

Tuesday May 14 1878

# WILLIAM M. TWEED.

## Is He About to Reveal the Secrets of the Ring?

### THURLOW WEED'S OPINION.

#### Views of Prominent Politicians on the Question.

#### THE BAIL BONDS AND CIVIL SUITS.

There were but few new developments in regard to the Tweed case yesterday. The police are still working with their utmost might to get to the bottom of every clue and to discover the whereabouts of the fugitive. The Sheriff and his assistants also are doing their best to discover the hiding place of the ex-Boss. The facts continually coming to light as hour by hour passes indicate that the theory advanced by the **HERALD** is the true one—namely, that Tweed is even now either in New York city or its immediate vicinity. All the information that can be gleaned clearly points in this direction, and that the alleged chieftain can hope much longer to elude capture is very doubtful unless he has simply retired from his semi-private at Ludlow Street Jail to assume a more advantageous position from which to negotiate a compromise, as well as to secure revenge upon some of his former companions, who have of late, to use the vernacular, "gone back on him." This is the view taken by many high and prominent politicians, and that it is probably a correct one every circumstance that has happened during the past few days is an evidence.

The opinions of the existing condition of affairs of Hon. Thurlow Weed and County Clerk Walsh, which are herewith given, will be found of peculiar pertinence and interest at this moment.

#### THURLOW WEED'S VIEWS.

A **HERALD** reporter last night called upon Mr. Thurlow Weed at his residence, and held an extended conversation with him in reference to the flight of William M. Tweed. In answer to some preliminary questions Mr. Weed said:—

"The presumption is strong, even if the fact be not ascertained, that Mr. Tweed has not left the country, and, indeed, that he is not very far away from us now. That he remains near by, to negotiate more effectively outside a jail than in it, I am very strongly convinced. The **HERALD**, I am convinced, is right in this regard. I might say more did I deem it wise at this particular time."

The conversation was then continued as follows:—  
"Mr. Weed, any information which you may be able to give to the public through the **HERALD** will be highly appreciated."

"I am aware of that, and I wish to make it clear to myself just how far I ought to go—that is, at the present time."

"Well, Mr. Weed, go just as far as you can; no man can have a higher appreciation than you have of just how much the public has a right to know as to the existing conditions in the case of the fugitive Tweed."

"Well, concerning his retirement from Ludlow street Jail, simply for a more advantageous position for negotiation for himself and, perhaps, some of his former friends, I would say, now, simply, that during Mr. Tweed's involuntary residence on the Island, as imprisonment there is called, I called on him three times. You will understand that I did not go there to see him without some hope of benefit to this city growing out of my visit; nor did I go without consultation with others. Let me think for a moment how far I am at liberty to speak of that."

"With whom did you consult?"

"I consulted with the Mayor of this city and also with the Governor. I had come to know the latter very well, having met with and conversed with him often, and feeling that I had come to know something of the peculiar difficulties with which the government had to contend in this case, I thought I might, perhaps, be able to simplify and also shorten the proceedings, with advantage to the interests of the public. As a result of such consultations I visited Mr. Tweed, at his Island residence, several times."

"Well, what were the particulars and result of your conversations with him?"

"That is exactly what I am hesitating to tell you about, until the present condition of Tweed, and the reasons therefor, are better known from others than from myself."

"Well, do your best in the interest of the public, Mr. Weed."

"That is just exactly what I am proposing to myself to do. You see, unless developments should clear the way for me to speak fully in that regard, I do not feel that I ought to do so; for, you must understand, my conversations with him were to a degree confidential, and it is only because I can see that the **HERALD** has

ingly gratified to know the inside working of a party."

#### A REPUBLICAN VIEW.

A **HERALD** reporter called on Senator Booth and asked:—

"What do you think would be the effect should Mr. Tweed make an *exposé* of those who were connected with him in swindling the city?"

"There is no doubt but what it would affect hundreds, both democrats and republicans, not only in the city of New York, but throughout the State."

"What do you think would be the effect, should Mr. Tweed publish the names of all those who have made money out of the city, from the various contracts and jobs that they managed to get through Tweed?"

"Why there would be a shaking up of the dry bones such as never was seen or heard of before in this country. I think the city should only ask of Mr. Tweed to return his portion of the theft, and not demand of him the spoils of the entire Ring, it seems rather unjust that he should be held responsible for the entire amount."

