED

Nor did you keep out this Baltimore transaction in furtherance of any design that you had in your own mind?

TILDEN

The Baltimore transaction stands on a different basis, and it was not consummated.

MR. REED

That you did intentionally keep it out?

TILDEN

I did not intentionally keep it out; I had no intention of putting it in.

MR. REED

Did you not very carefully draw these sentences so as to avoid coming in conflict with that fact after it came out, if it should come out?

TILDEN

No; I drew these sentences very carefully so as to conform the exact truth.

MR. REED

Not only to the exact truth so far as the public knew it, but also to the exact truth so far as you knew it?

TILDEN

Yes.

MR. REED

Did you have any interview with Mr. Weed before he left for South Carolina?

TILDEN

I did not; I never saw him after the election until after he got back from South Carolina.

MR. REED

Do you remember having an interview with him at any bank?

TILDEN

I do not.

MR. REED

Nor any conversation with him at any bank?

TILDEN

I do not.

MR. REED

Do you recollect the bank that was named in connection with the Oregon affair?

TILDEN

The Third National?

MR. REED

I think that is it; Mr. Jordon's bank; the bank that kindly advanced, on the suggestion of Colonel Pelton, or of somebody else, eight thousand dollars for legitimate legal expenses in Oregon. Did you have an interview with him at that bank?

TILDEN

I do not think I did; I do not remember any.

MR. REED

Can you tell us whether you did or did not?

TILDEN

You mean at what time?

MR. REED

With Mr. Smith Weed, prior to his departure to Florida after the election.

TILDEN

I do not think I did.

MR. REED

Can you not put it any stronger than that you do not think you did?

TILDEN

I do not believe that I did.

MR. REED

Don't you know whether you did or did not? Be frank with us.

TILDEN

I am perfectly frank with you, sir; I have no recollection or belief of any such interview.

MR. REED

Did you ever see him there?

TILDEN

I do not recollect; I may have seen him there.

MR. REED

Do I understand you to say that you have no recollection, distinct and positive, of meeting him there at any particular time?

TILDEN

I do not remember meeting him there at any particular time.

MR. REED

Do you remember meeting him there at all, at any time?

TILDEN

I have no distinct recollection of it, though very possible I may have met him there at some time.

MR. REED

Did you not have a long conversation with him prior to his departure for Florida, at the Third National Bank?

TILDEN

Florida?

MR. REED  
North Carolina or South Carolina?

TILDEN  
I don't think I did.

MR. REED  
Can you not state it more positively than that?

TILDEN  
I feel sure that I did not see him at all.

MR. REED  
You feel sure that you did not see him and did not have the conversation with him to which I alluded?

TILDEN  
Yes.

MR. REED  
Did I understand you to say that as to Florida you did not know that there had been an offer?

TILDEN  
Until after the 6th of December.

MR. REED  
About what time was it that Mr. Marble communicated this fact to you?

TILDEN  
I cannot state definitely.

MR. REED  
But I understood you to say that it was before the publication of his 'Ark and Shekinah' letter?

TILDEN  
Yes.

MR. REED  
Did Mr. Marble consult you with regard to the publication of that celebrated piece of rhetoric?

TILDEN  
He probably talked to me on the subject.

MR. REED

Did he read to you any of the sentences in it?

TILDEN

I think very likely he may have done so.

MR. REED

The publication was with your assent?

TILDEN

Not with my assent, nor with my disapproval.

MR. REED

Did you make any comments, after your knowledge of the Baltimore transaction, that it was rather a harsh sort of letter for him to write?

TILDEN

I did not.

MR. REED

Nor any suggestion that there was anything hypocritical about it?

TILDEN

No, sir; there was not, so far as I knew.

MR. REED

You had not arrived at that full knowledge which you possess since the publication of the 'Tribune' despatches?

TILDEN

No.

MR. HISCOCK

Do I understand you to say that you saw the telegram to George W. Smith, dated November 27, from Tallahassee?

TILDEN

I do not remember anything about it.

MR. REED

Have you any doubt that you did see it, it having been addressed to your private secretary at Gramercy park?

TILDEN

I do not know that any such telegram existed or was ever received; I don't remember anything about it.

MR. HISCOCK

Do you remember the contents of it as it has been read to you here by Mr. Reed?

TILDEN

I remember seeing it here.

MR. HISCOCK

(reading)

It has been suggested from here to Governor of Oregon to refrain from issuing certificate in favor of ineligible elector until advised thereon. Why not obtain and telegraph him O'Conor's opinion? See my despatch to Spain. Have you no recollections of seeing that at all?

TILDEN

I have not; I may have seen it.

MR. HISCOCK

Have you any doubt that a despatch of that kind addressed to your private secretary, was shown to you?

TILDEN

I think if he had received it he probably showed it to me.

MR. HISCOCK

In that despatch occurs this phrase: 'See my despatch to Spain.' If you saw that despatch, would not the phrase have attracted your attention?

TILDEN

It might.

MR. HISCOCK

Have you any doubt that it would?

TILDEN

It may have done so.

MR. HISCOCK

I ask you whether the phrase in that despatch, 'See my despatch to Spain,' would not have attracted your attention?

