

**JEWELRY, Etc.****FERGUSON & PAGE,**

Have in stock and daily receiving additions to their lines of Watches, Fine Jewelry, Solid Silver and Silver Plated Goods, Cameo and Pearl Handle Dessert and Fish Scales, Knives and Forks, Carving Sets, etc.

A big assortment of SOUVENIR GOODS for Tourists.

At 41 King Street.

**Choice****Potatoes!**

Meats, Poultry, Vegetables, Butter, Eggs, Cream.

**S. Z. DICKSON**

COUNTRY MARKET.

**FINE****GLASSWARE**

FOR THE TABLE.

I am now showing a superior line of Table Glassware, which is selling at no higher prices than the lowest grade glass.

**O. H. WARWICK,**

78 and 80 KING STREET.

**COLMAN'S MUSTARD!****CORN STARCH!****CANNED SALMON!**

Above goods just received direct from factories.

**JAMES COLLINS,**

210 Union Street.

**Coal**

Sold by bushel, barrel or ton. Wood in any quantity at

**LAW & CO'S.,**

Tel. 1348. Foot of Clarence St.

**TO ARRIVE:****GOOD, SOUND DRY HARD WOOD**

Ready for Stove.

**\$2.00 per load** delivered, cash with order.

Also Furnace Wood very cheap.

**J. S. FROST, 11 Union Street.**

Barkton "Frederica," with 70 tons of Cape Breton Coal, and Barge "Springhill," with 20 tons of Round Springhill Coal, has arrived for Gibson & Co.

NIT HARD COAL STILL IN STOCK.

**GIBBON & CO'S.,**

(Near N. Wharf), 6 1-2 Charlotte St.

**JOHN RUBINS,****-CUSTOM TAILOR-**

Clothes cleaned, repaired and pressed at short notice.

53 Germain Street.

**IS BETTER TODAY.**

Little Albert Parks, who was so badly injured by falling lumber yesterday afternoon, is reported as somewhat improved today. Although the wounds and bruises are serious enough it is confidently expected that the little fellow will soon recover.

**PATTERSON'S**

Cor. Charlotte &amp; Duke Sts.

**IF ANY LADY**

Wants an up-to-date conser, try a pair of B. & C.

No brass eyelets.

Store Open Every Evening.

**SPECIAL NOTICE TO ADVERTISERS!**

Copy for Saturday's issues of the STAR must be sent in by Three-Thirty O'clock Friday Afternoons, otherwise it is absolutely impossible to ensure a change for that issue, as the paper goes to press earlier on Saturdays than on other days of the week.

**LOCAL NEWS.**

C. H. B. Fisher has resigned the office of choirmaster of the Methodist church, Fredericton, after 51 years of service in the choir. He has been its conductor since 1887.

The B. and B. Club, Fredericton, is to send a team to St. John on Friday to play in the carnival week games. The boys are practising every afternoon.

Mrs. Herbert P. Breen will be at home to her friends at 84 Moore street, on Thursday and Friday afternoon and evening, Oct. 9th and 10th.

Harry Bailey, of Little River, Sunbury county, and Miss Cora Reid, of Fredericton, are to be married at the Methodist church, Fredericton, on Wednesday, Oct. 22nd.

Charles H. Campbell, aged 25, son of Colin Campbell of Riverside hotel, Woodstock, died Sunday evening.

Mrs. Joseph Windsor, of Dalhousie, is dead, aged 74 years.

The primary Sunday school teachers and the social committee for the provincial Sunday school convention will meet tomorrow afternoon at 3.30 in the schoolroom of the Germain street Baptist church. A full attendance is requested.

If you are undecided about the kind of garment to choose for the cold weather, a half hour or so spent in Morrell and Sutherland's cloak department will be found very advantageous. A very large selection has been purchased for fall and winter by Messrs. Morrell & Sutherland, and they will be pleased to have you call and look at the new styles, even though you do not want to buy at present.

