POOR DOCUMENT

MC 2033

FRANK HIGGINS COMMITTED FOR TRIAL

Twenty-five Witnesses Examined on Circumstances Connected With the Murder of Willie Doherty—Higgins Scornfully Laughs When Goodspeed Tells His Story.

Three Sessions of the Court Before Preliminary Examination Is Finished—Witnesses Tell of Higgins Buying Revolver and Cartridges—A Number of New Features Introduced Into the Case.

"I've nothing to say excepting that I'm not guilty," was the only remarks of young Frank Higgins, charged with the murder of Willie Doherty, at the preliminary examination held Tuesday before Judge R. J. Ritchie at the police court. The hearing commenced in the morning and throughout the day was attended by an immense crowd.

Judge Ritchie opened his court earlier than usual Tuesday morning, when he tried a few usual police court cases, but at 10 o'clock, the time announced for the taking up of the murder case, it was begun.

Shortly after 9 o'clock men and boys began to gather in front of the police station. Detective Killen and Officer Earle were stationed at the main entrance and the doors of the court room were locked until the judge was ready to take up the murder case.

At 9.30 the stone steps leading to the station and the side walk in front of the building were blocked with men and boys, while across the street in the old burying ground a large number awaited the opening of the doors.

Just before 10 the crown witnesses were given seats in the court. Mrs. Goodspeed, mother of Freddie Goodspeed, and her daughter were present, as was Mrs. Higgins, mother of the accused boy, and a couple of friends.

Hon. H. A. McKeown was present, representing the crown; Daniel Mullin, K. C., appeared for the prisoner, Higgins, and Scott E. Morrill was looking after Fred Goodspeed's interest.

Mayor and Sheriff There.

Mayor White and Sheriff Ritchie occupied seats beside the judge. At 10 o'clock Chief Clark had placed Officers Thorne, Scott and Finley outside the railing back of the prisoner's bench to look after the crowd and Sergeants Campbell and Ross were placed on the prisoners' bench, so that the prisoner would be between them. At this time Judge Ritchie gave orders to open the doors and allow the crowd to enter.

A Rush for Position.

When the word was given there was a grand rush for the most prominent positions. The crowd jammed so at the front entrance that one of the glass panels in the door was smashed. It was only a few minutes from the time the crowd started in until every available space for spectators was taken up and the people were packed together like sardines. The crowd extended out of the room to the outer hall and up the stairs leading up to the City Cornet Band room, every person straining their ears and eyes to hear and see.

HIGGINS APPEARS.

Looked Well and Apparently Was Unconcerned.

When the crowd became quiet Judge Ritchie gave the order for the prisoner, Frank Higgins, to be brought into court and a few minutes afterwards the boy was conducted into court between Deputy Chief Jenkins and Detective Killen and was placed on the prisoners' bench. All eyes were turned on the prisoner. He walked to his seat with an easy stride. He was slightly flushed, looked very neat and apparently unconcerned. His clothes were new looking, and well brushed. He wore a white shirt, standing collar and a green scarf tie with a scarf pin. In his hand he carried a light, soft cap.

He was immediately arraigned on an information which read as follows:

"Information of Joseph Doherty, who said that he suspects and believes that Frank Higgins, of the City of St. John, in the City and County of St. John, on the 1st day of August, did murder William Doherty contrary to the statutes, and his reasons for his suspicion and belief are: First, that the said William Doherty was murdered; second, he has heard Fred Goodspeed under oath say that he saw the said Frank Higgins commit this offence."

The Morning Evidence.

Joseph Doherty, father of the murdered youth repeated his evidence given at the coroner's inquest. On Saturday after his son disappeared he said he asked Frank Higgins and a boy named Alexander about him. "Higgins first said he saw my boy about 10 o'clock Friday morning and then reversed and said he saw him going with my dinner kettle. This was on Union street, that I was talking to Higgins and Alexander told me that they heard my son went to Springhill."

Harry Beckwith, the next witness, told of finding the body. Felix Gallagher repeated his evidence as to staying at the spot where the body was found until Mr. Henry and Mr. Knox, of the park staff, came.

Harley Knox, park policeman, told of remaining there until the coroner and police came. He described the location.

George Henry gave evidence as to seeing the body.

