CONFESSING A CONSPIRACY.

EDWARD CALDWELL'S TESTIMONY GIVEN IN THE LEWIS WILL CASE.

Persons who he says, were to Get Money if the Forgery Succeeded—A Spurious Marriage Certificate—Confessing Perjury—Why Caldwell Changed his Testimony.

The examination of witnesses in the contest concerning the will of Joseph L. Lewis, the Hoboken shipowner who left his fortune to the Salvation Army in Germany, was continued in Jersey City yesterday. Counsellor Russell and Judge Fullerton, who represent Mrs. Jane Lewis, the contestant, objected to the admission of testimony given at the previous trial of Edward Caldwell, the witness in Caldwell, Post, and Brown, because it had been offered against the interest of the parties whom it was given in behalf of. At the request of the counsel, however, not against the testimony was allowed to be read, and ex-Judge Fullerton began the cross-examination of Edward Caldwell, who testified: "The first time I met Mrs. Lewis was in January, 1878, at the house of a Mrs. Russell at 27 Bleecker street, New York."

"How did you come to go there?"

"A note had been left at my house, in January, 1878, by Marcus T. Sacia, asking me to meet him in a lager beer saloon in Fourth street. I met him there, and he and I went together to Mrs. Russell's, where we met Frank Allison, Mrs. Lewis, and Mrs. Russell."

"Did you not swear at our last session that Mrs. Lewis never met Lewis in his life?"

"I did."

"Did you not previously swear that you met and were introduced to Mrs. Lewis at Mr. Lewis's residence in Hoboken?"

"I did."

"Why induced you to change your testimony in reference to that matter?"

"My testimony to the effect that I had met Mrs. Lewis at Lewis's house was perjured, and was made at Mrs. Lewis's solicitation, and I changed it because I thought it was wrong to allow this conspiracy to go on any longer."

"You admit that you committed deliberate perjury?"

"Said I had sworn to what was false."

"What was the origin of your connection with this case?"

"In January, 1879, Marcus T. Sacia called on me at my house in Webster avenue. He then called upon Mr. Drayton, and we discussed the conspiracy together. I subsequently met Mrs. Lewis at several places in New York. We agreed that she should contest the will, and if we succeeded in breaking it, the profits from the transaction were to be divided between herself, Sacia, and Allison. I consented to participate in this conspiracy, to swear that I had met Mrs. Lewis at the house of the latter, and that I had always known her to be a virtuous wife."

"Did you disclose your relations to this case to Mr. Lewis's counsel?"

"I do not remember that question, but I will state, once for all, to the best of my knowledge, what I retained by Mrs. Lewis did not know that there was anything wrong or improper in her case."

"Did you receive any money from her lawyers?"

"I decline to answer."

"Do you volunteer information to them?"

"I did not, until they sent for me. I received a letter from Mrs. Lewis while she lived in South avenue. She wanted to see me about a certificate of marriage between herself and Lewis. We met at her house. She asked my advice as to what should be done to counteract the effect of the evidence showing that the plate from which her marriage certificate had been printed was not prepared until some years after the date of her marriage certificate. She said she wanted a certificate made that would corroborate and bolster up her document, and she thought that Sacia and Allison and I ought to be equal to the emergency, and get one up. She promised to do what she could to procure witnesses to the bogus certificate. We considered her to do nothing without consulting Sacia, as he was managing the affair for her, and she the reason wrote a letter to Sacia, which I mailed, arranging for a meeting with him to be held the next night in Berker's house in Ninth avenue.

"I had nothing to do with the preparation of the bogus certificate except to furnish the frame. After I had framed it I took it down to Mr. Russell's office, but I don't recollect whether I left it there or not."

"You were much elated over your success in getting up this certificate?"

"No; not at all. I am not given to being elated, and I don't know that I have anything else to be elated about just now." Answered the witness in a regretful tone of voice.

"I should imagine so," says Mr. Fullerton.

"I had been commissioned," continued Caldwell, "by Mr. Nichols, one of Mrs. Lewis's lawyers, to get a genuine certificate to corroborate the certificate of Mrs. Lewis. I received it once for my services, and I divided it with Marcus T. Sacia, Henry F. Bussford, Frank Allison, and a female friend of Mrs. Lewis."

"Why did you divide it with them?"

"Because they assisted me in getting it."

"Did not the assistance they lasted you in getting the bogus certificate?"

"I might say they began the reason."

"Did not Mrs. Lewis say to you about being deceived as a wife?"

"Mrs. Lewis and Frank Allison had introduced themselves to me as husband and wife to whom I was a stranger, and they asked me whether I would give them a certificate of Lewis's marriage to her. I said I had seen the man to whom Mrs. Lewis was married, and I would never do anything to make a friend of him. I told her she must be sure of her ground, and that she had never been married."

"Was your testimony in this instance intended to be false?"

"Yes, sir."

"Did not Mr. Donner not to reveal his relations?"

"Indeed," remarked Mr. Fullerton, "I presume it would be a sacrilege to violate anything sacred as this."

"I had a number of blank certificates," continued the witness, "I gave three of them to Sacia, one of them to Counsellor Nichols, and the rest of them to Mrs. Lewis."

"Did you deal with them?"

"Yes, I gave them to the sun under a magnifying glass to fade them."

"Did you see the bogus Fitz certificate filled out?"

"I did not, but I believe it to be in the handwriting of George W. Westerook of 23 Park row."

"Did you state last week that he had seen it?"

"I did not. I put yourself in communication with Westerook?"

"I did not. I merely drew up a copy of a letter, at my request, in reputation of my former lawyer, and gave it to a Government detective."

"Do you allege that Westerook was S. I. Lowell, of Gilling & Talley, who had been employed in the house of the United States?"

"Did you deny it?" asked Mr. Fullerton.

"I did not, if the Commissioner of Internal Revenue is Jerome H. Burnes, who employed Lowell, I presume I did. They are the same, I presume, Mr. Lowell."

"Do you deny that you said that you had seen the bogus Fitz certificate filled out?"

"I did not, but I believe it to be in the handwriting of George W. Westerook of 23 Park row."

"Did you state last week that he had seen it?"

"I did not. Did you first