TILDEN

Perhaps it would, and perhaps it would not.

MR. HISCOCK

You felt intensely interested over the result in Florida?

TILDEN

I felt interested, of course; not intensely.

MR. HISCOCK

You felt interested as a presidential candidate and as the representative of your party, did you not?

TILDEN

I did.

MR. HISCOCK

And you were watching the proceedings in those States with very great interest?

TILDEN

I was watching the proceedings with a certain amount of interest.

MR. HISCOCK

Do I infer from that that you were watching the proceedings with indifference?

TILDEN

Not absolute indifference.

MR. HISCOCK

Did not you keep yourself advised, so far as you were able, as to the steps that were being taken there?

TILDEN

I did not occupy myself about things which I knew I could not control.

MR. HISCOCK

Were you not sufficiently interested to keep yourself advised as to what was going on and the steps that were being taken there?

TILDEN

Note very fully.

MR. HISCOCK

If a despatch were shown you containing the phrase, 'See my despatch to Spain,' would not the very language of the phrase and the words that were employed in connection with it, one of them being a cipher word, have attracted your attention?

TILDEN

It might have done so.

MR. HISCOCK

And especially a despatch of that kind, coming from such a discreet, trusted, and influential member of the party as Manton Marble. Have you any doubt that it would have attracted your attention, coming from him?

TILDEN

I do not think it all certain I should have paid much attention to it.

MR. HISCOCK

Now, preceding that despatch and the one to which it must refer is this despatch; 'You are imperiling result here by causing divided counsels and neglecting to answer telegrams. I advise that you find one person to trust, and then trust him for a least one calendar week - possibly two. I will stand in nobody's way, and do my best to transfer to him authority. About one hundred majority on certified copies; Republicans claim same upon returns. Rome needless now; should be recalled.

TILDEN

Whom does Rome mean?

MR. HISCOCK

I do not know.

TILDEN  
You ought to know.

MR. HISCOCK

continues to read;  
Rome needless now; should be recalled.  
Parris and detectives always useless;  
ditto Wooley, here as in Louisiana a  
nuisance and impediment, trusted by  
nobody. I decline to commit Tilden with  
men so indiscreet. Smith concurs in all  
aforesaid. Session begun. To Tilden,  
'have you recollection of having every  
seen that despatch?

TILDEN  
I know that I never did.

MR. HISCOCK  
Have you at any time during the progress  
of the contest in Florida understood that  
upon certified copies of the returns the  
Democrats had, or that you had , one  
hundred majority for your election?

TILDEN  
A Ninety-three or ninety-five.

MR. HISCOCK  
Then you did understand at one time that  
upon certified copies of the returns the  
Democrats had the majority on the Tilden  
electoral ticket from ninety-three to one  
hundred.

TILDEN  
Including Baker county, undoubtedly.

MR. HISCOCK  
Do you know how that information was  
conveyed here?

TILDEN  
I do not; I think I saw it in the  
newspapers.

MR. HISCOCK  
Do you mean to say that you had no  
earlier information than that which  
appeared in the newspapers upon that  
subject?

TILDEN

I do not believe that I had.

MR. HISCOCK

And this despatch you are entirely confident that you never saw, although it was a despatch sent to Gramercy park?

TILDEN

I know that I never saw it.

MR. HISCOCK

And do you believe that none of your friends at that time would have taken the liberty of intercepting any despatches which were sent to Gramercy park, and upon a subject on which you were certainly as vitally interested as any one else?

TILDEN

The despatch was not addressed to me.

MR. HISCOCK

No, it was not addressed to you; but it, or one other, is the despatch which is referred of November 27, which was addressed to George W. Smith.

TILDEN

I understand that the despatches addressed to Colonel Pelton at the house in Gramercy park, were delivered by the telegraph people, by standing order, at the committee rooms.

MR. HISCOCK

I understand that either this or a subsequent despatch which I will soon read, is the one referred to in the phrase, 'See my despatch to Spain. This is the one. There is a despatch, which I have been calling your attention to, addressed to George W. Smith, which has in it the phrase, 'See my despatch to Spain.'

TILDEN

What despatch is that?

MR. HISCOCK

The one which I have been reading, or one other which I will read, must be that despatch. I will now read the second one to which that phrase may refer:

READING

TO COLONEL PELTON, NO. 15 Gramercy Park,  
New York:

Please yourself about economies suggested; Coyle exceedingly useful hitherto. You did not answer my inquiry about Paris, and only mention him at this late date; that promotes unity of action, I suppose. Mention names of Florida friends when you wish to learn how much weight their several requests deserve. Fox impedes daily; it is no relief that you assume responsibility for difficulties he makes. Do not fail to read message to Smith, 15 and 20 cipher. M.M.

MR. HISCOCK (CONT'D)

Did you see that despatch?

TILDEN

No, I did not.

MR. HISCOCK

You never saw that despatch?

TILDEN

No, sir.

MR. HISCOCK

Then, if I understand you, you took no steps to see the despatch which is described in this phrase, 'See my despatch which is described in this phrase, 'See my despatch to Spain,' and you have no recollection of its ever having been shown to you, although the despatch referring to it was directed to your own private secretary?