**MISSION FOR WOMEN.**

The mission for women conducted at St. Peter's church, north end, by Fathers Hamel and Parr, C. SS. R., are being very largely attended. The first mass each morning is held at 5 a. m., and the concluding evening service at 7.30 p. m. An instructive sermon is given by one of the fathers at each service.

Masses for children are held each morning at 7.30. Large numbers of devotees can be seen wending their way to the church even at the early hour of 5 a. m.

**FREDERICTON BAD BOYS.**

During the service at the Free Baptist church, Fredericton, on Sunday evening, and while Pastor Hartley was in the midst of his sermon, some person went to the gas meter in the basement and turned off the gas, leaving the congregation in total darkness. Before the church could be re-lighted it had become so filled with the obnoxious gas that the congregation had to be dismissed. Two small boys were seen running out of the basement, and it is supposed that they had something to do with the trick.

**AMAZINGLY JOURNALISM.**

To the Editor of the Star: Sir,—Perhaps it was merely a typographical error, though rather a glaring one to escape both editor and proof-reader in the editorial columns, but in case it was an instance of "follow copy," please let the Telegraph know that Boswell, not Bosworth, was the biographer of Dr. Johnson. Pardon my "timidity," as the Telegraph would say, and publish this to oblige.

A. REWSTER.

**MR. HAZEN'S MEETINGS.**

Messrs. Hazen, Mott and McInerney are announced to speak in Masonic Hall, Chatham, next Thursday evening, on the political issues of the hour. It is possible that Mr. McDade may also be with them. The people of Chatham will be glad to hear these gentlemen discuss public matters.—World.

A big political meeting will be held in the Temperance hall at Richibucto on Friday evening, the 10th inst. Addresses will be given by O. M. McLanahan, M. P. P., Geo. V. McInerney, W. A. Mott, M. P. P., J. D. Hazen, leader of the opposition.

**NATURAL HISTORY SOCIETY.**

The Natural History Society of New Brunswick will resume its meetings after the summer vacation at the rooms, Market building, this evening at 8 o'clock. Dr. G. F. Matthew will read a paper on the Amphibians of the Carboniferous Age and Tracks of Such Animals at the Joggins.

**TO MAKE LAST BLOCKS.**

A Bath, Carleton Co., letter says: "James Healy arrived from Boston recently and is now putting in the plant for making last blocks at Esdraselon. The country is well supplied with hardwood, and if an industry for the manufacture of furniture was started there is no doubt the business could be made to pay."

**TONIGHT'S RECEPTION.**

The programme of the reception at the Y. M. C. A. tonight consists of several short speeches, piano solos by John Morrison, a well known musician from London, England; vocal solos by Arthur Beal and readings by Miss Ina Brown.

**WANTED.**—A furnished room, lodgings only. Vicinity of Queen and Germain preferred. Apply J. R. K. M., P. O. B. 451.

**FRANK HIGGINS**

Sentenced to be Hanged on Dec. 18th.

Judge Landry's Decision After Hearing Mr. Mullin and Dr. Pugsley.

Frank Higgins was this afternoon sentenced to be hanged for the murder of William Doherty. The prisoner bore up under the sentence with the wonderful coolness and nerve which has stood by him during the trial. The next step in the proceedings will be Mr. Mullin's application for an appeal to the supreme court.

When court resumed this afternoon Justice Landry said that he had spent some time in consideration of the objections made by Mr. Mullin. While he desired to afford every opportunity to the prisoner for securing a further hearing yet he did not think the contents of Mr. Mullin's sufficiently strong to warrant the case being reserved. He thought it unnecessary to take up the different points in detail as his views on each were already stated. He therefore refused the application made by Mr. Mullin.

Dr. Pugsley asked that the prisoner, Frank Higgins, be brought into court for sentence. This was ordered. Mr. Mullin requested that a copy of the proceedings be filed in the office of the clerk of the supreme court. Justice Landry agreed to this. Higgins was brought into court by one of the constables at twenty minutes to three o'clock. Dr. Pugsley asked that as the jury had found the prisoner guilty, sentence should now be passed.

