

The Pittsburgh Gazette

THE O'CONNOR-TACK CASE.

Court of Quarter Sessions—Hon. F. Carroll, Judge, and Mr. Finney, Attorney.

To-day we resume the publication of the testimony given by the Commonwealth in the trial of the Messrs. Tack Brothers for conspiracy, now going on in Philadelphia. The proceedings published to-day will be found very interesting, and will amply repay the reader's careful perusal.

[CONTINUED.]

Q. Now after the dissolution of that establishment, and you got out of the oil refinery business, did you keep on buying and selling oil—taking a "shot at it" as they call it? Were you in any way connected with it?

A. From the time I left the Keystone Refinery, about the middle of July or summer of 1867, I did not have anything to do with oil contracts or oil men, except to come on here to collect \$10,000 from you in winding up the Keystone refinery—regarding refined oil and refined oil.

Q. Had you anything to do with any oil men, or oil matters, until March, when?

A. I had nothing to do with oil men or oil matters—refined oil, except to settle up this business of the Keystone, until March 19th, 1867. Then Mr. Finney and myself bought the Tack Bros. sold us 2,500 barrels of refined oil, on the 19th of August, '67, September, '67, and July, '67.

Q. That was in March?

A. This date is on March 19th, 1867, and calls for the amount specified in the contract. That is the first transaction I had in relation to oil.

Q. At that time you were "long" in oil?

A. On March 19th, Mr. Finney and I were the purchasers of 2,500 barrels of oil.

Q. You were "long" in oil?

A. Yes, sir.

Q. Upon that contract you made money?

A. I have never got anything.

Q. You declined to take it?

A. Nothing was ever offered me. You (Mr. Cassidy) told me if I went to Mr. Tack's office I would get it.

Q. Did you go?

A. No, for I knew if I did I would not get it.

Q. You did not go?

A. No.

Q. Was after this difficulty?

A. Yes, sir.

Q. This operation had matured after this?

A. I only arrived here on the 23rd of July, and that might have matured on the 10th, but the August and September did.

Q. These matters after the difficulty had arisen regarding the "short" sales, and you didn't go to Tack in consequence of that?

A. I never called there to get it.

Q. Was not this oil tendered?

A. This particular oil.

Q. This lot in accordance with this contract?

A. Mr. Tack came to my hotel and tendered me a barrel of oil, except to come on here to collect \$10,000 from you in winding up the Keystone refinery—regarding refined oil and refined oil.

Q. Was it on either?

A. One or the other. It was about the time. I can't state days, months and hours.

Q. Where was it that you saw Augustus Tack on the morning of the 7th of June, in Walnut street?

A. I have already stated that.

Q. I think you state it again?

A. The first time I saw Augustus Tack I came to Philadelphia in June, and was at his office.

Q. Where?

A. Between Front and Second streets, on the left hand side as you go down.

Q. On the morning of the 7th of June?

A. No, sir; I said it was either on the morning or afternoon of the 7th of June—about that time.

Q. "About," do you mean the 4th of July?

A. No, sir; it may have been the 7th or 8th, and then the next morning I went to his office.

Q. When did you see him first to talk with him about the subject of buying oil?

A. It was the day after I had seen him, and walked down and went into his office. It was the 7th or 8th of June.

Q. Who accompanied you to the office when this conversation occurred?

A. To the best of my recollection, when we left the office, South Sixth street, (Mr. Cassidy) we were with me until we reached Dock and Walnut. There I met Mr. Marino, and stopped, and had a conversation; but whether Mr. Marino talked with us, I don't remember, but Mr. Tack said I went together.

Q. Who was in the office with you when the conversation took place?

A. There was no person when the conversation took place, except Mr. Tack's clerk—how many others I don't know.

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Q. Where did the conversation occur, in the office?

A. In the middle of the office, about the desk, and then we changed from that desk to another.

Q. Was the conversation conducted with great secrecy?

A. No great secrecy.

Q. Was there any secrecy?

A. It was a perfectly private conversation, but whether his clerk overheard it or not, I don't know.

that letter at the office of Augustus Tack?

A. It was either the 23rd or 30th of July; one of these two mornings.

Q. The letter was on a book?

A. That was my recollection of it.

Q. You read the whole of it?

A. I read it, I believe.

Q. You were not stopped from reading it all through? I understand that after you made the remark, "If you are an honest man you will show it," he allowed you to read it?

A. Yes, sir.

Q. You were not stopped from reading?

A. No, sir.

Q. Who was there besides you and Mr. Finney?

A. I can't state specifically who was in the room. I know Mr. Miller was there, and I don't know whether Mr. Miller had gone out, or whether his friend had gone out, but I don't know. They are a very industrious people there—going in, and out of each other's office.

Q. Do you remember Mr. Chase being there?

A. The office that Mr. Tack had at that time—

Q. You don't care about knowing the size of this portion which leads to the end of the building is lengthwise like this, and several desks in it, and Mr. Chase is generally there; and this portion on Walnut street, an oblong size, and in that is Mr. Tack's office, and in that Mr. Chase would go in and out, but whether he was there or not at times, I can't say.

Q. Some of the language used on both sides was excited?

A. I was very much excited after I read that letter.

Q. No reason why any person might not hear it?

A. If they were in the oblong room they could have heard it.

Q. It was speaking as loud as I do now.

A. Was it not your voice pitched very high?

A. I was excited and my language was very pointed, and I meant what I said. I don't know whether Mr. Chase was there after the explanation I have given.

Q. When, before the 23rd of July, were you at Augustus Tack's office?

A. To the best of my recollection I had not been in his place between the 7th and 8th of June until the 23rd of July.

Q. Where were you on the 7th or 8th of June?

A. I was there.

Q. That was in the morning?

A. The first time I had gone to see him he had made an appointment to see me at your office—that was the day before we saw you at your office. The morning I went down to talk about these "short" transactions was the morning after we saw you; we went direct to your office.

Q. You are in the habit of mentioning my office and collecting \$10,000. I want to ask you: Did you call at Mr. Augustus Tack's office and not Mr. Cassidy's office?

A. The same day.

Q. What day was it?

A. The 7th or 8th of June.

Q. Was it on either?

A. One or the other. It was about the time. I can't state days, months and hours.

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Q. On the morning of the 5th of July?

A. I don't know.

Q. I want to know what "about" means in your estimation?

A. It was on the 5th or 6th. It was after I saw Mr. Guthrie.

Q. That involves another question; when you saw Mr. Guthrie, did you see him?

A. I saw him on the morning of the 5th of July.

Q. You used the word "about." Do you mean to apply to the 4th or 5th or 6th of July? From him it went, direct to Frank Tack.

Q. What did you say to Frank Tack?

A. I told him I had met Mr. Guthrie, and he had told me that oil had suddenly jumped to thirty cents a gallon, and there was a great excitement; a large number of calls had been made. I asked him the cause of it, and he told me I had better go and see Frank Tack. That was about the conversation.

Q. Who was present at that conversation?

A. With Mr. Guthrie.

Q. I have no recollection of anybody but Frank Tack. There may have been some body, but I don't recollect.

Q. When did you see Frank Tack?

A. When did I see?

Q. In that respect do you mean?

A. In any respect.

Q. I did not see Frank Tack in Pittsburgh in a case of damages.

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