A F 41 (16th A. C.) 1864

9397

Apl 5-64

Simon E Adler

vs.

Kaufman & Co

Papers & Evidence

Citizens

Rec^d. H. 2. 16th A. C. 19th April 1864

Evidence Dept Dist Prov Marshals Office
Memphis Tenn.
April 5th 1864.

Capt G. A. Williams
Dist Prov Mar.

Sir.

I have the honor in compliance with Maj Genl Hurlbut's order received from you on Saturday last, to submit herewith Sworn Statement of M. Kaufman, in answer to charges made against him in Petition of J. E. Adler. Also Statement of L. Helman, Book-Keeper of the firm of Kaufman & Co. Further testimony can be produced if necessary.

I have the honor to be
Very Respectfully
Your obt Servant

J. D. Lloyd
Capt 11th Infty Mo Vols
Asst Prov Mar.

Sworn Statements
of
M. Kaufmann, and
L. Helman

In answer to Petition
of
S. E. Adler.

Respectfully forwarded.

J. D. Lloyd
Capt 11th Infty Mus Vols
and act Prov Mar.

Recd H. Q. 16th A. C. 19th Apl 1864

Dept of Tenn
Dist of Memphis

Personally appeared before me, M. Kauffmann, who being duly sworn deposes and says:

I am a merchant in the city of Memphis, Tenn.

On or about 1st of Sept. 1863 my firm (M Kaufmann & Co) placed $12000 to $13000 in the hands of Mr Simon E. Adler, to purchase cotton with for our firm.

I think the money was in greenbacks and southern money (not Confederate money).

Three or four weeks ago our book keeper Mr Hellman, said he suspected that Adler was going to make his way North. Under instructions from me Mr Hellman went to Capt Williams and I believe ~~from~~ to Capt Frank Chf. O.S. Detective, and obtained authority to arrest Adler and take possession of the property in his possession. Our firm has ~~never~~ not furnished money to Adler for any other purpose, since the above transaction, or before.

Q. Where was Adler at the time you paid him this money, and who paid it, to him?

A. I do not know. Our bookkeeper can give all necessary information. I was sick at the time.

Q. Where was the cotton to be bought when to be delivered and how was it to be delivered.

A. I do not know how

Q. Do you or do you not know that the cotton was bought?

A. I do not know whether it was bought or not.

M K Aufmann

3
a

Leon Hellmann being duly sworn deposeth and saith:

I am book keeper and financial agent of M. Kaufmann & Co, of Memphis, Tenn.

Said Sept. Wm Frelich and Simon E. Adler stopping then at my private house made a proposition to purchase cotton in Coahoma Co Miss for our firm, at so and so much per bale. We gave Mr Wm Frelich about $6000 in green backs and $10000 in southern banks. Frelich and Adler were to act as partners. Adler went off. Frelich remained here. Adler stayed three months. He then returned and said he had bought 375 bales of Cotton, which was then in a shed, some four miles from the river. Near Sunflower Landing Coahoma Co. Miss. Although distrustful of his acts, we gave him at his request $8000 more in southern bank bills. He then promised faithfully to Mr Frelich to bring forward the cotton in three weeks. We heard nothing from him in two months, except by some refugees from Mobile.

From the information we received we were induced to believe that a false appropriation was being made of the money we had advanced him.— I got letters of introduction from Capt. Williams, Pro. Mar. Memphis Tenn. and from Capt Frank Chief U.S. Detectives, to the Pro. Mar. at Cairo, who telegraphed to Maj. Gibson Pro. Mar. at Paducah Ky, with the concurrence of the Commander of the Post of Cairo, to arrest Simon C. Adler and his associates.

I went myself to Paducah, and on the second night of my arrival ~~we~~, he (Adler) was arrested.

The Pro. Mar, Chief of Detectives and two men arrested, and searched him, about 11 o'cl at night. They took all of his effects from him.

He was put in the Guard House.