Judge Landry said: "Frank Higgins stand up. If you have anything to say, Frank Higgins, why the sentence of the court should not be passed upon you, following the verdict of the jury, I will give you a chance to say it now." "I have nothing to say," answered the prisoner.

"With me," continued his honor, "the law leaves no discretion as to what I should do in cases such as this. Whether I should say anything to you or to the public through you is not quite clear in my mind. If I thought that words of mine would be of any benefit to you during the few days you have yet to live on this earth, or any good to anyone through you, I would utter them. There is no use now in reproaching you for your former life. The object of the law is not to make you feel badly or to torture you for your crime, but to prevent others from following in your footsteps. Society has found it necessary for its own protection that crime should be punished, not for the sole cause of inflicting misery on the criminal, but for its prevention. I think that the more kind words addressed to you and the more kind treatment you receive, will bring you to a sense of your position rather better than harshness would do. It is impossible for me to hold out any expectations that the sentence I am about to pass upon you will be changed. I can give you no hope. In matters such as this no discretion is allowed me. You will be taken back to your cell and there will have an opportunity of thinking over your past. You had better see spiritual advisers. Profit by their good advice and wise counsel and by this means come to a full realization of your position and prepare yourself for what is to come. It is difficult to know just what has brought you where you are today. You may be able to assist society and the authorities in finding out the persons you do not know, but whether you do or not is a hard problem for society to solve. It is possible that the company you kept and the literature you read may have had something to do with it. I venture the opinion that when you first commenced keeping that company and reading that literature, it was done innocently, and you did not know to what you were coming."

"The sentence of the court, therefore, is that you, Frank Higgins, be taken from hence to the prison, from whence you came, and that you be taken from thence on the 18th day of December now next to the place of execution; and that you be there hanged by the neck until you are dead."

"And may God have mercy on your soul."

The prisoner was entirely unmoved by the sentence. He was immediately taken from the court room to the condemned cell.

Before Justice Landry this morning D. Mullin, counsel for Frank Higgins, presented his argument for a reserve case. In the absence of H. A. McKeown, Dr. Pugsley appeared for the crown and replied to Mr. Mullin's arguments. Justice Landry reserved his decision until this afternoon.

The courtroom was well filled with spectators whose curiosity was not however satisfied by the sight of Higgins.

In commencing his argument Mr. Mullin stated that there were four grounds on which he desired to have the case reserved. The first was in reference to the securing of a jury. When the special panel was ordered he had taken exception to the procedure, as the selecting of the jury was not as prescribed by the British North America Act. As the parliament of Canada has directed the procedure for the selection of talesmen, legislation on that point is exhausted and the action of the local legislature in prescribing the procedure is ultra vires.

The second ground taken was that during the selection of a jury John A. Pooley stated that he could not give the prisoner a fair trial as his mind was already made up. At the time of the selection of the jury, Mr. Mullin had objected to Mr. Pooley's presence on the jury.

Mr. Mullin here produced an affidavit made by Thomas McGrath and relating to something which had taken place outside the court. Dr. Pugsley objected to the reading of the affidavit on the ground that the statements made in it were with reference to something which had occurred outside and had no bearing on the case.

Justice Landry allowed the reading of the affidavit which was to the effect that while in the barber shop before the trial, Mr. McGrath had heard Mr. Pooley declare that Higgins ought to be hanged and Goodspeed let go. Mr. Mullin thought that a man who would make such a statement before the trial and after being sworn declare that his mind was made up, could not give an impartial decision. In making the statement which he did Mr. Pooley was not qualified to act as a juror. Having his mind made up he would not be indifferent.

The third ground was that under a ruling of the court, new evidence was admitted when none but evidence in rebuttal should have been admitted. This evidence which was in reference to the exact time at which Goodspeed had been at the Marsh Bridge, was not rebuttal but tended to strengthen the crown case and should not have been received.