Policeman George Earle described the way the body was covered when found, told what was found on the body, and of the removal of the body to the dead house. Witness produced a piece of a branch of a tree with a piece of paper on it. This was about five feet from the ground and 12 feet from the body, leading towards the meadow.

The witnesses, Doherty, Gallagher, Knox, Earle, Beckwith and Henry were then called forward and entered into recognizance to appear at a higher court on September 2.

Detective Killen's Evidence.

Detective Patrick Killen was the next witness. He said: I saw a dead body in the dead house about 7 o'clock on the evening of August 4. A couple of boys came in and said it was the body of "Ding" Doherty. I think Higgins was in the deadhouse at the time. The deceased's father was there. I have known Doherty about a year and a half, but did not recognize the body. I called Higgins into the dead house and he said he thought it was Doherty. Higgins was with the two Goodspeed boys. John Goodspeed and Higgins came in together and young Goodspeed came in afterwards. I didn't hear any conversation between the boys, other than Higgins saying he thought it was "Ding" Doherty.

Witness told of the boys' arrest and continued. The night Higgins saw the body in the dead house I had a conversation with him regarding when he last saw Doherty. He said on Friday about a quarter after 11 o'clock, when he was taking his father's dinner. I had another conversation in the coroner's office with him and he said that he had been talking to Doherty in the graveyard between 1 and 2 o'clock. There were Clifford King, Harry Kelly, Goodspeed and Doherty there. He said that Kelly and King left and shortly afterwards Doherty left and went towards the Opera House.

Dr. W. L. Ellis repeated his evidence of what was revealed by post mortem examination of Doherty's body.

Doctor Ellis and Detective Killen then entered into recognizance to give evidence in a higher court on September 2.

Coroner Berryman a Witness.

Coroner Berryman was sworn and told of being called to the park, and seeing the body covered with stones of from two to seven pounds on top of the covering. Continuing, he said: Before removing the stones or sticks I examined the surrounding grounds and found where the stones had been removed from the ground. Looking towards the south I observed on an old burned tree at perhaps a height of five feet, a piece of paper folded and pointed towards the body and stuck on a small limb. On going towards the paper I found perhaps three of four feet apart, other pieces of paper similar to that on the tree leading down to the path that leads to "Lovers' Lane." I then had the stones and sticks removed and found the body of a man lying on his face. There was decomposed blood on his head. I had the body turned over and found it was lying in high grass and partly covered with brush. I had the body removed to the morgue and left it in charge of Officer Earle. I know Higgins now, but did not know him then. I requested the police to bring the companions of Doherty to my office. Among those who came on Wednesday evening was Higgins. I asked him who was Doherty's companions. He stated he, Goodspeed, McNiel and Clifford King and Harry Kelly knew him. I asked him when he had last seen Doherty alive. He stated that he was in the old burying ground on Friday the first day of the month, about 1.30 in the afternoon and that Fred Goodspeed, Clifford King, Kelly and Doherty were there; that King and Kelly left the grave yard and that Doherty also left the graveyard and went to the Opera House, that he went with Doherty and returned again to the graveyard. I think he said he met Goodspeed there. He made an emphatic statement to me that he was in the burying ground with Fred Goodspeed from 1.30 until nearly 5 o'clock that afternoon, and he stated positively that he was not in the park on Friday afternoon, the first day of August, but he and Goodspeed spent nearly the whole of that afternoon in the graveyard. He made the same statement to me on Wednesday and Thursday evenings. Captain Jenkins was present at the time; none of the other boys were there when I was talking to Higgins.

IN THE GRAVEYARD.

Kelly Saw What He Thought Was the Muzzle of a Revolver in Higgins' Pocket on Day of Murder.

Harry Kelly was then sworn and said: "I know all the boys to see them on the street, but am not a companion of them. On Friday, August 1 I met King near the Opera House. We went to the graveyard. I saw three fellows lying on the grass—Goodspeed, Higgins and Doherty. They were lying near the fountain. Goodspeed and I were talking about Boston. I was there about 15 minutes and King left with me. I went home and did not see the boys after that. I did not see a revolver, but what I took to be the muzzle of a revolver in Higgins' inside coat pocket. It was pointing in my face and I told him to put it out of that; to put it in another pocket. He said: 'I haven't got another pocket.' He was reading a newspaper when I left the crowd. There was no conversation while I was there. Doherty was smoking a cigarette then. They were not companions of mine."

