

COLT PATENT, &c., &c.

AUGUST 3, 1854.—Laid on the table, and ordered to be printed.

Mr. LETCHER, from the select committee, submitted the following

REPORTS,

(Embodying the views of different gentlemen of the committee.)

The undersigned, a portion of the special committee raised by the resolution adopted by the House of Representatives on the 10th day of July last, in these words: "Resolved, That a committee of seven members be appointed to inquire whether money has been offered to members, or other illegal or improper means used, to induce members to aid in securing the passage or defeat of a bill to extend Colt's patent for seven years; and also whether money has been offered to members, or other illegal or improper means used, either directly or indirectly, to secure the passage or defeat of any bill before Congress; and that the said committee shall have power to send for persons and papers, with authority to examine witnesses on oath"—beg leave to submit the following report:

The resolution presents two points of inquiry—*first*, whether money has been offered to members of Congress to induce them to vote for Colt's extension bill, or any other bill which has been pending, or is now before Congress for action; and, *secondly*, whether illegal or improper means have been used by Colt, his agents or attorneys, or other applicants for congressional legislation, or their agents or attorneys, to secure the success of measures in which they are interested, or the defeat of those to which they are opposed. On these two points of inquiry the undersigned beg leave to present their views, and, in support of their conclusions, will make such reference to the testimony on each point as will sustain their positions.

It is not supposed that Congress designed to confine the inquiry intrusted to this committee to the mere point whether members of Congress had been offered money or other valuable consideration for their votes, influence, and aid, in favor of such measures as they had sustained or designed to sustain. It is perfectly clear to the undersigned that Congress intended to ascertain, as far as practicable, what outside means of an illegal or improper character had been employed by the applicants, their agents, or attorneys, to secure the success of their several schemes. It is one question to ascertain whether members of Congress have been corrupted by those who were interested in securing their votes and influence, and a totally different question whether the means used by the applicants were improper, and were so used to influence the judgment, control the action, and fix the votes of members in favor of their particular measures.

Preparatory to an examination and discussion of these points, it is necessary to fix the standard of representative character, and ascertain the obligations of representative duty.

The character of the representative of a free people, especially in its highest halls of legislation, should not only be pure, but it should be beyond the reach even of suspicion. It should be frank, manly, incorruptible in all respects, and unapproachable by those who are interested in the results of his action. This is the character with which he is invested by the constituent body, and that constituent body has the right confidently to expect to see this character reflected in his legislative conduct. Any departure from this high standard fixed by the people, and reflected in the institutions under which we live, shocks the moral sentiment of the country, and inflicts a mortal stab upon the influence, power, and permanency of the government. The highest standard of moral propriety should exhibit itself in every act connected with the public trust with which he has been clothed. Such being the only standard which the representative should be willing to recognise, his life and conduct should be such as to be a standing advertisement to the world, that to approach him in any other than an honorable cause, or to seek his services in any other than the advancement of honest and just schemes and measures strictly within the bounds of the constitution and laws of the land, would be an outrage of so grave a character as to merit and receive the sternest rebuke and the severest punishment. The man who fixes this standard will have no difficulty in ascertaining his obligations of representative duty. Those representative obligations require him to take the constitution and laws as the infallible rule of his conduct, to protect and uphold right and justice, and to rebuke dishonesty and impropriety in every shape and form in which they may approach him; whether they be sustained and endorsed by power and patronage, clothed in the gilded blandishments of well-conceived fraud or well-directed flattery, or assailed by that still more powerful tempter and demoralizer, large pecuniary reward, or the more insinuating seductions of social life. Such is the standard, according to the views of the undersigned, of representative character and the obligations of representative duty.*

The means and appliances which are resorted to by interested parties to secure the success of their measures are numerous, and such as are supposed to be adapted to the character, views, necessities, and objects of those who are to be influenced. Ambitious views are held up to tempt some, pecuniary considerations have their influence upon others; and a third class, who possess in a high degree social qualities, who cultivate and enjoy the pleasures of social intercourse, have such temptations spread before them in the greatest profusion and richest abundance. Those who are employed in the prosecution of claims, or are endeavoring to secure the success of measures of a personal or private nature, are generally shrewd, experienced, and intelligent—who have

* The undersigned readily concede that the evidence does not show that money has been offered to members of the present Congress for their aid, influence, or votes in favor of any particular measures; nor does it show that money has been offered to induce them to oppose any particular measure which has been or is now before Congress; nor is there evidence to show that they have been improperly influenced in their action.

seen much of the world and its ways, and who have schooled their thoughts and tasked their energies to devise the best means of compassing their ends. Such men, by their tact and talent, know what means can be used most effectively—what appliances will be most likely to secure the end they are seeking to attain; and, as their profits are most generally contingent, they are ready to use such as will, in their view, apply to the case of each individual. Dealing with such men, it is exceedingly difficult to get at the exact state of facts in such investigations as this committee have been prosecuting; and hence it is that the evidence herewith presented proves that they have refused to respond to such questions as will show the amount of money or other means which they have used to secure the success of the schemes in which they are interested, and the exact individual application of the money.

Agents, attorneys, and letter-writers have been employed, as proven by the testimony, to urge the passage of Colt's and other bills; and yet, when the committee came to inquire as to the amount of money which had been expended for these purposes by these persons, it was found impossible to get definite information that was in any degree calculated to inform the committee either as to the amount expended, or as to its application. Witnesses refused to answer inquiries directed to them on these points, on the ground that the committee had no right to inquire into their "*private business*;" sufficient, however, was obtained to satisfy the undersigned that means had been improperly used to secure the passage of various bills mentioned and referred to in the testimony; that combinations had been proposed and formed by various interests, and that, in some instances, these combinations had been successful.

The undersigned believe that it is clearly established by the testimony that money has been liberally used to secure the passage of bills, and they verily believe that much more evidence could be procured if time had been allowed the committee to make a more thorough investigation of the facts connected with the measures which have been, or are now, pending before Congress.

The testimony of Joslin shows conclusively, in the judgment of the undersigned, that Dickerson has received, since last fall, the sum of fifteen thousand dollars of Colt's money. For what purpose was it received, and how has it been expended? Joslin, the book-keeper of Colt for five years past, states most distinctly that he does not know for what purpose the money was received by Dickerson; that the books do not show the items which make up the said sum of fifteen thousand dollars; and that he has no knowledge, either from information or otherwise, on that subject. If the transactions between these parties were fair, why this concealment? Why do Dickerson, Colt, and Joslin, all of whom, or at least two of whom, know the facts, carefully and studiously withhold them from this committee and from the country? If all were fair and above-board, if money had only been used properly and for legitimate purposes, can it be supposed for an instant that Mr. Dickerson, who has been the active agent of Colt, and who knows how every dollar has been applied, would have declined, as he has done, to give the committee full and satisfactory information on a point of so much consequence and importance to his principal? Can it be supposed that Colt himself has received no information from Dickerson

as to the manner in which the money has been used, or the objects to which it has been applied? According to the testimony of Joslin, Mr. Colt manages his business most carefully, so carefully and closely as to deny all discretion even to his confidential book-keeper, except in very small and unimportant matters, and under the most inexorable necessity. This is clear from the testimony of Joslin himself, who states that his power and authority were so limited and restricted, that he could only purchase an occasional cart-load of coal, or do some other act of no greater importance. When Mr. Colt is thus particular in the management of his business, when he strips his agents of discretion to so great an extent, the inference that he knows nothing of the moneyed transactions between himself and Dickerson is not warranted by the facts, as shown by himself and his most deeply interested attorneys.

If this sum of fifteen thousand dollars had been drawn from Colt for the legitimate purpose of paying for professional services, that fact would have been shown by the items which make up Mr. Dickerson's credits, and those items would have been clearly and distinctly set forth upon the books. If the money had been applied only to legitimate and fair purposes, we should have had a full and satisfactory account presented to the committee, which would have shown every dollar that was received, and to whom every dollar had been paid. But as it is, we have a positive refusal to answer on this point; and although he is seeking legislation, a studious, and so far a successful, effort has been made to withhold all information where it should be his pleasure, as it is his duty, to make a full exposure of all the facts of the case, that the people and their representatives may know whether money has been used corruptly or improperly with a view to influence and control legislation. This was one of the purposes for which this committee was organized, and that purpose has been thwarted, so far as was possible, by positive refusals, on the most trifling pretexts, to respond to the plainest questions by those who knew the facts, and have shown by their conduct that it was their interest to conceal them.

The money has been used, as the evidence shows, in paying the costs and charges incurred in getting up costly and extravagant entertainments, to which ladies and members of Congress and others were invited, with a view of furthering the success of this measure. The ladies, having been first duly impressed with the importance of Colt's pistol extension by presents of Parisian gloves, are invited to these entertainments; and the evidence shows that, while there, members of Congress are appealed to by them to favor this particular measure. In the language of a witness, "*a dead set*" was made at the Hon. Gilbert Dean to induce him "to go for the renewal of Colt's patent." Whether the same sort of social influence and appliance was brought to bear upon others who were invited to dine or sup at that handsome establishment, we have no means of ascertaining, as Mr. Dickerson has not given us the names of his guests, and has not, therefore, furnished us with the means of getting at the facts. Mr. Dickerson seems to have adopted the rule that—

"To reach the heart or get the vote,
The surest way is down the throat."

The undersigned believe that all such means of operating upon the social disposition of those who are to decide the question are improper, and they cannot excuse their use by the agent and attorney of Colonel Colt.

The well-settled and clearly-defined principle of law is, that refusals to answer, evasive answers, general answers to specific questions, are all strong evidences of fraud and impropriety of conduct on the part of the witness. If this be true as a legal proposition, then the evidence in this case warrants but one conclusion, and that conclusion unfavorable to this application.

In this case and others, the parties interested have endeavored to form such combinations as would give strength to their measures, and would be most likely to insure their success. Hence we find, that persons who had determined to oppose Colt's extension, unless they could get some satisfactory arrangement which would protect and promote their own interests, after taking the necessary steps to make their opposition effective, returned home, and from that day to this we hear nothing more of their opposition to Colt's bill. It is in evidence, also, that a contingent fee of \$10,000 has been offered by Dickerson to an active opponent of Colt's bill, to buy off his opposition and to secure his countenance and support to that measure. These parties met on several occasions to agree upon the terms, and to the disgusting details of their conferences on those occasions, as detailed by themselves, the undersigned invite the attention of the House, assured that there can be but one opinion, and that entirely unfavorable to both Day and Dickerson.

The undersigned also invite attention to the letters addressed to Day by Messrs. Clemens and Levin, under dates respectively of the 28th and 29th days of December last, as follows:

[Private.]

DECEMBER 28, 1853.

MY DEAR SIR: Colonel Clemens has telegraphed Mr. Dickerson, urging a compromise, and advising him to see you, as your influence is formidable here.

Yours, truly,
H. H. DAY, *New York.*

L. C. LEVIN.

WASHINGTON, *December 28, 1853.*

DEAR SIR: I look for Mr. Dickerson to-morrow. As soon as he arrives, I will ascertain how far I can arrange matters to your mutual satisfaction. If I think I can do anything I will telegraph you. Send me your address by return mail, so that I may be sure a telegraph will reach you in time.

Very respectfully, yours, &c.,

JERE. CLEMENS.

H. H. DAY, *New York.*

[Confidential.]

DECEMBER 29, 1853.

MY DEAR SIR: Mr. Clemens has again telegraphed Mr. Dickerson, urging a compromise; and Mr. D. will probably, by this time, have seen a certain *chemist*, a particular friend of yours, on the subject.

I sincerely regret that you did not keep your appointment with Mr. C. on Tuesday night, as I am sure it would have resulted in great good to all the parties. Mr. C. and his friends have taken the initiatory steps, and will do all in their power to reconcile the conflicting interests.

In haste, yours, faithfully,

L. C. LEVIN.

This combination is evidenced by another fact of striking force and significance. We find the same agents and attorneys acting in behalf of the same bills, patent, railroad, &c. This would hardly be the case unless such combination were indispensable to success. Men who have good measures are generally willing to allow them to stand or fall on their own merits or demerits, without seeking support from other sources. Such has not been the case, however, with Colt's application, if the evidence is to be believed.

Another fact that must not be overlooked is, that in Colt's case a most extraordinary and unusual number of agents and attorneys have been employed to urge the passage of the bill by Congress. We have Messrs. Dickerson, Clemens, Levin, Ashmun, Chase, and Thompson, and the half-dozen Thompson employed, but whose names he declined to mention, on a very frivolous pretext. It is not at all improbable that there are others, as upon this point also there has been a studious effort at concealment.

Now what is the fair, the legitimate, the only inference, from the extraordinary array of outside influence in behalf of this particular measure? Can further evidence be necessary to show that the application is devoid of merit, that far greater reliance is placed upon outside influence than upon any intrinsic merit the application possesses?

The evidence shows another important fact, that the letter-writers for the daily press who have been admitted to desks on the floor of the House are very generally regarded as the most efficient agents who can be employed by those who have measures to advance. Although these letter-writers, before they can obtain a seat within the House, are required to give a personal pledge of honor that they are not "employed as agents to prosecute any claim pending before Congress," yet we find that, in utter disregard of this pledge and its spirit, they have been employed in many of the railroad, patent, and other schemes which have engaged the attention of Congress during the present session. The evidence taken by the committee will furnish information as to those persons who have been so employed, and their names are herewith reported for the action of the House.

This rule of the House is a wise and proper rule, and all must admit its necessity. It is a wholesome restraint intended to protect the order, purity, and dignity of the House, and promote fairness, independence, and integrity in the press. Permit these semi-officials to

violate the spirit of this rule, and a set of unscrupulous busy-bodies will be introduced upon the floor of the House, besieging members within the hall with their importunities, specious arguments, and misrepresentations of fact. Their mutual social intercourse will be debauched by the corruption which makes the letter-writer state a falsehood to procure his seat, and by the venality which makes him an agent for claims, bills, &c., in violation of his honor.

This class of men, controlling the newspaper correspondence of the country, moulding public opinion, and fixing the public estimate of men, can exert a power over those desirous of notoriety more injurious and destructive than social influences or venal temptations. To permit these men to obtain or hold a seat in the House in violation of the wholesome restraint imposed by the rule, is to subject them to the certainty of corruption, the members of the House to the certainty of annoyance, the possibility of improper individual influences, and the absolute certainty of suspicion and imputation.

The evil does not stop here. Without the order and restraint of a court of judicature, without the training and professional culture of the professional lawyer and the exercise of his talents in an open forum, surrounded by equals, rivals, and antagonists, they will here not only ply their secret work, but by the very opportunities of their trade, and the facilities of their semi-official position, under the influence of large contingent fees, manufacture opinions for any part of the country to come back and react upon Congress. The stream of pollution thus emanating from the Capitol is constantly full. The public opinion thus manufactured is taken and received as the fair test of the merit of men and measures by the less inquiring and the more easily satisfied minds of the country. These are some of the considerations which prompt the employment of this class as agents and advocates, and secure for them large compensation, actual and contingent, pecuniary and other. This is their trade, and the evidence before the committee leaves no room to doubt that it has been prosecuted with remarkable energy and success.

The committee entered upon the discharge of their duties so soon as the vacancies occasioned by members declining to serve had been filled, and they have prosecuted their investigations daily from the 12th day of July, with the exception of one legislative day only. Witnesses have been summoned who are yet unexamined, and the committee regret to say, that it will be impossible to examine them now before the close of the session. If deemed advisable, the investigation can be resumed at the opening of the next session, when more time will be allowed, and when a better opportunity will be afforded for securing information on this subject. In the opinion of the undersigned, the matter is of sufficient importance to justify a more careful, extensive, and thorough examination than it has yet received from this committee.

J. LETCHER,
THO. RUFFIN,
NORMAN EDDY.

Report of Mr. Zollicoffer.

The undersigned cordially concurs in the general conclusions and recommendations of the report signed by the chairman and Messrs. Ruffin and Eddy; but not being positively assured of the precision of the opinions expressed upon certain details of the testimony, abstains from undertaking to state, in detail, the particular impressions produced on his mind as to the force and bearing of the several branches of testimony elicited by the investigation. That testimony has now been placed before the House and the country for dispassionate examination. The committee have been instructed to examine witnesses and investigate facts. These instructions have been executed to the full extent afforded by time and circumstances. That work having been thus performed, the record of the results of their labor is herewith submitted. Whether it is now the duty of the committee to go further and present to the House (in advance of any inspection by the House or the country of that record) the individual impressions of its members as to the force and character of the testimony produced, admits, in the opinion of the undersigned, of some doubt. Possibly the details of these individual opinions of members would not be the same with any two members of the committee. In this view, the undersigned doubts whether, in justice to himself and to parties involved in the implications of testimony, he could undertake to comment upon details, without more time for careful expression of opinion than is now at his command.

He therefore contents himself with pointing to the record, with the statement, in conclusion, of his opinion, that the testimony discloses that very improper practices have been resorted to by agents, attorneys, and letter-writers, to secure the passage or defeat of bills before Congress, which it is the duty of Congress promptly to expose, rebuke, and restrain, as far as in its power.

F. K. ZOLLICOFFER.

Report of Mr. Eliot.

The undersigned, member of the committee appointed under the resolution of the 10th July, while he cordially concurs in the preliminary suggestions, and in the general views made and expressed by the honorable chairman of the committee, is, nevertheless, unwilling to withhold an expression of his opinion upon the evidence thus far received by the committee affecting the application of Colonel Colt for the extension of his patent; and he feels constrained to this course because, while an honorable man will instinctively recoil from any appearance of dishonest practice, it is eminently his duty to be in the highest degree careful that his sense of right shall not suggest official action which may injure others, until constrained to that course by clear conviction of duty, resting upon proofs rather than upon inferences from facts which, although of suspicious character, may be satisfactorily explained.

No language can with too great emphasis enforce the absolute necessity of independent and of untrammelled action by members of Con-

gress in all their deliberations and official proceedings, within and without the halls of Congress. Our legislation will become a mockery, and our institutions a reproach, when the delegated power of the people shall be so used as to justify a suspicion of corrupting influence successfully exerted upon its exercise.

By the terms of the resolution of the 10th of July, the committee were instructed to "inquire whether money has been offered to members, or other illegal or improper means used to induce members to aid in securing the passage or defeat of a bill to extend Colt's patent for seven years; and, also, whether money has been offered to members, or other illegal or improper means used, either directly or indirectly, to secure the passage or defeat of any bill before Congress."

And they entered forthwith upon the discharge of the duties imposed upon them. It became at once obvious, that in reference to the application of Colonel Colt, so far as one source of inquiry was concerned, it would be impossible for the committee to proceed because of the refusal on the part of the witnesses examined to state the amount of money which had been expended, and the names of agents employed in aid of the application in behalf of Colonel Colt.

A recurrence to the terms of the resolution will show that the inquiry demanded of the committee concerns members of Congress. Has money been offered to them? Have illegal or improper means been used to induce them to aid or defeat the Colt application? And the inquiry, whether means have been resorted to which might be questionable, or which would be wrong to enlist other persons, whether male or female, to aid the application of Colonel Colt, would be pertinent only so far as it should appear that consequent upon the use of those means was some action bearing upon a member of Congress. So far as the committee have been able to ascertain facts, it would seem that no approach has been made from any quarter to any member of Congress with money. It is possible that some agent whose name has not been discovered to the committee may have facts to the contrary within his knowledge; but no such fact yet appears, and the testimony to the contrary is positive. It may be the duty of the committee to insist upon a disclosure of the names of all the agents who have been employed. They have not done so. It will be for the House to determine the extent of their duty in this particular. But without doing so, and in presence of the testimony as it now stands before the committee, it would seem but fair to say that, upon the proof, it does appear that no money has been paid or offered to members to affect their action. If this be so, money offered or paid to other persons is not material to the inquiry, unless so offered or paid for the use of or to affect the action of a member. But this is disproved by the present testimony, and ought to be considered as disproved, until the committee have ascertained the name of every agent employed, and have exhausted the means of information which might then be open to them.

It will appear, from the testimony before the committee, and now reported to the House, that one of the agents of Colonel Colt has furnished entertainments at which certain members of Congress have been present, and that more than one of those agents have at different times presented pistols to certain members. The facts connected with these

transactions appear in the evidence. So far as the motives which induced these entertainments and these gifts have been made the *subject of proof*, it would not seem to the undersigned that evidence of improper motive exists. Inferences not favorable to the attorneys may be drawn; these are negatived by their oaths. And it appears that the pistols were received under circumstances which would not justify the inference that they could have been received with the knowledge, or under any impression, that an improper motive operated to induce the gift.

The undersigned cannot hesitate to condemn the practice of attempting to influence members of Congress in any way except by argument and proof.

Whether an invitation to dinner given and accepted is reprehensible, and to what extent, or whether a pistol given and accepted is given as a means to affect legislative action, must, of course, depend upon the circumstances connected with each case; and how far the committee have arrived at the facts connected with these entertainments and gifts, the reported evidence will disclose to the House.

The undersigned is not prepared to say that there may not be reason to infer, from the evidence before the committee, that one or more of the agents who have been engaged in behalf of Colonel Colt have used means that are not justifiable.

Such inference may be drawn, first, from the fact disclosed, that a large sum of money has been expended in aid of the application, and that the principal attorney of Colonel Colt was willing to pay money to ward off opposition; and, secondly, from the facts within the knowledge of Colonel Colt, or his attorneys or book-keeper, and withheld from the committee.

But unless the committee proceed further than they have gone, and insist upon disclosures not yet made, it would not, in the judgment of the undersigned, be fair or right to conclude that, within the terms of the resolution, and upon the proofs as now presented, money has been offered or paid to members of Congress, or for their use and benefit, or other improper means used to affect their action. And in regard to the willingness to pay money to ward off opposition, testified to by Mr. Dickerson, the legitimate inference is, that a willingness existed which resulted in no action.

Some of the facts withheld by the witnesses the committee deemed to be important; but, at this late period of the session, it was obvious that no action could be had by the House, if application had been made in season to enable the committee to continue their investigations. The fact remains, that no application was made to the House to enforce answer to any interrogatory propounded by the committee; and the undersigned cannot agree that Colonel Colt should be now held so far responsible for such refusal to testify as that a judgment should be formed against the merits of his case.

The undersigned does not intend to intimate an opinion in favor of the application itself. Whether the patent should be extended is an independent question. Such extension may be refused, whatever the result may be of the investigation of this committee.

Among the witnesses who have been examined before the commit-

tee, have been several engaged as letter-writers and correspondents, who occupy seats upon the floor of the House. It has appeared that some of these persons have been engaged in behalf of several bills which have been pending before Congress during the present session. The rule regulating this matter is the 19th rule of the House: "And no person shall be admitted, under the rules of the House, as a reporter for any paper, or stenographer for any paper or papers, who shall be employed as an agent to prosecute any claim pending before Congress; and the Speaker shall give his written permission with this condition."

In the judgment of the undersigned, the condition, prescribed by the rule as it now stands, refers to claims against the government of the United States pending before Congress, and does not include bills introduced in the usual order of legislation before Congress.

The undersigned is not prepared to recommend that the committee should be discharged from the further consideration of the subject of the Colt application, if, in the judgment of the House, it shall be pertinent to inquire further into the facts concerning which evidence has been withheld by the witnesses.

And he recommends that the committee have leave to continue their investigations upon other matters within the range of the resolution under which they were appointed.

THOMAS D. ELIOT.

Report of Messrs. Wheeler and Thurston.

The undersigned, a member of the select committee, who were instructed to "inquire whether money has been offered to members, or other illegal or improper means used to induce members to aid in securing the passage or defeat of a bill to extend Colt's patent for seven years; and also whether money has been offered to members, or other illegal or improper means used, either directly or indirectly, to secure the passage or defeat of any bill before Congress," respectfully report:

The committee entered upon the discharge of their duties soon after their appointment, and summoned before them *all* the witnesses whose testimony it was *believed* could throw light upon the subject; among them were Colonel Colt himself, his attorneys, and his book-keeper. From the evidence thus elicited from persons who must have known the *most* about whatever was done to secure "Colt's extension," the undersigned is compelled to say, that *nothing has been proved* tending to show that money has been offered to members of Congress, or other illegal or improper means used to affect their action, or that any improper means have been employed by members to influence unduly the action of Congress; but the testimony taken is submitted to the House, and each member thereof can form his own opinion thereon. All of which is respectfully submitted.

JOHN WHEELER.

I concur in the above report.

B. B. THURSTON.

PROCEEDINGS OF THE COMMITTEE IN THE COLT PATENT CASE, &c., &c.

IN THE HOUSE OF REPRESENTATIVES,

July 10, 1854.

On motion of Mr. J. Letcher,

Resolved, That a committee of seven members be appointed to inquire whether money has been offered to members, or other illegal or improper means used, to induce members to aid in securing the passage or defeat of a bill to extend Colt's patent for seven years; and also whether money has been offered to members, or other illegal and improper means used, either directly or indirectly, to secure the passage or defeat of any bill before Congress; and that the said committee shall have power to send for persons and papers, with authority to examine witnesses on oath.

Ordered, That the following members be appointed said committee, viz: Mr. John Letcher, of Virginia; Mr. B. B. Thurston, of Rhode Island; Mr. T. L. Clingman, of North Carolina; Mr. T. D. Eliot, of Massachusetts; Mr. Norman Eddy, of Indiana; Mr. F. B. Cutting, of New York; Mr. F. K. Zollicoffer, of Tennessee.

Attest:

J. W. FORNEY,

Clerk House of Representatives U. S.

IN THE HOUSE OF REPRESENTATIVES,

July 10, 1854.

Ordered, That Mr. Ruffin be appointed a member of the select committee, under the resolution of the House of the 8th instant, in the place of Mr. Clingman, *excused*.

JULY 12, 1854.

Ordered, That Mr. Wheeler be appointed a member of the said committee, in the place of Mr. Cutting, *excused*.

JULY 12, 1854.

Ordered, That the said committee be authorized to employ a clerk, at the usual rate of compensation.

Attest:

J. W. FORNEY, Clerk.

ROOM OF THE COMMITTEE OF CLAIMS,

July 12, 1854.

In pursuance of the foregoing resolution and orders of the House of Representatives, the committee met this day.