Mr. Mullin's last ground was an objection to the judge's charge in which the attention of the jury was called to the silence maintained by Higgins. Nothing was said by him at any time. Perfect silence had been maintained, counsel had been obtained, and the silence continued. Mr. Mullin objected to this portion of the judge's charge on the ground that any person has the right to engage counsel and that after having done so it might justly be believed that his subsequent line of action was in obedience to the advice of that counsel. Such subsequent conduct should not be referred to the attention of the jury, nor should they be directed to draw any inferences from it. It is unfair that in the handling of a case what takes place between client and counsel should be made the subject of comment. If this is to be the case, if the actions of clients are to be made a matter of comment, then counsel are the fear that their actions may be held up for inferences to be drawn from Mr. Mullin's objection was that the judge had drawn the attention of the jury to the conduct of the prisoner, which conduct was the result of advice from counsel and should therefore be held sacred.

Upon these four grounds Mr. Mullin asked that the case be reserved for the consideration of the full court.

Justice Landry said that he was chiefly impressed by the third point taken by Mr. Mullin, in reference to evidence.

DR. PUGSLEY said that even should the judge not decide to reserve the case, the prisoner's counsel still had the privilege of applying for permission to appeal. Were sentence imposed at once, it was not probable that the date of the execution would be fixed at a very early date, but that Mr. Mullin should be allowed ample time to make his appeal. Whatever decision was arrived at with reference to reserving the case, the prisoner would in no way suffer.

In reply to Mr. Mullin's argument Dr. Pugsley took issue on the first ground, claiming that under existing legislation the judge has power to summon as many jurors as may be found necessary. If Mr. Mullin had any objection to the panel summoned, he should have challenged the array before the jury was selected.

With reference to Mr. Pooley, Dr. Pugsley thought Thomas McGrath's affidavit should not be accepted. Applications for setting aside trials on the ground that jurors had made remarks before the trial. Mr. Pooley's statement after being sworn seemed to show a fear that he should not be able to give a fair trial. It was evident that he had already heard of the case and would prevent him from being fair, and on this account he would be more liable to err on the side of leniency, prompted by the dread that his opinion tended the other way. There is nothing to show that Mr. Pooley was not properly qualified.

With regard to the evidence concerning Goodspeed being at the Marsh bridge at a certain time, not being properly received, Dr. Pugsley said that the presiding judge alone should decide when evidence should be received. Higgins had sworn that he and young Goodspeed had been at the bridge at six o'clock, and to contradict this, evidence was given showing that Goodspeed had been at the wharf before six o'clock. This was all in rebuttal, and the time at which it was received was at the discretion of the judge.

In reply to the fourth point taken by Mr. Mullin it was unfair for any counsel to pick out one paragraph in the judge's charge and base an objection on it. Higgins sprung the surprise on the jury and the crown at the last minute. He charged his companion, under these circumstances it was the duty of the judge to point out the conduct of the prisoner to the jury.

Dr. Pugsley did not think there were any grounds for reserving the case. Higgins had been given a most fair trial and there were no grounds for objections.

Mr. Mullin submitted that Dr. Pugsley had not replied to his objections. With reference to the prisoner's conduct, Mr. Mullin's objection was to the remark made by the judge concerning Higgins' conduct after consulting counsel, and this point was avoided by Dr. Pugsley. He had not replied to Mr.

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**CLOAK DEPT.**

We have in a few years built up a great trade for Ladies', Misses' and Children's Ready-to-Wear Garments by sending out goods that please and satisfying our customers.

Black Jackets, \$2.50 to 16.50.

Grey Jackets, \$4.50 to 13.25.

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Costumes, \$7.50, 8.50, 11.00, 12.50 15.75.

Ladies' Capes, \$4.00 to 15.00.

Girls' Coats, \$2.75 to 10.00.

Infants' Cloaks, \$2.75 to 5.75.