Clifford King repeated much the same as the last witness, but did not see any revolver. Continuing he said: "I saw Higgins nearly every day until the day he went away. The day before he went away Higgins met me on Union street and asked me where he could find Alexander. I went with him to find Alexander and I heard Higgins ask Alexander to go to the reporters and say it was a mistake, that he didn't have any revolver."

Witness said he did not work now. Judge Ritchie remarked that he better get to work.

It was 1 o'clock when Judge Ritchie adjourned his court until 2.30 in the afternoon. Higgins was taken back to jail and the large crowd who remained throughout the proceedings wended their way from the court.

AFTERNOON SESSION.

Purchase of Revolver and Cartridges by Higgins—A Threat.

As in the morning, for nearly an hour before the stated time for the court to open there was a large crowd which blocked the entrance and sidewalk in front of the police station and there was another rush when the doors were opened. Mayor White again occupied a seat alongside the judge. At 2.30 o'clock the crowd had become settled and the prisoner was again brought into court. He did not present as fresh an appearance as in the morning, although he looked just as neat. He was more pale and although not exactly nervous he moved about in his seat considerably. Frequently as his eyes would meet those of a boy companion or those of his mother as he looked about the court room he would smile pleasantly to them, and during the afternoon he did not fail to take in every word of evidence given, and never in the least showed any worry or uneasiness even when some of the evidence given against him was of a most damaging nature. Mrs. Higgins, mother of the prisoner, sat near a window on the western side of the room facing her son and almost continually kept her eyes on her boy. She looked as if she felt her position keenly. She did not have a chance to have a conversation with the prisoner.

On resuming at 2.30 o'clock John Baird was called. He told of seeing Doherty, Higgins and a third boy about 1.20 o'clock Friday, August 1, in Gilbert's Lane, going towards the park.

George Patterson, too, repeated his story already told of seeing three boys in the park Friday afternoon. He said: "I know Doherty; don't know Higgins or Goodspeed. Higgins was asked to stand up and put on his cap. Witness said one of the boys was about that size, but he could not identify him. Continuing witness said, the other boy was smaller."

Higgins Bought Cartridges.

Lewis Sharkey was the next witness. He said: "I live at 209 Union street. I work at Hunter's, locksmith; have known Doherty for three years and Higgins about five years. I saw Higgins in Hunter's store about a week before the murder. He was there alone and asked for some 38 centre-fire cartridges. He asked me if there was any broken boxes. I said yes. He said he would take what was in the box. He asked me how much they would be. I told him a box was 75 cents, and as there was a half box they would be 33 cents. He said he only had 30 cents and I took two out. I put the rest in the box and he paid 30 cents for them and took them out. I gave them to Detective Killen. I kept them separate. (The two cartridges were handed witness and he said he thought that they were the two). Continuing witness said: At the time Higgins was in, he took one of the cartridges out of the box and fitted into a chamber of a revolver. I did not have the revolver in my hand. I never heard Higgins say anything about Doherty."

Where Higgins Bought the Revolver

George Gamble was the next witness. He said: "I live at No. 9 Richmond street. I work in Watters' wood yard. I know Higgins and Doherty. I was with Higgins some time ago when he purchased a revolver in the first second-hand store on Mill street, below Rankine's. The fellow whom he bought it from was about 30 years old and said the revolver was a 42. Higgins told me he bought the revolver to shoot snipe with. He told me he did not want to go up town with Doherty for every time he did the police would follow them. I went to Little River with Doherty and Higgins about six weeks ago. I heard Higgins say once that he didn't like Doherty. He said Doherty used to go down for him (Higgins) to go up town with him and Higgins said he didn't like him for that."

Clifford King, Louis Sharkey, George Gamble and George Patterson were called and entered into recognizance to appear at the high court on September 2.

HIGGINS THREATENED ALEXANDER.

Said He'd Fix Him if He Didn't Deny Statement Made About Revolver.