Present: Messrs. Letcher, Eddy, Cutting, Ruffin, Zollicoffer, and Eliot. Absent: Mr. Thurston.

The chairman laid before the committee a letter received from the Hon. Jere. Clemens, which was directed to be entered on the minutes, as follows:

WASHINGTON, July 10, 1854.

DEAR SIR: I see from the papers, and have heard from other sources, that you are chairman of a committee appointed by the House of Representatives to investigate whether any illegal or improper influences have been brought to bear upon members of Congress to secure the passage of any bill before the present Congress.

The amendment made to the original resolution offered by you is so comprehensive, that I have not the slightest idea all the subjects it embraces can be disposed of by the present Congress.

To Colonel Colt, *delay* is almost equivalent to a rejection of his claim, because he cannot go on to complete his works while it is uncertain whether Congress will permit him to reap the benefit of them. Besides, it was upon his patent that the charges were made which brought out your resolution; and I therefore ask, as a matter of justice to him, that an immediate and thorough examination may be made, so that there shall be no pretext for delay on Friday next.

I am and have been for a long time his attorney, and ought to know as much about his business as any one in Washington. I am ready to appear before the committee at any moment to give my testimony in the case.

If his case is not taken up at once, I am fearful it will not be reached at all; for if it is contemplated, as I understand it is, to investigate the means and influences which were brought to bear to secure the passage of the Nebraska bill, that subject alone will occupy more time than the day of your adjournment allows you.

I am, sir, very respectfully, your obedient servant,

JERE. CLEMENS.

Hon. J. LETCHER,

Chairman of Select Committee, &c., &c., &c.

The following witnesses were directed to be summoned to appear before the committee at the room of the Committee of Claims:

Hons. T. L. Clingman, Mr. Noble, G. W. Jones, C. J. Faulkner, O. B. Matteson, D. Mace, M. C. Trout, House of Representatives; Hon. J. Clemens; Mr. Chase, letter-writer and reporter; Mr. Brega, letter-writer and reporter; Mr. Christopher Colt, Paterson, N. J.; Mr. Edward N. Dickerson, New York city; Mr. Thompson, letter-writer and reporter; Mr. D. A. Wright, New York Day Book.

Whereupon, the committee adjourned to meet to-morrow morning, at nine o'clock, at the room of the Committee of Claims of the House of Representatives.

THURSDAY, JULY 13, 1854.

The committee met pursuant to adjournment. Present, all the members.

The chairman nominated James L. Woodside as clerk to the committee, and he was accordingly chosen.

The Hon. T. L. Clingman appeared before the committee, and, being duly sworn, testified as follows:

Question by the Chairman. State to this committee what information you may have in regard to the use of money, or of other illegal or improper means, to secure the passage or defeat of the bill for the extension of Colt's patent, or of any other bill now pending, or which has been, before Congress.

Answer. I do not remember of any offer having been made directly to any member of Congress, or having witnessed any payment of money to members of Congress. My information is mainly derived from conversations with sundry persons, which I can detail if agreeable to the committee. Mr. D. A. Wright, of the Day Book newspaper, and the Hon. Mr. Westbrook, of New York, were in my room last week, not more than a week since, and the conversation turned upon the Colt patent extension, and the amount expended to obtain the passage of the law for the extension. Mr. Wright said the cost would be not less than sixty or seventy thousand dollars. On expressing my surprise, he repeated the statement, and said he thought it would be that amount, because he had been present at an interview between Mr. Colt (a brother of the patentee) and a member of Congress, in the room of the former, during the present session, and that they were computing the amount expended, and made it sixty or seventy thousand dollars. He declined to mention the name of the member of Congress, saying that he was a friend of his. He also spoke of another interview with Mr. Colt, in which that gentleman said to him, if he would come up to his room, he would like to give him a pair of pistols, but that he never did go or receive them. I think that is the substance of the conversation. Mr. Wright also spoke of having had another conversation, at another time, with the Hon. Mr. Dean, in relation to the same subject. The Hon. Mr. Noble, of Michigan, also mentioned to me in the House, last week, that he had had a conversation with a friend or acquaintance of his, who, I think, he represented to be a clerk in one of the departments. This person expressed great anxiety to him that the patent bill should pass. On his expressing his opposition, this person went on to say, that its passage would help him "pretty smart." On Mr. Noble's asking him "how much," he said he would get \$200 if it passed. I did not ask the name of the clerk, nor do I know in which of the departments he is employed. Mr. Noble said he jocularly and laughingly remarked to the clerk, that if the sum was \$2,000 it might be an object; but that \$200 was too small.

Mr. Matteson, of the House, once or twice remarked to me, this extension is altogether wrong. Many of our acquaintances, good clever fellows, said he, are very anxious for the passage of this thing, and are saying that it would be something very handsome for them if it could pass; but, said he, it is altogether wrong. He said there was a great pressure by some of our acquaintances, who were good clever fellows. They were urging its passage, and said it would be a handsome thing for them. I inferred that he did not allude to members of Congress, but to persons outside. He made use of strong expressions of repugnance to the measure.

I one day spoke to the Hon. G. W. Jones, of the House, and said to him, that I understood some offers had been made, or something had been said to him, on the subject of Colt's extension. He replied that

a gentleman had said to him (Jones) that he (the gentleman referred to) had heard a person say that he (Jones) could get \$50,000 if he would go for this thing. Mr. Jones said, further, that he did not ask who it was who made such a declaration. I then asked Mr. Jones who was the person who made the statement to him. He answered that he would not tell. I said to him that if he should be called before a committee, he would have to tell. He answered, I did not make any inquiry about it. In the evening of the same day, Saturday last, about sunset, as I was going up the avenue, I met Mr. Jones in front of the Kirkwood House. Mr. Wallach, of the Star newspaper, was present, or about the same spot. Mr. Wallach remained in conversation with Mr. Jones an instant, whilst I was talking to another person. Mr. Jones turned round and said to me, in the hearing of Mr. Wallach, I think: "Clingman, the man who spoke to me about that matter was Nicholson, the editor of the Union. He said to me one day, when I was in his office: 'Jones, I heard a man say you could get \$50,000 if you would vote for the Colt bill.' I did not ask who the man was, nor did he say." I then inquired of Mr. Jones whether the remark was made to him in jest or earnest. He replied that he did not know, for he had inquired nothing about it. That was the end of the conversation.

I remember, early in the session, a few days after I made some remarks against the Colt bill in the House, as I was walking through the Capitol grounds with the Hon. Mr. Mace, he referred to my remarks against the bill, and spoke of the efforts making to get it through. Now, said he, I have a little son, only eleven or twelve years of age, to whom I am of course very much attached. I was not aware that any of these parties knew I had such a son, but the other morning some one sent around a handsome Colt pistol, as a present to the little boy. How cunning and shrewd, said Mr. Mace, these fellows are in finding out everything.

On Friday evening last, about sunset, as I was taking a walk up the avenue alone, I was met by a Mr. Latham, whom I understand to be a banker in this city, and with whom I have been somewhat acquainted for nearly twelve months past. He stopped me and said, in an earnest and anxious manner, "What will be the fate of the Colt bill, or will that Colt bill pass?" I answered, I do not know, but I am myself opposed to it. "Well," said he, "I am very anxious about it. Have you read the report of the committee?" Yes, said I, and in my judgment it furnishes no ground to support the bill. "Well," said he, "I want to talk to you about it, for I feel a very great concern in the matter." I answered that I had read the argument of Mr. Clemens, the counsel, and it furnished no reason for the passage of the bill. He then said, "But have you read the report of the Senate committee?—that explains all about it." I told him I did not think I had read that. He said he was anxious to have a talk with me about the matter. I told him I doubted if I had the time to spare, and that I did not think my opinion was likely to be changed by anything he could say. He appeared anxious to continue the conversation, but I told him I was taking a walk for exercise, and did not wish to be then detained, and we separated.

I received yesterday morning a letter signed F. C. Treadwell, jr., which I have handed to the chairman of this committee.

The chairman here read the letter referred to, which was directed to be entered in the minutes, as follows:

Bribery.

NEW YORK, July 11, 1854.

DEAR SIR: On Saturday night, the 24th of June last, I caused to be mailed a few printed remonstrances against the extension of Wm. R. Nevins's patent, which has been dead four years. I sent but few, intending to send a few every day, until one had been mailed to every member. By return of mail I received a letter franked by Hon. H. Bennett, who was one of the members I had addressed. The letter was as follows, to wit:

WASHINGTON, June 26, 1854.

"DEAR SIR: How much money will you and other bakers in the city of New York pay to me, or my order, if by any action or agency of mine the bill (now in the hands of the Committee on Patents in the House of Representatives, and not on the Speaker's table, as you suppose) should be *defeated where it is*, and not reported to the House? I mean the bill for the relief of Wm. R. Nevins.

"Please enclose the answer to me, directed to the Hon. G. W. Chase, M. C., Washington, D. C., and oblige,

"Yours, &c.,

H. B. BABCOCK.

"F. C. TREADWELL, JR., Esq."

Now, this Mr. Babcock is a friend of these two *honorable members* to whom Mr. Bennett turned over my statement, that he might make what speculation he could out of my necessities. I got a friend to telegraph to both of the honorable gentlemen if they knew Mr. Babcock, and could he be trusted. The reply was as follows: Despatch to "Mr. Bennett, M. C. New York, June 27. Do you know H. B. Babcock, and can he be trusted in a matter of business? Miles B. Andrus, 17 Wall street." Reply. "Miles B. Andrus, 17 Wall street. I know him, and think he can. H. Bennett." The original answer is on file at House's Printing Telegraph, Washington.

Babcock's original letter is in my hands, and I will send it to you, with an affidavit of the foregoing facts, if you see fit to make use of it before the committee, and will write me for them. Now, sir, here is a patent that has been dead four years sought to be resurrected into life by special legislation, at the expense of the public and of individuals who are engaged in the manufacture of bread for the sustenance of our navy and whole mercantile marine; and when I send a printed remonstrance, setting forth the facts, or some of them, I am turned over to this vampire. Are mechanics and manufacturers to be compelled to pay tribute to members of Congress and their friends to *prevent being legislated out of business* by bills for the relief of somebody?

Yours, truly,

F. C. TREADWELL, Jr.,
110 Beckman street, New York.

Hon. Mr. CLINGMAN,
House of Representatives.

P. S. Mr. Skelton knows me, Mr. Tweed and Mr. Cutting.

The following is a copy of the printed remonstrance referred to in the above letter :

Tax on Bread.

The bill for the relief of William R. Nevins has passed the Senate, and is now on the Speaker's table in the House of Representatives. The petitioner asks that so much of the 18th section of an act entitled "An act to promote the progress of the useful arts, &c.," passed July 4, 1836, be repealed as will enable him to apply before the Commissioner of Patents for a renewal of his patent for a "machine for rolling dough and cutting crackers," dated March 2, 1850, he having failed to avail himself of the benefit of the law by application to the Commissioner of Patents, as prescribed in said section of said act.

The patent expired more than four years ago, and has been public property ever since; and the passage of W. R. Nevins's bill would cause serious hardship to a great many who have invested capital in the manufacture and use of the machine in question, believing they had a perfect right to do so. The bill does not grant the extension of the patent, but it does that which is nearly equivalent—it reinstates him in a position that he has abandoned by his own act, in not making application to the Commissioner of Patents before the patent expired, and enables him to revive an old claim which the public very justly supposed was dead and buried by limitation more than four years since, and never could have dreamed that it would be revived again by a repeal of the patent laws, which are the only safeguard of the people against trespass on each other's rights.

It is unnecessary to say much on the subject, as I am satisfied that, upon examination, you will readily see the injustice of the whole matter, and act accordingly.

Now, a few words about the invention: In 1836 W. R. Nevins obtained a patent of a machine well known and publicly used long before, (previous to the act of 1836 a patent could be obtained for anything, whether useful or otherwise,) which he abandoned, because it was no better than those in common use at the time; and in 1848 (twelve years after) he obtained a re-issue of the patent, with amendments covering all improvements made by others. For, during the twelve years' interval, others were engaged in the manufacture and sale of the machines, and had made many valuable improvements, not known at the date of the patent, which made it really a useful machine, and almost necessary to the baking business; but, by his amended specification in his re-issued patent, he incorporated and claimed all the improvements made by others between the years 1836 and 1848, which in the law is *prima facie* evidence of his invention, no matter how obtained; "the court awards it, the law allows it," and the people must submit.

The passage of Mr. Nevins's bill would do great injustice to many who have improved the machine since the expiration of the patent, some of which improvements have been patented and will become entirely worthless to the inventors, who have been promised protection by the very laws which this bill seeks to destroy.

F. C. TREADWELL, JR.,

Baker, No. 110 Beekman street, N. Y.

Hon. T. L. Clingman's answer resumed.

The Hon. Mr. Faulkner, of Virginia, told me that a constituent or friend of his had been here during the present session, and had gone to see him at his house, and inquired what was the chance of the passage of the Wisconsin bill. Mr. Faulkner told him he was opposed to its passage. This person went on to say that he had been engaged to work for it as an agent, and that if it passed he was to have \$2,000. In the course of the conversation, this person said that he believed Mr. Faulkner was right in opposing it and all such schemes; but, nevertheless, said he was trying to operate for it.

Mr. Brega said to me last evening, or the evening, before that a gentleman, who was the attorney for those interested in defeating the Colt patent, had, early in the session, made him a large offer, or a considerable offer, if he would assist in defeating the Colt bill. Mr. Brega remarked, further, that he would like to be called upon to testify before the committee in relation to the matter.

Hon. T. L. Clingman, cross-examined.

Question by Mr. Eliot. In your first statement you said you "did not remember seeing money paid to any one." Are you not able to say more definitely that you never did see money or other articles paid or given for the purpose of affecting the legislation upon Mr. Colt's application?

Answer. I am confident I have seen no money paid, nor any offer of any valuable consideration, to any member of either house of Congress.

Question by Mr. Eliot. You said "your knowledge was from others mainly." Please say if you have knowledge that is more personal than what you have stated?

Answer. I have not, as far as I can remember.

Question by Mr. Wheeler. Do you know, of your own personal knowledge, of a pistol or pistols being given to any member of Congress?

Answer. I do not.

Question by Mr. Wheeler. Do you know of anything in relation to the passage of the Minnesota railroad bill, or of any offers to any member of Congress in relation to his vote or influence in regard to its passage?

Answer. Nothing whatever. I remember no conversation with any one who urged its passage except Senator Jones, of Iowa, and Hon. Mr. Henn, of the same State, who pressed its passage on public considerations entirely.

Question by Mr. Wheeler. How did you vote in reference to that bill?

Answer. I voted in favor of it.

The examination of Mr. Clingman being concluded for the day, the committee directed the summoning of the following persons as witnesses, viz:

Hon. Gilbert Dean;

Hon. Henry Bennett;

Hon. G. W. Chase;
 Mr. H. B. Babcock;
 Mr. F. C. Treadwell, jr., 110 Beekman street, N. Y.;
 Hon. Mr. Westbrook;
 Mr. Latham, banker;
 Mr. Miles B. Andrus, 17 Wall street, N. Y.;
 Captain Darling, Washington city.

Whereupon, the committee adjourned to meet at 9 o'clock to-morrow morning, in the room of the Committee of Claims.

ROOM OF COMMITTEE OF CLAIMS,

July 14, 1854.

The committee met pursuant to adjournment. Present: Messrs. Letcher, (chairman,) Thurston, Wheeler, Eliot, Eddy, Ruffin, and Zollicoffer.

Hon. T. L. Clingman, recalled, gave the following additional testimony, viz:

Since giving my testimony yesterday, I saw the Hon. Mr. Cutting, of New York, which circumstance recalled to my recollection, that last week that gentleman stated to me that he had been strongly urged to absent himself, so as to avoid voting on the Colt bill; he observed that there was a very great pressure to get it through. I will also bring to the notice of the committee a letter which I have received, dated 13th July, signed by F. C. Treadwell, jr., enclosing a letter franked by the Hon. H. Bennett to the said Treadwell, and signed by H. B. Babcock.

The committee thereupon directed the said letters to be entered on the minutes, as follows, viz:

NEW YORK, July 13, 1854.

DEAR SIR: Since writing you, I have received the enclosed letter, which tells its own story; observe the frank. Please return this letter to me if you can make no use of it. I will send you the one referred to in my last letter, if you want it.

Yours, truly,

F. C. TREADWELL, JR.,
 110 Beekman street, N. Y.

"How much" will it take to buy up this genius and his friends?

HON. MR. CLINGMAN.

The enclosure referred to is as follows, viz:

WASHINGTON, July 8, 1854.

DEAR SIR: Since writing you a few days since in regard to the "bill" now before the Committee on Patents of Mr. Nevins, for an extension of his patent, &c., I have learned, upon inquiry, that the bill is ready to be reported, and will be when the committees are called for reports, and this bill will be put upon its passage (when reported) under the operation of the "previous question," which, if sustained, precludes all debate, &c.

If the defeat of this bill is of any importance to you and others in New York, please say *how much*, as before written you. I need not say,

if you desire this action taken, you should act promptly, and with as little delay as possible.

Yours, &c.,

H. B. BABCOCK.

Hon. Jere. Clemens appeared before the committee, and being duly sworn, testified as follows:

Question by chairman. Have you been employed by any person or persons to aid, influence, or favor in any way, the success or failure of any measure or measures now pending or which have been before Congress?

Answer. I have.

Question by chairman. At what time or times were you so employed or retained, in what measures or subjects, and by what person or persons?

Answer. I cannot speak positively as to the time I was employed, but it was early in the session; I was employed to aid the passage of Colt's extension and McCormick's extension, and a claim of the Creek Indians; also, to assist in the passage of a railroad bill—to wit, the Rock River Valley railroad. I was employed by Colt and McCormick, and by the president of the railroad company, Mr. Smith; I had no written contract with the railroad or with Colt, but had with McCormick.

Question by chairman. Have you in those cases received, or been promised, directly or indirectly, any pecuniary or other consideration for your assistance and services; and if so, what, and from whom?

Answer. I certainly have, or I should not have labored in the cases. The *amount* to be paid me relates to my private business, with which Congress has nothing to do, and I do not choose to publish my rates of charges. As to Colt, however, I may say that I do not know what I shall charge him; I am employed by him in other business having no connexion with Congress, and expect to be paid for all.

Question by chairman. Will your compensation depend, in any degree, upon the success or failure of the measures aforesaid?

Answer. To some extent certainly, but not entirely.

Question by chairman. Has Colonel Colt, or his agents or attorneys, or Mr. McCormick, or his agents or attorneys, or the Rock River railroad, by its officers or attorneys, presented pistols, money, stock, or other articles of value to any member of Congress during the present session; if so, what, to whom, and at what time?

Answer. I know nothing of the sort done by either of the parties named. I have myself presented several pistols to members of Congress, and should have been glad to present one to every member if I had had them here, in order that they might see the mechanism of the weapon, test its usefulness, and understand its value; but I never supposed that a pistol of the value of some eighteen dollars would bias any man unduly, and presented them for no such purpose; I know not exactly at what *time* this was; the place was Washington; the persons, as well as I can recollect, were Messrs. Ewing, Shower, Richardson, and McMullen. I add, that of this Colt knew nothing, nor did they regard them as coming from him; a part, if not all of these gentlemen, did not even know at the time that I was Colt's attorney.

Question by chairman. How many agents or attorneys are in the employ of Col. Colt in connexion with his bill now before Congress?

Answer. I do not know ; I have employed none ; I spoke to two gentlemen whom I thought could assist me, but we came to no terms, and made no definite arrangement. I should not have hesitated to employ any one to aid me a particle more than I would hesitate to employ assistant counsel in a court of law ; it originates from the necessity of the case ; members will not read long documents on private claims unless their attention is specially called to them ; I doubt if even half the members of this committee are now fully acquainted with Colt's claim. He himself was in Europe, and unless he employed attorneys, there would have been little chance of securing action. The object of employing an attorney, as I understand it, is to present the case fairly, call attention to the documents, and answer, by argument, such objections as may be suggested ; I do not consider them required or expected to use any undue means, and as I certainly never have, and never intend to use such means, I would not employ any one whom I suspected of such practices.

Question by chairman. State whether any understanding exists or has been proposed, or whether any agreement, verbal or written, has been made or proposed, or whether it has been suggested, either verbally or by letter, by any one of the applicants for patent extensions now before Congress, or by his agents or attorneys, to the applicants or their agents or attorneys, who are also seeking patent extensions, to the effect that they would make common cause and sustain the bills of each other?

Answer. To my knowledge no such arrangement has been proposed by either of my clients. I heard that other parties had made overtures to Mr. Dickerson, (Colt's attorney,) which were rejected unhesitatingly.

Question by chairman. State whether any money, or other illegal or improper means, has been used or offered by the opponents of Colt's bill, their agents or attorneys, to secure the defeat of all or either of them?

Answer. I know nothing of this personally. I have strong reasons to believe that such means were used against Colt ; but you will have before you the witness, (Mr. Dickerson,) who knows more about it, and my *opinions* are not evidence.

Question by Mr. Eliot. Is the compensation which you are to receive, on account of Mr. Colt's application or of other claims, pecuniary only?

Answer. Pecuniary only.

Question by Mr. Eliot. Has any money or credit been placed at your disposal, in connexion with any claim you have had charge of, for any purpose?

Answer. Not one dollar for the use of the parties. They have paid me a part of my fees.

Question by Mr. Eliot. Please state from whom and for what purpose the pistols were received by you, and how many you have received in all?

Answer. I cannot say how many. I received a few pistols from Mr. Dickerson. They were left with me, together with some infringements of Colt's patent, chiefly for the purpose of showing the differ-

ence between the genuine and the spurious article. Six pistols were furnished me from the manufactory at my request; and those pistols, when I obtained them, I intended to give away; not, however, particularly to members of Congress. I gave one or two of them to army officers.

Question by Mr. Eliot. Please state whether, to your knowledge, other pistols were in the possession of other persons in Washington, for distribution in any way?

Answer. I know of none except those in possession of Mr. Dickerson and myself. I have some cavalry pistols, unfit and not intended for private use, but for exhibition at the Ordnance Bureau. I have been engaged in calling the attention of that bureau to Colt's pistols.

Mr. Clemens having concluded his testimony, the following persons were directed to be summoned as witnesses to appear before the committee:

John W. Forney, Clerk of House of Representatives U. S.;
A. O. P. Nicholson, editor of the Union;
W. V. McKean;
Hon. F. B. Cutting, House of Representatives.

The committee then adjourned to 9 o'clock to-morrow (Saturday) morning.

SATURDAY, JULY 15, 1854.

The committee met pursuant to adjournment. Present, all the members.

Mr. Edward N. Dickerson, of New York, being duly sworn, testified as follows:

(Mr. D. stated that he desired to preface his testimony by a few remarks which he proceeded verbally to make, and permission was accorded him by the committee to reduce the said remarks to writing, and have them hereafter inserted as a part of the record of this committee.)

Statement by Mr. Edward N. Dickerson.

I am now and have been for several years the confidential friend and counsel of Colonel Colt, the applicant in this case, and have had the entire management and control of the application. Colonel Colt was in Europe when it was made, and continued there until within the last two months; in consequence of which the whole responsibility of this business has been thrown upon me. Under these circumstances, I feel that the attacks which have been made upon the conduct of this application are aimed more directly at me than at any other person, and more seriously affect me than another. I therefore, for my own sake as well as for the sake of Colonel Colt, desire that the investigation may be as scrutinizing as the ingenuity of counsel can make it;

and I do not propose to claim any protection from answering any question pertinent to this issue which can be asked.

Question by Mr. Ruffin. Have you been employed by any person or persons to aid, influence, or favor in any way, the success or failure of any measure or measures before the present Congress, which has pended or is now pending?

Answer. I am a counsellor at law, in the city of New York, and have been Colt's counsel for ten years, the greater part of that time his only counsel, in his patent matters; and, in that capacity, I have prosecuted his present application for an extension of his patent, having the entire direction and control of the same. With that exception, I have no connexion whatever, as counsel or otherwise, with any measure now before Congress, or which has been there this session. The measure which Mr. Colt is interested in, and which I have prosecuted, is the extension of his patent for improvements in firearms, dated February 25, 1836.

Question by Mr. Ruffin. Have you in any such subject or subjects received or been promised, directly or indirectly, any compensation, gift, or other advantage for your assistance or services? Have you any and what reasons to expect to receive any compensation, from any source whatever, for your assistance or services?

Answer. I expect to be paid for my services by Mr. Colt, as I always have been since he was able to pay for professional services. I have no doubt I have already received some compensation for my services in this behalf, and such compensation is in money. However, I have no special account of this particular service, as I have the control of all Mr. Colt's legal affairs, and charge him as I do any other client for services rendered.

Question by Mr. Ruffin. Will your compensation, gift, or other advantage, depend, in any degree, as to amount or otherwise, upon the success or failure of the passage of the measure aforesaid?

Answer. No, sir.

Question. State particularly what compensation, gifts, benefits, or other advantages you have already, directly or indirectly, received for your influence, aid, or service in any matters that have pended or are now pending before Congress during its present session; and what, if anything, you expect or have reason to believe you will receive, in case of the success of the matters that you favor, and especially of Colonel Colt's patent extension bill?

Answer. I have already stated that I have no connexion with any other matter than with Colonel Colt's application, and therefore I expect nothing from the success or failure of any matter now pending. As to what I charge my client for professional services, I think no person has a right to inquire, and I decline to answer it. I would also state, that I do not know without reference to books; but that whatever is charged is at the same rate I charge any other client.

Question by Mr. Ruffin. Have you since you have been retained as attorney or agent for Colonel Colt, presented pistols or other articles of value to any member of Congress during the present session; and if so, what, to whom, and at what time?

Answer. I have no recollection of presenting pistols or any other article of value to any member of Congress during the present session. I brought a box of Colt's pistols here, and some specimens of cast-iron infringements, for the purpose of exhibiting the same to members; but I have not given any to members, although I should be glad to have one in the possession of each member, together with one of the spurious sort, that he might see the difference, and the importance of allowing Mr. Colt to perfect his manufacture.

Question by Mr. Ruffin. Has money been promised or paid, either directly or indirectly, to any member of Congress; or has money been paid or promised to any person, for the use or benefit of any member of Congress, by Colonel Colt, or his agents or attorneys, or either of them?