TILDEN

I have no recollection of taking any steps to see any of these other despatches, if I saw this one.

MR. HISCOCK

How old a person was George W. Smith?

TILDEN  
About twenty-five or thirty.

MR. HISCOCK  
You have no idea that he would have taken the responsibility of intercepting or failing to exhibit to you any despatch which he received?

TILDEN  
No.

MR. HISCOCK  
You have no idea of that kind?

TILDEN  
No.

MR. HISCOCK  
You have no idea but that a despatch which was sent to him in cipher, and which he could not understand, or which he could not read, if he had procured it to be translated, that he would have furnished you the translation?

TILDEN  
I should think he would.

MR. HISCOCK  
He resided in New York city at this time, as I understand?

TILDEN  
Yes he was my personal secretary.

MR. HISCOCK  
Is he now?

TILDEN  
He is now, at this time.

MR. HISCOCK  
Do I understand you to say that the first intimation that you had of the closeness of the contest in Florida was through the newspapers?

TILDEN  
I do not remember what my first information was.

MR. HISCOCK

You have no recollection upon that subject?

TILDEN

I think if you will look at the newspapers of the same date as the despatch, you will find the same information. The newspapers generally get ahead of private despatches.

MR. HISCOCK

I find this despatch sent from New York to both Colonel Woolley and Mr. Manton Marble, directed to them both at Tallahassee: 'Reported here that board have given us one vote.' Do you remember hearing that?

TILDEN

I do not.

MR. HISCOCK

Do you remember hearing any rumor of that kind?

TILDEN

I do not.

MR. HISCOCK

This is a despatch which was sent by Colonel Pelton to both of these gentlemen as to a rumor which had reached New York, and which they had received, that your electoral ticket had received one vote; and you never heard that? - that one of your electors was elected.

TILDEN

I do not remember ever hearing that.

MR. HISCOCK

Do you remember ever having heard it even suggested?

TILDEN

No. You mention; Mr. Woolley; I had no knowledge of information of his having been there.

MR. HISCOCK

I am only examining you now upon the question of whether so important a fact as that contained in a despatch requiring an answer, addressed to two gentlemen in Florida, that it was rumored here in New York that one of Mr. Tilden's electors was elected - whether you did not learn that?

TILDEN

I think I did not, as far as I remember.

MR. HISCOCK

Can you say that you did not learn it, or do you say that it is very likely that you have forgotten it, if you did not know it?

TILDEN

I say that I have not the slightest recollection of ever hearing it.

MR. HISCOCK

There was this despatch, dated December 4, of which I have only read a part. I will read the whole despatch: Reported here that board have given us one vote. If so, you will not need to use acceptance. Advise fully. You never heard of any such despatch as that having been sent to these men?

TILDEN

I never did.

MR. HISCOCK

During this canvass, who here in New York did you understand were in consultation with these gentlemen in South Carolina and Florida by telegraph?

TILDEN

I suppose the committee or some of their agents.

MR. HISCOCK

Didn't you advise yourself on the subject?

TILDEN

I did not particularly.

MR. HISCOCK

Did you not learn the fact - was it not communicated to you - who it was at this end of the line that was consultation with the gentlemen who were sent to South Carolina and Florida?

TILDEN

I did not consider that anybody was there especially in consultation.

MR. HISCOCK

What Democratic gentlemen were there here in New York that you understood that the visiting statesmen in South Carolina and Florida were in communication with?

TILDEN

I assumed that they were in communication with the National Democratic Committee, or with their subordinates.

MR. HISCOCK

That is, you assumed that the Democratic National Committee, or some members of it, were here in New York, and in consultation with and being advised of the steps which were being taken by these gentlemen in South Carolina?

TILDEN

I supposed that some consultations and communications existed; I did not suppose an extensive consultation did exist or could exist.

MR. HISCOCK

Did you understand at any time that legal proceedings were being taken in South Carolina to restrain the Returning Board in South Carolina?

TILDEN

I did.

MR. HISCOCK

Who communicated that fact to you?

TILDEN

I do not remember.

MR. HISCOCK

Do you remember whether it was communicated in cipher?

TILDEN

Not to me in cipher. Nothing was ever communicated to me in cipher.

MR. HISCOCK

Did you understand during the progress of this canvass that proceedings were being instituted (and successfully instituted), restraining the Governor of Florida from undertaking this canvass?

TILDEN

I had general information on that subject; I do not know that I had anything more that I got from the newspapers. That proceeding was not dictated from New York, so far as I know; certainly not to me.

MR. HISCOCK

Did you understand that that was advised by the visiting statesmen to the South, who were in Florida at that time?

TILDEN

I think it was very likely done by local lawyers.

MR. HISCOCK

Did you not understand that there was a strong array of counsel from the North to in the South?

TILDEN

Yes.

MR. HISCOCK

On both sides?

TILDEN

Yes, sir.

MR. HISCOCK

From who did you understand that fact?

TILDEN

I understood that George W. Biddle, one of the first lawyers in the United States, was there;

(MORE)

TILDEN (CONT'D)  
and Mr. David Sellers, of Philadelphia,  
Mr. Malcolm Hay, and others.