Harry Alexander, the next witness, said: I will be 15 years old tomorrow. I work with Blake, plumber, I live at 3 Portland street. I know Higgins and Doherty. I remember the day they went away. I met Goodspeed a day or two before on Union street and he asked me to go to Wright street. Clifford King called Higgins and Higgins came back. Higgins asked me how big the reporter was I told about the revolver. He asked me if I knew him. I told him yes. He asked me when I ever saw him with a revolver. I told him I saw him with one in back of the Opera House. He said the revolver didn't belong to him, it belonged to Bill Holms who was in the penitentiary. I told him I didn't know who it belonged to. When I saw it it was wrapped up in a rag. He said if I didn't deny the statement I told the reporter he'd fix me. We started down to the Sun office and couldn't find the reporter. Higgins said, come up through the market, he wanted to see Mr. Landers. We went along Union street and he wanted me to go to the tan yard. He said the reporter came down there every morning. I left him down at the tan yard about 11 o'clock. When Higgins met me on Stanley street, Higgins said he saw in the morning's paper where I said I saw him with a revolver. He said if I didn't go down and deny the statement he'd fix me, too, and we started down.

Another Saw Higgins Have Revolver—a 42.

Harry McNeil said: I am not working now. I live at 47 Elliott Row. I know Frank Higgins well and went round with him sometime. I know Doherty about five years. I also know Goodspeed. I saw Higgins, Goodspeed and Doherty in the tan yard about a week before Doherty was murdered. They were playing with the other boys. The last time I saw the boys before Doherty's death it was on Thursday, the day before the murder. About three weeks before I saw Higgins fire a shot from a revolver. He fired it in the air. I had the revolver in my hand about a week after. I heard Higgins say it was a 42 caliber and he was firing 38 cartridges out of it. Higgins kept the revolver in his inside coat pocket. I was at Little River the day of the murder. I was swimming. After the body was found I saw Higgins on Brussels street that night. I asked Higgins if it was true, and who killed him. Higgins said he wished he knew who killed him, he would tell on them. Higgins said that he did not think Doherty had any enemies. Higgins and I walked round the street that evening and we stopped at the Golden Ball corner. Billy Brennan and Joe London and a couple of others were there. Billy Brennan was talking about a book found on Doherty with an address in it. A reporter had asked him about the address. I saw him the next day in the tan yard. Higgins told me one night, when we were going down to the doctor's, that if he came out of the doctor's with out being arrested he would go away as he was afraid of getting himself into trouble on account of the talk of him having the revolver. It was about four days before he went away that I had the talk with Higgins. Wednesday night was the first night we were at Doctor Berryman's and we were there the second night. Higgins and I left Doctor Berryman's office together. Nothing was said then about him going away. I saw him at the base ball game the day he went away. Goodspeed didn't say anything about going away.

Coroner Berryman and John Baird, and McNeil then entered into recognizance to appear at the next sitting of the high court on Sept. 2.

It was 4 o'clock when, after a brief discussion by the judge and Messrs. McKeown, Mullin and Morrill, it was decided to adjourn the court until 8 o'clock in the evening.

THE SCENE TUESDAY NIGHT.

Higgins Sent Up for Trial—Goodspeed and the One He Accuses Meet

Again the crowed assembled Tuesday night and there was a great rush for places and many were unable to gain admission. The side of the street nearest the graveyard was crowded and on the roofs looking into the court room were many curious people. Inside there was a surging mass of men.

Judge Ritchie had frequently to ask for less noise and several times remarked that Higgins had a perfect right to hear all that was being said. "If you don't hear every word, Higgins, let me know," he said more than once to the prisoner.

Higgins Interested; Nothing More.

Of the scene within the court room last night Frank Higgins was apparently just an interested spectator—that was all. He was not indifferent, he did not exhibit any bravado—just a deep interest, nothing more. In the earlier part of the proceedings there was absolutely no change in his countenance, except perhaps at times the interest deepened and the boy, who sat on the prisoner's bench, leaned forward to hear what the witness was saying.

When Goodspeed Testified.

As Goodspeed was sworn Higgins came to the very edge of the bench and with one hand on his knee leaned forward with the first real interest he had shown.

Chief Clark leaned over the reporters' table to Mr. Mullin, and in a whisper asked, "Does Higgins know of Goodspeed's evidence?" To this Mr. Mullin replied he was not at liberty to speak.

Slowly Goodspeed was questioned by Crown Prosecutor McKeown, and the silence showed the deep interest which was being taken in the lad's evidence. As it progressed the boyish prisoner changed his position and clasped and unclasped his hands with nervous frequency. As Goodspeed reached the part where he told of hearing four shots every eye was turned on the prisoner, but he bore the scrutiny well and as if he had accustomed himself to hearing the story told.