#### TWEED'S BONDSMEN.

Among the multiplicity of suits commenced against Tweed are, as is well known, some of lesser magnitude than the so-called \$6,000,000 and \$1,000,000. Occupying such a conspicuous place as the prior proceedings in these various suits do, not alone in the court records but in the public memory, it is unnecessary to recite them all in detail or to give in *extenso* the names of the various bondsmen or the respective amounts for which they became surety. Since the escape of Tweed these minor matters, however, begin to assume a phase of no inconsiderable magnitude, and the result is no little trepidation on the part of certain whilom friends of the "Boss" who allowed themselves to become bondsmen for his appearance for trial when wanted. The question now is, whether, Tweed having been committed to jail in default of the large bail required in the civil suits and escaped from custody, his bondsmen in the other suits can be held legally responsible for his non-production in court. Certain proceedings were had yesterday before Judge Donohue, sitting as Judge of the Court of Oyer and Terminer, the object of which is to solve this sphinx-like riddle. District Attorney Phelps, it appears, had served a notice on Tweed's counsel that unless he was produced in the Court of Oyer and Terminer yesterday morning to answer to the criminal indictments found against him his bondsmen would be held accountable for the amount of their respective bail bonds; or, in other words, in case of such failure, the bail in each case would be declared forfeited. Messrs. David Dudley Field and Dudley Field appeared in response to the notice, and Assistant District Attorney Lyon to press the motion for forfeiture of bail.

Mr. David Dudley Field wished to know on which indictment Mr. Tweed was to be called.

Mr. Lyon and they proposed to have him called on all the indictments.

Some informal discussion ensued, and at length the indictment selected as the one to be called first was that found June 16, 1875, against Tweed, Sweeney and others, for alleged conspiracy.

"William M. Tweed," called out Mr. Sparks, the Clerk, in a clear, ringing voice. There was no response, unless a general smile reflecting itself over the countenance of every one present admits of the interpretation of a rejoinder.

A more farcical scene, if possible, followed, which was a request, by direction of the Court, to the Clerk, to call on Mr. Charles Devlin, Mr. Tweed's surety under the conspiracy indictment, to produce the body of William M. Tweed, which request, it is hardly necessary to state, Mr. Devlin, although present in court, and however strongly he may have felt inclined to obey, failed to comply with.

The above preliminary scenes ended, Mr. Field took hold of the subject matter with something more of feeling earnestness, making quite a speech. He began with stating that there are seven recognizances which the people move to forfeit, five executed by Charles Devlin and two by Alfred B. Sanks. They are in terms and in respect to the indictments upon which they purpose to be given. But two of the defenses are common to all, and they will be first presented. They are these:—First, after the giving of the recognizances the people took the defendant out of the hands of the bail, his keepers, and thus changed their relations to him and to the people and their ability to surrender him. A recognizance is a contract to be construed like other contracts, and effected or discharged like them. Thus it is the common practice to discharge all recognizances of persons subsequently imprisoned on criminal sentences. Second, there is no evidence of a continuance to the present term of the proceedings upon any of the indictments. This is not the term at which the defendant was first required to appear, and being a subsequent one, a continuance must be shown. The bail, therefore, would not be in default for not producing him at the present time, even if the contracts were still subsisting. The condition is not broken, and for that reason the bail are not liable. Mr. Field claimed further that the recognizances 1, 2, 3, 4 and 5 could not be forfeited, because there were no such indictments as are therein described. The pretence on which they were executed was unfounded, and for that reason they must fail. Again, the recognizances 2 and 7 were entered into under a misapprehension and mistake of fact, it being supposed by both parties that the indictments mentioned therein were for new matter, whereas they were in fact for matter for which the defendant had already been convicted, sentenced, and punished by imprisonment on an indictment subsequently to the indictments on which these two recognizances were founded. He further urged that the recognizances Nos. 3, 4 and 5 were void for uncertainty, it appearing that there are six indictments to which Nos. 3 and 5 will apply and seven to which No. 4 will apply. In conclusion, he claims that the recognizance No. 8 indictment for the same matter, this operating to supersede the former.

Mr. Lyons took up each objection, and refuting

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