MR. HISCOCK

Did you not understand that there were a large array of counsel from outside of the State who were in charge of the scheme of procuring returns from the different canvassing boards scattered throughout the State of Florida; and that there was some confusion existing with reference to Louisiana and South Carolina; and that these three Southern States at that time were supposed to be very poor indeed, and the Democratic party very poor; and did you not understand that there was somebody here in New York who was looking after expenses of the gentlemen who were sent there, and after the expense of sending out the gentlemen to get in these returns?

TILDEN

I understood nothing about it; I supposed that the committee would take care of their expenses.

MR. HISCOCK

But you did not trouble yourself to inquire what members of the committee, if any, were here?

TILDEN

I did not; they changed from day to day.

MR. HISCOCK

Did you understand at the time that substantially the responsible head of the committee - that is, the one who seemed to act for the committee - was Colonel Pelton?

TILDEN

No I did not, and it was not the fact.

MR. HISCOCK

Is it not the fact that substantially all of the despatches which passed between these visiting statesmen in these several states and New York were addressed to Colonel Pelton?

TILDEN

I do not know how that is.

MR. HISCOCK

Did you ever investigate that question?

TILDEN

I never did.

MR. HISCOCK

So far as Mr. Marble was concerned, instead of communicating with Mr. Hewitt or Mr. Cooper, he addressed his despatches to Colonel Pelton?

TILDEN

Mr. Marble is one man.

MR. HISCOCK

Did you not understand that all the gentlemen in Florida addressed their despatches to Colonel Pelton?

TILDEN

I never knew to whom they addressed their despatches.

MR. HISCOCK

Did you not understand the fact to be that all the despatches sent by them from South Carolina were sent to Colonel Pelton?

TILDEN

I knew nothing about it until their publication.

MR. HISCOCK

Does it not strike you now as singular, with all the light you now have, as remarkable circumstances, that all of these visiting statesmen held communication with New York through despatches addressed to Colonel Pelton, and to him only?

TILDEN

I do not know that that is a fact.

MR. HISCOCK

Do you know that that is not the fact?

TILDEN

I do not; Mr. Hewitt was the chairman of the committee, and they had an executive committee, and some of the members of the committee were there almost every day.

MR. HISCOCK

Do you know that fact, or is that simply what you understood?

TILDEN

That is simply what I understood.

MR. HISCOCK

Did you make inquiry?

TILDEN

I don't believe I did; I think the information came to me casually.

MR. HISCOCK

When Colonel Pelton returned from Baltimore I suppose that you saw him immediately?

TILDEN

I saw him the next day.

MR. HISCOCK

He had been to some extent dependent upon you, I suppose; that is, as a member of your family, and to some extent provided with a position for the support and maintenance of himself? In other words, you were a patron of his?

TILDEN

To some extent; he had a business of his own, but was unfortunate in it.

MR. HISCOCK

You learned from Mr. Cooper, and you could have learned from Colonel Pelton, that he had been to Baltimore for the purpose of consummating a plan for a purchase, by the action of the Canvassing Board of South Carolina, which would ensure the election of the Tilden electors in that State. Did it not occur to you, upon that being communicated to you, that you ought immediately to find out in what relation he stood to the Democratic National Executive Committee?

TILDEN

Your question assumes more than is true. I did not hear that he had gone to consummate an arrangement; I only heard that he had gone there to receive an offer.

MR. HISCOCK

Is there any difference between the way that you state it and the way that I stated it?

TILDEN

Considerable.

MR. HISCOCK

Would you not infer from his having communicated to Mr. Edward Cooper that he would probably draw upon him the next day for from sixty thousand to eighty thousand dollars, and that he had gone to Baltimore to meet Mr. Smith M. Weed and another gentleman, who had come from South Carolina to meet him there - would you not fairly infer from that that he had gone there to consummate a purchase?

TILDEN

I did not understand that he said he would draw.

MR. HISCOCK

Did you understand from Mr. Cooper the sum of money which he stated?

TILDEN

I presume I did.

MR. HISCOCK

Do you recollect the amount?

TILDEN

I do not know that I do; I understood that he had gone there in order to receive or to look into a proposition.

MR. HISCOCK

Now, understanding that he had been indiscreet enough to go to Baltimore even to look into a proposition for the sale of the certificate to the electors of that State, did you not think that you were called upon to ascertain his relations to the national committee, and to ascertain how far he was committing that body, and how far he was committing himself?

TILDEN

I thought the best way to deal with such a transaction was to stop it; not only to have nothing to do with it myself, but to stop everybody else from having anything to do with it. I think the same thing in Florida would have been better than what was done. I think instead of appointing Mr. Noyes, who did not stop it, minister to France, and McLin who did it -

MR. HISCOCK

Don't let us go off on to that question.

TILDEN

Let me illustrate it.

After a pause.

Mr. Hiscock is evidently trying to probe and search my moral standard.

MR. HISCOCK

No, I am not addressing myself to that at all; I am only investigating the relations which existed between you and Colonel Pelton, so far as you were committed by his action.

TILDEN

The object is to impute to me some failure of duty. If I answer that question, I propose to answer it fully; I propose to raise the standard as high as I can, and we will see whether the other gentlemen adopt it.