Answer. So far as Colonel Colt and I are concerned, I answer, *no*. So far as any other person or persons are concerned, I have no knowledge, information, or belief, that any such thing has been done by them, and if it has, it has been done without authority or sanction from Colonel Colt or me.

Question by Mr. Ruffin. State if you know whether any money has been loaned or promised to be loaned, either directly or indirectly, to any member of Congress, or for the use or benefit of any member of Congress, by Colonel Colt, his agents or attorneys, or either of them, or by any other person or persons acting in his behalf?

Answer. I do not know that there has been, and have never heard that there has been. I was applied to once by some person, not a member, who represented that he wanted a small loan for a member, and desired me to make it, which I declined to do, alleging as a reason that while I was connected with any application before Congress I would never put myself in the position which such a transaction, however fair it might be, might place me. That is the only instance of any approach to a loan that I know or have heard of, except by such statements as the newspapers have contained, and by the statements of the prosecutor in this case, as reported in the proceedings of Congress.

Question by Mr. Ruffin. State the name of the person referred to in your last answer who made the application to you, and the name of the member of Congress in whose behalf it was made.

Answer. The application was made in the month of December last, in my parlor, where there were several persons present, most of them very slight acquaintances of mine, and the person who made it was of that class. Since this question has been before this committee, I have endeavored to fix with certainty the person, but cannot do so. The name of the member I recollect, but as I have no evidence that he authorized any person to make such application, I shall decline to state it, fearing that, by retailing such a request, I might do great injustice to some innocent gentleman.

Question by Mr. Ruffin. Name the agents or attorneys of Colonel Colt, now in his employ, to aid the passage of his patent extension bill; and state, also, what compensation has been paid or promised to each, and whether such compensation is contingent or absolute?

Answer. Besides myself, Colonel Clemens, and Mr. E. H. Thomp-

son, (who, I believe, has a seat on the floor of the House,) Mr. George Ashmun, of Massachusetts, was employed as counsel early in the session, but that employment, I believe, is at an end. Besides these, I know of no other being so employed. A compensation has been paid them, but its amount and character relate to Colonel Colt's private affairs, and I, as his counsel, cannot with propriety disclose it.

Question by Mr. Ruffin. State whether any understanding exists, or any agreement, verbal or other, has been made or proposed between the applicants for patent extensions now before Congress; and if so, all you know on that subject?

Answer. I know of no such agreement or understanding between any applicants for a patent extension. I am the counsel of Cyrus H. McCormick in his litigation in courts, and he desired me to aid him in his application before Congress, which I declined to do, on the ground that I did not wish anything whatever to interfere with Colonel Colt's case, desiring to allow it to stand on its own merits or fall on its demerits, as it might be. I was applied to also by Horace H. Day, to unite with him and others in procuring the extension of several patents, which I declined to do. What authority he had for making the proposition I do not know.

Question by Mr. Ruffin. Do you know of any dinners or entertainments being given in a private parlor at the National Hotel in this city, by the agents or attorneys of Colonel Colt, or either of them; and if so, by whom, and who furnished the means to pay the expenses of such dinners and entertainments?

Answer. I have been in the habit of visiting Washington several years, during all which time I have been the attorney of Colonel Colt; I have always had a private parlor, and always do have, at places which I visit, when it can be had, and have had dinner in that parlor every day, unless invited to dine elsewhere, whenever I have been in Washington, with very rare exceptions, for five years last past. All my expenses at a hotel are paid by myself. I never undertake any professional business out of the city of New York which will not pay me sufficient to live as nearly like I do at home as the hotel can furnish the means. It has been the habit of my life to entertain company every day, if I can get the time; and that habit I derived from my father's house, where the same thing was practised since I can remember.

Question by Mr. Eliot. Have you, as counsel for Colonel Colt, received any money or other article which was not received as professional compensation?

Answer. I have received money from Mr. Colt to be used in all his business which I manage. In this matter I have received nothing from him, or on his account, except as professional compensation. I have paid the compensation to the gentlemen I have named with money of Colt's.

Question by Mr. Eliot. Do you know whether or not during this session of Congress any persons in the employ of Colonel Colt, or acting for his interests, have had in Washington for purpose of gift, or have given away, any articles of value to any person?

Answer. A box of pistols I brought here, intending that they should

be distributed where they might be seen and examined by members of Congress, and they have been, as I am informed, so distributed. I have given away a few of them myself to friends. With that exception, I know of no articles of value being here for gift or distribution.

Question by Mr. Eliot. Please state where the parlor was to which you referred as the place where a loan of money was asked for?

Answer. In Washington, at the National Hotel.

Question by Mr. Eliot. Were there any members of Congress present, and who, if you recollect; and do you recollect whether the member of Congress was present for whom the loan was asked?

Answer. I do not recollect any. Very few members ever were in my parlor to my knowledge. The member of Congress for whom the loan was asked was not present.

Question by Mr. Eliot. Will you please state whether the object of the meeting had any reference to the claim of Colonel Colt for extension of his patent?

Answer. No, sir. My room was frequented by persons who knew nothing of Colt's case. During the session of the court here my professional friends were there constantly. Many guests of the house were my friends, and their families were constantly in my parlor.

Question by Mr. Eliot. Have you, as counsel for Colonel Colt, made any arrangement with other counsel, or with any person, under which services were to be rendered, and a contingent compensation paid?

Answer. I have not, and have not required any proposed arrangement to be submitted to me for approval.

Question by Mr. Wheeler. Have you at any time employed any other person or persons to assist you; and if so, who; and have you offered money or other consideration, or authorized them to do so, to any members of Congress, for their assistance or service in getting this bill through Congress?

Answer. I have not, directly or indirectly, and would not for all the patent bills that ever were in Congress.

Question by Mr. Wheeler. Have you at any time, with other persons, been in company of a member or members of Congress when the subject of certain railroad bills before Congress was the subject of conversation; if so, name the member or members; and state whether any solicitations were made to him or them, by whom they were made, and what considerations were offered?

Answer. I have no recollection of being present at any conversation when members were present relative to railroad bills. I am sure that I never heard any thing offered to any member, for that I would have recollected.

Question by Mr. Zollicoffer. Has Colonel Colt, or any of his counsellors or agents, since his claim for patent extension has been pending before Congress, so far as you know, presented a pistol or pistols, or other articles, to any member of the family of any member of Congress?

Answer. I know of one such instance. The father of the Hon. George Vail, of New Jersey, a friend of mine, asked me for a specimen of Colt's pistols when I was in New Jersey, about the month of November, I think, and I promised him one, which I sent him after Congress met. That is the only case I now recollect.

Question by Mr. Zollicoffer. Has a brother of Colonel Colt, at any time during the present session of Congress, been employed in aiding, or has he volunteered to aid, the success of the patent extension before Congress?

Answer. He never has been so employed. I do not know whether he volunteered to aid it or not.

Question by Mr. Zollicoffer. Do you anticipate that the expenses of your entertainments at the National Hotel, while acting as Colonel Colt's counsellor, will be refunded by him; or do you defray such expenses, or any part of them, out of funds of Colonel Colt in your hands, or subject to your draft?

Answer. I pay my expenses by check on my own bank account. When I make up my account against my client, I consider all my outlays in that behalf as an element to be considered. I do not charge them as an item, but they affect my bills against my client, of course.

Question by Mr. Wheeler. Do you know of, or have you heard, any solicitation made to any members of the House to vote for or against, or absent himself on the vote upon a railroad bill or any other bill which was expected to be brought to the attention of Congress, or which was or had been under consideration; if so, when, where, and to whom?

Answer. I did not hear any one requested to vote for or against the bill. I heard a lady send for the Hon. T. L. Clingman into the gallery of the House on the day when the vote was expected on the Wisconsin railroad bill, and Mr. Clingman having responded to the call, was requested to leave the House and go into the Senate, he being informed by the lady that Mr. Toombs was expected to speak. Mr. Clingman replied that this bill was up, and he was opposed to it, and wanted to stay; but upon further solicitation he left the House, and I afterwards saw him in the Senate until after Mr. Toombs had concluded his speech. I will do Mr. Clingman the justice to say, that he has since informed me that he left the House that day not on account of the solicitation of the lady, but because, for certain political considerations, he desired that the bill be suspended, and neither passed nor defeated at that time. This matter I considered of no consequence at the time, and I do not now, and it entirely escaped my mind when the former question was asked.

Question by Mr. Eliot. Have you any knowledge of any attempt or act of any person at any time improperly to interfere with or defeat the application of Colonel Colt, or to affect the judgment or vote of any member of Congress? If yea, state with particularity all the facts.

Answer. I have. After the application for the extension of Colonel Colt's patent had been made I visited New York, and while there received a note from Colonel Clemens, importing that Mr. Horace H. Day had applied to him to be paid for not opposing Colt's application, and that Mr. Day said that I would not speak to him, and therefore he applied to Colonel Clemens, and that Colonel Clemens had referred him to me. On the same or next day a person connected in business, as I am informed and believe, with H. H. Day, (who requested that his name might not be mentioned in this connexion, to which request I assented,) called at my office in New York with a telegraphic despatch from Washington, and said that certain parties in

Washington, who had the power to pass or defeat Colonel Colt's bill, authorized him to demand of me \$10,000, as a condition on which they would exercise their power in his favor. To this I replied, I knew who they were, and named Horace H. Day. I told the messenger if Mr. Day wanted to talk to me, he must come himself, and not send a third person. The next day Mr. Day came, and said that he represented certain parties in Washington, in and out of Congress, who had the power to pass or defeat this bill; and that if I would pay his friends in Washington \$15,000, and satisfy *him*, they would pass this bill. I told him that I knew who his friends were; that they were a set of low letter-writers, and that I understood his plan of attack, which was to libel Colonel Colt and me, and all concerned in the business, and that I would rather pay him and them something than be libelled and abused in the papers. I compared it to the case of a man crossing the street, and seeing another gathering mud to throw upon persons passing along, and said, under such circumstances, the passenger would do well to pay something to escape the filth; and that I would pay him and his letter-writers to abstain from blackguarding Colonel Colt and me, but that the sum he mentioned was perfectly out of the question; that Colonel Colt had not, at that time, \$25,000 in the world. To this he replied, that if such were the case, he stood no chance for his extension; but that he (Day) would communicate with some of his friends, whom he named, and ascertain what they would take not to attack us. He then intimated that his own terms were of a different character; that he wanted money for the letter-writers, but other things for himself. About that time I was called into court to attend to a case then pending, and he said he would meet me that night on my way to Washington. He did meet me in the cars, and began to disclose the plan of his attack. He said he would fill the papers with assaults; that members were timid, and would consider the newspaper attacks public opinion; that I had not gone to work as I should; that I ought to have paid the "outsiders," as he termed them, and then I should succeed. He gradually approached the point of his demand, which was, that I should release him from the judgment of Goodyear, for whom I am counsel, and then apply for the extension of a patent once owned by Goodyear, now expired, and let him in as a partner in the benefit of the extension of that patent. To this I replied with so much indignation that he begged me to keep quiet, lest we should be heard. I rejected the whole proposition as infamous, and told him to do his worst. He told me that he had access to the columns of the New York Herald; and that if I settled with him, he would show me how to reach and influence that paper. When I reached Washington, I communicated these things in greater detail to Colonel Clemens, and he approved my course. At once the attacks were made in newspapers all over the country. Letters from Washington, stating about corrupting members, giving dinners to the Patent Committee, spending money, Colt's wealth, and all such subjects, were daily issued. At last Day published one or two over his own name, and I then replied through the Herald; to which letter I refer, and to the facts stated therein I now make my affirmation.

Mr. Dickerson having here expressed his desire to procure some of

the newspapers referred to by him, his further examination was, at his request, postponed.

The chairman laid before the committee the following letter, which was directed to be entered on the minutes :

WASHINGTON, NATIONAL HOTEL,
July 15, 1854.

SIR: I have learned from the public papers, and also by advices from my friends, that a committee has been appointed by the House of Representatives to investigate certain charges relative to improper means said to have been used to induce members to vote for a renewal of my patent. As soon as I heard of this committee I came to this city, anxious to vindicate myself from any such injurious imputation. Utterly unconscious of any such attempt on my part, or on the part of any of my friends, I am desirous of appearing before said committee and submitting myself to such examination as the honorable committee may deem proper, fully and freely on my part, without any reservation.

I am now here, but am obliged by my engagements to leave the city to-morrow, unless detained by you; and if it be the pleasure of the committee to examine me I am ready for, and desirous of, such examination.

I am, very respectfully, your obedient servant,
SAMUEL COLT.

Hon. JOHN LETCHER,
Chairman of Special Committee, &c.

The following witnesses were directed to be summoned to appear before the committee on Wednesday next, viz: Samuel Colt, Washington city; Mr. Walworth, manager of House Telegraph, Washington; Horace H. Day, New York city.

Whereupon, the committee adjourned to Monday morning next, at nine o'clock, at the room of the Committee of Claims.

MONDAY, JULY 17, 1854.

The committee met pursuant to adjournment. Present, all the members.

On motion of Mr. Eddy, it was

Resolved, That the witnesses be not permitted to write down the questions propounded to them, nor their answers thereto.

Mr. Edward N. Dickerson's examination resumed.

He said the effects produced by the statements that were circulated through these letter-writers was the reason why I employed any other assistants than Colonel Clemens, who had been employed by Mr. Colt in other matters besides this one. I found that an unfavorable impression, and a false impression, was being produced in the minds of members, and I knew of no way to counteract it except to employ some person who might give members papers and statements of facts,

Question by Mr. Zollicoffer. Deeming it due to a proper ascertain-

ment of facts that you should state the name of the person who approached you in New York with the telegraphic dispatch from Washington, which you describe, I desire you to say whether you positively decline to give said name to this committee?

Answer. I passed my word to the person that I would consider his name in that connexion confidential; if, however, by operation of law and the rules of evidence, I am bound to disclose it, I will do so. Whether I am bound to do so, I submit to the decision of the committee.

The committee having ruled that the witness was bound to disclose the name, the witness stated that his surname is Gilbert, but that his first name he does not recollect. He is connected in some way with the Congress Rubber Company, in the city of New York.

Question by Mr. Eddy. Will you state, as far as your recollection will permit, the amount expended by you as the counsel of Colonel Colt, in the employment of attorneys or agents, or in the other means used, to obtain an extension of Colonel Colt's patent? State first as to your knowledge, and secondly from information derived through other persons.

Answer. The amount I cannot state without recourse to books, which I have not here. I should think the amount inquired of was not less than \$2,000 nor more than \$6,000; but I consider this a private matter entirely, which, in my judgment, I ought not, as counsel for Mr. Colt, to disclose.

Question by Mr. Eddy. Do you know of any other reporter or letter-writer, than the one named in an answer to a former interrogatory, upon the floor of the House of Representatives, who is employed as an agent or attorney to procure the extension of Colt's patent, or in resisting such extension?

Answer. I do not know of any other reporter or letter-writer employed to aid in the extension of the patent; I have heard that some were employed adversely to it, and the fact that many letters have been written and published adversely to it convinces me of the truth of such reports; but who they are, I have no information which amounts to evidence.

Question by Mr. Eliot. Please state when Mr. Thompson was employed, by whom, for what service, and upon what terms?

Answer. Mr. Thompson was employed late in last December or early in January, I think. He was employed by me to aid me in bringing to the attention of members the papers and evidence which I had prepared to counteract the effect of the newspaper and other libels and false charges that were made against Colonel Colt. I paid him a fee for the services which he undertook to render; its amount I do not think I should state.

Question by Mr. Zollicoffer. Was the amount of the fee contingent?

Answer. It was not; and I have never promised him any compensation which should depend on the success of this bill.

Question by ———. Was the sum you paid Mr. Thompson exclusively for his own services?

Answer. It was; and no part of it was intended by me for any other person or purpose.

Question by chairman. When an attorney or agent is employed to aid, favor, or influence the passage of a bill before Congress, what is he expected to do, what means is he expected to employ?

Answer. In regard to any other person who has been employed in such business, or has employed others in such business, I do not know what means are intended to be used; for myself, I could not be employed by any person, for any consideration, to do anything dishonorable or unconscientious, and I certainly never would employ any other person and expect him to do any such act; my object in employing any person is to bring before those persons whose duty it is to decide the question the facts on which their favorable action is expected and asked.

Question by chairman. What was the character and standing of the individual who applied to you for a loan for a member of Congress, and the amount applied for?

Answer. I cannot yet fix to my own satisfaction the name of the person. My impression is that the person is one of a class known by the title of outsiders; what that means I don't know.

Question by chairman. State, to the best of your knowledge and belief, the name of the person who made the application, and the name of the member of Congress in whose behalf it was made, and also the name of each of the persons present when it was made.

Answer. I have already answered, as fully as I am able, the former part of the question. As to who was present, I do not now recollect. I was called into the bed-room from my parlor when engaged in conversation with a number of persons, and the whole interview occupied but a moment, and I attached no importance to it at the time, and I did not think of it again, that I know of, till this committee was raised. The amount named as the required loan was, I think, \$300. I will say, the member of Congress for whom the loan was asked was, and is, personally unknown to me, and for the reason before stated I cannot mention his name.

Question by chairman. When the loan was applied for, state whether the person applying intimated that, if the loan was made, the member of Congress referred to would aid, directly or indirectly, the passage of Colt's bill now pending?

Answer. That was the impression that I received, and which I have no doubt was intended to be made.

On motion of Mr. Zollicoffer that the name of the member of Congress alluded to in the last questions be given by the witness—and the ayes and noes being taken as follows, viz: *Ayes*, Messrs. Letcher, (chairman,) Ruffin, Zollicoffer, Wheeler, Eliot, and Thurston; *No*, Mr. Eddy—the witness, in obedience to the decision of the committee, stated that the name of the gentleman was Mr. Henn.

Question by chairman. Has Grund, Brega, Chase, Babcock, Levin, Robert J. Walker, or John P. Hale, or either of them, been employed or retained to secure the passage or defeat of Colonel Colt's bill, so far as you have heard?

Answer. I am reminded by this question that early in the session

Levin applied to me, on the stairway of the hotel, one day, representing that he could be of service, and desiring to be employed. I told him that, if he could be of any service to me, I would give him a compensation such as I thought he had earned, but declined to pay him anything at all. A short time afterwards he came to me again and requested me to consider him as not engaged to assist me, and said he desired to release me from any obligation I might feel in the promise I had made him. That is all that ever passed between us about it, and that much I did, being advised that Mr. Levin might otherwise injure us. Mr. Chase has never been employed about this matter at all. He has been employed, I believe, by Colonel Clemens to act as amanuensis for him in his business generally, but has had no connexion, as I am aware of, with this case. I have no knowledge that any of the others have been employed, and some of them are unknown to me personally.

Question by chairman. What has been the cost of the dinners and entertainments given by you at the National Hotel during the present session of Congress; and has any portion of the expense of said dinners and entertainments been paid for by money advanced by Colonel Colt, or promised to be paid for by him, or charged to him; and if so, what sum?

Answer. I do not know what has been the cost. I have paid my bills, and I generally do. I have no doubt that some of the money that I have used has been derived from Colonel Colt; but as to all such private affairs as my habits of life—how much I spend for my dinners and the like—I must decline further answer.

Question by chairman. What amount of the funds of Colonel Colt has been in your hands, or under your control, or subject to your draft or order, since the first day of December last, to the best of your recollection?

Answer. I have no idea how much of Colonel Colt's funds have been in my hands in that period. I pay all his private disbursements in the city of New York. I have unlimited control over whatever funds he has for all the purposes connected with all his legal affairs, and for the payment of all his personal debts, contracts, and obligations of any sort in the city of New York, which, at times, are complicated and large; by which I mean to say, that whatever sums of money for these purposes I draw or send for are always paid me.

Question by chairman. Has the fund referred to been as much as \$100,000; if not, how much less?

Answer. No, sir; the whole amount would not exceed, I think, \$15,000.

Question by chairman. How many pistols did you bring here with you during this session, and how many of them are still on hand?

Answer. I should think from thirty to fifty pistols. There are several (a box half full) on hand—perhaps ten or fifteen.

Question by Mr. Zollicoffer. Has Colonel Colt a partner or partners interested in the pecuniary advantages of the patent extension; and if so, whom?

Answer. He has no partner nor partners, directly or indirectly, in the most remote degree connected with his patent or his business; and

no one except himself and the public, that I know of, will be benefited by this extension.

Question by Mr. Zollicoffer. Are there persons known to you who have a contingent property or interest in the patent extension; and if so, whom?

Answer. No, sir; there is no person that has a contingent interest in the patent extension in any degree whatever.

Question by Mr. Eddy. You state, in answer to a question by the chairman, that you were called out of your parlor into your bed-room when engaged in conversation with a number of persons, and that the whole interview with the person making application for a loan occupied but a moment; will you now state the nature of that conversation?

Answer. The purport was, that the applicant desired to borrow \$300 for the gentlemen whom I have named, and said that, if I would lend it, it would be no worse for the Colt bill, or something of that kind, (the very words of which I cannot remember;) which I very peremptorily declined to do. I do not know personally Mr. Henn; and I have answered this under the pressure of the committee's order, and I hope that it will not be considered as any attempt to impute anything wrong to the gentleman named.

Question by Mr. Eddy. Did any portion of that conversation occur elsewhere; and did you have a conversation at any other time upon the subject with that person?

Answer. No, sir; that was all of the conversation.

Question by Mr. Eliot. Has more than one person made application for money for a member of Congress?

Answer. No, sir.

Question by Mr. Eliot. Can you state about how much of those funds of Colonel Colt have been used by you, in the whole, in connexion with your prosecution of his claim?

Answer. I cannot state more accurately than I have already done.

Question by Mr. Ruffin. You have stated that, in a conversation which you had in New York with H. H. Day, he said he would communicate with some of his friends, and ascertain what they would take not to attack Colonel Colt and yourself, and that he named some of his friends alluded to; you will state the names of the persons mentioned by him?

Answer. A person named McCrae was one, and one other whose name sounded something like Shackford. Mr. Day also mentioned the name of Mr. George W. Jones as a very formidable man in the House of Representatives. McCrae is said to be one of the assistant editors of the Union. I will do Mr. McCrae the justice to say that he has told me this week that he had declined to help Mr. Day in this matter.

Question by chairman. In the conversation with Day, detailed in a previous answer, you state that you said to him that you would be willing to pay him something to cease his abuse of Colt and yourself. Was any sum named by you on that occasion; and if so, what?

Answer. No, sir; I did not state what sum I would have paid. He undertook to find out how much his friends would take not to abuse us. I am credibly informed that he made a similar application to Mr. E. K. Collins in relation to the ocean steam contracts.

Question by chairman. Can you furnish the committee with a copy of your correspondence with Mr. Day?

Answer. I will endeavor to obtain it, and will do so if possible.

The witness here handed in the following communication from Col. Colt, which was read by the chairman, and the clerk directed to inform Colonel Colt that the paper had been duly received and spread upon the minutes, but that the committee were not empowered to act further thereon:

To the honorable the committee appointed to investigate frauds, &c.:

The petition of Samuel Colt respectfully represents, that his application for the extension of his patent has been pending before Congress since the month of December last past, and that bills to extend his patent have been reported by the committees of both houses; that, as he is informed, the bill in the House of Representatives has stood on the private calendar of the House since the month of December last, without being reached for action until very recently; that during the most of that time some letter-writers from Washington have been filling the newspapers with charges of fraud, corruption, and bribery, and the retailers of such reports have been making such and similar statements in the city of Washington, but that no proposition was ever made to raise a committee of investigation until the day when the vote on the bill was expected to be taken, and that the effect of raising that committee has already been to delay the action of the House, at a time when the session is drawing to a close, and when delay is almost as bad as defeat.

And your petitioner further represents, that he has never been able to erect for himself an armory in which to manufacture his arms, and has been compelled for the want of means to submit to the inconveniencies of unsuitable buildings belonging to others; that now he has just begun to collect the material and to work at the foundations of an armory, where he hopes to perfect his partly-matured plan, and manufacture arms with perfection and economy; that if his patent is extended, he will proceed upon one plan, but if defeated, upon another—knowing the effect which will be produced by the sale of worthless and dangerous imitations of his arms, which can be made at a small cost, so as to deceive almost any purchaser; that, under these circumstances, your petitioner solicits this committee to report the facts charged against him to the House, and the testimony which has been adduced to support those charges, so that, if your petitioner is not guilty of any fraud, his bill may be taken up and acted on. The great uncertainty which now hangs over the fate of his application, necessarily prevents him from deciding upon his plan of action; and if it continues till next session, will lose him a year in some of his most important operations.

Your petitioner therefore respectfully requests that the committee, if they have examined the principal parties connected with this affair, report the result forthwith to the House.

The chairman read a letter from Hon. G. Dean, dated Poughkeepsie, New York, July 15, 1854, asking to be excused from immediate attendance as a witness. The committee ordered the said letter to be placed upon the files, and the chairman was authorized to notify the writer that the committee would not insist upon his appearance at present, but he could use his own pleasure in appearing before them between this and the last day of the present month.

The committee then voted a recess until 6 o'clock this afternoon.

At 6 o'clock p. m. the committee again met. Present, all the members.

Mr. Samuel Colt, being duly sworn, testified as follows:

Question. Will you state what means have been used, and what agents and attorneys employed, by you in prosecuting your application now pending for a renewal of your patent?

Answer. As a general answer to the question, I desire to submit a paper which I hold in my hand, in the following words, viz:

"The application for the extension of my patent was made by Mr. Dickerson, who is my confidential counsel, at a time when I was in Europe. I directed the application to be made, and authorized Mr. Dickerson to take such steps as were proper in prosecuting it. I was in Europe from the time the application was made until about two months since, when I returned. Since my return I have been constantly engaged at Hartford; and have never been in Washington, nor held any communication with any members of Congress, until I was summoned here by telegraph on Friday last. All the knowledge which I have on the subject of this application is what I have derived from Mr. Dickerson. I do not know, and have not heard, that any unlawful or improper influences have been brought to bear upon members of Congress to induce them to vote in favor of my extension. I have always supposed, and do now suppose, that the case itself possessed sufficient merits to commend it to the favorable consideration of Congress, and I have relied upon those merits and the justice of my claim for success. If any unlawful means have been resorted to by any person in favor of this bill, it has been done without my knowledge, consent, or approval, and I should condemn it as readily as any other person. I desire, for my own sake, that a full examination should be made of all persons for whose acts I am in any way responsible; and if any evil practices have been resorted to, I have no desire to screen the offending parties. But I do not believe that any such practices have been used by those who have acted under my authority."

