

The new bridge company, the American Bridge Company, and I must make good. Mr. Aldis said: "The Rules Committee has got to have \$5,000 for that bill. My brother said: 'I can't stand for that amount. They ought to be satisfied with \$1,000.'"

There was other discussion: Mr. Aldis finally said: "I don't know how the others would think, but I will do what I can to keep that bill in for \$1,000."

Mr. Aldis said: "If that bill dies in committee or is not pressed for passage I will see that you are satisfied."

Senator Conger testified that he met Mr. Aldis a few days later. It was in back of the clerk's desk in the Assembly.

Mr. Aldis said to me with some profanity: "Don't forget to get your man up here before the end of the session, or you don't mix up mine with anybody else's," Senator Conger testified. "I said, 'All right.'"

ENTER MOE, BEARING MONEY. After that he saw his brother Frank and his sister, Mrs. Hiram Conger, in the room. That was in Senator Conger's room on April 22, 1901.

Q. Are you able to state with any degree of accuracy about what hour it was that you saw Mr. Moe? A. It was late in the day. I can't say whether after dark or not.

Q. Well, where did Moe spend that night, do you recollect? A. In my room.

Q. Did you see him next morning? A. I did.

"Now, just take the events from the morning of the 23d and narrate them in your own way, please, Mr. Conger, so far as they are pertaining to this subject, and do not state any names except those who are connected with the charge directly," said Mr. Osborne.

Mr. Moe and myself had breakfast in my apartments. He had with him the same there, a watch, \$60 in cash," said Senator Conger. "After we had breakfast we went back into my sleeping room, and there Moe took the money out of the safe and counted it out and placed it in piles—\$1,000 in one, \$1,000 in another and \$4,000 in another."

"He then placed them in separate envelopes and wrote the names on the envelopes. I directed that names to be put on. He then put the envelopes in his inside pocket and together we came into the Assembly chamber and looked about. They were connected with the charge, where we hung up our coats in my locker."

PAID OFF THE \$4,000 ONE. "We then came out, passed along in toward the corridor and met a gentleman who introduced me to Moe as a man representing my brother, Mr. Moe stepped to one side and gave him the envelope which contained \$4,000. We then passed into the Assembly chamber, remained there a few minutes and came out, passed down the steps and turned to the left."

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expect him or not; when he came in the door I was satisfied it was Mr. Moe.

Q. You were expecting him to come and see you? A. I cannot say that I was.

Q. I thought you said you were; you thought it would be natural for him to come and see you? A. That may be true.

Q. Had you talked with Mr. Benn Conger prior to his arrival? A. I had talked with him a little, very little.

Mr. Littleton then brought out that Senator Conger recalled to Mr. Newell the introduction to Mr. Moe in 1901 and that soon after Mr. Conger's visit Moe himself came.

Q. Had Mr. Conger asked you if you remembered Moe? A. Yes, sir.

Q. And did you give him your recollection? A. I told him that I did recollect, but it was not clear in my mind.

Q. Now, then, how did Moe happen to come up? Do you know? A. No, I do not know.

Q. Just happened so? A. I should judge so.

BACKING UP MOE'S STORY. Mr. Moe testified earlier that while engaged in taking an inventory with John W. Jones in the Conger typewriter factory in Groton in 1901 Frank Conger approached him and at that time asked Moe to make the trip to Albany.

Mr. Littleton and Senators Brackett and Grady objected to the admission of this testimony and Chairman Davis was inclined to agree with them. Mr. Osborne objected, insisting he was within his rights.

"It has been claimed by the other side," said Mr. Osborne, "by cross-examination and by direct assertion, that the story told by Moe is a fabrication, and is a recent fabrication. It has been asserted with the greatest degree of boldness that it is a recent fabrication. I propose to show that it is not a fabrication, and that it is a story which has been told for some time when it is alleged that it was."

"This is not an attempt to meet," answered Mr. Littleton, "what we characterized as the narrative story of G. Moe of his delivery of this money in Albany and his reckless trip from Syracuse to the Capitol. It is not an attempt to show that the money was delivered voluntarily and that Heike had been of no assistance. Mr. Stimson put in evidence a letter sent by the late Henry O. Havemeyer to George B. Cortelyou when the latter was Secretary of the Treasury. Judge Martin overruled the objections of Heike's counsel and the letter was read."

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HEIKE EVIDENCE ABOUT IN QUESTION OF ADMITTING GRAND JURY MINUTES NEXT.

Court to Rule on This Point on Monday—Havemeyer Letter Declaring Willingness to Aid the Government is Read—Heike's Cross-Examination.

The taking of evidence in the trial of Charles R. Heike, the secretary of the American Sugar Refining Company of New Jersey and the secretary and treasurer of the New York company, who is under indictment for conspiring to defraud the Government out of customs duties on sugar, was practically finished at the second session of the trial yesterday.

Heike, with the exception of stenographers who took the minutes of the Grand Jury before which Heike appeared, was the only witness called.

There remains only the question of spreading upon the record the minutes of the Grand Jury. When this point is settled counsel for the Government and for Heike will sum up and the case will go either to the jury to decide the issues of fact, or, in case there is no dispute as to facts, to the Court to decide upon the issues of law.

It must be remembered that Heike is not being tried on the charge for which he was indicted. His plea of immunity, based on the ground that he furnished to United States District Attorney Wise and to the Federal Grand Jury the evidence which was used in indicting him, has taken the burden of proof from the Government and made it the defendant against Heike's plea.

Heike, on the first day of his trial, had testified to producing before the Federal Grand Jury which handled the inquiry as to whether the sugar trust had a combination or restraint of trade the records of the company in regard to its organization, holdings and amount of raw sugar melted. Special Prosecutor Henry L. Stimson, for the Government, tried to show at yesterday's session that the sugar trust had freely offered all this evidence to the Government and that Heike had acted only as the bearer of facts and figures of which he had no personal knowledge, but which were given him by the directors and others of the sugar trust.

Mr. Stimson also contended that Heike had pleaded his constitutional right to refuse to give evidence incriminating to himself when called before the Grand Jury. Heike's answer as to whether he had pleaded immunity was objected to by John R. Stanchfield, his counsel, on the ground that it was not necessary for him to assert a right which was constitutionally his. Mr. Stanchfield cited a ruling of the Supreme Court on this point, but Judge Martin ruled that Heike might answer. He admitted that he had not made the plea.

In the effort to show that the sugar trust produced its records voluntarily and that Heike had been of no assistance Mr. Stimson put in evidence a letter sent by the late Henry O. Havemeyer to George B. Cortelyou when the latter was Secretary of the Treasury. Judge Martin overruled the objections of Heike's counsel and the letter was read.

After saying that the American Sugar Refining Company had learned of the Government's charges in regard to the weighing frauds, Mr. Havemeyer wrote:

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SMOOT'S HIGH PRICES TALK SOCIAL BUG TO BLAME, SENATOR TELLS SILK MEN.

Makes a Tariff Speech as Something Light and Novel at the Association's Dinner—Protection, He Says, is Not to Blame for Increased Cost of Living.

The Hon. Reed Smoot, who is a United States Senator and who is also from Utah, is a Republican and he is not ashamed of that fact. Not only is he not ashamed of it, but as he told the members and guests of the Silk Association of America, who were dallying with their coffee spoons after much eating in the banquet hall of the Waldorf last night, he's proud of the party's past achievements, he's ready to advance its present policies as much as he is to advance the protection of that fact.

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