MR. HISCOCK

It seems to me that, in this examination, the true way to answer a question is to answer it, so far as you can, directly, and not to seek to answer it by assailing any one else.

TILDEN

I do not desire to assail anybody; but when a sublimated standard of morals is set up, I propose to analyze it, and to see whether the party that set it up stands up to it.

MR. HISCOCK

Well, now I will call your attention to another answer you have made here. You have said that if you had entertained any idea - I'm am giving your idea as conveyed by your answer, and not your words, that if you had conceived the idea of influencing these boards venally, or by venal considerations, the last person in the world that you would have chosen for that mission would have been Colonel Pelton. Now I ask you to bear that answer in mind for a moment, and then to state why, after you learned of his visit to Baltimore, you did not deem it proper, and perhaps your duty, to call the attention of Mr. Edward Cooper or of Mr. Hewitt (both of them distinguished and very able men) to the fact that they must take charge of this matter; that Colonel Pelton must be left out of the correspondence; and that they must give it their personal attention, lest you and the Democratic party should be embarrassed, and perhaps scandalized, by the action of Colonel Pelton.

TILDEN

In the first place, I supposed that those gentlemen were giving it their personal attention. Those gentlemen had the real power, and Pelton had not; they were able to supervise and control it whenever they chose. Mr. Cooper, in particular, had custody of the money, without which Pelton could not involve the committee in the expenditure of a cent.

(MORE)

## TILDEN (CONT'D)

In the next place, Mr. Cooper was the gentleman from whom I derived my information of what was done in Baltimore, and from him exclusively. Mr. Hewitt was his brother-in-law. I did not think that they needed any warning on the subject. In the third place, I regarded the Baltimore thing as very foolish and very wrong, but still as an inchoate transaction. By my intervention it was stopped while there was a locus penitentiæ. Now, the civil law does not recognize purposed until they embody themselves in action; the church punishes those purposes merely as sinful thoughts. Pelton had not, so far as I knew, done anything except to receive a proposition from a set of Republican electors to sell the certificates. There was no consummation of the plan; the thing perished in embryo; and it did not strike me as being of such enormous importance as it would, had there been any possibility of the thing succeeding, or of any similar transaction succeeding. I say this without meaning in the least to excuse Pelton, for I do not mean to excuse him. The atmosphere at that time was filled with rumors and assertions of the venality and fraud of these returning boards in those three States and of their offers. I declare before God and my country that it is my entire belief that the votes and certificates of Florida and Louisiana were bought and that the presidency was controlled by their purchase. Pelton, seeing that condition of things, committed a fault; he committed an error; he committed a wrong; he adopted the idea that it was justifiable to fight fire with fire; he adopted the idea, when he saw the presidency being taken away from the man who had been elected by the people and according to the law and the fact, that it was legitimate to defeat the crime by the means he took; he was inexcusable. I adopted an entirely different system - an entirely different code of ethics. I scorned to defend my righteous title by such means as were employed to acquire a felonious possession. Pelton did not act rightly. He may be tried; he may be condemned;

(MORE)

TILDEN (CONT'D)

public opinion may punish him. At the same time, even that fault is to be judged according to the facts, according to the times, according to what was being done and what was done. His act was an inchoate offence. On the other side, the act that was done was a completed and consummated offense; it built up a possession of the presidency of the United States in the man who was not elected. And the representatives and champions of that condition of things are the men whose consciences are troubled with the inchoate wrong doing of Pelton, which I stopped and crushed out in the bud!

MR. HISCOCK

Now, Governor, you will state upon what information you based that belief; and in giving your information you will please give the name of the party communicating it to you.

TILDEN

I have no private information on the subject; I believe it on evidence before this committee, which is accessible to the public.

MR. HISCOCK

Do you mean to say that there is any evidence before this committee that either of these returning boards was bought?

TILDEN

I think so.

MR. HISCOCK

Will you do me the kindness to point out the witnesses who testified to it, and the evidence to that effect?

TILDEN

McLin testified that he held the casting vote of the State of Florida; he testified that he gave a false certificate; contrary to fact, and contrary to law. The whole matter is in a nutshell and easily discovered.

MR. HISCOCK

You are mistaken; McLin has sworn nothing of the kind.

TILDEN

I think I am not mistaken. McLin said further that his mind was probably influenced by the promise of office. He was immediately afterward appointed to a judgeship in New Mexico; and Mr. Noyes, who was down there, but did not stop the transaction, was appointed to minister to Paris.

MR. HISCOCK

Are you entirely clear that McLin swore that he was influenced by the hope of being appointed to office.

TILDEN

I think he said so.

MR. HISCOCK

Do you swear that he said so?

TILDEN

I swear that it is my recollection that he substantially said so. Have you the record? That will show.

The committee refers to the record.

TILDEN (CONT'D)

Now, gentlemen, I believe that I am competent to be the custodian of my own honor. I do not think that my virtue is of so delicate a texture that it needs that I should practice any brutality toward anybody. I may err in judgment or in conduct; but I think that in all my dealings with Mr. Pelton I have been able, and shall be able, to do about what is right - to protect everybody from any wrong so far as I have any control and at the same time to be just. You have been pursuing a course of examination, the object of which was to ascribe to me some failure of duty, and you have intruded yourself into my domestic and family relations.