The witness stated further, verbally: "I only know Mr. Dickerson as my only agent. Sub-agencies I know nothing of, except of their existence, as I came home two months ago from Europe."

Question by Mr. Eliot. Please say by whom the statement just submitted by you was prepared and written, and whether it has or not been read or submitted to any person, and to whom, for examination?

Answer. It was written, under my direction, as the substance of all I could say to inform this committee of all on this business, by Mr.

Dickerson. I do not know that it has been submitted to any other person since it was written.

Question by Mr. Eliot. Will you state whether you were present when the paper was first drawn?

Answer. I was, and dictated it.

Question by Mr. Eliot. Will you state whether it is in your power to make a more definite reply to the first question?

Answer. I have no knowledge except through Mr. Dickerson, who has authority to employ the best rational means to secure the object I seek.

Question by Mr. Eliot. Can you state how much money has been expended on account of your application by Mr. Dickerson, for which you were charged?

Answer. No, I cannot.

Question by Mr. Eliot. Has any account been rendered to you of moneys paid by Mr. Dickerson?

Answer. Not since this application to Congress was made for the extension of my patent.

Question by Mr. Eliot. Is there any limit, and, if so, what is it, to the right which Mr. Dickerson has, under his engagement with you, to expend money in such ways as shall appear to him proper?

Answer. If there was an engagement, it would signify a limit. He, as a gentleman, makes the limit; and I, as another, meet it to the extent of my ability. I have never doubted his integrity as a professional man.

Question by Mr. Eliot. Please state in what way Mr. Dickerson has reimbursed himself for moneys expended by him?

Answer. I do not know.

Question. Has he at any time, in reference to this application, drawn upon you directly for funds, and to what amount?

Answer. Not that I know of. He is in the habit of employing my funds for the legal and professional parts of my business to the moderate extent intrusted to him. Unqualifiedly, so far as I know, he never has drawn my money upon the privilege given above for illegal or corrupt purposes. He may have drawn upon me for his reasonable expenses in Washington. It might have been a thousand dollars; it might have been more, it might have been less. It was probably more, for I presume he will send in bills for his expenses here, and the expenses of those he employed to fairly represent the case.

Question by Mr. Eliot. Will you state to what extent your money has been intrusted to him?

Answer. To the extent that one honorable gentleman can trust another gentleman of honor. I have every confidence in him. I have all the confidence in him that I have in myself.

Question by Mr. Eliot. Has Mr. Dickerson a right to draw on your bank account for funds standing to your credit in conducting this claim as your attorney?

Answer. No, he has not.

Question by chairman. What amount have you invested in your establishment at Hartford, and what amount invested in the establishment at London?

Objected to by Mr. Thurston, as not relevant to the inquiry authorized by the resolution appointing this committee.

The question being taken by ayes and noes, Shall the question be put? it was negatived, the ayes being Messrs. Letcher, (chairman,) Rufin, and Eliot; noes, Messrs. Zollicoffer, Wheeler, Eddy, and Thurston. So the question was not put.

Question by Mr. Eliot. State whether you have heard Mr. Dickerson say what sum he had promised Mr. Clemens for his services in the case now pending before Congress?

Answer. I don't know from Mr. Dickerson, or any other source.

Question by Mr. Eliot. Have you any partner or partners in your business of manufacturing pistols; and if so, who, and to what extent?

Answer. I have none whatever, either in this country or abroad.

Question by Mr. Eliot. Do you know, or have you any reason to suppose, that your agents or sub-agents, or any other person or persons, have been promised a contingent moneyed consideration dependent upon the success of the bill to extend your patent; and if so, whom?

Answer. I don't know.

Question by Mr. Eliot. Have you a book-keeper, accountant, or cashier; if so, what is his name, and his residence?

Answer. Yes, I have; Mr. Milton Joslin, of Hartford, Connecticut.

The committee then adjourned to Wednesday morning next, at 9 o'clock.

On Tuesday morning, July 18, 1854, Mr. Edward N. Dickerson handed the following to the clerk of the committee:

To the Editor of the New York Herald:

NO. 57 CHAMBERS STREET, NEW YORK,

January 19, 1854.

SIR: For two weeks past the New York Herald has devoted a very considerable space in its columns to attacks upon the application of Col. Samuel Colt for the extension of his patent for firearms now pending before Congress. The materials out of which the editorial comments have been made have appeared in the shape of letters from Washington, over assumed names, charging Colonel Colt with almost every offence against morality and the laws of society which can be committed, and invoking the vengeance of the people upon his devoted head. So long as the source from which these attacks sprung was concealed, I did not think it proper, as the attorney of Colonel Colt, to make any reply, believing that anonymous libels were not likely to influence those persons who are to judge the merits of his case, and knowing that the facts were well understood at Washington, and could not be perverted by false statements elsewhere. Perhaps, in thus remaining silent, I may have done injustice to you and to other editors who have assumed the statements of letter-writers from Washington to be the truth. I am sure that no paper of the character of the Herald would knowingly give its sanction to statements entirely untrue, even to injure a person who was a public enemy; and so great a public benefactor as Colonel Colt has been, is entitled to at least as much consideration. In the Herald of yesterday, however, the author of all

these attacks produces himself before the public, and openly avows his purposes and his name. The fact that Horace H. Day was the man who originated and circulated the libels and false statements with which his letter-writing friends at Washington have been filling the press has been well known to me since he commenced his operations, as it has been to most persons in Washington.

I shall now, in the first place, explain the reason why this man (who certainly has enough battles of his own to fight) should intrude himself into other people's affairs, and spend his time in Washington attacking Colonel Colt, and then I shall ask the privilege of correcting the false statements which he has caused to be circulated. Soon after the bill to extend Colt's patent was reported, I received a letter from a friend in Washington, informing me that Horace H. Day had called upon him, threatening that unless Colonel Colt would comply with his demands he would defeat the extension by Congress, and that Day said "he was anxious for a compromise, and was sure that when he stated his case (I) would be satisfied that he asked nothing unreasonable." Soon after the receipt of this letter, Day called upon me at my office in New York. He commenced by assuring me that he had under his control the great part of the letter-writers and the press; that unless I yielded to his demands he should let them all loose upon Colonel Colt and me, and would at once destroy all prospect of success. He stated that he knew how to control the Herald, and that when I satisfied him and his friends he would show me the way to do it. He named several letter-writers in Washington who would do his bidding, as they had done heretofore. He told me that I had made a great mistake in not having secured the "outsiders," as he called them, and that no matter how good a case I had they could destroy it. The first question which naturally came to my lips was: "What right had Day to attack Colonel Colt—what had Colt done to him?" His reply was, that he did not care for Colt, but that he meant to use Colt's application for his own purpose. I asked him what he wanted to do. He said that he and his friends wanted \$15,000 when the bill passed, and that they would then insure its passage. I told Mr. Day that I understood his plan perfectly well; that I knew he would pour out his libels upon Colonel Colt and all his friends unsparingly; that it was not agreeable to me or to Colonel Colt to be slandered by him or his tools, and that I would rather pay him something than incur it, but that I would give him no such a sum as \$15,000.

He replied that this demand for money he made on account of certain reporters and others in Washington, the names of some of whom he mentioned, and for whom he acted, but that he had other objects to attain himself. At this stage of the conversation I was called out of my office into court, and Mr. Day left me, with the remark that he would communicate with his friends in Washington, and would see me again and disclose more fully his views. That evening I went to Washington, and on the journey Mr. Day took a seat next to me, and renewed the conversation of the morning. He then betrayed the secret of this impertinent intrusion into the affairs of Colonel Colt, and made two distinct propositions to me, whose impudence is only excelled by their baseness. The first one was, that I, as counsel for Mr. Goodyear,

should induce my clients to release him from the judgments which Mr. Goodyear holds against him on consideration of his procuring the extension of Colt's patent; and the second was, that I should induce the Goodyear associates to allow him to apply to Congress for the extension of a patent which expired a year ago, and which the Commissioner refused to extend, and to release him from the judgments, and to admit him as a partner in the patent when extended, on condition that he procured the extension of Colt's patent and this expired patent of Goodyear. He said that he knew I had the power to do either or both of these things, and that it was the only course by which I could serve Colonel Colt. Finding that I became somewhat excited by a proposition to betray the interests of Mr. Goodyear, Mr. Day begged me not to get angry, or speak loud in the cars—that he would convince me, if I would listen, that it was the best for all parties, &c. He then commenced a long argument to prove to me how much my clients would be benefited by an alliance with him; the reasoning of which, however, did not convince me. He then changed his tactics, and began to exhibit his offensive armory. Members of Congress, he said, were timid, and looked into newspapers for the reflection of public opinion. He could control the letter-writers, and by keeping up a constant attack from Washington he would soon make members believe that public opinion was against Colt, and that would settle the question. He "and his friends had knives," which he said they would "stick into me" unless I would yield to his demands. Of course his proposals were rejected. Whatever I might advise Colonel Colt to pay a desperate man of this sort, to avoid his malignant assaults, I certainly could not sacrifice the interests of others intrusted to me to serve any friend. Since then Mr. Day has not approached me.

The next day after this the attack was made. The experiment on the timidity of members is tried in the Herald of Sunday, where you are advised to publish the vote in Colt's case "in pamphlet form, in Roman capitals, as you can sell a hundred thousand throughout the United States." "The knife" is "stuck into" Col. Colt, the Committee of Patents, myself, and all the friends Colt has, with such epithets as "fraud," dishonesty," "bribery," and the like. From the highest to the lowest, all fall under Mr. Day's indiscriminate vengeance; and all because I will not betray Mr. Goodyear to Mr. Day, and will not pay Mr. Day's friends \$15,000. So much for the motive of the attack; now for the facts.

The principal reasons assigned by the Herald, and by Mr. Day's letter-writers in other papers, why Col. Colt should not have his extension, are:

1st. That the Commissioner has already refused the application, and he is the proper judge, from whose decision there ought to be no appeal.

2d. That there is a combination between Colt, Goodyear, Morse, Woodworth, and others, to carry their extensions before Congress by bribery and fraud.

3d. That Colt has made a million of dollars out of his patent, and that is enough; and

4th. That Col. Colt's counsel has had the Committee of Patents to

dine with him in Washington, whereby he procured the report in his favor.

Now, sir, not a single one of these statements is true, or has the least resemblance to the truth; and although editors of papers at a distance might be deceived, yet the letter-writers who wrote these statements knew their falsity when they uttered them, or else were willingly blind to the facts, which every intelligent gentleman at Washington understands:

1st. Col. Colt applied to the Commissioner of Patents to extend another patent which he had for a loading apparatus, and was refused. He now asks Congress to extend his patents for Colt's pistols. That was a very small affair; this is a great invention, if the common consent of the civilized world is to be taken as evidence. Of course, all the argument founded on this false statement fails.

2d. I have had the entire direction of this application, as I have of all Col. Colt's legal affairs, and there never has been a word exchanged between me and Morse, Goodyear, or Woodworth, or any of them, or their agents, on the subject, until long after this charge was made.

The fact is, that Goodyear and Morse have both published cards denying their intention to apply to Congress. Goodyear's denial was made by me under an authority from Mr. Judson to use his name for that purpose, and Morse's is denied by Mr. Kendall. What Woodworth's intentions are I do not know. Col. Colt's case stands on its own merits, which I have no doubt are sufficient to commend it to the favorable consideration of Congress.

3d. The true state of Colonel Colt's affairs has been laid before the committee in Washington. The facts are, that every dollar which Col. Colt has in the world is in his business. If that is successful, he will be rewarded for his invention; if it is crushed by competition of inferior and cheap arms, he will be left where he began, with nothing but intellect, energy, and integrity. For seventeen years Colonel Colt toiled incessantly to establish this invention, against difficulties and trials which most men would have shrunk from, before one single dollar was ever realized out of it. During that time he saw a large armory which he had built, and which was filled with machinery, sold out by the sheriff, and all his hopes blasted. That valuable machinery, which was sold in 1841, has never since been used, and was a dead loss to its purchaser, proving the fact that this sort of machinery is worthless for any other purpose than to make these arms. For years during that time, in the city of New York, Colonel Colt hardly knew where the dinner of to-morrow would come from. During that time he and his friends lost not less in value than two hundred thousand dollars in the vain but faithful effort to give to the world, in a useful form, this great invention. But during that time no one thought it worth while to infringe his patent and make Colt's arms. It was a failure in the opinion of every one except its inventor; but he cherished it, in poverty and in adversity, with the faith and the hope that no one but the man of genius can feel for the creations of his own mind. And during that period, when he was in silence pursuing his experiments and perfecting his invention, not even a Horace H. Day could be found to load him with epithets of abuse—to pronounce him a "swindler," a "mo-

nopolist," a "dishonest impostor." He had nothing worth stealing, and he needed no locks to his doors then. In 1848 the first gleam of sunshine struggled through the gloom which surrounded him, and Col. Colt began to feel a hope of success. Two requisites must be attained in this manufacture in order to secure success—perfect safety under all circumstances, and cheapness. This requires, however, an immense outlay in machinery, tools, and other conveniences. Every dollar which can be realized out of the business has been applied to this object by Colonel Colt, and still his plan is not one-half developed. If Colt could convert his machinery, tools, and manufacturing property into cash at its cost, he would realize between three and four hundred thousand dollars. If his patent is extended, it will be worth that amount to manufacture arms with; if not, and he is compelled to stop his manufacture, and submit to be driven out of the market by cheap imitations, his machinery is not worth twenty cents on a dollar. The losses before 1841, if applied to a successful manufacturing business, would have realized more money to-day than all the armory of Colt is worth. Every day, however, his manufacture is improving, and the price diminishing. Colt's arms are sold now for less than half their price in 1838, and of more than twice their value; and in ten years from this time, if he can be permitted to prosecute his plan, the price will be reduced to one-half its present rate, and better arms will be furnished. No one to-day can make a genuine Colt's pistol and compete with him in the market. If manufacturers would make such arms as he makes, Colt needs no patent. But the difficulty is, that cast-iron imitations of his arms are made at a small cost, and sold to the unwary at prices below those at which Colt can now manufacture good ones. This ruins the market, ruins the reputation of the arms, kills or injures the unfortunate purchaser, and benefits no one but the scoundrel who thus, for a little gain, would endanger the life of a confiding fellow-being.

4th. I should not reply to such miserable attacks as those contained in your correspondent's letter of Sunday last, had he not charged the fact that the House committee had all dined with me at Washington, and concluded, therefore, that they advocated Colt's bill. If the fact were as stated, I cannot perceive any connexion whatever between it and the conclusion; but the fact is, that I never in my life saw or spoke to any member of that committee (one only excepted, whom I happened to know last year) till I appeared before them, when in session, to state the case of my client and friend. And the fact is, that I have never exchanged a word with any but two of that committee since. The fact is, that but one member of that committee was ever in my parlor at all, and he called there socially with a friend one day, long after Colt's bill was reported; and I do not believe that a majority of that committee so much as knew where I lived in Washington. In making this very particular statement, I do not wish it to be supposed that I intend to follow Mr. Day's letter-writers through all their low abuse; but I do it in order to exhibit a specimen of the reckless, wholesale falsehoods out of which these attacks upon Colonel Colt are made.

And now, sir, I have one appeal to you: Is there anything in the character or course of Colonel Colt which can justify any journal in the

United States in attacking him with such epithets as have been poured upon him by Mr. Day and his "knife-sticking" friends in Washington? Is there any inventor in the United States whose reputation as a high-minded, true-hearted American, stands higher than his? Is there any inventor to whom this government is more indebted than to him? The whole civilized world has united in awarding to him the highest marks of admiration for his genius and his success. The united voice of the whole army is loud in his praise. The lonely pioneer on the distant frontier sleeps in security, relying upon the perfection and certainty of the weapon which he furnishes. The emigrant on the prairies of the Rocky mountains trusts himself among the savages, guarded by this dreaded instrument of destruction. Within the last half year, Aubrey's exploring party of eighteen men, armed with these pistols, were attacked by two hundred and fifty Indians, and by their use escaped with their lives. Ought not these things to protect Colonel Colt at least from such malignant abuse as that which has recently appeared? Will the Herald say no?

If, however, the reasons which are advanced for this extension are insufficient in the opinion of the Herald, or any other journal, it is its privilege, and it may be its duty, to argue against them. That I do not object to. I rather desire to hear the merits of the case discussed. I am satisfied that the people are with Colonel Colt in this matter, and I do not fear a full examination. The only favor I have to ask is, that if Colonel Colt is to be defeated, it shall be for a better reason than because Mr. Day's friends cannot extort \$15,000 from him, and Mr. Day cannot be released from the judgments of Goodyear—if "the knife is to be stuck into" him, that its point should be steeled with truth, not poisoned by falsehood and blackened with malignity.

This newspaper discussion is not personally agreeable to me. Nothing but the high regard and sincere friendship for a client and a friend who is absent from the country, and therefore unable to defend himself, could have induced me to enter this arena. I know the character of the person whose position I have unmasked and exposed, and I know what sort of vengeance he will take. The "knives," however, with which I will be "stuck," will be blunted by the consciousness that I am doing no less than my duty to a client who implicitly trusts me, and to a friend who would incur as much for me, if he thought he could serve me by it.

Your obedient servant,

EDWARD N. DICKERSON.

Letter from Mr. H. H. Day.

WASHINGTON, January 17, 1854.

EDITOR HERALD: It may be that the public will yet, through your patriotic and independent journal, arrive at the conclusion that Jefferson Davis's visit to Hartford last summer, and to Colt's pistol factory, where the hands all joined in a great hurrah for the patriot soldier, had something to do with the known interest which General Armstrong's Liverpool mission had when Colt was first establishing his operations

in England, and Jeremiah Clemens's apostacy was seen in his letter to the "hards" of Philadelphia. All these may yet appear transparent, when so elegant a scheme as making among the party some four or five millions out of one pistol patent, which, being fired off, rightly combined, and backed up and supported by the entire lobby interest of railroads, patent extensions, Sloo and Garay grants, &c., would guaranty five hundred millions.

Poor Pierce—he has nothing to do with the swindling. Harris, son-in-law of General Armstrong, the Sloo grant, and the Garay grant, want support. The pistol folks claim that they can give it. In return, the Union is constrained to help. I hoped it would be seen and felt by Congress and not be seen by the country. With Jeremiah Clemens—deep in the interests of Colt, and the Lord knows what not—it was the supposition that he might be of the cabinet, which would give him more influence with new, "green" members.

The administration once hedged around, and itself entangled, must back up the swindles, and all sink or swim together. The New York Herald has saved the country, has saved Pierce, and has saved the people five hundred million dollars, more or less.

The day fixed for raising the first column on the foundation already laid, was originally the Friday before Christmas, but it failed. The foundation was then further enlarged, and last Friday was finally fixed to raise the first column. The sequel you will have been told before you receive this; but of course Pierce and a majority—all but one—of the cabinet never for a moment entertained the idea of Clemens for the War Department.

Poor Pierce—his head is not large enough, and he will not let his heart govern him. But for your journal the plunderers would have had Pierce and the democratic party ruined before the people before the 1st May, 1854.

Look ahead at the alarming picture of Europe all in a blaze of war. Even China—the whole world—in war and commotion. At home a weak administration—its moral force with the people destroyed, and itself entangled with a corrupt set of speculators—our own delicate relations—our own unsettled questions—internal discord only smothered, not quenched—no honest men in the cabinet—no patriots to rule a weak head. The captain of the ship, in the meshes of a band of pirates and robbers, dares not do his duty to his owners. Who knows but the ship might be run on the rocks and all be lost! God grant we may have more New York Herolds, and more honest patriots, just now.

Fancying that, like yourself, I am capable of yearning desires which mere money—dollars—cannot influence, I have dotted down a few thoughts in great haste. I am on the spot, and, to some extent, if not one of the movers on the chess-board, at least a close observer and very curious.

In my estimation, your journal, and it alone, has, within the past two weeks, saved the people millions upon millions, and possibly the country from a terrible calamity.

Go on as you are going, and soon the time will come when your own position will have to be endorsed by those who stand in the places of the people. You will triumph, and the true men of the coun-

try will bless you, and the reward you are constantly receiving in the consciousness of duty done.

With great respect,

HORACE H. DAY.

WEDNESDAY, JULY 19, 1854.

The committee met at the room of the Committee on Revolutionary Pensions. Present, all the members.

David Augustus Wright, of New York city, being duly sworn, deposed as follows:

Question by chairman. State whether you and the Hon. Mr. Westbrook were together, at any time, in the room of the Hon. T. L. Clingman; and if so, state all that was said in regard to the amount expended to obtain a law for the extension of Colt's patent, and the time of the conversation?

Answer. I was in the room of Mr. Clingman with Mr. Westbrook, on Mr. Westbrook's business, a week ago Sunday last, and the conversation was incidental in regard to Colt's patent. The conversation was begun by Mr. Westbrook or myself complimenting Mr. Clingman upon his speech against the Colt patent. In the course of the conversation Mr. Clingman asked me, I think, if there was anything in the allegations of corruption in the matter of Colt's bill. I replied that there was a good deal of gossip around the hotels, and I told him all I knew about it personally. I was sitting, two or three months ago, in the piazza of the National Hotel, with a person said to be the brother of Colonel Samuel Colt, and a conversation sprung up in regard to a duel that Judge Colt had in St. Louis. We passed from that subject to that of duelling weapons, and he wound up by asking me if I had a pistol, and I told him I had not; and he then said, if you want one come up to my room and get it. Nothing was said about the Colt patent. I did not go to his room. Some conversation of a gossiping character then took place between us three in relation to the probable amount that had been expended in feasts, presents, &c., in aid of Colt's bill, and I think I said the gossip was, that the amount was \$60,000 or \$70,000, but I did not pretend to the slightest knowledge on the subject, because I had not the slightest knowledge.

Question by chairman. Were you present at an interview between Mr. Colt and a member of Congress, in the room of Mr. Christopher Colt, during the present session; if so, was any computation made of the amount expended, what was the computation, and who was the member of Congress?

Answer. I was never in Christopher Colt's room in my life, but I have met him in General Pratt's room. I never heard any conversation between General Pratt and Christopher Colt about the patent.

Question by chairman. Did you tell Mr. Clingman that you were present at any time when a computation of the amount expended was made by Mr. Christopher Colt and a member of Congress?

Answer. I answer no, emphatically.

Question by chairman. Did you, at any time, have a conversation with the Hon. G. Dean on this subject; if so, state that conversation, and the time and place at which it occurred?

Answer. According to my recollection, I was in Mr. Dean's room one night, towards midnight, 11 o'clock perhaps; Mr. Dean excused himself, saying he had to go down to one of Dickerson's suppers. He asked me to stay there and amuse myself until his return, and I did so. When he did return, he told me a dead set had been made at him to go for the renewal of Colt's patent, and he told me the particulars. He said a lady who sat next to him at table had pressed Colt's cause with a great deal of zeal, and when he came to find out the reason of her championship, she said Colt had sent her two boxes of kid gloves from Paris. I asked Dean how he was going to vote on the bill, and he said against it. I don't recollect, with sufficient exactness, to mention a single name in the supper party that Mr. Dean attended.

Question by chairman. From whom did you hear that the amount expended, or to be expended, to secure the passage of Colt's bill, was equal to \$60,000 or \$70,000? Give the names of the persons, and their residence.

Answer. I cannot tell. I do not recollect, with sufficient exactness, to state the name of any one who told me.

Question by chairman. State the name of the person or persons who so informed you, to the best of your recollection?

Answer. I cannot remember the names of any persons.

Question by chairman. Have you been employed as an agent or attorney to secure the passage or defeat of any bill that has been pending, or is now before Congress, during the present session?

Answer. Most emphatically, no.

Question by Mr. Wheeler. Do you know, or have you heard, of any promises of office or money, or other articles of value, either directly or indirectly, to any member of Congress for the purpose of securing or influencing the passage of any bill during this session?

Answer. Not to my recollection. I have heard strong urging, but no promises.

Question by Mr. Ruffin. Do you know whether any reporter of the House of Representatives, or letter-writer for the press, has written any communication for any paper either advocating or opposing the extension of Colonel Colt's patent, or any other patent? If so, state the name of such reporter or letter-writer.

Answer. No, I do not. I wrote a letter myself to a New York paper, in which I incidentally mentioned that it was alleged that money was being employed to get Colt's bill through, but I had no personal knowledge of the fact. I was not employed or instigated by any one to write said letter. I am not a reporter or letter-writer connected with Congress; I am the editor of the New York Day Book.

Milton Joslin, being duly sworn, deposed as follows:

Question by Mr. Thurston. Are you Colonel Colt's book-keeper; if so, how long have you been in Colonel Colt's employ as his book-keeper?

Answer. I am. I have been employed in that capacity nearly five years.

Question by Mr. Thurston. Have you a separate account open in your books to which may be chargeable the expenses incurred in procuring the extension of Colt's patent of 1836; if so, what amount has been charged, and through whose agency?

Answer. I have no such account.

Question by Mr. Wheeler. What amount of money, if any, has Mr. Dickerson drawn from Colonel Colt for the purpose of securing the extension of his patent?

Answer. I don't know that he has drawn any for such purpose. There is a balance against him of more than \$9,000 and less than \$10,000. The whole of the debit side of his account is \$15,000; the credit side between \$5,000 and \$6,000.

Question by Mr. Eliot. What is the character of the credit items?

Answer. I don't know what the credit items are. I think the entries were made by direction of Mr. Sargent, who attended to the correspondence.

Question by Mr. Eliot. Can you not tell the character of any *one*, or its amount?

Answer. I cannot.

Question by Mr. Eliot. When, as nearly as you recollect, did you last see the account; have you now sole charge of the books?

Answer. I see all the accounts at the end of each month, when trial balances are made. I don't keep the books at present with my own hand, having had a young man to do that work for the last two or three weeks. His name is Smith; he lives in Hartford. I don't know his given name. He is only there on trial. I retain the entire control of the books, and no entry is made without my sanction. I examine every entry every day, and know it is correct.