Laughed at Goodspeed's Story.

The laugh with which he greeted Goodspeed's story of the latter's part in it was more scornful than anything else, but when this was passed the old look returned and Higgins was once again merely the interested spectator. This demeanor was maintained even when Deputy Jenkins took the revolver found in the creek from his pocket, handed it to Mr. McKeown, who in turn passed it to the witness for examination. Goodspeed told his story in well chosen words and with the same composure as at the inquest, though perhaps with a more serious air. At the conclusion of his evidence he was taken down stairs and his sister, Mrs. Knowles, was allowed a short interview with him.

Hon. H. A. McKeown was an ideal examiner of the witnesses and put each at his case at the outset by his kindly manner and plain language.

It was nearly 10 o'clock when Deputy Chief Jenkins took the stand and told of the way in which the body was identified, of the finding of the revolver in the Marsh creek and various other things in connection with the appearance of the weapon. By this time Higgins began to show signs of weariness and yawned frequently. At the close his counsel rose and spoke a few words to him in an undertone. Higgins nodded assent. It was an instruction to plead not guilty, which was afterwards obeyed.

I Am Not Guilty.

When Deputy Chief Jenkins' evidence was ended the judge requested Frank Higgins to stand up. The boy rose quickly and with hands held behind his back stood calmly while he was asked if he had anything to say. At the close of the usual formal charge the boy said: "I have nothing to say, except that I am not guilty."

"Of course," said his honor, "you are not on trial now, but your trial will take place at the next circuit court, which opens on September 2."

REMARKS FROM THE BENCH

His Honor Speaks of Two Gangs of Boys.

Then the judge went on to remark that for some time he had known of the existence of two crowds of boys, that which hung around the alleys and entrances of the Opera House, and the tan yard crowd. Relatives had frequently come to him with the request that something be done in regard to these boys, but whenever he had felt constrained to say anything his remarks had unfrequently been misconstrued even by some of the reporters then present. If Detective Killen and Deputy Chief Jenkins had acted upon suggestions made by him and gone to the places named, the present deplorable circumstances might have been avoided. It was a matter of regret that these two crowds existed. He hoped recent developments would break up these organizations and that boys would no more be seen lurking around the doors of the Opera House or the tan yard.

Had "No Use for Doherty"

William Mackin, 15 years of age, of 48 Brussels street, said: I can't just say when I last saw Higgins. I've seen him on the street and in the tan yard. I've been there with Higgins and Doherty. I was there the week of the murder. I saw a revolver in the hands of Higgins round a month before the murder. He just pulled the revolver out of his pocket. I saw him with a revolver once or twice before, probably a year. I heard Higgins say one time in the tan yard he had no use for Doherty, that was two or three weeks before the murder. He said he didn't like him, hadn't any use for him and none of the boys wanted him around.

Also Saw Higgins With Revolver.

John Quigley, 92 St. Patrick street, aged 15 years, said: I work in Clark's glass factory. I saw Frank Higgins with a revolver about three months ago near the cotton mill wharf. I was not there long with him. Ned Tobin was there at the time. He picked up young Carberry's hat and fired a shot through it. He then fired another shot into the water. That was the only time I saw him with a revolver. He never said when, why or where he got it. I saw him at the dead house the night the body was found, and I walked to the Golden Ball corner, where there was a crowd of the boys. I did not see Higgins again that night. I never heard him say anything about Doherty.

Would Get Square With Doherty

Frank Kelley, aged 15, of 32 Clarence street, said: I work in my father's tailor shop. I saw Higgins in the tan yard the day the body was found. I saw Higgins fire a shot out of a revolver in the tan yard about a week before the murder. I saw him before in the tan yard with a revolver. I heard Higgins say he would get square with Doherty, when he (Doherty) got out of jail, for stealing some things from him. Doherty was then in jail with Holms. I never heard Higgins say what the things were that were stolen. I remember the day the body was found. I looked in the window. I saw Higgins that night on Brussels street and he said I was into it, that I would have to go up as a witness for having a fight with Doherty. There were others walking with us at the time and I think the talk was about Doherty. I think Higgins started to talk about Doherty first. Can't remember who else were there. There was about eight in the party. I had a fight with Doherty about two years ago, but had been friendly with him since then. I don't know how Higgins knew I had had a fight with Doherty. I don't know anything more.