This style of coat made from black or dark grey frieze, lined throughout, only \$5.50.

**Morrell & Sutherland.**  
29 Charlotte St. Opp. Y. M. C. A.

**SPECIAL FURNITURE SALE**

ON WEDNESDAY, OCT. 8TH.

We will open a Special Clearance Sale of all goods over three months in stock. We have the freshest stock of furniture in St. John, and are determined to carry over no unsalable or shopworn goods. We have therefore marked all articles slightly damaged or which are hanging on too long, at prices which are sure to sell them.

A Few Baby Carriages and Go-Carts at Cost to Clear.

All our Straw Matting at Cost as we have decided to go out of this line.

**OUR SPECIALS FOR WEDNESDAY AND THURSDAY:**

50 Double Weave Adjustable Woven Wire Spring Beds, only \$2.28 each  
30 Woven Wire Spring Beds, only 2.05 each  
50 Wool Top and Bottom Mattresses, good ticking, only 3.32 each  
40 Wool Top Mattresses, cheaper ticking, 2.78 each

During this Sale we will allow 12 1-2 per cent. discount off all goods not reduced.

**CHAS. S. EVERETT.****SHOOTING SUPPLIES**

OF EVERY DESCRIPTION.

Guns to Hire at Reasonable Rates.

Boxing Gloves, Punching Bags, Indian Clubs, Dumb Bells, etc.

**KEE & BURGESS, SPORTING ... GOODS.**

195 UNION STREET (Near Opera House) St. John, N. B.

**GRAND AUTUMN CARNIVAL**

ST. JOHN, N. B.

October 8th to 14th, 1902.

—A WEEK OF SPORT—

Splendid List of Attractions. Cheap Fares from all Maritime Province Points.

Return tickets at SINGLE FARE on the 8th, 9th and 10th OCTOBER, good to return up to and including the 14th. On all stations this side of Edmundston on the C. P. R. and all stations this side of Campbellton on the I. C. R.

On SATURDAY, the 11th OCTOBER, there will be a special cheap rate from the following points at the rates named, and the tickets will be good to return up to and including the 14th:

THE C. P. RY.	
Fredericton and return.....	\$1.15
Woodstock.....	1.85
St. Stephen.....	1.65
THE I. C. RY.	
Campbellton and return.....	\$3.25
Newcastle.....	2.15
Chatham Junction.....	2.10
Point du Chene.....	1.40
Summerside.....	2.60
Charlottetown.....	3.35
Moncton.....	1.15
Sussex.....	1.15
THE D. A. RY.	
Yarmouth and return.....	\$3.30
Weymouth.....	2.15
Digby.....	1.50
Bear River.....	1.70
Annapolis.....	2.00
Bridgetown.....	2.50

Mullin's arguments on the new evidence which had been brought in or regarding Mr. Pooley.

Judge Landry said that he would take a few hours for consideration and would look over the authorities submitted by the counsel. A decision would be given after the other business before the court had been disposed of.

**POLICE COURT.**

All About That Counterfeit Fifty Cent Piece.

Joseph Jacobson, a boy fourteen years of age, was arrested by Sergeants Hastings and Kilpatrick on suspicion of passing a counterfeit 50c. piece in Adelbert C. Witham's candy store on

Main street, knowing it to be counterfeit. This morning the young fellow stated that his brother had sent him to get the 50c. changed. The brother got it from another man who had in turn received it from the Western Union telegraph office. None of them knew the money was counterfeit. Jacobson was let go.

George Forbes who, under spiritual influences, had sat down on the pavement on Union street, was fined four dollars or ten days, and Cassie Kane, for being drunk on Sheffield street, got two months.

Last evening a meeting of the Young Men's Association of St. Peter's church was held in their new hall, at which the election and installation of officers took place.

**Pattern Hats!**

An elegant display of French, English and American Pattern Hats and Bonnets.

Prices moderate. Inspection invited.

**CHAS. K. CAMERON & CO.,**  
77 King Street.