Question by Mr. Eliot. If Mr. Dickerson should draw upon Colonel Colt for funds, would you or not have any knowledge of it, or anything to do respecting it; would you dishonor or accept it?

Answer. I have no authority for using Mr. Colt's name in money matters. I would have nothing to do with such a draft, not knowing anything about it. Mr. Colt draws his own check, and I charge the amount to him on the books.

Question by Mr. Eliot. Who would answer such draft in Colonel Colt's absence in Europe?

Answer. I presume he would leave an attorney to manage such business.

Question by Mr. Wheeler. What was the name of the person empowered to act as the attorney for signing checks, &c., during Colonel Colt's absence in Europe?

Answer. Mr. Sargent.

Question by Mr. Eliot. Who now has the power that Mr. Sargent had?

Answer. Mr. Colt himself.

Question by Mr. Eddy. Should Mr. Dickerson, as attorney of Colonel Colt, draw on you (in the name of Colonel Colt) as treasurer, would

you, as such treasurer or agent, pay or protest, or decline acceptance of such draft or check?

Answer. I should not pay; I would have no authority.

Question by Mr. Eliot. Have you ever paid any draft drawn by Mr. Dickerson?

Answer. I never have.

Question by Mr. Zollicoffer. You speak of having an account on your books against Mr. Dickerson. How was this account created; by what process does Mr. Dickerson get command of Mr. Colt's funds when he desires to use them?

Answer. I don't know, sir. The account don't show the items.

Question by Mr. Eliot. The committee desire to know how Mr. Dickerson has drawn on Colonel Colt, and when he has drawn, and how much he has drawn, and on what account he has drawn. Will any book of Colonel Colt's, or any record in your possession, give that information, or any part of it?

Answer. Nothing in my possession, or that ever has been, will answer either of those questions.

Question by chairman. When did the account on the books against Mr. Dickerson commence, and how much has he drawn since 1st December last, according to the books?

Answer. The account with Mr. Dickerson was opened last fall. There has been no money, not a dollar, charged to him since the first of December last, I am confident.

Question by Mr. Eddy. Has Mr. Dickerson received any arms, or other articles of manufacture, from the manufactory of Colonel Colt? And, if so, state the quantity and kind, and the time of delivery?

Answer. I can't say that he has; I have no recollection; he may have done it. Colonel Colt frequently makes presents of arms (a single pistol or so) to strangers of distinction.

Question by chairman. Was one box or more of pistols sent to Washington to Mr. Dickerson, or any other agent of Colonel Colt, since the 1st of November last; and how many pistols are in a box of the usual size?

Answer. I don't know that there has been any. A box for government contains twenty; but the boxes are of various sizes, containing from two to fifty according to the order.

Question by chairman. If they had been sent, would they have been charged on the books?

Answer. A memorandum would have been taken, but no regular entry would have been made. If anything is given away, it is charged to the account of profit and loss.

Question by Mr. Eliot. Can you indicate any way by which the committee can obtain the information wanted, respecting the account with Mr. Dickerson and the arms sent to Washington or elsewhere.

Answer. I cannot, sir.

Question by Mr. Wheeler. Is Colonel Colt, and are those in his employ, or those connected with him, in the habit of giving pistols indiscriminately to acquaintances and friends?

Answer. No, sir.

Question by Mr. Wheeler. Were you subpoenaed to appear before

this committee; if not, who sent for you, why were you sent for, and for what purpose?

Answer. I had a telegraphic despatch from Mr. Colt to be here in Washington this morning. I was not subpoenaed. I was sent for by Mr. Colt. Mr. Dickerson, since my arrival, has told me that I was sent for for the purpose of saving time.

Question by chairman. Since you came here, have you been informed by Colonel Colt or Mr. Dickerson, or any other person, as to the facts testified to by them before this committee?

Answer. I have not, sir. Mr. Colt is not in town, and I have not seen him since I left Hartford.

Question by chairman. Have you had any conversation with Mr. Dickerson, or any other person, as to the object for which you were brought here?

Answer. Nothing more than what I have stated before.

Question by Mr. Wheeler. Since your arrival here, has Mr. Dickerson said to you that probably certain questions would be propounded to you by this committee, and telling you what replies to make or to decline making.

Answer. No, sir; if he had done so, I should not have appeared before this committee.

Question by Mr. Eddy. Who adjusts and pays the accounts of the workmen and other employes of Colonel Colt's manufactory at Hartford?

Answer. I do, sir.

Question by Mr. Eddy. Who makes contracts for materials used in the manufactory at Hartford, and pays the consideration for such contracts?

Answer. For the last year or two Mr. Colt himself has purchased the steel, which is the principal commodity used. I sometimes, by special authority, purchase the coal myself, by the single load or so. Wood for stocks is purchased by Mr. Sargent or myself. In little matters I should feel authorized in making purchases. In the absence of Colonel Colt, and without his authority, I should feel authorized in making purchases in small quantities of anything needed to carry on the works.

Question by Mr. Eddy. Would you feel authorized to let the work of the manufactory stop for want of material at any time, without the special direction of Colonel Colt?

Answer. I should not, if I thought it would be detrimental to Colonel Colt.

Question by Mr. Zollicoffer. Who has had the custody of Colonel Colt's funds during his absence in Europe?

Answer. Mr. Sargent, so far as was required for the use of the manufactory. I know not who had charge of his funds in other matters.

Question by Mr. Zollicoffer. Have you considered yourself as merely the book-keeper, making entries under Mr. Sargent's direction?

Answer. No; but if Mr. Sargent had told me to make an entry, I should have done it.

The witness being dismissed, the committee adjourned to meet at 9 o'clock to-morrow morning, (July 20.)

THURSDAY, JULY 20, 1854.

The committee met pursuant to adjournment. Present, all the members.

Mr. Horace H. Day, being duly sworn, deposes and says as follows :

Question by Mr. Zollicoffer. Have you knowledge that any person has attempted, by the offer of money, or by other illegal or improper means, to induce any member of Congress to vote for or against the bill for the extension of Colt's patent, or any other bill now pending, or which has been pending, before Congress? And if so, state what you know.

Answer. I do not know of any person offering to any present member of Congress money. I have reason to believe, from what I know and have heard, that improper means have been used to effect the passage of a bill for the extension of Colt's patent. Most of my information is hearsay, or derived from publications open to the public. Early in the fall I learned that efforts were designed to be made to effect the extension of the Woodruff patent, one of the rubber patents, called, to distinguish it, the Hayward patent, Colt's patent, and some allusions also made to the Morse telegraph patent. I learned at the same time that it was expected a large amount of means would be raised to effect the extension of those patents. I had reason to believe that the information thus received was true, from the fact that a negotiation had been pending between myself and the attorney and agent of Goodyear, (William Judson)—I should rather say the attorney of the Association of India-rubber Manufacturers—to allow them to extend this patent, which, in our conversation, was called the sulphur patent, by Congress. They offered me what I considered equal, eventually, to about four hundred thousand dollars, if I would not oppose their efforts to extend it, and also to give them my influence to get it extended. This was in the course of the summer or fall of 1853. The negotiation was broken off, in part, because of other considerations brought into the negotiation. They intimated to me at the time that they could get it extended in spite of me. I was the inventor of the principal part of that patent, and had used it nearly every year for ten years before it was originally applied for in the name of Charles Goodyear. About the time of the assembling of Congress, I think a few days afterwards, I arrived in Washington at the National Hotel. I think within the first hour of my arrival I met, in the halls of the hotel, Mr. Levin, a former member of Congress from Pennsylvania. He wished to know my business, and I think he remarked, he presumed I was on patent business. I can't remember the whole conversation. He almost immediately asked me if I had any interest in the Colt patent. I think I remarked to him that I had no direct interest in that, but that I had in one that was very likely to pass if they could pass that. He asked me not to oppose that, as he had a contingent fee dependent upon its passage. I refused to let him know what my determination would be in the matter. I rather avoided communicating my views to Mr. Levin, after learning his position and views. I had known him on a previous occasion to have been very active for the patent interests antagonistic to mine here, and to be employed, as I supposed, against me. I remained

some days, learning what I could of the movements of these various parties and their agents, and was met very frequently by Mr. Levin. He suggested every friendly consideration to induce me to forego my opposition to the extension, and was very anxious to know the reasons why I was so opposed to the extensions of Colt and others. I told him I had no personal hostility to Mr. Colt, but was opposed to the extension of those particular patents; that, besides being opposed to their extension, Mr. Dickerson was my bitterest enemy, and counsel for the Goodyear party; while I had any pending litigation with them, that I should, in duty to myself, oppose them, and expose them wherever I could, to defeat their schemes. He (Mr. Levin) met me very frequently, and appeared to be at times speaking as if he was authorized to learn if I would treat for a compromise. I was taking as active measures as I could to learn the movements of these various parties, in the hope to defeat their extensions, or to compel a settlement between myself and the Goodyear party. I wrote a letter to General Armstrong, of the Union, about the 4th of January last, to get that paper to stop advocating the Colt extension. I also enclosed a communication in answer to one in that journal, which I had been advised was procured to be published by Mr. Dickerson, in favor of the extension. I learned, generally, while here, that Mr. Dickerson, and I think Mr. Clemens—I won't be sure which one—had a suite of rooms at the National Hotel, where they furnished champagne, expensive dinners and suppers, and invited distinguished gentlemen in Washington to such entertainments. I was informed that a considerable number of Colt's patent pistols had been presented to persons who visited the rooms, and it was stated some were offered to members of Congress. That is the nearest to any bribery that I know of or have heard of towards members of Congress. My strong impression is, that I have heard that members of Congress have accepted these gifts, but I cannot specify any particular member of Congress. I never did see any pistol presented to a member of Congress. I think the means are improper which place false statements before members of Congress to procure the passage of a bill. I think some published statements of those who are advocating the passage of Colt's bill to be improper means.

Question by Mr. Zollicoffer. Give the name of the person or persons who stated to you that pistols had been given to members of Congress; and state the names of such members?

Answer. Mr. James McCrae, who resides in Washington; I think Mr. Levin, and I think Mr. E. Harriman, of Washington, informed me that pistols had been presented to different persons; and I think I heard it from a number of others as a very common report. Mr. McCrae told me he had received one; Mr. Levin showed me one of them; but I can't be positive that any particular members of Congress had been stated to have received them.

Question. What was the nature of the influence you expected to exert, and by what process did you expect to exert it, for which you were offered what you regarded as equivalent to four hundred thousand dollars?

Answer. The offer I considered to have been made to me mainly because I was entitled to use the patent, having been the inventor of it

before it was originally granted; and if I had made these facts public before Congress, together with other facts that were within my knowledge, these parties expected they would not be so likely to succeed in getting the patent extended. It could not be extended in my name under the law; for, so far as I was concerned, it had been dedicated to the public. I had some friends in Washington, some of whom were correspondents of newspapers. Through my friends, not members of Congress, I suppose I had some opportunity of exposing any unlawful attempt. I don't know of any other consideration.

Question by Mr. Zollicoffer. Did you procure letters to be written from Washington for the newspapers, attacking the application of Col. Colt for the extension of his patent, and attributing improper conduct to the applicant and his agents; and if so, what persons did you so engage; what moneyed or other consideration did you pay, or promise to pay, for such services?

Answer. I do not remember to have procured the writing of any letters which were published. All the letters with which I had any connexion for publication were written by myself, with the exception of one, which was furnished to me, without request, by Mr. Harriman. The circumstances of that letter were something like these: Mr. Harriman had been for many years occasionally borrowing small sums of money from me, and aiding me in whatever way he could to advance my interests in Washington, and, on the occasion referred to, wrote a letter, I think in my room, which, at the time he was writing, I supposed he intended to send off himself. He suggested it might require my endorsement to get it in the New York Herald, as he was not a correspondent of that paper. That is the only letter that I now recollect as having been written by another; and I do not know now that that attributes improper conduct, any further than the common report referred to in the Colt matter.

Question by Mr. Zollicoffer. Did you confer with Mr. Brega, Mr. Chase, Mr. Thompson, Mr. Harriman, Mr. Simonton, or other letter-writers, requesting them, or either of them, to help you oppose Colt's or other applications for the renewal of patents; did you promise to reward their labors as letter-writers if successful in defeating such applications? And if so, state the names of the letter-writers, and the exact facts.

Answer. I do not know Mr. Chase, a letter-writer, or any Mr. Thompson, as such; and never, to my knowledge, held any conversation about Colt's patent with either of them. Mr. Simonton I do not recollect to have requested to write, or to have procured him to write, any letters on the subject. During the winter, when this subject was agitated, I think I told him and Mr. Harriman both, that I would reward them to the best of my ability if they would expose the facts about the Colt pistol patent. The exact understanding which they might have received I do not now recollect. Upon reflection, I don't think there was any understanding with Mr. Simonton. Mr. Simonton informed me that he had opposed and exposed the measure without consultation with any one, because he considered it wrong, and that he had written letters against it; but this was some time after the letters had been written. I expressed my thanks to him. I do not recollect now that I ever paid him any money as a letter-writer. I held with Mr. Brega,

once or twice, a brief conversation on the subject of these patent extensions. I did not employ him or pay him any money; and, so far as my interview with him is concerned, there was nothing very definite took place that I now recollect of. I think that I had been informed, previous to seeing him, that he was in favor of the extension. The conversation with Mr. Brega was either in the month of December or January, 1853-'54. There were other letter-writers and newspaper people, who were also attorneys for business in Washington; but I do not remember, during the time that I refer to, (December and January last,) of having employed them for the purpose named in the question, nor at any time, to defeat the extension of the patent, by writing letters. Indeed, I do not know of any *contract* made by me with any letter-writer to defeat the bill for the extension of Colt's patent; but I ought to say that a number of gentlemen in Washington, who sometimes write letters, (old friends of mine,) expressed a desire to aid me in any proper efforts to advance my interests. I had, in years past, paid small sums of money to these parties, and I asked them to help me; but there was no bargain made.

Question by Mr. Zollicoffer. What was your precise engagement with Mr. Harriman; and how much did you offer him?

Answer. I had no precise engagement; I do not remember any precise offer; I don't think I made him any.

The committee then adjourned until to-morrow, July 21, 1854, at 9 o'clock a. m.

FRIDAY, JULY 21, 1854.

The committee met pursuant to adjournment. Present, all the members.

Examination of Mr. Horace H. Day resumed.

Question by Mr. Zollicoffer. State as nearly as you can remember the substance of the conversation with Mr. Brega, which you say was not very definite.

Answer. I can't pretend to state the conversation with Mr. Brega. I held a great many conversations with a great many different people, and at this lapse of time I could not do myself justice in attempting to recollect those conversations. I distinctly recollect, as respects Mr. Brega, that I approached him to pump him. I left him to understand that I was opposed to the extension, and I became pretty well satisfied before I left him that he was in its favor, although he assured me he had taken no part in the matter either way, and did not know anything about it.

Question by Mr. Zollicoffer. Have you at any time anywhere threatened, that unless Colonel Colt would comply with your demands, you would defeat the extension of his patent by Congress; did you state that you had under your control a great part, or any part, of the letter-writers and the press; and did you express the opinion that members of Congress were timid, and might be controlled by the use of newspapers?

Answer. To the first part of this question I answer, no. I may have stated somewhere, and at some time, that I had flattered myself I had

some influence with some letter-writers, for such is the fact; a number of letter-writers in this and other cities are personal friends of mine. Some of my schoolmates and playmates are editors. In the *exact* language of the question, I do not remember to have stated it. I have an indistinct recollection of having more than once made the remark that would embrace the substance or idea of the last clause of the question, but as to the exact clause, I do not know whether to admit or deny it. I have no doubt I have made similar remarks frequently in Washington, and in very many places. I wish to add, I think it true of all men that they are influenced by popular sentiment.

Question by Mr. Zollicoffer. If you have substantially expressed the ideas imported by the question, state, as nearly as you can remember, where, when, and to whom; and state whether you supposed that Mr. Colt, or his agent or agents, would hear of your so expressing yourself?

Answer. In conversation with General Houston, either at his room or riding in a carriage with him, I think I talked to that effect, and to the same effect with Mr. Levin. I think I have said so in Washington, New York, and New Jersey, and at various times within the last five years. I have the impression that I have said something of the kind, or made some allusion in that way, in an interview I had in the month of January with ex-Senator Clemens. I also think I had a conversation to that effect with Mr. Levin. Mr. Clemens and Mr. Levin were both understood to be the agents of Mr. Colt, who was absent in Europe. In reading over the last clause of the second question of this day's proceedings, the word "timid" conveys an idea that was not in my mind when I was answering it. I am not aware of using the word "timid," or the idea.

Question. Did you say anything of the kind to Mr. Dickerson, in the city of New York or elsewhere?

Answer. I never held any conversation with Mr. Dickerson on the subject of Colt's business, of which I have now any recollection, except a very brief one in the early part of January, at Mr. Dickerson's office in New York, and a more lengthy one in travelling between New Brunswick or Princeton and Philadelphia in the cars on the same day. Whether on that occasion such an idea was proposed I do not distinctly recollect. Those were interviews sought by Mr. Dickerson and Mr. Levin and Mr. Clemens.

Question by Mr. Zollicoffer. State as nearly as you can remember the substance of those conversations so far as the Colt patent is concerned, and the immediate steps which led to those conversations.

Answer. My conversations with Mr. Dickerson were all connected with the subject of the india-rubber patents, as well as with Colt's. To pass over many preliminary steps, in which Mr. Levin sought to bring me to a compromise, I was requested by him to state to Colonel Clemens the best terms on which I would make a compromise, and to hear from him more authoritatively what they (Colt and the india-rubber parties) would do. I avoided the interview for some time, being frequently advised by him that he had no doubt the whole matter could be settled to the advantage of all parties. I at last called upon Colonel Clemens. I found him, I think, just about dining. I did not sit down in his room. I made known to him that I had under-

stood that he wished to talk with me to see if we could form the basis of a settlement, and there was a little conversation, on both sides very hurried. The substance was, that I was opposed to the extension of these patents, which he knew, and I understood they had a desire to settle the matter between me and Goodyear, and that I was willing to do so if we could have a satisfactory understanding. We both conversed, and seemed to understand ourselves. From the conversation, I felt encouraged and satisfied that the representations of Mr. Levin had been with the understanding of the other parties. I broke off the conversation; and, although I do not recollect distinctly, I think I told him I had to go to New York that afternoon, and there was some understanding between us that I should call again after dinner. I did not see him again that day, and left either that or the next day for New York, without seeing him again. I received through the mail the following letters, which were mailed at Washington, addressed to me, and received by me from the post office in New York, of which the following are copies, the originals of which are now produced here that copies may be taken:

[Private.]

DECEMBER 28, 1853.

MY DEAR SIR: Colonel Clemens has telegraphed Mr. Dickerson, urging a compromise, and advising him to see you, as your "influence is formidable here."

Yours, truly,

L. C. LEVIN.

—
WASHINGTON, *December 28, 1853.*

DEAR SIR: I look for Mr. Dickerson to-morrow. As soon as he arrives I will ascertain how far I can arrange matters to your mutual satisfaction. If I think I can do anything, I will telegraph you. Send me your address by return mail, so that I may be sure a telegraph will reach you in time.

Very respectfully, yours, &c.,

JERE. CLEMENS.

—
[Confidential.]

DECEMBER 29, 1853.

MY DEAR SIR: Mr. Clemens has again telegraphed Mr. Dickerson, urging a compromise; and Mr. D. will probably by this time have seen a certain *chemist*, a particular friend of yours, on the subject.

I sincerely regret that you did not keep your appointment with Mr. C. on Tuesday night, as I am sure it would have resulted in great good to all the parties. Mr. C. and his friends have taken the initiatory steps, and will do all in their power to reconcile the now conflicting interests.

In haste, yours, faithfully,

L. C. LEVIN.

The committee then adjourned until to-morrow morning, July 22d, at 9 o'clock.

SATURDAY, JULY 22, 1854.

The committee met pursuant to adjournment. Present, all the members.

Mr. H. H. Day (resuming his answer to the last question of yesterday) says:

Before I arrived in New York, one of my counsel, George Gifford, had left a communication with my clerk, to the effect that Mr. Dickerson wished to have a personal interview with me. Within two or three days I called at Gifford's office; he informed me that E. N. Dickerson wanted to see me, and left the impression that the rubber people wanted to settle with me, although he was not authorized to say so; he advised me to see Mr. Dickerson. I proceeded from Gifford's office to Dickerson's office, with the full impression that they were desirous of arranging terms, presuming, as a matter of course, Mr. Dickerson well knew the purpose I had in calling upon him. When I arrived at Dickerson's office, I made some remarks to the effect that old opponents would sometimes get together. He was very civil, and asked me to sit down. After a few preliminary remarks, he asked what was to be done; I said to him the very first step, the very first thing to be done, was to secure the services of half a dozen of the best and most influential correspondents in Washington, with a contingent fee of at least \$2,000 each, which he must pay; I stated I knew some strong men who were against him on the extensions, and some of them were my fast friends, and without first securing their services, and making immediate provision, it would, in my judgment, be useless to attempt to go further, as with their opposition nothing could be accomplished. He said that could all be arranged; he said he could give his own paper, and, if necessary, other security. I told him it did not concern me how that was arranged so it should be satisfactory to them. I then proceeded to say that the Jersey suit must be discontinued, and sufficient bonds and security given me that I should not be harassed any more on that subject, and was proceeding to speak of the sulphur patent, when he, for the first time, intimated a doubt of his power in the premises, and informed me he was not clothed with authority to negotiate about the rubber patents, or to that effect; but he was willing to pay me, and he offered to pay me largely, if I would cease opposing Colt's patent extension, and procure the agency of my friends in his favor. There was something said about a condition if the Colt patent was not extended; I declined any arrangement of the kind, unless the whole controversy was to be settled. He talked a few moments in renewing his offer to buy off my opposition, which I promptly declined. As I was about leaving, he started to come out of his office, remarking that he had something to do at court, and followed me down stairs, inquired if I was going back to Washington; to which I avoided giving a definite answer, and we parted. The next I saw or heard of him was during the afternoon of the same day, and after the morning negotiation had been ended, (and, so far as I was concerned, with little or no prospect of an agreement;) he called at my office and wished to speak with me. He came alone; I was occupied with some gentlemen. I simply excused myself from seeing him at that time. He asked me

when I was going to Washington; either that, or whether I was going that afternoon. I told him I was going that afternoon by the mail train. He said he should go also, and immediately left my office. I remarked to him, as he was leaving, that he could see me in the cars, or something to that effect. In crossing the ferry to Jersey City, I fell in company with Alfred Kelly, of Ohio, and continued in his company to Philadelphia, sitting either on the same seat with him, or upon the seat nearest to him, throughout the passage to Philadelphia, with the exception of a few moments when I was reading a paper under a lamp, at the other end of the car, alone. Mr. Dickerson entered the same car, and had a seat near us, directly on the opposite side of the passage, I think, though it might have been one seat ahead of that in which we sat. I do not recollect of having exchanged a word with Mr. Dickerson from the time he left my office until we had reached somewhere in the neighborhood of Princeton or Trenton, where we entered into conversation, but not negotiation. The conversation in the cars was in an ordinary tone, at times somewhat excited, and was almost entirely of a controversial character; I arguing and maintaining the justice of my positions in the controversy in which he had been so long opposed to me, and he of his course, and that of the Goodyear party. The subject of Colt's extension, of the sulphur patent extension, and very many other things, were spoken of. I criticised his course at Washington. I attempted to show him the folly of his system of giving dinners and champagne suppers at a public hotel, as, in my opinion, a very improper and shallow way of carrying bills through Congress. I spoke of the effort he had made before Congress the year previous to get some legislation increasing the powers of the circuit judges in a matter where I was the object to be reached by the legislation, so far as he was concerned. The conversation, on the whole, was such as would naturally arise between irritated opponents or contestants. There was some other conversation which I don't think would be pertinent to the inquiry at all. Before entering Philadelphia I parted with him. I think Mr. Kelly must have heard much if not all our conversation. I have not spoken to Mr. Kelly since on the subject, nor have I any recollection of having had any conversation with Mr. Dickerson since that time.

Question by Mr. Zollicoffer. Who were the half-dozen correspondents named between you and Mr. Dickerson, and what information had you as to the compensation which would secure their services; who were the "strong men" of whom you speak?

Answer. I prefer not to answer that question. There are two of the number whom I now recollect; but, unless actually required by law, I prefer not to give the names.

The committee unanimously ordered that the question be answered.

Answer continued. I think I named, in some part of my conversation with Mr. Dickerson, Mr. Kingman, Mr. McCrae, and Mr. Harriman. I don't think I gave the names of as many as six persons. I do not remember the names of any others sufficiently to swear to. I think also—I have the impression—that I named Thomas Shankland, but am not certain of that. I had no information as to the compensation of these parties but my own views of the matter, that I can remember of.

The suggestions I gave Mr. Dickerson about strong men referred to these correspondents I have named, as far as I recollect, or to some of them. I advised Mr. Dickerson that the publications already made were likely, in my judgment, to defeat the extensions, unless immediately counteracted. I never promised him that I could insure the passage of the bill.

Question by Mr. Zollicoffer. Did you demand of Mr. Dickerson the specific sum of \$15,000 for yourself and friends, (reporters and others,) as an inducement to give him your aid?

Answer. The idea on my mind was this: that, unless he succeeded with the rubber men in extending both the patents, it would be no object to them to effect a settlement with me. My idea was, that the first step, to give any reasonable chance of success at that period of time, was to begin to turn public sentiment at once; and if influential letter-writers were employed, we could not expect to employ them short of \$2,500 a piece. I think I suggested to him a retainer of \$500 in cash to each man—that's my impression; that's what I said substantially. In no other way than that have I demanded of him \$15,000.

Question by Mr. Zollicoffer. Did you propose or intimate that this money, or any portion of it, was to be paid to you for disbursement among these writers or otherwise?

Answer. I did not suggest that any portion should come to me. Whether it should be paid directly to the parties, or through me, I don't remember. My impression is, that I suggested he could negotiate directly through them, but I am not positive about it. I now recollect that he spoke of Mr. Kingman as being on their side, as an old friend of Mr. Colt. If an arrangement was made, I recollect of Mr. Dickerson's saying he would arrange with Mr. Kingman.