GOODSPEED REPEATS HIS STORY.

Goes More Into Detail Than He Did at the Inquest.

Fred. Goodspeed was brought into court and sworn. He said: I reside on Mecklenburg street, and will be 15 years old the 14th of next April. I know Frank Higgins. Have known him about a year and a half or two years. I have known Doherty about the same time. I went away to the States last September and returned July 10. I saw Higgins and Doherty round the street. I went round with Doherty with the Opera House crowd; Higgins with the tan yard crowd. I remember the day of the murder. I got out of bed about 10 o'clock and didnt have breakfast until about 11. I returned home about 12 for dinner and left again about 12.45 and went to the graveyard. I saw Frank Higgins and Wm. Doherty there. They were sitting on a tombstone in the main path near Elliott row. I stayed there a while with them. We were sitting in the same place when Clifford King and Harry Kelly came along. Kelly showed some money. Willie Doherty was reading a newspaper. They stayed with us 15 or 20 minutes, when they left us and, I think, went towards the Opera House. Frank Higgins said: "Come on, let's go out to the park and get a feed of berries." That was about 1.30. We started to go out to the park, went down Brussels street, out Gilbert's lane to the park entrance—the one which has a sign on it named "Park Entrance." On our way out we met a man by the Davenport school. He made a remark to Doherty, which I didn't catch what he said then. He also said: "Is there any girls in the park in the afternoon?". I said: "A sporty chap like you could easily catch a girl." He walked past us and sat down in the grass and we passed the refreshment house. When we got up in the park, Willie Doherty and I stood looking at the bears, and Frank Higgins went away picking berries. We stayed on the main entrance until we got to the place near the bears. We followed down by the way Higgins went and joined Higgins down in the woods. We went along the fence until we came to the white house near Dave Connell's, and went over the hill picking berries and came round towards the park again.

There was an old man and a boy near the white house. I asked if that was the way to Dave Connell's. He said yes. We went in the rear of Connell's, over the hill towards the park, picking all kinds of berries. When we came to that road near the end of Lovers' Lane (I have been out there before), Doherty and I were about 12 feet ahead of Higgins.

When in that position I heard four shots, and Willie Doherty said: "My God, Higgie, you shot me." Doherty ran up the hill and Higgins after him. I ran round and didn't know where I was running.

Frank Higgins tried to hit Willie Doherty on the head with the revolver. Willie snatched it from him and tried to hit Higgins. I don't know if he got it out of Higgins' hand or not. They were both clutching it. Willie Doherty then sank down and said to Frank Higgins: "So help me God, if you go get a doctor I'll say it was an accident."

I was up on the hill, and when I heard that he wanted a doctor I ran down, and Frank Higgins pointed the revolver at me and said: "If you don't have a hand in it, I'll shoot you dead." I then came back and helped get some sticks. We pulled the stuff out of the ground and covered him over. We threw the rocks down on his head and covered him over.

When I came back Higgins hit Willie Doherty over the head five or six times. He was holding the revolver by the barrel or muzzle, when he was hitting Doherty. Doherty was lying on his elbow.

After covering the body we came in Lover's Lane and home. I have seen Higgins with a revolver before. When we were going out to the Park I didn't know Higgins had a revolver. On coming in I saw the revolver. Higgins said it wasn't any good to him now and he was going to throw it into the creek where they could not find it. He tried to work the revolver and it would not work. The guard was broken and the thing going under the barrel.

(The revolver was produced.)

That looks very much like it. Yes the guard was bent. I remember when he was trying to work it. We came out of the Park the same way and went down to Sandy Bank and he threw the revolver into the creek.

We came up then and I left him at the foot of Clarence street. I was with him after supper. I met him in the tan yard. When we came up that night I left him in the grave yard about 9.30.

Leslie Singer.

Leslie Singer, of Brindley street, said: I remember Friday the first day of August. I was in Gilbert's Lane between 1.30 and 2 o'clock. Saw Doherty and Higgins and Goodspeed there going towards the Park. I went into the Park ahead of them. I last saw them at the Park entrance.

Edward Tobin, of 13 Erin street, said: I work driving a milk team. I knew Doherty a couple of years and Higgins as

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long as I can remember. I saw Higgins on the cotton mill wharf about a week before the murder. He had a revolver and fired a shot through a young fellow's hat.