MR. HISCOCK

If you had any information at that time that either the Returning Board of South Carolina or the Returning Board in Florida was being corrupted by the Republicans, or being influenced in their official action by venal considerations, you will state from whom you received that information.

TILDEN

I had no personal information.

MR. HISCOCK

You cannot give me the name of any man?

TILDEN

No; I stated my belief, and I state it on evidence; that, in my judgment, would convict anybody before a common jury.

MR. HISCOCK

You state it upon evidence, as I understand you, that would convict any one before a common jury. Will you give me now again the name of the person who conveyed that evidence to you?

TILDEN

The evidence is public.

MR. HISCOCK

Oh, it is public! Then you mean to say that you have made that serious charge against these returning boards upon what you saw in the papers and upon public rumor?

TILDEN

No, not upon public rumor.

MR. HISCOCK

Upon what you saw in the papers?

TILDEN

I make that charge upon the fact and evidence before your committee and other committees.

MR. HISCOCK

Now I ask you again to give me any evidence which you had that those boards were being corrupted by the Republicans, outside of rumors that you heard on the street or assertions which you saw in the newspapers?

TILDEN

Those two boards did not act until two weeks afterward.

MR. HISCOCK

No, they did not; but I said about the time.

TILDEN

They had not made their decision or given their certificate.

MR. HISCOCK

Very well; I will accept that as fact. I will make my question my specific than that. Up to the time of the final announcement of the decision by those two boards respectively, please communicate to this board any evidence which you have that they were corruptly influenced by Republicans, besides the rumors which you heard in the streets and the facts which you saw alleged in the newspapers.

TILDEN

You will find it in the Field committee -

MR. HISCOCK

I am not speaking of that time; I am not speaking of so late a period as the Field committee. I am limiting you to the time of their final action.

TILDEN

That is, up to the 6th of December?

MR. HISCOCK

Yes, we are not after any congressional investigation. That will speak for itself.

TILDEN

I have no proof up to that time.

MR. HISCOCK

You have no evidence up to December 6, 1876. Have you any evidence except what you saw in the newspapers? Did you see any evidence except what you saw in the newspapers?

TILDEN

I did not personally.

MR. HISCOCK

Do you know of anybody who did have at that time any evidence? And if so, give his name.

TILDEN

The testimony before the Field committee discloses.

MR. HISCOCK

So that all that you know of it you subsequently learned by the investigation before the Field committee? Then, as I understand it, at the time when Colonel Pelton went to Baltimore for the purpose of hearing a proposition on the part of the Returning Board of South Carolina to sell themselves or to give a certificate to the Tilden electors of that State - up to that time you had no information except the rumors which you saw in the newspapers that they were being venally influenced by Republicans?

TILDEN

I had no proof.

MR. HISCOCK

You had no evidence except what you saw in the newspapers? - that is my question. Did you have anything except what you saw in the newspapers?

TILDEN

Up to the 6th of December?

MR. HISCOCK

Yes, sir.

TILDEN

I do not think that I had.

MR. HISCOCK

Then you had nothing except newspaper reports at the time when Mr. Pelton went there for that purpose? Then in your mind you must withdraw, as a justification for Pelton's conduct at that time, the statement that he was ransoming goods from thieves, or that he was fighting fire with fire?

TILDEN

I did not say that he was justified, but that he thought he was.

MR. HISCOCK

And that was predicted upon rumors in the newspapers?

TILDEN

He was perhaps acting upon a belief in his own mind which subsequently proved to be true. I did not say that I defended his position.

MR. HISCOCK

I did not understand you to say that you defended his position, but I understood in part your answer to be an apology for his position?

TILDEN

No; an alleviation.

MR. HISCOCK

My word was 'apology.'

MR. HUNTON

The only difference about that is that he is testifying and you are not.

TILDEN

(continuing)

The danger of tolerating a wrong on either side is its tendency to grow. One man does a thing because another man does it. By action and reaction abuses and wrongs grow until they become a common practice. That was one of the reasons that impelled me to put my foot down against every approach to anything of this kind.

MR. HISCOCK

Now I desire to call your attention to one other despatch in this case, which came from Mr. Marble. It is on page 17, No. 34, addressed to Colonel Pelton, No. 15 Gramercy park.

(Reading)

Woolley asks me to say, Let forces be got together immediately, in readiness for contingencies either here or in Louisiana. Why do you not answer?

(To Tilden)

Did you ever see that despatch before it was published?

TILDEN

I never did.

MR. HISCOCK

Of that are you clear?

TILDEN

Positive.

MR. HISCOCK

If you had seen it, the phrase 'let forces be got together immediately for contingencies either here or in Louisiana' would have attracted your attention?

TILDEN

It might have done so.

MR. HISCOCK

Have you any doubt that it would?

TILDEN

I do not understand what it means.

MR. HISCOCK

I will ask you this question in that connection - If you know or have heard that about that time any considerable sum of money was raised by anybody connected with the National Democratic Committee?