Question by Mr. Zollicoffer. What sum did Mr. Dickerson offer to pay to cause you to cease your opposition, and to secure the aid of your friends, to the passage of the bill?

He offered me the sum of \$10,000, contingent upon the passage of the bill. I think that is the exact sum. I am sure it was as much as \$10,000; it might have been \$12,500.

Question by Mr. Zollicoffer. Did you demand of Mr. Dickerson, among other things, that he, as counsel for Mr. Goodyear, should induce his client to release you from certain judgments which Mr. Goodyear held against you; and that he should induce the Goodyear associates to allow you to apply to Congress for the extension of a patent which expired a year or two ago, and which the Commissioner refused to extend?

Answer. I did not. I could not have demanded a release from certain judgments, or any judgments; for no judgments were ever in existence against me, in favor of Charles Goodyear or any other Goodyear. Neither Goodyear nor any india-rubber people have yet obtained judgments against me. There was an interlocutory decree entered up in New Jersey, and an account is now being taken; but the prospect is that a large balance will be found in my favor. I have no recollection whatever of demanding of Dickerson to induce the Goodyear associates to allow me to apply to Congress. The whole talk that I had with Judson, pre-

vious to the assembling of Congress, did not contemplate the particular course indicated in the latter part of the question.

The witness was here dismissed until 9 o'clock next Monday morning, 24th July.

The committee afterwards proceeded to take the depositions of Miles B. Andrus and Francis C. Treadwell, jr.

Miles B. Andrus, of New York, being duly sworn, deposes as follows:

Question by Mr. Eliot. Did you cause to be despatched from New York a telegraphic communication, on or about the last of June, asking for information as to the character of H. B. Babcock? If yea, will you state what the nature of that communication was, and why and to whom it was sent?

Answer. I did send such a communication to two members of Congress, (Hon. H. Bennett and Hon. G. W. Chase.) I have not a copy of the interrogatory which I sent each of them. I asked each of them: "Do you know H. B. Babcock, and can he be trusted in a matter of business?" The next day I received an answer to the communication sent to Mr. Bennett, in which Mr. Bennett said: "I know him, and think he can." The reason of my sending the communication was, that I was called on by Mr. Treadwell on the 27th June, and requested by him to send this communication, (which he dictated to me,) and sign my own name to it, Mr. Treadwell having stated to me that he did not wish his name to appear. I knew nothing of his object in inquiring about Mr. Babcock. I relied upon what I supposed to be his object.

Question by Mr. Eliot. Have you any knowledge respecting the subject on account of which Mr. Treadwell was seeking information?

Answer. I have not.

Question by Mr. Eliot. Have you any other knowledge concerning this matter, or any connexion with it, except as you have stated?

Answer. I have not.

Question by Mr. Wheeler. Do you know George Gifford, esq., New York city, and is he the legal counsel of H. H. Day?

Answer. I do know him. He is counsel of H. H. Day.

Question by Mr. Thurston. Did you have a reply from Hon. Mr. Chase?

Answer. I had no reply from him.

Francis C. Treadwell, jr., being duly sworn, deposes and says:

Question by Mr. Eliot. Did you address to Hon. Mr. Clingman, of the present House of Representatives, a communication under date of New York, July 11, 1854, headed "Bribery," and covering a letter purporting to have been written by "H. B. Babcock," addressed to you? If yea, state your object in writing that letter to Mr. Clingman, and the facts within your knowledge respecting the subject of it.

Answer. On the 24th June (Saturday evening) I caused to be mailed in New York a number of copies of remonstrances against the proposed extension of Nevins's patent. I addressed one of the com-

munications to the Hon. H. Bennett. On Tuesday following (the 27th June) I received a letter franked by Mr. Bennett, covering the letter which I now read.

(The witness here read the letter of Mr. Babcock, dated Washington, June 26, 1854, a true copy of which appears in the testimony of the Hon. T. L. Clingman, at page 16 of this report.)

The witness proceeded and said: As this letter was franked by one member of Congress to whom I had directed my communication by the mail, which went in time to bring that answer back, and as I did not know Mr. Babcock personally, nor ever heard of him, I concluded that he must have been acquainted with Mr. Bennett, and received my communication which I addressed to Mr. Bennett; and, as I was also directed to address a reply to the Hon. Mr. Chase, I concluded he was also intimate with him. In order to ascertain that fact, I caused telegraphic messages to be sent to each of those gentlemen. I dictated the message, and Mr. Andrus wrote it and signed it. The reason of my selecting Mr. Andrus was, that I did not wish my name to appear in the telegraphic message. The message addressed to each was the same, to wit: "Do you know Mr. H. B. Babcock, and can he be trusted in a matter of business?" I expected, perhaps, to get a reply that evening, (27th June.) No reply came that evening, the telegraph office stating that they were not able to find the gentleman. The next morning I inquired of Mr. Andrus if he had received an answer. He had not received an answer, it seemed; and I, supposing they would not commit themselves by answering a telegraphic communication from a person they did not know, told Mr. Andrus it was of no further consequence. Some days after that I stepped into his office again, and he informed me he had received a telegraphic message in answer to one of the communications, but that, as I had said it was of no consequence, he had not handed it to me. He looked for it and could not find it, and afterwards I found it in the paper-basket torn, and I re-united the fragments. The reply of Mr. Bennett, as far as I could read the message, was: "I know him, and think he can." The reason of my sending the communication was, that knowing the gentleman must have access to Mr. Chase's correspondence, in order to receive a letter directed to Mr. Chase in Washington while Mr. Chase was at Long Branch, in New Jersey, 300 miles off, I thought he was either abusing the confidence of these two members, or else they were cognizant of the affair. I also received the letter dated July 8, 1854, from Mr. Babcock, which I forwarded to Hon. Mr. Clingman. (See page 19.)

Question by Mr. Eliot. Have you had any conversation with Hon. Mr. Chase or Hon. Mr. Bennett in relation to this matter?

Answer. No, sir.

Question by Mr. Eliot. Have you any reason to infer that either Mr. Chase or Mr. Bennett had any knowledge of the communication to you, made by Mr. Babcock, except as you have already testified? If yea, state any other information you have to the committee.

Answer. No, sir. I don't know anything further on the subject.

Question by chairman. Were the bakers of New York ready to pay money to defeat the application of Nevins; and, if so, what sum?

Answer. No, sir. I never paid any money myself, nor do I know that the bakers of New York ever did.

Question by chairman. In your conversations with members of Congress, in regard to the extension of Nevins's patent, did you say or suggest that money or other means could, or would, be used to defeat said application?

Answer. No, sir.

The committee then adjourned to meet again at nine o'clock next Monday morning.

MONDAY, JULY 24, 1854.

The committee met pursuant to adjournment. Present, all the members.

Examination of H. H. Day continued.

Question by chairman. From whom did you receive the information that "a large amount of means would be raised to effect the extension" of Colt's and other patents, referred to in your answer to the first question propounded to you?

Answer. It was in the newspapers. I do not know who first put it in the newspapers.

Question by chairman. Is that the only source from which you derived the information?

Answer. In my negotiation with Mr. Judson the subject of raising funds to get the sulphur patent extended was spoken of. I don't this moment recollect of any other, although, by reference to some memoranda or papers, I might discover.

Question by chairman. State what was the amount of the "contingent fee" which Mr. Levin had "dependent" upon the passage of the Colt extension bill, if he informed you?

Answer. To the best of my recollection, it was \$2,500. It might have been \$1,500. I won't be positive whether he said \$1,500 or \$2,500; it was one of those sums.

Question by chairman. Did you ascertain "the movements" of the agents, attorneys, and others, to secure the extension of Colt's and other patents; and, if so, state what those movements and plans were?

Answer. I don't know that I did fully understand their plans and movements. The most of them were very shy of me.

Question by chairman. If you ascertained their movements and plans partially, state them as far as you did ascertain them?

Answer. It will be very difficult for me to now remember all I ascertained. I recollect much was said on the subject, and I believe the first that I saw in detail was an article in the Scientific American, although I cannot now remember whether that article was published before one in one of the New Orleans newspapers. I have stated my first interview with Mr. Levin. I got a good many hints from a party, an applicant for an extension of a patent, or perhaps I should say from an agent of a party. I learned all I could from all persons likely to know, who I met. I discovered an article in the Washington Union, and an editorial

notice in the same paper, which led me to suppose that that paper or its proprietors were favoring the extension. I saw many persons who made to me, in a confidential way, intimations of movements from which I gathered some ideas of the subject of these patent extensions. From this will be seen what I wish to say in answer to the question.

Question by chairman. Give the name of the party and of the agent to whom you have referred, and also the names of the persons referred to in the latter part of your answer.

Answer. To the best of my recollection, the name was Bishop. It was the extension of a patent for a kind of felt cloth. I am not aware that I ever saw the proprietor. The agent to whom I referred I think his name was Rowley. I don't now distinctly recollect his name. I think Mr. Rowley, or this gentleman, knows a good deal on this subject which he never attempted to tell me. I do not now recollect any of them. One gentleman whom I met, counsellor at law, living here I believe, was formerly editor of the Republic. I think his name was John O. Sargent; told me there was a very strong force engaged in the patent extensions.

Question by Mr. Thurston. How do you know that Mr. Rowley knew so much about the movements and plans for extending patents?

Answer. I do not say that I know.

Question by chairman. What reason have you for believing that he knew more than he was willing to communicate to you as to those movements?

Answer. From his manner, and his saying to me that he had a case of his own, and did not wish to rouse the opposition of the other applicants by any open statements; but I remember of his saying that they had a very large force, and were very active. I also remember of his saying that he did not think that the Colt people could possibly succeed. He made allusion to the course which he said he had taken to get his own patent extended. He said the only true way was to show the invention to each member and explain its merits and advantages, and not urge them at all on the subject. He spoke of the mode of suppers and dinners, and wine and cigars, (alluding to the agents of Colt,) as calculated to disgust members as soon as they saw the object, and defeat rather than aid the extension.

Question by chairman. Did General Armstrong reply to your letter of the 4th of January last? If so, produce that reply if you have it; and if you have it not, state the substance of it.

Answer. I never received any reply whatever from General Armstrong. I think some three or four days after I sent the letter, the article which I enclosed for his paper did appear in it.

Question by chairman. Did you understand that Messrs. Harriman and McCrae were employed as agents to effect the extension of Colt's patent; and if so, what was their compensation, actual or contingent, if you heard?

Answer. I did not understand so; and I don't know that either of those gentlemen were employed, as inquired about.

Question by chairman. How much money have you loaned to Mr. Harriman in the several years mentioned in a previous answer, to the

best of your recollection, and how much of the sums so loaned has been returned to you?

Answer. I do not recollect how much ; perhaps \$500 or \$600 in the last five or six years. I do not recollect how much he has returned, if any. I have, I think, a draft or two drawn by him on New York parties which have been protested, remaining in my hands unpaid.

Question by chairman. When you promised "to reward" Mr. Simonton and Mr. Harriman "to the best of your ability," if they would expose the facts about the Colt pistol patent, what sum in money, or other compensation did you intend to give to each of those letter-writers?

Answer. I have no distinct idea on my mind as to any amount, or as to money at all. Mr. Simonton and his family and my family are on friendly terms, and have visited together. I have never paid Mr. Simonton a dollar in money. I don't think he ever made a demand on me for any sum. There was no expectation, as I know of, on his part. He has often said to me that he would not take a consideration, as he wished to be entirely independent. What he had done, he had done entirely on his own account, and for the benefit of his paper, or something to that effect. I do not pretend to give his exact words.

Question by chairman. Was Mr. Simonton one of the letter-writers referred to in your conversation with Mr. Dickerson as one of the persons to be retained at \$2,500?

Answer. I think he was in my mind when I was conversing with Mr. Dickerson, but cannot be certain.

Question by Mr. Zollicoffer. Did you subsequently release Mr. Harriman from any implied engagement to work against Colt's patent, or say to him you had ceased your efforts to oppose it before Congress?

Answer. Mr. Harriman assures me that I had so stated to him, but I have no recollection of having so stated. I had counted upon him as friendly to me, and as opposed to extensions.

Question by chairman. Have you, at any time since your release of Mr. Harriman, received compensation from Colt, his agents or attorneys, for withdrawing your opposition to the extension of his patent, or before or since had any agreement to that effect?

Answer. I have never received any compensation from Mr. Colt, or his agents, at any time for any such purpose ; and I am entirely unconscious of having withdrawn my opposition to the extension of Colt's patent.

Question by chairman. Has no promise, no understanding, no agreement, no suggestion been proposed by you to them, or them to you, by which you were to be paid for withdrawing your opposition, since the first day of February last?

Answer. Not any, that I now recollect of, having reference to Colt's patent.

Question by chairman. State whether any such understanding, agreement, or suggestion has been proposed in reference to any other patent?

Answer. Overtures have been indirectly made to me, renewing the negotiation which my counsel and myself had with them last summer. (when I say them, I mean the attorneys and counsellors of the india-rubber manufacturers, Mr. Dickerson being one of them,) for withdraw-

ing my opposition to the extension of the sulphur patent. This has been within the last ninety days. An interview was suggested by a mutual friend, and I had an interview with Mr. Nathaniel Hayward at my dwelling. There were no arrangements made, mere suggestions. The suggestion to me was the same arrangement, substantially, as had been proposed by Mr. Judson to my counsel, Mr. Richardson, and myself, and would be acceptable to Hayward and my other opponents. That is the only one I have any recollection of.

The committee then adjourned till to-morrow morning, at 9 o'clock, a. m.

TUESDAY, JULY 25, 1854.

The committee met pursuant to adjournment. Present, all the members.

Mr. H. H. Day said, that before his further examination was proceeded with, he desired to state that in the third question propounded to him on the 21st July, to wit: "Question by Mr. Zollicoffer. If you have substantially expressed the ideas imported by the question, state, as nearly as you can remember, where, when, and to whom; and state whether you supposed that Mr. Colt, or his agent or agents, would hear of your so expressing yourself?" In answering this question my mind was on the last clause of the previous one, or the last part of my answer to a previous question. From the style of the question, referring to a previous one, which embraced three propositions, my mind and answer was upon the last proposition of the next preceding question. I am not conscious of having answered the whole clauses of the question. The word "idea" in the question, I see was written "ideas;" but, at the instant of answering, the thoughts on my mind addressed themselves to the one idea of the last part of the question. I also wish to state, that what I meant to say was, not that members of Congress would be controlled by newspapers, but by presenting facts and information in the way to attract attention they would be enlightened and influenced. I have not attempted to make imputation upon members of Congress thus far in my testimony.

Question by Mr. Zollicoffer. Do you now wish to change your answer to the question then replied to?

Answer. No, sir; no further than I have by the explanation.

Question by chairman. You say, in answer to a previous question, that you have not received compensation from Colt, his agents or attorneys, "for any such purpose." Have you received compensation from them, or either of them, for any purpose; and if so, what amount, and for what purpose?

Answer. I never have received to the value of one cent in any shape; and since their effort to buy off my opposition, before testified to, the subject has not been spoken of, to my knowledge.

Question by chairman. Why, then, did you have the word "*such*" interlined in your answer of yesterday?

Answer. I know no other reason, at this instant, except a desire to be exact, and I do not know all who are Mr. Colt's agents or attorneys.

Question by Mr. Eliot. Have you received, or are you expecting, any compensation from any quarter for opposing the Colt patent extension?

Answer. In money, or money's worth, I have received nothing, and do not expect anything. I have received approbation in some letters—one of which, from the son of the inventor of the cotton-gin, I should like to place before the committee as in my judgment pertinent to the subject of inquiry before it.

Question by chairman. Prior to, or subsequent to the months of December or January last, did you employ directly or indirectly "any of the letter-writers and newspaper people" to whom you refer in a previous answer, who were "attorneys for business in Washington?" If so, name those persons?

Answer. Subsequent to the 1st of December I do not remember to have done so. To the best of my knowledge, and present recollection, I have not. I do not recollect to have done so at any time, if I understand the question with reference to Mr. Colt's pistol patent. I have had business attorneys in Washington, and presume they were more or less letter-writers also; but whether those to whom I referred in my previous answer, I cannot now tell, without reference to the answer referred to.

Question by chairman. You have stated that there "was some conversation" between yourself and Mr. Dickerson not "pertinent to the inquiry." State whether in the course of that conversation Mr. Dickerson denounced your conduct and propositions as infamous, or used words of like import?

Answer. He did not use the word *infamous*, nor any word of like import, in the conversation referred to. That to which I referred was not pertinent; one part of it was a boasting on his part of his uniform success and great powers as a lawyer; that was mainly the part I had on my mind.

Question by chairman. Have you at any time since the 1st day of December been applied to, either directly or indirectly, to loan money to any member of Congress, or to any person for the use or benefit of a member of Congress, or have you ever proposed to loan, or actually loaned, money to such persons?

Answer. No.

Question by chairman. Have you received assurances from any member of Congress that he would vote against the extension of Colt's or other bills, if you desired him to do so, unless Colt and other parties would make such arrangements as would be satisfactory to yourself and your friends?

Answer. No.

Question by chairman. Did you at any time or place mention to Mr. Dickerson, or any other person, the name of George W. Jones, of the House of Representatives, "as a very formidable man," on whom you could rely to aid in defeating Colt's extension; and if so, what authority you had for saying so?

Answer. No. I wish to add here that I have never made, or intended to make, charges of corruption against any member of Congress, directly or indirectly.

Question by chairman. Have you let Simonton have money, draft, or note; if so, what was the amount?

Answer. Three or four weeks ago Mr. Simonton addressed me a letter asking a loan for thirty or sixty days. I had not the money, but sent him my note, which he returned to me, and I do not now recollect whether I sent him another or not. The amount was, I think, \$200. I had made in a letter—my answer to him—allusion to my hope or expectation that he would oppose the patent extensions. The Hayward and the Colt extensions were the ones on my mind. He immediately returned me the note, with a letter reminding me of an implied obligation on his part to oppose the patent extensions for a consideration, and refused rather indignantly receiving a favor on such terms. I assured him, in my answer, that such had not been my intention towards him, and remarked to him that I honored his feeling in the matter.

Question by Mr. Thurston. Did you not inform Colonel Clemens that if Mr. Colt would satisfy your demands you and your friends would advocate his bill, and that if he would not, you would oppose it?

Answer. My conversation with Colonel Clemens was very brief indeed. To the best of my recollection, the conversation is embraced in my previous answers. I mean to deny the proposition in the question. I do not think that I ever promised any agent that my "friends" would advocate Colt's bill. I don't recollect ever having stated directly or indirectly that I would advocate Colt's bill.

Question by chairman. You have said, in a previous answer, "I do not know of any *contract* made by me with any letter-writer to defeat the bill for the extension of Colt's patent." If there was no "*contract*," was there any verbal understanding or agreement proposed, or intimated, or hinted at in this connexion?

Answer. From the first I have asked all my friends with whom I came in contact, and who I supposed had influence, to oppose the Colt patent, because I had satisfactory reasons for believing that if that could be passed, or could be procured to be passed, that the same parties would get the sulphur patent extended, in the right to use which I was very largely interested; besides, I did not wish the principle to obtain, in the legislation of the country, which would make a precedent to override that general provision applicable to all extensions. I now recollect an occurrence which I should have alluded to in my answer to a previous question. It had entirely escaped my memory as the question was put to me. I applied, I remember, during some part of the month of December or January, to some parties to send agents or attorneys to Washington, and money, for the purpose of opposing the Colt patent; and I have also applied to persons interested in the use of the sulphur patent to either go or send to Washington to oppose the extension. One of the parties first alluded to told me that they had sent an attorney or lawyer for that purpose, with instructions to oppose the bill if they could not make a compromise.

Question by chairman. Give the name of the attorney who was sent to Washington, the name of the person or persons who sent him, and the name of the person or persons to whom the money was sent or to be sent, and the amount of money so sent or to be sent?

Answer. The name of the company or person was the Ames

Manufacturing Company. They have an office in Broadway, in New York. They have a factory in Connecticut or Massachusetts. I learned subsequently that that company had an agent or agents here already. Another party (the firm is Young & Leavitt, or Young, Leavitt & Co.) left me to understand that they either had already sent, or were then about sending, some one to oppose the extension; but that they meant to make a compromise if they could, and if they did so compromise, they should decline to spend any money or take any part in the opposition. I do not know anything further than I have stated, and do not know that any money was sent, and do not know the name of the attorney. The suggestions that I made to these parties were, that they should send an able man and money. I cannot possibly recollect the name. As near as I can get it in my mind at this moment, it is Whitfield or Whittemore, for the Ames company. There was no name or names to be connected with the money that I recollect anything about, except their own counsel or agent, whom they were to send. Mr. George Gifford was one of the counsel, as I suppose, of Young & Leavitt; but I have no knowledge of the exact relations or doings of Young & Leavitt, or their agent or attorney. I saw Mr. Gifford in Washington, and supposed he had some connexion with them, though he did not so inform me. When inquiring of him his business, he left me to infer that he was about waiting the decision in the telegraph case before the Supreme Court.

Question by Mr. Wheeler. Do you know, or have you reason to believe, that a member of the present Congress ever has been, or is now, retained as attorney or agent for or against the Colt patent extension? If so, name him.

Answer. In addition to the answer which I have made, and which was being written down, when the question was altered to confine it to the present Congress, I again repeat, I do not know that any present member of Congress is retained for or against Colt's patent extension, and I disavow now all intention to impute corruption, or the being retained, according to the spirit and intent of the question; but in the long-continued operations of any great interest like that of Colt's patent, it is scarcely probable that some members of Congress should not, at some time, have had some position for or against the interest of Mr. Colt or the patent to be extended. I cannot express an unqualified belief on this subject, one way or the other. If I should state that I had no reason to give my own conscience either way, I should be doing it violence. I again disavow any intention to charge members of Congress, and so intended in the first answer I gave on this examination.

The witness commenced to answer the last question above by saying, "I do not know," and then hesitated about continuing his answer, and appealed to the committee not to force him to answer the question.

The yeas and nays were then taken upon the question, Shall an answer be insisted upon? and were as follows: Yeas—Messrs. Letcher, (chairman,) Thurston, Wheeler, Ruffin, Eddy, Eliot. No—Mr. Zoll-coffer. The witness then desired to commence his answer anew, and the words "I don't know," which had been written down, were stricken out, and he answered as above.

Question by Mr. Wheeler. Have you any reason to believe that any

member of the present Congress ever has been employed or retained either for or against Colt's extension, or any other bill before, or which has been before, this Congress?

Answer. I do not, at this moment, recollect any reason.

The witness was then discharged from further attendance.

The chairman laid before the committee the following communication, which was ordered to be entered upon the minutes, as follows:

"Mr. Clemens, a second cousin and intimate friend of mine, gave me a Colt's pocket revolver. At the time I did not know Mr. Clemens had any connexion with Colt's application for a patent extension, nor did I ever know Mr. Colt was urging such an application. When I learned such was the case, I consulted with Mr. Edmundson about the propriety, as a matter of delicacy, of returning the pistol; but we concluded it might be offensive to Mr. Clemens, as the intimation of a purpose upon his part which we did not dream he entertained. I believe Mr. Clemens has been long aware—I am sure others have—that I have never intended to vote for the extension of Mr. Colt's patent, and I have never perceived that it made any difference in his manner or conduct towards me; nor do I now remember his ever having even asked me how I should vote, but only presume he knew how I should vote, from a jocular remark of his reported to me about his relations voting against his wishes.

"PRESLEY EWING.

"JULY 22, 1854."

The committee then adjourned until to-morrow morning at 9 o'clock.

WEDNESDAY, JULY 26, 1854.

The committee met pursuant to adjournment. Present, all the members.

Mr. E. H. Thompson being duly sworn, deposes as follows:

Question by Mr. Eliot. State whether or not you have been engaged at any time to aid in procuring the extension of Colonel Colt's patent, the application for which is now pending before Congress; if yea, where, and by whom, and on what terms?

Answer. Yes, sir; I have been employed as an attorney. I am employed by Mr. Dickerson; I refuse to answer as to terms, because it relates to my private business. I was employed here at Washington the latter part of December or the first part of January.

Question by Mr. Eliot. Was your compensation to be absolute or contingent?

Answer. I have received money from Mr. Dickerson. I expect to receive more if the bill passes.

Question by Mr. Eliot. Have you any objection to say how much in amount you expect to receive if the bill passes?

Answer. Certainly I have.

Question by Mr. Eliot. If the bill does not pass, do you expect further compensation?

Answer. I hardly know how to answer the question. If I want more for my own services, I can draw for it, and can get it.

Question by Mr. Eliot. Do you decline to say whether there is or not any limit to your right to draw?

Answer. I can draw for any amount that is reasonable; but as to how far I can go, I decline to say.

Question by Mr. Eliot. Will you say whether your compensation was, by the terms of your engagement, to be entirely pecuniary?

Answer. Entirely.

Question by Mr. Eliot. Will you please state what kind of services you were engaged to render?

Answer. I answer that question, in the first place, by stating I have been a member of the bar twenty-one years; to call upon members of Congress of both houses, and to present for their consideration the necessary facts to enable the bill to pass Congress.

Question by Mr. Eliot. State what knowledge, if any, you have as to any other persons who have been so engaged, and say by whom they have been so engaged, and whether their compensation has been contingent or otherwise?

Answer. Colonel Clemens has been so engaged, and I think is the attorney of Colonel Colt. I don't know by whom he was employed, and I know nothing about his compensation, whether contingent or immediate. The same of Mr. Dickerson. As to those parties I have employed myself, I respectfully decline to answer.

Question by Mr. Eliot. Do you know of any gift of articles made to any present member of Congress by Colonel Colt, or any agent of his, while his application has been pending?

Answer. Nothing but hearsay.

Question by Mr. Eliot. Have the persons you have employed been professional counsel or otherwise?

Answer. Both.

Question. Have you heard any member of the present Congress say he had received any articles of any kind from Colonel Colt or his agents?

Answer. I have not.

Question by Mr. Eliot. How many persons have you employed to aid in the application for that extension?

Answer. Some six or seven, I should think.

Question by Mr. Eliot. Was it part of the agreement on which you were engaged that you should have the right to employ such counsel or other aid as you thought right?

