

show me. I then got into the automobile and sat down on the seat beside of him. He took a picture out of his brief case and asked me if I recognized it. I said that I did not recognize it. He then brought two more pictures out and he asked me if I recognized them and I told him that I did. Then he showed me an affidavit of one Minnie Z. Wheaton and asked me if I knew the party and recognized the writing, and I said that I did. Then he took the same picture again, which was a group picture, and pointed out a man in the picture and asked me if I recognized the man, and I said I did; that that was my picture. Then he showed me other affidavits which I did not read and asked me if I knew the parties whose signatures were attached, and I said that I did. Then he asked me if my name was not Erastus Corning Whitney, and I said that it was, and he asked me if I was not under indictment in New York State for grand larceny. I told him that I wasn't positive of it but I understood that such was the case. Then he showed me some signatures on other affidavits and some pictures which he had there and asked me if I could identify them, and I said I could. I did not, however, read the affidavits. Then he brought out some personal letters of my own and asked me if I could identify the signatures on them, and I said that I could. Then he showed me a signature signed by me under my former name of Whitney and he showed me an insurance policy which he had in his possession and asked me to identify the signature on that. I identified all the signatures. Then I said "Well, the game is up, and I suppose I will have to go back to New York."

He then said to me, "Do you think that a man should be convicted of murder upon your testimony?" Then I turned and recognized him as Mr. Moore. I had not known with whom I was talking up to that time. Then I said to him, "Haven't I met you before, isn't your name Moore?" He said it was. Then I asked him what his game