TILDEN

I have not.

MR. HISCOCK

Have you known, or have you learned since, that at any time after the election any considerable sum of money was raised by any Democratic parties here in the city of New York or elsewhere which might be used in those States for political purposes?

TILDEN

Of that I have no personal knowledge.

MR. HISCOCK

Have you ever heard so?

TILDEN

I cannot say that I have.

MR. HISCOCK

Has any communication of that kind been made to you ever - that any considerable sum of money was raised by Democratic parties which might be used for political purposes? I am now speaking of the time after the election was over.

MR. SPRINGER

Are you referring to the despatches developed in the 'Tribune'?

MR. HISCOCK

I have said distinctly, after the election was over.

TILDEN

I cannot undertake to say, because the committee may have been in debt.

MR. HISCOCK

I speak with reference to money which was raised by any one.

TILDEN

I think the committee was pretty largely in debt.

MR. HISCOCK

You think it was in debt? Is that what I understand you to say?

TILDEN

Yes; I think it was more or less in debt for a year.

MR. HISCOCK

My question was, whether you knew of any moneys having been raised which might have been used in those States?

TILDEN

I do not.

MR. HISCOCK

Or of any moneys having been raised during the period of time when this correspondence was going on?

TILDEN

I cannot say whether that was so or not; I cannot tell you.

MR. HISCOCK

Does that mean to imply that you have heard something of the kind?

TILDEN

It means I did not keep track of the committee.

MR. HISCOCK

Will you be kind enough to look on page 28 of the 'Tribune' Extra, No. 44? The last telegram here you will see if from 'Denmark [Pelton] to Smith Weed:

(Hiscock Reading the telegram)

Last telegram here. There is undoubtedly good ground, upon which favorable decision could be had; but to be consistent and sustainable, it would and should involve electing Hampton, or else it would be involved in inconsistencies impossible to sustain.

TILDEN

Well?

MR. HISCOCK

Did you ever see that telegram?

TILDEN

I never did.

MR. HISCOCK

That sentence that I have read to you is rather in the nature of a legal opinion, is it not?

TILDEN

It appears to be.

MR. HISCOCK

Did you ever communicate that legal opinion to Colonel Pelton?

TILDEN

I don't think I did.

MR. HISCOCK

Do you not think you did? Is that as strong as you want to put it? I call your attention to the fact that you simply say, I don't think I did.

TILDEN

I have no recollection or belief that I did.

MR. HISCOCK

Do you know with whom Colonel Pelton did advise as to legal questions of that sort?

TILDEN

I do not.

MR. HISCOCK

Did he ever advise with you as to these legal questions?

TILDEN

I have no recollection of his ever doing it.

MR. HISCOCK

You knew all this time that Colonel Pelton was in direct communication with these gentlemen, did you not?

TILDEN

What time? What gentlemen?

MR. HISCOCK

At the time with these gentlemen in Florida and South Carolina.

TILDEN

I do not think that I knew he was in any special communication with them.

MR. HISCOCK

Did you not know he was receiving numerous telegrams from the visiting statesmen?

TILDEN

I did not.

MR. HISCOCK

Not when he was living at your house, and they are directed to your house?

TILDEN

They were not directed to my house.

MR. HISCOCK

They were directed to your house.

TILDEN

No, sir; only the fifteen Florida ones.

MR. HISCOCK

Did you not know that others were sent there?

TILDEN

Sent where?

MR. HISCOCK

Sent to your house.

TILDEN

I do not think they were ever sent there.

MR. HISCOCK

What makes you think they were not?

TILDEN

I think I should have heard of it if they had been. I have already told you those telegrams were not delivered to my house, according to the best of my knowledge and belief.

MR. HISCOCK

How do you know?

TILDEN

I live there, and it would sometimes happen that a telegram would have come within my knowledge.

MR. HISCOCK

But none of them ever did?

TILDEN

None of them ever did so far as I recollect or believe.

MR. HISCOCK

Does it not impair your certainty on that subject that you cannot tell whether or not certain telegrams were received by your private secretary which obviously came there? Might not you have had a similar lapse of memory as to these as to those directed to your private secretary?

TILDEN

It might have been so as to one telegram; but I do not think a large number of telegrams could have come there without my knowing it.

MR. HISCOCK

What were Colonel Pelton's hours? What time did he spend at your house?

TILDEN

He generally came in after I was abed and asleep, and generally went out before seeing me in the morning.

MR. HISCOCK

Generally before?

TILDEN

Not always before.

MR. HISCOCK

Late to bed, and early to rise?

TILDEN

Not always before; he was hardly ever at breakfast.

MR. REED

(Interrupting)

I will ask one other question: Did there a great many telegrams come to your house, Governor Tilden?

TILDEN

I cannot say.

MR. HISCOCK

Did a great many telegrams come to your house at Gramercy park during these days?

TILDEN

My impression would be there were not a great many.

MR. HISCOCK

Do not you know there were a great many messengers arriving constantly for the Western Union Company at your house?

TILDEN

I cannot remember. My impression is there did not a great many arrive. Messages to me would generally come there; messages to Pelton were not delivered there, but went to the national committee room. Of course I cannot undertake to say none came to him there. I should think on election night there came a good many.