Answer. No agreement about it; I took it for granted. I assume the responsibility in cases of that kind, and would now employ twenty more if necessary.

Question by Mr. Eliot. How much money have you paid heretofore to such counsel or agents?

Answer. That I respectfully refuse to answer; it relates to my own private business.

Question by Mr. Eliot. Have you paid any except as the agent of Colonel Colt?

Answer. No, sir; nor do I admit that I have paid any.

Question by Mr. Eliot. Have you paid any?

Answer. That I refuse to answer.

Question by Mr. Eliot. Has any money been furnished you to employ agents with?

Answer. That I refuse to answer.

Question by Mr. Eliot. Have you drawn upon Colonel Colt for any money for such purpose?

Answer. No, nor for any other.

Question by Mr. Eliot. Have you other objection to answering either of the preceding questions than that it relates to your private business?

Answer. None whatever.

Question by Mr. Eliot. Do you know of any member of the present Congress being employed in any way as aid or adviser in Colonel Colt's application?

Answer. I do not.

Question. Among the persons employed by you, will you say how many were professional and how many were otherwise?

Answer. I can't exactly say. None of them were engaged as lawyers; their duties were all alike.

Question by Mr. Eliot. Will you state how many letter-writers have been engaged by you, and what duties they were to perform?

Answer. I think I will decline answering that.

Question by Mr. Eliot. Are you willing to say whether there were as many as ten employed by you?

Answer. There were less than a third of that number.

Question. Have you any knowledge of any means used to influence the action of any present member of Congress by Colonel Colt, or any one acting for him, in regard to this application, except as you have stated?

Answer. No, sir.

Question by Mr. Eliot. Do you know of any combination of parties, who have separate measures to get passed, to aid each other in any way during this present Congress?

Answer. I do not.

Question by chairman. Have you been employed as agent, or attorney, or letter-writer, to aid, favor, or influence the action of Congress in securing the passage or defeat of railroad, the Texas debt, or other bills now pending, or which have been before Congress during the present session?

Answer. I have been employed in aiding the passage of bills for the Minnesota railroad, the Pacific railroad, the Wisconsin railroad, and railroads in my own State, (Michigan.) I have had nothing to do with the Texas debt or the Mexican matter. I am the attorney of E. K. Collins & Co. I volunteered my services to get a patent through for Mr. Emmons. While the Nebraska bill was up I did all in my power to defeat it. I also own part of Moore & Haskall's patent, for which a renewal is now being applied for, and opposed by Cyrus McCormick, with whom I have been endeavoring to effect a settlement of their difficulties.

Question by Mr. Letcher. Was your compensation, in each of those cases, actual or contingent; payable in money or stock, or otherwise?

Answer. It was actual and contingent, and payable in money and in stock, with the exception of the McCormick case.

Question by Mr. Letcher. Do you know of any gift, any sum of money, stock, or other compensation, paid or promised to any member

of the present Congress, for his aid, influence, or favor in support of any of the bills mentioned in a previous answer?

Answer. I do not.

Question by chairman. Do you know of any representative or senator in the present Congress who is agent or attorney, and who is using his influence to secure the passage of either of said measures, or who is interested as partner or stockholder, or otherwise, in said measures, or either of them?

Answer. No, sir.

Question by chairman. Have you drawn upon Mr. Dickerson for any money; if so, when and for what amount?

Answer. I have never drawn for a dollar.

Question by chairman. What sum of money has been spent by Colonel Colt, his attorneys or agents, in their efforts to secure the passage of Colt's patent extension bill? State to the best of your knowledge and belief.

Answer. It would be impossible for me to state; and if I did know, I would decline to answer.

Question by Mr. Eliot. Will you state whether you have a desk within the hall of the House of Representatives, the name of the paper or papers with which you correspond, and whether any conditions were imposed upon you when your seat as a reporter was assigned you by the Speaker?

Answer. I have a desk there. As to the papers I report for, I refuse to answer. There were conditions imposed upon me. I cannot recollect the phraseology of the obligation taken by me. It was a printed statement.

Question by chairman. When you applied to the Speaker for your desk, did you furnish him the name or names of the paper or papers with which you intended to correspond?

Answer. I did name one paper, and only one.

Hon. Gilbert Dean, being duly sworn, testifies as follows:

Question by Mr. Zollicoffer. Have you any knowledge that money or other valuable consideration has been offered to any member of Congress, or other improper or illegal means used, to induce such member to vote for or against any bill now pending or which has been pending before Congress at this session?

Answer. I have not.

Question by chairman. Do you know, or have you reason to believe, that any representative or senator in the present Congress is an agent or attorney for, or is interested as a partner or stockholder or otherwise, in any of the railroad, patent, or other bills that have been pending or are now before Congress?

Answer. I never have been myself. I have no knowledge on the subject except as to myself.

Question by chairman. Do you know, or have you ever heard from a person interested, that gifts, pecuniary consideration, stock, or other compensation, has been offered, paid, delivered, or assigned to any

member of the present Congress, for his aid or influence in securing the passage or defeat of any bill which now is or has been pending?

Answer. I have no knowledge on the subject whatever.

Question by Mr. Zollicoffer. Do you remember, at any time, to have had a conversation with Mr. Wright, editor of the *Day Book*, at New York, upon the subject of Colt's patent, or the efforts of his agents to renew the same? If so, state the substance of that conversation.

Answer. I have no recollection of any conversation with Mr. Wright. He was very frequently in my room. I have talked with individuals against the Colt extension, and have spoken of the reports of dinners, suppers, &c., being given to effect the extension; but have no recollection of speaking to Mr. Wright about it, but may have done so.

Question by Mr. Zollicoffer. Did you ever attend one of those dinners or suppers; and if so, did you have any reason to believe that they were given with a view to conciliate good feeling among members of Congress towards Colt's patent?

Answer. I have been invited more than once to go in to the entertainments of an evening. I attended once only. No members of Congress of either house, except Mr. Clingman and myself, were present. There were a number of ladies, and some gentlemen who were generally around Congress, but not members of Congress. The subject of Colt's patent was spoken of by the ladies, but not by the gentlemen. It was the early part of this session. The place was the National Hotel, in the room of Mr. Dickerson, by whom I was invited. One of the ladies spoke to me in favor of the Colt patent, and Mr. Dickerson interfered and said to the ladies he knew I was opposed to it, and that there was no use of the lady endeavoring to influence me. I had known Mr. Dickerson during the last Congress, and had met him in New York; but I was not well acquainted with him until the present session. I have never seen Mr. Colt, and do not know him. The account given of what occurred in the supper-room, by Mr. Wright, in his testimony, which has just been read to me, is substantially correct. As to any other bill, I know of no improper means having been used to induce any member of the present Congress to aid in its passage or defeat.

Question by Mr. Eliot. Were you, that you remember, ever approached by any letter-writer who had a seat on the floor of the House, for the purpose of influencing your vote upon the Colt patent or Wisconsin railroad bill?

Answer. No.

The committee then adjourned till to-morrow morning at 9 o'clock.

THURSDAY, JULY 27, 1854.

The committee met pursuant to adjournment. Present, all the members.

Mr. George W. Brega, being duly sworn, testified as follows:

Question by chairman. Have you been employed by any person or persons to aid, influence, or favor in any way, the success or failure of any measure or measures before the present Congress, or which have been before it?

Answer. I had an interest in the Wisconsin and the Minnesota railroad bills.

Question by chairman. When and by whom were you so employed or retained; what compensation, actual or contingent, gift, or other advantage have you received in each case; and what are you yet to receive for your assistance or services?

Answer. In regard to my compensation, I think I should not answer, as it relates entirely to my private business. I was employed not for the purpose of improperly influencing members of Congress, but to present facts to them. I decline, also, to answer as to who employed me.

Question by chairman. Will your compensation, gift, or other advantage depend in any degree, or to any amount, upon the success or failure of the measures aforesaid?

Answer. To a certain degree, but not entirely.

Question by chairman. Do you know that any member of Congress, during the present session, has received or been promised money, gifts, or other advantages, for advocating or voting for, or opposing or voting against, any bill or measure since the 1st of December last?

Answer. No, sir.

Question. Do you know, or have you reason to believe, that any member of Congress has borrowed, or applied to any person who has now or has had before the present Congress a bill or other measure, or applied to his agent or attorney for a loan of money, or has received stock or other valuable consideration for his aid, influence, or favor in behalf of such bill?

Answer. I do not.

Question by chairman. Do you know, or have you reason to believe, that any representative or senator in the present Congress is an agent or attorney for, or is interested as a partner, stockholder, or otherwise, in any of the railroad, patent, or other bills that are now pending or have been before Congress?

Answer. I do not.

Question by Mr. Zollicoffer. Has any agent or attorney of the opponents of the Colt patent at any time offered you any sum to assist in defeating the Colt bill? And if so, state when and by whom the offer was made, and what was the sum offered.

Answer. Mr. Gifford, who represented himself as the counsel of Young & Leavitt, who had been sued for an infringement of the Colt patent, called upon me one morning, and said he was desirous of employing me to do what I could to prevent the extension of the Colt patent, and that if I would do so he was prepared to pay me handsomely, or something of that kind. I was somewhat surprised by the abruptness of the proposition, as well as its character. I replied to him, in substance, that I had not looked into the matter at all; that after I had looked into it, if I made up my mind that it was not proper it should be extended, I would oppose it, as far as it was my duty, without any pay; and if, upon investigation, I thought it ought to be renewed, money could not purchase me to state a falsehood and oppose it.

Question by chairman. Have you made any arrangement with

the friends or opponents of the Colt bill by which you were to be paid for your advocacy or opposition to the bill? State, also, who applied to you to advocate or oppose the bill, and all that passed between you on such occasions.

Answer. I was never applied to by any person to advocate the passage of the Colt bill. At my request, Mr. Dickerson stated to me the grounds of the application. Mr. Horace H. Day called upon me twice previous to my asking Mr. Dickerson anything about the matter. He abused Dickerson, Colt, and Goodyear. He said he was going to write to persons interested in the manufacture of pistols for the purpose of getting a fund to oppose the Colt patent. He said that Dickerson was a fool not to have bought up all the correspondents and letter-writers here, at a thousand dollars a head, for the purpose of writing the matter up; he made the remark that Dickerson was a mere boy, but that he (Day) understood how to manage matters here. He said it would be to my interest to join that organization. I confess I regarded him as a crazy man in the matter, and laughed it off, by telling him to let me know when he got that great fund he talked about. The next time he called, he opened the door, and said he had mistaken the room, and I remarked very shortly that it was a mistake, and supposed he would leave, but instead of doing so, he commenced again about the Colt patent, told me of his difficulty with Goodyear, and spoke of Dickerson as having crushed him. He said that he would make Dickerson agree to let him up in the Goodyear judgment and pay handsomely besides, or he could never get his Colt patent renewed. He mentioned that he had several letter-writers employed here. This occurred some time last winter.

Question by chairman. Did Mr. Gifford abandon his opposition to the extension of the Colt patent subsequent to his proposition to you?

Answer. I do not know anything about it; I saw him but once.

Question by chairman. What sum or sums of money have been expended or promised—what amount of stock has been promised or transferred, or given to letter-writers, or other persons interested in securing the passage of the Minnesota and Wisconsin railroad bills? State according to the best of your knowledge and belief.

Answer. I have no knowledge in the matter.

Question by chairman. Have you never heard anything on that subject from A. Hyatt Smith, or other persons interested in securing the passage of those bills?

Answer. No, sir.

Question by the chairman. How many reporters and letter-writers were interested in securing the passage of the Minnesota and Wisconsin, and other railroad and patent bills before this Congress, and what was their compensation actual and contingent, and by whom employed, and state their names?

Answer. I do not know.

Question by chairman. Is your compensation, actual and contingent, in those two cases more than \$1,000 and less than \$10,000?

Answer. I have already declined to answer that question.

Question. Do you decline to answer those questions merely on the ground that they relate to your private business?

Answer. Entirely so.

Question by Mr. Thurston. Do you know whether Mr. Gifford is counsel for H. H. Day, and also for the Ames Manufacturing Company, who are pistol manufacturers?

Answer. I have heard so, but do not know it to be so.

Question by Mr. Zollicoffer. Do you know of, or have you reason to believe you know of, any other person who had a contingent interest in the passage of the Minnesota or Wisconsin railroad bills; and if so, who, and what you understand to be the character and extent of such interest?

Answer. I have heard Mr. E. W. Thompson say he was interested in both of those bills; of the extent and character of his interest I know nothing. Mr. Billings, I have heard, was interested in the Minnesota grant. Those are the only persons I know about. I don't know anything about Mr. Billings's interest; I have heard that he was one of the corporators.

Question by Mr. Ruffin. Have you ever heard any letter-writer or reporter, or other person having the privilege of a place in the hall of the House of Representatives, say that he was interested in the passage or defeat of any bill that is now pending before Congress, or has been pending during the present session?

Answer. I have mentioned Mr. Thompson, who, I believe, has a seat on the floor of the House. I have no recollection of any other letter-writer or reporter having spoken to me on the subject.

Question by Mr. Ruffin. Are you occupying a desk upon the floor of the House of Representatives as a correspondent and reporter; and if yea, will you state how you understand the conditions upon which your seat was assigned to you?

Answer. I was not assigned a seat this Congress. I understand that the condition is, that the holder of such a seat shall not be a claim agent. I am admitted by the Speaker to the privileges of the floor.

Question by Mr. Zollicoffer. Is the extent of your interest in the Minnesota or Wisconsin bills dependent in any measure upon your services in aiding the passage of those bills?

Answer. I have an interest in the Wisconsin bill apart from any action of Congress. My interest in those bills is in a measure dependent upon my services in aiding the passage of those bills.

Question by chairman. What number of shares of stock stand in your name in the Wisconsin and Minnesota railroad, and what sum in money has been paid by you upon said stock?

Answer. I have already declined to answer questions relating to my private business.

Question by chairman. Have you been spoken to, or retained, or employed directly or indirectly, or have you reason to believe that you have been so employed or retained, with the knowledge of any member of Congress, to aid, influence, or favor the passage of the Wisconsin or Minnesota railroad bills, or to aid or oppose other bills?

Answer. I have not been retained or employed by any member of Congress, or, as far as I know, to the knowledge of any member of Congress, to aid, influence, or favor the passage of those bills or any others.

Question by chairman. Is there any understanding or agreement, verbal or written, or implied, that any portion of the stock held by you in said roads is to be transferred, or assigned, or delivered to any person a member of the present Congress?

Answer. There is not.

Question by Mr. Eliot. Was the compensation you were to receive, whether in money or in stock, to be wholly received by you for your own use and for your own services; or was it, or any part of it, to be assigned or transferred, in the event of the passage of the Wisconsin and Minnesota bills to any other person?

Answer. My agreement was entirely for my own advantage.

The committee then adjourned until 9 o'clock to-morrow morning.

FRIDAY, JULY 28, 1854.

The committee met pursuant to adjournment. Present: Messrs. Letcher, (chairman,) Ruffin, Thurston, Wheeler, Eliot, Zollicoffer.

Hon. C. T. James, of the United States Senate, being duly sworn, testifies as follows:

Question by chairman. Have you any knowledge or reason to believe that money, or any illegal or improper means have been used, or have been proposed to be used, either directly or indirectly, to secure the passage of Colt's or any other patent extension bill, or any railroad or other bill through the present Congress?

Answer. No, sir, I have none.

Question by chairman. Have you any knowledge or reason to believe that any senator or representative in the present Congress has been employed as agent or attorney, or otherwise, to aid, favor, or influence the passage or defeat of any bill that has been pending or is now before Congress?

Answer. No, sir.

Question by chairman. Have you any knowledge or reason to believe that any senator or representative in the present Congress has received gifts, or has borrowed money from persons who now have or have had bills pending before Congress, or that such parties, or their agents or their attorneys, have made presents, or have loaned money or used other means, or proposed to do so, to any member of the present Congress?

Answer. I know nothing to my own knowledge to that effect.

Question by chairman. Have you heard any senator or representative admit that gifts or money or other consideration had been offered to him, either by loan or otherwise, by persons, their agents, &c., having such application pending?

Answer. No, sir, I have not.

Question by chairman. Do you know, or have you reason to believe, that any senator or representative is interested as partner or stockholder, or in any way, in any patent extension bill, or in any railroad bill, that is now or has been before the present Congress?

Answer. I do not.

Question by chairman. Do you know, or have you heard from Colt, Dickinson, or Clemens, the names of the agents or attorneys, or other

persons interested in securing the passage of Colt's bill, or the amount which has been expended in prosecuting Colt's application before the present Congress?

Answer. No, sir.

Question by Mr. Thurston. Did you ever present a pistol to the Hon. Daniel Mace or any of his family? If so, please state when and for what purpose.

Answer. Two years ago this summer I boarded in the next house to Mr. Mace. I became acquainted with his family at that time, and with a little sick son in whom I took a good deal of interest, from the fact that he was very like a little son of my own that I lost. On my return here last fall, much to my surprise, I learned from Mr. Mace that his little son had got well. I sent him a small pistol that I had had for a considerable time, as a present. That is all that I know in reference to the subject of the question.

Hon. G. W. Jones, of the House of Representatives of the United States, being duly sworn, testifies as follows:

Question by Mr. Eliot. Do you know, or have you reason to believe, that any offers of gifts or money have been made, by any person, to any present member of Congress during the present session, for the purpose of affecting his vote or his action upon any bill that has been pending during this session?

Answer. I do not; but I will state what I suppose was the cause of my being summoned here. Some time last winter, or early in the spring, I went into the Union office one evening. There were one or two other persons there. Something was said about the extension of the "Colt patent." Mr. Nicholson remarked that he had heard a person say that I could get fifty thousand dollars if I would support that bill. I made no reply, nor inquiry as to who it was that said so, nor have I since inquired or heard anything more about it. I have seen that part of the Hon. T. L. Clingman's evidence in this case in which he relates conversations between us. His statements are substantially correct. I have no recollection whatever that I either declined or refused, in either conversation, or at any time, to give the name of the person who made the remark that I could get fifty thousand dollars for supporting the Colt extension bill. I certainly never had any motive or reason for withholding the name of the person.

Question. Did you know H. H. Day, of New York, prior to the 17th July last? Did you ever hold any conversation with him about opposing the Colt patent extension bill now before Congress?

Answer. I did not know him, nor did I ever hold a conversation with him on any subject prior to that time.

Mr. Christopher Colt, being duly sworn, testifies as follows:

Question by Mr. Eliot. Are you the brother of Colonel Samuel Colt?

Answer. I am.

Question by Mr. Eliot. Have you been engaged or employed in any

way to aid or to oppose the application for the extension of his pistol patent?

Answer. I have not.

Question. Have you used any means or taken any part for or against that application?

Answer. Nothing more than conversing with gentlemen and speaking in favor of it.

Question by Mr. Eliot. Do you know of any gift of pistols or other articles made by Colonel Colt, or any agent or attorney of his, to any present member of Congress, during the pendency of his application before Congress?

Answer. I do not.

Question by Mr. Eliot. Have you reason to believe that any such gift has been made?

Answer. I have not.

Question by Mr. Eliot. Have any means been used, to your knowledge, by Colonel Colt, or any agent or attorney of his, to influence any member of the present Congress to aid or to oppose the said application, except by statement of facts for or against it?

Answer. Not that I know of.

Question by Mr. Eliot. Has any money or article been placed in your hands, for your own use, or for distribution in Washington, in order to secure the aid, in behalf of Colonel Colt's application, of any member of Congress?

Answer. None.

Question by Mr. Letcher. Have you any knowledge or any information as to the amount of compensation which has been promised or paid by Colonel Colt or his agents or attorneys in the prosecution of his application?

Answer. I have none. I have no knowledge of his business at all. This may appear strange, he being my brother; but I do not know even who his attorneys are, except Mr. Dickerson.

Question by Mr. Letcher. Did you, at any time, state to any person or persons that \$60,000 or \$70,000, or any less or greater sum, had been or would be expended to secure the passage of his bill?

Answer. I did not.

(Hon. Mr. Eddy here appeared and took his seat.)

Question by Mr. Zollicoffer. Did you ever hold a conversation with a member of Congress, at your own room or elsewhere, or were you ever present with a member of Congress when a conversation was held in which an estimate was made of the amount of money it would cost to get Colt's bill through Congress?

Answer. Never.

Question by Mr. Letcher. Do you know, or have you reason to believe, that Mr. Dickerson, or other agents or attorneys, were in the habit, in the early part of the present session of Congress, of giving expensive dinners and entertainments at the National Hotel, at which members of Congress were the guests; if so, who paid the cost thereof?

Answer. I know they used to have dinners, but I don't know whether

members of Congress were present. I never dined there; nor do I know who paid the cost of them.

Question by Mr. Zollicoffer. Did you ever offer to present to Mr. Wright, editor of the Day Book, a pistol if he would go to your room?

Answer. No.

The committee then adjourned until to-morrow morning at 9 o'clock.

SATURDAY, JULY 29, 1854.

The committee met pursuant to adjournment. Present, all the members.

Captain Nathan Darling, being duly sworn, testifies as follows:

Question by Mr. Wheeler. Have you been employed to aid or assist in the passage of any bill through the present Congress; if so, by whom were you employed?

Answer. I have not.

Question by Mr. Wheeler. Were you not employed to aid in the passage of the Wisconsin railroad bill?

Answer. I was not.

Question by Mr. Wheeler. Had you any interest in that or any other bill?

Answer. None whatever in any railroad bills.

Question by Mr. Wheeler. Have you been employed to assist or urge the passage of any bill through the present Congress?

Answer. I have advocated the passage of bills. This Colt's pistol bill I have asked gentlemen to vote for—first, I had known Mr. Colt for twenty years; second, in the year 1837 I was detailed as one of a board of officers to examine that arm, and I have carried one ever since they were first invented, and know the use of them. I conceive it my duty to advocate the bill to prevent a spurious article going into the market. I have not seen Mr. Colt in ten years until the other day when he was before this committee, and I have not corresponded with him.

Question by Mr. Wheeler. Were you formerly an officer in the army?

Answer. I was a captain in the second regiment of dragoons.

Question by Mr. Wheeler. Have you been promised any remuneration, or do you expect any, for urging the passage of Colt's bill?

Answer. None whatever.

Question by Mr. Thurston. Do you know, or have you reason to believe, that any member of the present Congress has been, directly or indirectly, interested in the passage of any bill now pending or which has been pending before the present Congress?

Answer. I do not know. I was at the National Hotel a day or two after the passage of the Minnesota railroad bill, and it was remarked that it was strange some members voted for that bill who opposed every other bill. The persons interested present, as far as I can remember, were a Mr. Green from New York, and a Mr. Moore from Maine. The remark was made in that group that they would like to have all the stock over \$10,000 that Mr. Clingman got for voting for that bill. The

person who made this remark is not known to me by name. I know nothing further in reference to the subject of the question.

Question by Mr. Ruffin. You have spoken of a conversation at the National Hotel. At what time did it occur; was it prior or subsequent to the time that Mr. Clingman had made his speech in the House, charging that fraudulent means had been used to procure the passage of Colt's patent extension?

Answer. It was before that.

Question by Mr. Wheeler. Have you ever made a remark yourself to the effect that you would like to have all over a certain sum or amount of stock in that road that a member of Congress had got?

Answer. Yes; I made that remark from having heard the conversation at the National Hotel.

Question by Mr. Ruffin. To whom was the remark you have just alluded to made, and under what circumstances?

Answer. It was made to Mr. Wheeler. I think he is the only person I ever mentioned it to. We were talking something about members voting. He said he had never been approached by any one since he had been in Congress; and I said he was different from other members, from what I could learn. I then related to him the circumstance above stated in my answer.

Question by Mr. Ruffin. Do you hold any official relation towards the House of Representatives; and if so, in what capacity are you employed?

Answer. I am a clerk in the office of the superintendent of printing.

Question by chairman. Were those persons with whom you held the conversation at the National Hotel such as would be likely to know the fact if pecuniary means, stock, or thing of value, had been used to secure the passage of that bill?

Answer. I don't know; they were outside men.

Question by chairman. If you did not know whether they were likely to know the fact, explain why you repeated the chief point in the conversation, and expressed the desire to have all the stock over \$10,000?

Answer. I don't know positively that they were interested, but I supposed so. I thought them pretty likely to know all that was going on.

Question by chairman. Are you in the habit of associating with those persons at the National Hotel to whom you have referred?

Answer. I meet them occasionally. I go to the hotel once or twice a week, and I generally see them there.

Question by chairman. Can you name no others than Mr. Green and Mr. Moore, mentioned in a previous answer?

Answer. I could name one more. He died last week. I refer to Mr. Pitts, who was in Governor Marcy's office. There was also a young man supposed to be from Minnesota, whose name I do not know. I never spoke to him.

Question by chairman. Were the names of those members given in that conversation who voted against all bills, except the Minnesota railroad bill?

Answer. I think no name was given. One of the persons present spoke of Mr. Jones being out, who is always against bills. It was the

general remark, that it was singular that members voted for that bill who generally opposed similar ones.

Question by chairman. To what members of Congress did you speak to aid the passage of Colt's bill, and what did you say to each of them?

Answer. I don't recollect. I spoke to Mr. Westbrook as one, and asked him if he would go for the bill, or something to that effect. He said he had not examined it. I then told him my experience with the arm, and said I thought they ought to grant him the privilege of continuing to make them. I spoke to Mr. Rowe, from New York, to Willis Allen, of Illinois. I mentioned to Mr. Allen that, he being a frontier man, he did not require to be informed as to the merits of the weapon. I don't know that I have spoken to any other member of Congress on the subject, but I may have done so.

Question by chairman. Who requested you to speak to members of Congress on the subject?

Answer. Nobody.

Question by chairman. Are you and other public officers here in the habit of interesting yourselves in behalf or in opposition to measures pending before Congress, or is Colt's the only case in which you have so interested yourself?

Answer. I am not in the habit of interfering in such matters. I have neither opposed nor advocated any other bill than this one, and I did that out of friendship for Mr. Colt, and because I approved of his arms, and think they should be in the hands of every frontier man and every soldier in the army.

Question by chairman. Do you know, or have you reason to believe, that any member of either house of Congress has been or is now concerned either as partner, agent, attorney, or otherwise, in aiding, influencing, or favoring the passage or defeat of any bill that has been or is now before the present Congress?