In the morning, the Pro. Mar. together with the Capt of Detectives took an inventory of all he had on his person, such as money, drafts &c and sealed it up. Adler then requested an interview with me; and I also

that he would give up all he had if we would let him go.
I got then a copy of the inventory from the Pro. Mar. and putting every thing at a fair value, there was still a deficit of $5 300. for which he was willing and did give me, in presence of Chf. of Detective a due bill of Five Thousand three hundred dollars.
I went back to the Provost Marshals office, who sent for him (Adler).
I told him (Pro. Mar.) that I had settled with Adler, upon which Mr Adler signed an order authorizing Maj. Gibson to hand over to me all monies, drafts & property, &c which had been taken from him, and that should be the Pro. Marshals receipt for the property.
I having no further desire to prosecute him, the Pro. Mar. discharged him. Adler asked me for Two hundred dollars, for his expenses, which I gave him. I brought with me to Memphis all the effects the inventory called for, except the horses and carriage.

The inventory of the effects was as follows:

Four Drafts	$600.
Green Backs	5720.
Southern bank notes (Virginia, Georgia and other states)	1485. (face value)
Louisiana Money	80.
Confederate money	765.
Confederate Bonds	2500.
Gold	110.
Silver	7.50
Diamond pin (valued at)	400.
Carriage & horses	800.
Watch & chain	225.

All of which I estimated ~~at~~ in United States Currency at $8700. The horses and carriage were not in Paducah, but I left an order for them, but have not yet received them.

Cross Examination.

Q. Who compose the firm of M. Kaufmann & Co.

A. M. Kaufmann and D. Gaismann.

Q. Where do they do business

A. No 198 Main St, Memphis, Tenn.

Q. What kind of business do they do?

A. Grocery and Commission House

Q. How long have they been engaged in business there?

A. Since last October.

Q. In what capacity do you serve in the house?

A. Book keeper, Cashier and financier.

Q. How long have you been with them

A. Ever since they commenced.

Q. Have you no interest in that establishment, further than your salary?

A. None.

8

Q. Who is Wm Trelich, and where is he now.

A. He is a citizen of Memphis, and is here in the city now.

Q. You say you paid Wm Trelich in Sept, 1863 $6000, in gran backs and $10,000 southern money, to purchase cotton for "our firm", State what time in Sept, where it was, and who was present.

A. It was about the 25th or 26th of Sept, at my private house, - I dont think there was any one present but myself and Trelich. The reason it was paid at my house was, that M. Kaufman and Co, had not yet taken possession of the store they had rented.

Q. Where was Kaufman and his partner at the time you paid the money over to Trelich.?

A. The partnership was not exactly formed yet, but arrangements had been made for a co-partnership between Kaufman

and Kaisman, and our purchaser was in Cincinnati buying goods.

Q. Had they at the time you paid this money to Welsh, entered into any written partnership, or have they since entered into a written partnership?

A. At that time they had not, but since that time they have had an agreement in writing.

Q. Had they united their capital to do business as partners at the time you paid this money to Welsh - if so how much did each furnish?

A. They had not united their capital, ~~but~~ at that time.
When they did unite their capital each furnished about $10,000.

Q. Were you in the employ of these men before they opened their store, 195 Maine St.

A. I was.

Q. What kind of business did you do for them before they opened their store on Main St.

A. Nothing

Q. Did you take any receipt, make any memorandum or any entries in any book or books, of the amount and kind of money you let Julich have?

A. I did first make a memorandum and then made entries in books. I took no receipt.

Q. In whose books did you make those entries.

A. In the books of M. Kaufmann & Co's.

Q. When did you make the entries in M. Kauffmann & Co's books?

A. Some time after Kaufmann & Co. began business, I entered it in the Day Book and Leger.

Q Will you please file a copy of the Entry of the time when you let Froelick have Gold money?

A. I will file such a copy

Q Did you let Froelick have any other kind of money at the time you speak of or at any other time for the purpose of buying cotton than the money you have above spoken of?

A No —

Q Did you or did the firm of Kaufman & Co let Froelick or Adler have any Gold, to use in buying cotton or to use in getting cotton to Memphis. If you have much?

A I did not neither did said firm

Q Did you or the firm of Kaufman & Co give to Froelick or Adler any Gold at any time. if so when how much, and for what purpose

A We never gave him any Gold-

Q Is Froelick any relation of yours or of any member of the firm of Kaufman & Co if so state what re-

lation he is

A Name whatever.