MR. HUNTON

I should like to ask Governor Tilden a question. Telegram 34, on page 17, purports to be from Marble to Colonel Pelton. According to the 'Tribune' translation this telegram is:

(Reading )

Woolley asks me to say, Let forces be got together immediately in readiness for contingencies either here or in Louisiana. Why do you not answer? Marble.

MR. HUNTON (CONT'D)

Do you know of any forces, in the sense of military forces or otherwise, that were being used, or that were ready to be used, or that there was any intention at that time to use?

TILDEN

No, sir, I do not.

MR. HISCOCK

You knew nothing about forces in that sense?

TILDEN

No, sir; I thought it meant influence, friends.

MR. HISCOCK

You state your belief that the returning boards in one or more States were purchased. You had information that led you to believe, and if true would convince you, that at least one of those boards offered itself for sale to the Democratic side.

TILDEN

It was not sold to the Democratic side; and is not the conclusion legitimate and proper that if not purchased by one side it was by the other?

MR. REED

Oh! Oh! Oh! I'll ask for the ruling of the chairman on that question.

TILDEN

It is a matter of logic.

THE CHAIRMAN

(laughingly to Mr. Reed)

Do you expect the Chair to rule out a question he has himself asked?

MR. REED

Yes, sir; that one, with confidence.

THE CHAIRMAN

Well, he said, it is a question of logic; and as that is not a matter of investigation, I will rule out both question and answer. That is all, Governor Tilden.

At the conclusion of Mr. Tilden's examination, the committee went into executive session, when they decided to adjourn and return that evening to Washington.

This proved to be practically the end of the cipher despatch explosion. The men who plotted it had succeeded in disturbing the peace and domestic relations of an infirm old man for several months; they had sent forth reports vitally compromising the private as well as public character of the most eminent statesman of the country, which reports would leave their impression upon the minds of millions of whom the evidence of his innocence would reach only thousands and an impartial posterity, to whose judgment, however, they were indifferent. Their object was accomplished. They had impaired Mr. Tilden's health;

they had persuaded many that he was as unscrupulous in his political methods as Mr. Hayes had been, and to that extent fancied they had rendered him less formidable as a candidate for the presidency.

Dante, who had been one of the prior or six first men of Florence, was summoned to answer a malicious charge of speculation; he was not allowed sufficient time to appear and defend himself; was condemned, as contumacious, to a heavy fine, and banished forever from his native city upon which he had conferred its greatest glory. In such company political persecution confers distinction.

I will venture to close what it has seemed proper for me to say of the barbarous effort to degrade Mr. Tilden in the estimation of the world, with an entry made in my diary on Thursday the 13th of February, and four days after the examination of the Fifth Avenue hotel.

Went around yesterday to Tilden's and found him in a state of unusual irritability. He had heard that Ellis, the president of the Third National Bank, had said that Tilden and Smith Weed passed an hour in close conversation at their bank between ten and one o'clock of the day previous to Weed's departure for the South. This, if true, would convict both Tilden and Weed of perjury, for both had sworn that did not see each other between the day before the election and some time after Weed's return from the South. Weed was sent for, and this morning I met him there. Meantime the papers of the day in question were looked over and both the 'World' and 'Herald' show that Tilden did not go down town that day, by accounting for all his time elsewhere. Weed also had documents to show that it was impossible for Ellis to be correct. After getting these proofs arranged and the papers marked, Tilden got into his coupé and went down to the bank. He returned about 4:30 p.m. to get me to go with him to an art reception given by the late William H. Vanderbilt, and on our way told me that if he had been a half-hour later Ellis would have been gone; that when shown the papers Ellis decided to write to Cox that he had been mistaken, and that he had since been satisfied that neither Mr. Tilden nor Mr. Weed were in the bank that day. Tilden saw that letter and then came off.

It is curious what devices are resorted to, to destroy this poor man's character. I was thinking this morning that no one but a man of large fortune ought to think of running for the presidency as an independent man. Had Tilden been a man of moderate means he would have been ruined in character long ago.

But for his having files of all the daily papers for years back, and clerks to assist in searching them, he would not have been able to collect the proofs of his whereabouts on the days in question in time to stop Ellis going on to Washington; still less the wider range of proof requisite to undo Ellis' erroneous testimony after it had been given.

The whole of Tilden's time, and the services of several eminent and costly lawyers and a number of clerks, have been constantly required by him since the election to defend him against the prosecutions and the persecutions of the administration. There is no prominent candidate for the presidency at present, nor ever was there one, whose income is or ever was sufficient to provide for these expenses alone.

The men who will 'run with the machine,' who will for combinations with rings and treat with the baser elements of society, have no such friction to contend with. Those baser elements stand ready to provide all the means necessary for their instruments. But when a man antagonizes rings, refused to make bargains or to give promises, provokes the hostility of all the selfish interests which thrive under a corrupt government only, he has to contend with an amount of feebleness and acquiescence on the part of the class who profess to desire good government and a hostility from those who prefer a bad one, which will crush any one who cannot a moment's notice put his hand upon almost unlimited resources.