Answer. I do not know of my own knowledge. I have never heard that any member was interested in any bill, except in the one instance related in my former answer.

Question by chairman. Have you had any conversation with any member, or have you heard anything said by a member, which induced the belief on your mind that he was so interested?

Answer. No, sir.

Question by chairman. Do you know, or have you reason to believe, that any member of the Senate or House has received gifts or presents of pistols, stock, money, or other thing of value, from any person who has now or has had an application of any sort pending before Congress?

Answer. No, sir.

Question by chairman. Do you know, or have you reason to believe, that money has been loaned or proffered to be loaned, or notes or other paper loaned or endorsed, or proffered to be loaned or endorsed, to or for the use or benefit of any member of Congress, either directly or indirectly, by any person, his agent or attorney, who now has or has had a bill pending before this Congress, or that any member has made application for such favors to any such person or persons?

Answer. No, sir, I have heard no intimation of that sort.

Question by Mr. Ruffin. Were you ever present at any entertain-

ment given by Mr. Dickerson at the National Hotel; and if so, did you hear the subject of the extension of Colt's patent there discussed?

Answer. No, sir; I never was there.

Mr. W. B. Chase, being duly sworn, testifies as follows:

Question by Mr. Eliot. Have you been engaged as agent or attorney, or otherwise, to aid the passage of Colonel Colt's application before Congress for an extension of his patent?

Answer. Early in the session Colonel Clemens reminded me of the intimacy that had existed between Colonel Colt and myself, and asked me if I would assist him (Clemens) in furthering Colonel Colt's interests. I replied, I would do so cheerfully.

Question by Mr. Eliot. Whether or not were you retained for that purpose; and if so, will you please state the service which you were to render, and the compensation paid or to be paid, and whether or not that compensation was absolute or contingent?

Answer. I was not retained. The kind of service was not designated. No rate of compensation was named. No allusion was made to compensation at all.

Question by Mr. Eliot. Will you state in what way, if at all, you have rendered aid to Colonel Clemens in prosecuting the application for that extension?

Answer. By addressing communications to some of the members of Congress with whom I am acquainted, stating what I knew to be facts, in order to controvert statements which I knew to be false, which were industriously circulated by the opponents of Colonel Colt. The communications I refer to were in form of letter.

Question by Mr. Eliot. Do you know, or have you reason to believe, that any gift of any kind has been made or offered to any member of Congress by Colonel Colt, or any one acting in aid of his application?

Answer. I do not, sir. I have heard Colonel Clemens say he has distributed some pistols, and was sorry he had not more to distribute, in order that the arm might be thoroughly understood.

Question by Mr. Eliot. Will you name the persons to whom such pistols have been given?

Answer. I do not know, sir; Colonel Clemens did not say.

Question by Mr. Eliot. Will you say whether any compensation has been made to you, and what, and by whom?

Answer. None has been made to me whatever.

Question by Mr. Eliot. Have you been employed by Colonel Clemens, in relation to the Colt patent, in any other way than as you have stated?

Answer. None, sir.

Question by Mr. Eliot. Do you know, or have you reason to believe, that any improper or unlawful means have been used by any person to affect the vote or the action of any member of the present Congress in aid of or in opposition to any bill now pending, or which has been pending, before Congress during the present session?

Answer. I do not know yet. I have reason to believe, and in a few

days shall possibly know positively, that votes were made for the Nebraska bill in consequence of a contract to build one of the six steam-frigates being given to George Steers, of New York. That is all I can say at present. I cannot give the names yet without occasioning trouble to parties who are not interested. The person from whom I got my information is not here. I don't know, positively, where he is.

Question by Mr. Eliot. Will you state the name of the person from whom you obtained the information which you have?

Answer. If I decline to answer that, it is more with the view to further the investigation than to retard it. I must decline.

The witness was requested to withdraw whilst the committee decided whether an answer should be insisted upon to the last question; which was decided in the affirmative, and the clerk directed to notify the witness that he shall come prepared to answer the question on Monday morning at 9 o'clock.

The committee then adjourned to Monday morning at 9 o'clock.

MONDAY, JULY 31, 1854.

The committee met pursuant to adjournment. Present, all the members.

Mr. W. B. Chase again appeared before the committee, and the last question of Saturday being repeated to him, he makes answer as follows:

Answer. I am sorry that you have forced me to appear discourteous, but I must still decline.

Question by Mr. Eddy. Will you state the facts upon which your reasons for believing that votes were improperly made for the Nebraska bill are founded, in consequence of a contract to build one of the six steam-frigates with George Steers, of New York, as stated in a former answer?

Answer. The facts are nothing more than that I was informed such was the case.

Question by Mr. Eliot. Have you any knowledge in regard to any improper means used to affect the vote or the action of any member of the present Congress upon any bill which has been pending during this session, except as you have stated?

Answer. I have not, sir.

Question by chairman. To what members of Congress did you address the communications referred to by you? State the substance of those communications, and the time at which they were sent.

Answer. I retained no list of the gentlemen to whom I addressed such communications; they were sent at various dates. The substance was a mere statement of facts to disprove the assertion of the opponents of Colonel Colt, that he had acquired large benefits from his invention.

Question by chairman. Do you know, or have you reason to believe, that any senator or representative in the present Congress has received or been promised money, or a loan of money, or stock, or other thing of value, either directly or indirectly, for his aid, favor, or

influence in behalf of any patent bill or railroad bill, or that he has had notes endorsed, or proposed to be endorsed, by any applicant or any person interested in such bills?

Answer. I do not know, nor have I any reason to believe, that any favors have been granted or promised.

Question by chairman. Do you know, or have you reason to believe, that any representative or senator in the present Congress is interested as partner, stockholder, or otherwise, in any patent bill or railroad bill which is now pending or which has been before the present Congress?

Answer. I have reason to believe that the Hon. Lewis Cass is a stockholder in the Oakland and Ottawa railroad.

Question by chairman. State the reasons on which your belief is founded as to the interest of General Cass in said railroad?

Answer. I was so informed by John H. Harmon, the recent mayor of Detroit, and by other persons from Michigan, whose names I do not now remember.

Question by Mr. Eliot. If, before the committee shall be discharged from this investigation, you ascertain any material facts upon matters concerning which you have been asked, will you furnish such facts to the committee?

Objected to by Mr. Eddy, as placing the committee in the attitude of asking a favor of the witness.

Upon the question, Shall the question be put? the ayes and noes were as follows:

Ayes—Messrs. Letcher and Eliot.

Noes—Messrs. Eddy, Zollicoffer, Ruffin, Thurston, and Wheeler.

So the question was not put.

Question by Mr. Ruffin. When you were spoken to by Colonel Clemens, and requested to aid in procuring the favorable action of Congress on the Colt patent extension, did you expect to receive a compensation?

Answer. I did not.

Question by Mr. Ruffin. Do you expect to receive a compensation of any kind, either directly or indirectly, for your services in behalf of Colt's patent extension?

Answer. I do.

Question by Mr. Ruffin. Is that compensation to be certain or contingent?

Answer. I should expect it to be certain.

Question by Mr. Ruffin. Has a reporter's desk been assigned you in the House of Representatives?

Answer. It has, sir.

Hon. Bernhart Henn, of the House of Representatives, solemnly affirms and testifies as follows:

Question by chairman. State whether you authorized or suggested to any person that you desired to obtain a loan of \$300, or a greater or less sum; and whether application was made with your knowledge, consent, or approbation, for such loan to E. N. Dickerson?

Answer. I will state that I never had any conversation with any person in relation to Colt's patent, except with members of Congress, and that only during the pendency of the matter in the House, with the exception that I talked to the Hon. Mr. Lamb concerning the general merits of the claim outside of the House, when it was a subject not immediately pending. I have talked with Mr. Dickerson since he gave his evidence here, who was unknown to me until a few days since, when he was introduced by Mr. Stanton, of Tennessee, and informed me of the substance of his testimony in regard to me before this committee. I never had any talk with any person whatever relative to obtaining a loan of \$300, or any other amount, in connexion with any matter pending before Congress, but have made it my especial care to keep free from the company and conversation of lobby members who act as agents for obtaining the passage of bills; nor have I ever authorized or given my consent or approbation to any application to Mr. Dickerson for a loan of any sum of money, or other article of consideration, in connexion with the matter under consideration, or any other matter. After Mr. Dickerson had stated to me the substance of his testimony in regard to myself, I requested Governor Thurston, one of the members of this committee, to have me subpoenaed by the committee, in order that I might make a statement similar to the foregoing.

Question by Mr. Letcher. Did you know, or had you reason to believe, that such application had been made to Dickerson in your behalf for a loan prior to his testimony before this committee?

Answer. None whatever.

Question by chairman. In your conversation with Mr. Dickerson, did he state to you the name of the person who applied to him for the loan for you?

Answer. He told me he could not recollect the name. He said he had tried to identify the individual since he had been here, but he could not do so. I urged upon him to use his best endeavors to identify the person and give me his name, and he promised to do so.

Hon. T. L. Clingman, being recalled, testifies as follows:

Question by chairman. Were you sent for by a lady into the gallery of the House of Representatives on the day when the vote was expected on the Wisconsin railroad bill? And if so, state whether you went, and what passed on the subject of said bill.

Answer. On the day when the Wisconsin railroad bill was finally voted on I had been in the Senate listening to the debate there on the Nebraska bill, I think. When I entered the hall of the House of Representatives some of the votes were being taken on the Wisconsin railroad bill. I was either sent for, or in some other way I was given to understand that some ladies wished me to go into the gallery. As my name had been passed in the calling of the roll, I went up to the eastern gallery, where I found two ladies in company, I think, with Mr. Dickerson (Colt's agent) and another gentleman. One or both of the ladies told me they wished me to remain there, so that I might not vote on the Wisconsin railroad bill. I answered that I was in the habit of voting on every question when I could be in the hall, and that I should

go down and vote. I did not state how I intended to vote. They insisted that I must not go, for they knew I would vote against the bill, which they said they were very anxious should pass. I remained in conversation with them a few minutes, noticing the calling of the roll, so as to be able to get down in time for the next vote. As I was leaving them, one or both of them earnestly begged me to stay. I left them without any intimation as to how I would vote. After I got down into the hall, a motion was made to lay the bill on the table, which prevailed. I voted, however, against laying the bill on the table. A motion was then made to reconsider, and lay that vote on the table, which was likewise successful. I voted, nevertheless, against it. My motive for giving those votes was this: Though I was not willing to vote for the passage of the bill, I was desirous of keeping that and all the other railroad bills on the calendar, so as, if possible, to secure the co-operation of the friends of all those bills in the support of some such measures as were in accordance with my own views of policy. I had made, however, no intimation to these ladies as to what course I intended to take on that bill.

The statement of Mr. Dickerson having been read to me, I say, in the first place, that it is wholly untrue according to my recollection. I went into the Senate before the Wisconsin railroad bill was called up, and did not know it was under consideration until I came into the hall at the time I have spoken of above; nor had I any conversation with those ladies prior to my going into the Senate at that time. My knowledge of their being present, and conversation with them, occurred as stated above. The only conversation I remember to have had on the subject with Mr. Dickerson occurred on the night after my first examination before this committee. Mr. Dickerson spoke to me that evening at the National Hotel, and said he wished to have some conversation with me, to which I assented. I went to his parlor, at his request, for that purpose. He informed me that he had just come on from New York, and that he expected to be examined before the committee in the morning. After some general conversation in reference to the subject of the investigation, he remarked that he thought there was no objection to gentlemen being requested to get out of the way when a vote was about to be taken; and said, "I saw you in the Senate when the Wisconsin bill passed." I said, in reply, you are mistaken as to two facts. In the first place, the Wisconsin bill never passed, but was rejected. In the second place, I was in the House of Representatives at the time of its defeat, and voted against the rejection. Mr. Dickerson thereupon seemed surprised, but said nothing to the contrary. I then detailed to him, as I have stated above, what actually did happen on the occasion, remarking to him my motives for desiring to keep all those bills in suspense. I have no recollection of having ever had any other conversation on this subject with Mr. Dickerson. I here beg leave to present to the committee the journal of that day's proceedings, (House Journal, March 14, 1854,) which the committee will see sustains my statement.

Question by Mr. Eliot. Will you state whether you are, or at any time have been, interested as stockholder in the Minnesota railroad corporation?

Answer. I am not, and never have been, interested in that or any other project now pending before Congress, or that ever has been before Congress during my term of service.

Question by Mr. Eliot. Has any proffer been made to you of stock in that corporation, directly or indirectly, at any time during the present session of Congress?

Answer. No proffer or any offer of any kind has ever been made to me, with respect either to that or any similar measure.

Question by Mr. Wheeler. What were the measures which were in accordance with your views of public policy to which you have referred, and for which you were desirous of having the railroad bills deferred?

Answer. I was desirous, if possible, of getting through some general comprehensive system which might dispose of the whole of the public lands on terms equitable to the government and people of the different sections of the Union. I do not remember any other measure which I thought I should advance by keeping back that particular bill.

The committee then adjourned until to-morrow morning at 9 o'clock.

TUESDAY, AUGUST 1, 1854.

The committee met pursuant to adjournment. Present: Messrs. Letcher, (chairman,) Ruffin, Wheeler, Zollicoffer, Eliot, and Thurston. Absent: Mr. Eddy.

H. B. Babcock, being duly sworn, deposes as follows:

Question by Mr. Zollicoffer. Are you the author of the letter dated 26th June, 1854, addressed to F. C. Treadwell, jr., New York, now read to you?

Answer. I did write such a letter.

Question by Mr. Zollicoffer. How did you ascertain the fact that Mr. Treadwell was endeavoring to secure the defeat of that bill?

Answer. I had charge of Hon. G. W. Chase's mail; in that mail was an open printed circular which made known the fact.

Question by Mr. Zollicoffer. Was it known to any member of Congress that you wrote a letter of the substance of yours of the 26th June?

Answer. No, sir; it was not.

Question. Did you procure the frank of any member of Congress? If so, state whose.

Answer. Yes, Mr. Bennett's.

Question by Mr. Zollicoffer. Were you aware that Mr. Bennett had also received such a printed circular?

Answer. No, sir; I was not.

Question by Mr. Zollicoffer. What reason had you to suppose that you would be able to defeat the bill before the committee?

Answer. I had no particular reason. I was a sort of outside matter, and I thought I would try it on voluntarily, all by myself.

Question by Mr. Zollicoffer. Did you ever speak to, or were you ever spoken to, by any member of the committee on the subject of the bill?

Answer. I spoke to Mr. Thurston, the chairman of the committee, to

know what was the position of the bill merely. He told me it was in the hands of the committee. He is the only one of the committee to whom I spoke, and, I believe, with whom I am acquainted.

Question. This, then, is the substance of all the conversation you had with any member of the patent committee on the subject?

Answer. Yes, sir.

Question by Mr. Zollicoffer. Did you write the letter now read to you, dated July 8th, addressed to F. C. Treadwell, jr., New York?

Answer. I did write some such a letter; on seeing the original, I say I did write it.

Question by Mr. Zollicoffer. Upon what information did you state that the bill was ready to be reported, and would be when the committee would be called for reports, and would be put upon its passage, when reported, under the operation of the previous question?

Answer. The last part of it (the allusion to the previous question) was voluntary. The position of the bill, and the probability of its being reported, I learned from Mr. Thurston.

Question. Was it known to any member of Congress that you were in correspondence with Mr. Treadwell, or any gentleman opposed to the passage of the bill; if so, to whom?

Answer. It was not known to any member of Congress?

Question by Mr. Zollicoffer. Who franked your last letter?

Answer. I think, Mr. Bennett.

Question by Mr. Zollicoffer. Did Mr. Bennett know anything of the contents of the letters he franked for you?

Answer. He did not.

Question by chairman. What reason had you for the voluntary opinion expressed, that the previous question would be moved when that bill should be reported?

Answer. I don't know that I can answer the question direct. So far as I know, that is the usual course on patent bills, and that is the only reason I had for entertaining the opinion.

Question by chairman. In what capacity are you employed in this city?

Answer. I might be designated as a claim agent; but I have no claims against Congress that I am directly interested in.

Question by chairman. Have you any claims or bills before Congress in which you are indirectly interested; and if so, what claims or bills?

Answer. I was indirectly interested in this Colt matter which has been brought up here.

Question by chairman. What was the nature of your interest in the Colt matter; and what was to be your compensation, actual or contingent?

Answer. A promise by one of the sub-attorneys of \$500 after the bill passed. The name of the sub-attorney was Cyrus Moore.

Question by Mr. Zollicoffer. Have you any reason to believe that any member of Congress was to be interested, or to receive any valuable consideration, in the event of the passage or defeat of any bill before the present Congress?

Answer. I have not.

Question by chairman. Do you know, or have you reason to believe, that any member of Congress has been promised, or induced to believe that he would receive, money, stock, endorsements upon notes, drafts or bills; or that he is concerned as partner, agent or attorney, for or against any patent or railroad bill, or other bill or joint resolution that has been before the present Congress, or is now before it?

Answer. I do not know, and have no reason to suppose so.

The committee then directed the following letters and statements to be entered on their journal:

Statement of Hon. H. Bennett.

My seat is on the outside row, near the reporters. I am often applied to to frank a letter or envelope by those with whom I am acquainted, and in such cases have usually done so. In no instance did I ever know what the letter contained. If I franked a letter for Mr. Babcock, I had no intimation directly or indirectly of its contents; he never spoke to me in relation to any patent case. I know nothing of the application in regard to the case mentioned. If any paper had been sent to me in relation to it, I had forgotten it, or thrown it aside as unimportant. I have never spoken to any of the Committee on Patents, except in relation to one application, and that from my own district, (Mr. Hotchkiss.) In reference to that, I spoke to Gov. Thurston, Mr. Tracy, and Bishop Perkins. With that exception, I have had nothing to do with or say to that committee during this Congress. I received a telegraph inquiry from New York if I knew Mr. Babcock, and if he could be trusted in a matter of business. This was from a stranger, a Mr. Andrus. I hesitated as to answering it, but did send as an answer that I knew him, and thought he could. The page waited for the answer and took it; I did not leave my seat. I had no knowledge or conjecture why the inquiry was made, or to what it referred. My reply was the same as I should have made if called on to say in reference to any gentleman against whose character I knew nothing. I supposed then that Mr. B. was gone to New York and had referred to me. I learned afterwards he was sick at the time. I had not seen him for a number of days. I never had any improper inducements held out to me to support or oppose the application referred to in said letter or other, directly or indirectly.

H. BENNETT.

Letter of Hon. J. Shower.

HOUSE OF REPRESENTATIVES,
Washington, July 31, 1854.

DEAR SIR: I have been informed that Col. Clemens, in his testimony before your committee, mentioned my name, with others, to whom a pistol of Colt's patent had been presented. That Col. Clemens did present me with a pistol I am free to admit, and have frequently spoken of it with pride; but whether it was the manufacture of Colt,

or some other person, I am ignorant, never having, to my knowledge, seen more than three before.

Early in the present session of Congress I became acquainted with Colonel Clemens; and though our relations since then have been of the most intimate character, and our meetings frequent—I may add, almost daily—*previous to his examination before your committee, he did not once allude, either directly or indirectly, to the subject of the extension of Colt's patent; but he could not have failed to be aware of my opinion respecting the bill, as I had expressed it openly and unequivocally.*

Some two months since he invited me to his room, (as he had often done before;) and whilst I was there he exhibited to me a pistol, which elicited my admiration, and which he presented to me. I received it as a testimonial of his regard, and have so expressed myself whenever I spoke of the incident. *As such alone it has value in my eyes, and I shall always so regard it; my position in life rendering it altogether unnecessary that I should possess such a weapon for any other purpose.*

I have the honor to be, your obedient servant,

JACOB SHOWER.

Hon. JOHN LETCHER,

Chairman of Investigating Committee.

Letter of Hon. F. McMullen.

WASHINGTON, July 31, 1854.

SIR: In reply to your suggestions in relation to a pistol presented to me by my friend Colonel Clemens, of Alabama, I beg leave to state, that some time last winter I called to pay him a friendly visit. After a conversation on matters general and nothing special with him, he proposed to make me a present of a pistol. I at first declined, remarking that I disliked to receive so valuable a present. He then sat down, and wrote a note in these words: "Presented to Hon. F. McMullen, by his friend Jere. Clemens." I then remarked that I would accept it, in consideration of my high regard for the donor.

I think there were two or three other gentlemen present at the time. I showed the pistol to several gentlemen of both political parties, and told them that Colonel Clemens had presented it to me. Colonel Clemens did not say one word to me at the time; nor did he refer to the extension of Colonel Colt's patent, nor did I know that he was the attorney of Colonel Colt for some four or six weeks after he presented me the pistol. I accepted it as a token of regard from a valued friend; and I am well satisfied that Colonel Clemens is incapable of attempting to influence the vote of any member of Congress by any such means, and no man would suppose so, unless he measured other gentlemen's honor and integrity by his own.

Your obedient servant,

F. McMULLEN.

Hon. JOHN LETCHER,

Chairman of Committee of Investigation, &c.

Letter of Hon. W. A. Richardson, (received by the chairman August 1, 1854.)

JULY 1, 1854.

SIR: In reply to your verbal inquiries, I have to say that about six weeks ago I received a pistol from Colonel Clemens, under the following circumstances: Just after my return from Illinois, I wanted a pistol, had none, and started from my room to get one; met a friend, (Colonel Polk,) and he told me I could get a better one from Colonel C. than anywhere else; and, having been on terms of friendship with Colonel C., I went to his room with Colonel P., and asked Colonel C. to loan me a pistol, telling why I wanted one. Colonel C. handed me a revolver, with balls, &c.; told me to keep it. No conversation was had between Colonel C. and myself, either then or at any other time, in relation to the extension of Colt's patent.

I have the honor to be your obedient servant,

W. A. RICHARDSON.

Hon. JOHN LETCHER.

Letter of Hon. Daniel Mace.

AUGUST 1, 1854.

✓ DEAR SIR: On the 1st day of January last, General James, senator of Rhode Island, presented my little boy, Tom, with one of Colt's small revolvers, encased in a small box. The General was very well acquainted with my family, and seemed to take a great interest in Tom, he being afflicted with spinal disease. He often heard Tom tease me for a pistol. I mentioned the fact of Tom getting one of Colt's revolvers to Mr. Clingman in joke, and others, without, as my recollection now serves me, giving the above particulars.

DANIEL MACE.

Hon. JOHN LETCHER,

Chairman of Select Committee on Colt's Patent.

Letter of Hon. Wm. Cullom.

DEAR SIR: In reference to the renewal of the Colt patent, I do not now remember that any one at any time has solicited my support. As the arm is said to be highly efficient and useful in war, I have felt that it would perhaps not be wrong to extend it; but I have no interest, in feeling or otherwise, in the same. My friend, the Hon. Jere. Clemens, presented me with a pistol; but I do not remember that he at any time solicited my support, or even communicated that he was attorney for Mr. Colt, who is unknown to me. I can say that the above present has not had, nor will it have, the slightest influence upon my legislative

course; nor did I at any time suppose for a moment that the same was intended, else I would not have accepted it.

Yours, truly,

WM. CULLOM.

Hon. JOHN LETCHER.

Statement of Hon. C. J. Faulkner.

The conversation alleged by the Hon. T. L. Clingman to have taken place between him and myself, occurred after the remarks were made by that gentleman, on the floor of the House of Representatives, which led to the appointment of the select committee of which my colleague, the Hon. Mr. Letcher, is chairman. I think it was after that committee had been ordered, but before its members were appointed by the Speaker.

The occurrence to which Mr. Clingman alludes was this: Some time during the pendency of the Wisconsin railroad bill before the House, on entering my parlor one morning, I found a gentleman seated there who was formerly a resident of my district, but who is now a citizen of the State of Maryland. I was not before apprized of the presence of this gentleman in the city, and I inquired of him what had brought him to Washington. He remarked that he had been to Annapolis attending to some business before the legislature, and, having some leisure, he had come to spend a few days in Washington. After some common-place remarks and inquiries about the family, he asked me what chance there was for the Wisconsin railroad bill. I told him there was very little chance for its passage; that I had voted against it myself, as I had against all the railroad bills before the House, looking upon them as mere speculations at the expense of the government, and that I thought worse of the bill mentioned than of any of them. He then remarked that he had been offered a fee of \$2,000 if the bill should become a law. I expressed some surprise at the remark, and asked him what possible service he could render to justify the payment to him of so large a fee. He said he had very frankly told the parties who made the offer to him that he could render them no service commensurate with such a fee; but they nevertheless assured him that he should have the fee, if the bill passed.

I did not ask him who offered the fee, nor did he inform me. I simply inquired, as if doubting the fact, if they were reliable and responsible men. He said they were. I told him I was very sorry that I could give no aid to enable him to make the fee promised, because I was opposed to the policy of bills of like character, and especially opposed to the Wisconsin bill, believing, as I did, that there was something rotten about it. I cannot say that the person alluded to called in the expectation of exerting any influence over my vote. I found him in my parlor. He is a relative of the ladies of my family, and intimate at my house. He did not call at my office, a basement room of the same house, where I saw persons on business. The conversation here dropped on this subject. He remarked that he was himself opposed to the general policy of those bills, and if he were a member of Con-

gress he would vote against them. He nevertheless expressed his opinion that the Wisconsin bill was as just and proper a bill as there was before Congress. He also said that he saw no reason why he should refuse to make a fee in pushing one through, if the parties interested choose to offer him it.

This I presume is the only purpose for which I have been summoned before the select committee. I know none of the persons employed here to advance the success of the Colt patent. No agent has ever conversed with me on the subject. No agent of any railroad bill has ever conversed with me on the subject of railroad bills, except in the case alluded to. I heard much before I arrived in Washington, and since, about corruption in legislation, bribery of members of Congress, and other insinuations of like character; but I can say that I have never seen or heard, from any reliable source, any fact that could establish the truth of any of these allegations.

CH. JAS. FAULKNER.

WEDNESDAY, AUGUST 2, 1854.

Committee met. Present, all the members.

The chairman presented the reports of himself and other members of the committee; which were read, and ordered, with the testimony taken by the committee, to be presented to the House.

The committee then adjourned to a day not designated.