Q When was the last time you saw S. E. Adler in the City of Memphis

A Some time in September 1863

Q How long did he remain in Memphis at that time, and where did he go

A About two weeks. then went down the Country

Q How long did he remain there before he returned again?

A About ten weeks —

Q How long did he remain in Memphis in December '63 and where did he go when he left here?

A He didn't come to the City at all

Q When did you pay to him Eight thousand dollars of the Southern money and where?

A Didn't pay it to him at all, but gave it to his partner Mr Froelick

Q Where did you pay it to Mr Froelick — and did you take a receipt for the same or make an entrie in your book —

A I paid him in the store at

No 198 Main St. Took no receipt but made a statement in the book as above referred to –

Q When and where did Froelich pay this money to Adler?

A The next day. Adler told me he had received. I don't know where it was paid –

Q When did Adler tell you he received –

A In Paducah Ky. and on the boat going to Cairo he told me he sold the Southern money for Confederate money and received three dollars for one –

Q Did you make any written complaint sworn to in your name or the name of M Kaufman & Co at Paducah against Adler before or after he was arrested for Embezzlement?

A I did not –

Q Did you or Kaufman & Co ever make complaint in writing against S. E. Adler for Embezzlement before any authority civil or military?

A No

Q Have you or Kaufman & co got the effects in your possession which you took from Adler at Paducah?

A Mostly - We have all except the Horses & Carriages, the Confederate money & the Gold which I left at Cairo

Q Did you employ any body to assist you in your proceeding against Adler at ~~Cairo~~ Paducah, if so whom and what did you pay -

A ~~I employed the~~ I made complaint to the Provost Marshal at Paducah. I gave him notice - I had offered a reward of five hundred dollars for the arrest of Adler, but as I found him myself I only gave the Chief Detective Seventy dollars

Q When and where were you when you offered this reward?

A In Cairo, at Paducah, by telegraph to St Louis, and by letter to Louisville -

Q Did you state in those despatches why you wanted him arrested

A I did not dispatch anything - Maj Talmadge Provost Marshal at Cairo sent the dispatch to St Louis, and Major Gibson at Paducah to Louisville -

Q The dispatches did not contain the reasons why I wanted him arrested -

Q At whose house in Paducah was Adler, and what doing when you saw him -

A At the Continental Hotel sleeping with his woman this was

Q at about 11 o'clock at night -

Q How long had he been at Paducah

A Half an hour or so

Q How long had you been in Paducah before you met him?

A Twenty four or thirty hours -

Q Who went into his room with you?

A No body

Q Who gave you the information that he was in that room?

A The Hotel Keeper

Q Was your case against him investigated on proof before the Provost Marshal?

16 A It was not —

Q Were you or any one for Kaufman & co sworn and examined before the Provost Marshal in relation to your Complaint against Adler?

A No —

Q Did you or did you not make any threats to Adler for the purpose of compeling him to settle with you?

A None except such as to sue him for the amount due the firm

Q What inducements if any did you offer or hold out to him in order to secure a settlement

A ~~That~~ I told him I would do all in my power to get him released from prison —

Q

Cross examination by Defense

Q State what Mr Adler said to you with reference to receiving the money from Froelich given to send Froelich by Kaufman & co to be used

in the purchase of Cotton —

A He said that he received it all and alleged that he had invested some money in Cotton — that he had sold his southern Bank bills for Confederate Money — That he had purchased a Diamond pin for thirty two hundred dollars Confederate Money —

Q At the time you paid the money to Froelich did you know that Froelich and Adler were in partnership?

A Certainly I did —

Q Who went into the room of Adler at the Hotel at the time of the arrest and who made the arrest

A The Chief Detective Queen the Provost Marshal two soldiers of the guards and the Hotel keeper —

Questions by the Prosecution State how you knew that Froelich and Adler were in part

18

nership when you paid the money to Froelich to purchase cotton with

A Both Adler and Froelich told me so –

Q Did they tell you so at the time or before the money was paid if before how long before

A They told me two or three days before –

Q

L. Heberan

I certify that the foregoing Statements were made and Subscribed to, in my presence, the parties being duly Sworn.

J. D. Lloyd

April 5th 1864.

Capt 11th Infty Mo Vols and aut Provo Mar.