James Hamilton.

James Hamilton told of finding the revolver in the Marsh creek. Goodspeed was there and fired a stone to indicate where it was. I didn't search that place before. Witness recognized the revolver shown as the one he handed to Jenkins after taking it from the creek.

Deputy Chief Jenkins.

Deputy Chief Jenkins said: I first learned of the murder on Monday, Aug. 4. I first talked to Higgins that evening in front of the dead house. I took him in for the purpose of identifying the corpse. I took him and Goodspeed and Harry McNiel into the police station, also Doherty's father. There appeared some doubt as to the identity of the corpse. I then went and washed the face of the corpse. I asked Higgins and Goodspeed to come in with me, they came. Higgins came along with me. I uncovered the face of the corpse and asked Higgins to look at it, and asked him if it was Willie Doherty. He said yes, he thought it was. Sergeant Kilpatrick and I raised the body and Higgins said "Yes, that's Willie Doherty all right." I asked him when he saw Doherty last. He said it was Friday about 11.15 o'clock in front of the graveyard. He was then taking his father's dinner and he (Higgins) had remained in the graveyard until nearly 5 o'clock. He said he had only been out to the Park once in the season and had not been in the park the day he last saw Doherty alive. Witness then described the finding of the revolver in the creek. It contained five empty shells.

Looking at several cartridges handed by Detective Killen to Mr. McKeown, witness said they were the same as found in the revolver. Continuing he said he found stamped on one W. R. A. Co. on one side, underneath is 38 S. & W. Found same characters on cartridge handed Mr. McKeown by Detective Killen. The revolver is in the same condition as when I found it, the bar is bent just the same. There is more rust on it.

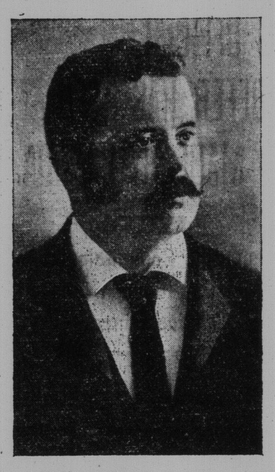
Higgins was then committed for trial September 2. He and Goodspeed were taken back to the jail.

Tuesday's proceedings were unique in the rapid business-like manner in which the examination was conducted. Twenty-five witnesses were examined, and though there was no undue haste, unnecessary questioning was avoided.

Once during the evening Higgins' counsel was asked if the boy would be put on the stand, to which the usual answer that he was not at liberty to speak of the case was returned by Mr. Mullin. "I may say, though, that no defence will be entered in this court," he added.

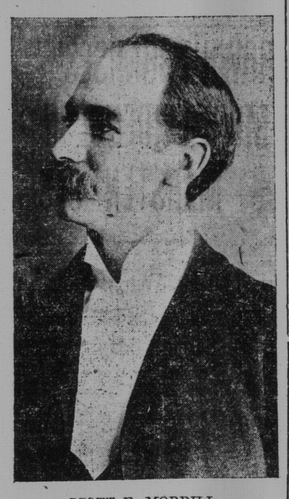
Mr. and Mrs. Higgins were present at Tuesday's proceedings and were greatly affected. They were not allowed to speak to their son, who at the close of the judge's remarks brushed close past them as he was led back to his cell by Detective Killen.

THE LAWYERS WHO ARE HANDLING THE CASE.



DANIEL MULLIN, K. C.,
Counsel for Frank Higgins.

HON. H. A. McKEOWN,
Who conducts the prosecution.



SCOTT E. MORRILL,
Counsel for Fred Goodspeed.

Goodspeed and Higgins Face to Face Tuesday Night for the First Time Since Their Arrest—Accusation Repeated by Goodspeed and More Details Given—Interest Was Intense.

Kelly Saw in Higgins' Pocket, on Afternoon of Murder, What He Thought Was the Muzzle of a Revolver—Higgins' Trial Fixed for September 2—Judge Ritchie Speaks of Boy Gangs.

BRUTAL MURDER.

Husband Cuts Wife's Throat in Quebec Village, and Then Surrenders.

Montmagany, Que., Aug. 20—(Special)—Joseph Mathurin murdered his wife this morning by cutting her throat. He surrendered and when asked why he committed the crime said, "That is my business." An inquest is now being held.