

Benjamin Barnes testified: I served in the war in the 11th New Jersey; I was wounded; I lived in George Starn's house in Camden county, in 1878; George Starn started me in applying for a pension; he wrote to Washington, and afterwards I went to Mr. Hewitt's office and signed a paper; afterwards I went to Mr. Hewitt's office and signed more papers; the last time I was taken to Hewitt's office by Mr. Starn, I signed with my mark a paper which Mr. Starn said was my check; and that it had to go back to Washington; I got a check that morning from Mr. Hewitt for \$5; I got in all from Mr. Hewitt on account of my pension something over \$300; Mr. Hewitt paid a grocery bill for me of \$1.80; I got the credit from the grocer after taking a paper to him from Mr. Hewitt; I also got a hog from Mr. Starn on account of my pension; I did not get the \$300 in money all at once; the largest amount I got at any one time was \$50; I got as low as \$3; Starn told me the check was for \$1,610; Mr. Hewitt did not make any agreement with me as to his charge; the last money I received from Hewitt was in the Fall of the year I signed the check; Mr. Hewitt then told me there was no more money coming to me; I do not know how much Starn got.

Cross-examination: Starn and I had no understanding that he was to have half of the money for getting the pension for me; I don't know what arrangement Starn and Hewitt made; I never saw the check until I saw it in Hewitt's office; I directed the Post-mistress to put my mail in Starn's box, but I did not authorize him to open my letters; Hewitt told me the check had to go back to Washington, and I expected the money to come to me.

Re-direct: Hewitt has since told me that he did the work and Starn got the money.

William Stiles testified: I am treasurer of the Camden City Trust and Deposit Company; this check [for \$1,610] was deposited in our institution by Mr. Hewitt; on the same day Mr. Hewitt drew on checks \$5 and \$781; on the same day Mr. Hewitt deposited another check for \$25.

Benjamin Barnes recalled: When I got my pension certificate from Mr. Hewitt it was in an old envelope, which was written upon; I took it to Mr. Bolgiano's store and asked him to give me a new envelope.

Edward H. Bolgiano testified: Mr. Barnes left a certificate and envelope with me; the envelope was covered with figures. [Envelope shown witness, and identified by him as the one left at his place by Barnes.]

Mrs. Barnes testified: That she is the wife of Benjamin Barnes, and was with her husband at Hewitt's office when Hewitt gave her husband a check for \$50.

Benjamin Barnes recalled, testified: That when he got the \$50 from Hewitt it was after he (witness) had affixed his mark to the pension check.

District Attorney Keasbey then offered a number of papers in evidence, among which was the envelope received from Hewitt by Barnes, and on which were figures, which were admitted to have been made by the defendant. The Government then rested.

#### THE DEFENCE.

In opening for the defence Mr. Crandall said he was impressed with the notion that the Government had made out no case. There is no good evidence that Barnes is a pensioner as his pension certificate has not been produced in evidence. After consultation of counsel Mr. Harned said they preferred not to go into their defence at once, and by agreement the case was adjourned until Tuesday, morning next at ten o'clock. On motion of District Attorney Keasbey, John W. Wescott was admitted to practice as an attorney and counsellor in this Court. The Court then adjourned.