

bout it. NTED THE BODY FOUND.

w that we were seen going to-

the Park that afternoon and was known that I had a revol-But I wanted the body to be I never let on to Goodsp ut it up. I don't know whethaw me or not. I didn't put the to help me to find the place nvself'

about Goodspeed wanting to oherty?'

ouldn't agree to it. I said I'd with him if he'd promise not it. He wanted to take oil out rn it up, but I wanted it to he

eason Goodspeed said he wantgo out was because someone ave been around there in the on and seen the shooting, and ed to see if anyone was hangind, or if the body had been

peed said in the police court d never been out to the Park. itive he said this. I can show u in print.

ss detailed again the visit of and Goodspeed to the dead When he heard it was found he d but was a little alarmed, for embered about being seen gothe lane. They wouldn't have the dead house if Killen hadn't

ew before I went in that it was 's body and we wanted to see vent on. "I had no intention tifying the body when I went ter Doherty was shot I never he body over. Goodspeed took it by the left shoulder and left rolled it down the hill. Then ed him.

AID OF BEING ACCUSED.

only been going with Goodout three weeks before the I had been chummy with four or five months. The son I wanted to shield Goodvas because I was afraid he'd on me. The revolver was nd I knew his word was just s mine.

the crime both of us lied about erybody. I told none of my anything about Goodspeed, hen they said it looked bad mc. When these boys were things like this I never denied

ing the law would permit of the jury remaining out after twelve o'clock, if necessary, and bringing in their ver-dict on Sunday. "Not in St. John, your honor," said "Not in St. John, your honor," said

Mr. McKeown. "We have a very strictly enforced Sunday law here." morning session was in the main damaging to the prisoners' case. On the el for the crown further stated stand Saturday Higgins had swor he wished to call witnesses in rebuttal that he and Goodspeed never left the and he did not think the case could park the afternoon the murder was be finished in one more session. committed until after 5 o'clock, and The question of sitting Saturday that they passed the Marsh bridge on night was left to the decision of the the way in, just as the 6 o'clock whis-

jury, and Juror Fitzgerald arose pon- tle was blowing. In contradiction to this it was testi fied yesterday by three creditable witty hard week, and we've heard a lot of nesses that Goodspeed was seen in the talk of all kinds. We're pretty tired, vicinity of his home before 5 o'clock.

Goodspeed himself had stated that he. arrived home about half-past five. Yesterday afternoon was almos wholly taken up with the closing advery painful. I guess we'd better have dress of Mr. Mullin, who began at a quarter to three, and by five o'clock had barely begun to touch upon maall around adjournment was made to terial points directly affecting his case.

At his request the court was adjourn ed at 3 o'clock. Upon its re-opening at 10 o'clock this morning, Mr. Mullin

will resume. The morning session opened with the examination of Morris Doherty, called

by the defense. He took the stand a Yesterday the taking of evidence couple of minutes after ten and then was concluded; cases for the crown followed a delay of ten minutes before and defense were closed and Mr. Multhe prisoner put in an appearance. When he did appear he smiled around lin began his address to the jury on behalf of his client. Today his address the court apologetically. Mr. Mullin will be finished, that of the crown consulted briefly with him and then counsel will be made, the presiding informed the court that his 'client udge will charge the jury, and it is wished a copy of the Telegraph of Aug. fully expected that before tonight the 20, which he had in his cell, put in evijury, if they can come to an agreement. dence. Higgins had stated Saturday will return a verdict of "guilty" or "not that he saw it in print that Goodspeed guilty" in the most interesting and has said in his preliminary examina hardest fought murder trial known to tion that he was familiar with the place of the murder and he wished to

As the case has progressed, and show that it was in the Telegraph of more sensational developments have that date that he saw it. arisen and the mystery hiding the real The judge saw no material benefit to murderer of Willie Doherty on that be therefrom derived, but allowed the

fateful first of August has thickened paper to be sent for instead of clearing, public interest, keen from the first, has grown more

DOHERTY'S EVIDENCE. intense. On the street corners the com-Morris Doherty, examined by Mr. parative guilt of the prisoner and the Mullin, said he was no relation to the boy charged as an accessory seems deceased William Doherty. He work-Each ed in J. E. Williams'. He was in the day the crowds in the court room have tanyard on Friday evening. August 1st. grown, until yesterday afternoon it from quarter to eight to quarter past was necessary to close the doors after nine. During that time he saw neither the first rush of the throng had en-

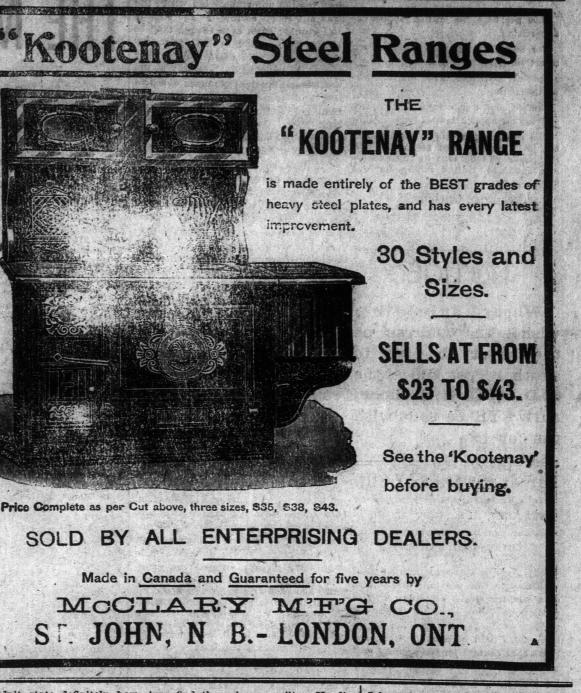
Higgins nor Goodspeed there. Never tered, leaving hundreds of would-be saw Goodspeed there after the murder spectators, including a large number until Sunday afternoon between fou of ladies, grouped in angry disappointand five. He had a lot of candy and ment about the various entrances. So

was distributing it. He didn't say she had fixed the date. where he got it. Higgins was there at the time.

The paper sent for was here produced and put in evidence as the account of Goodspeed's evidence read by the prisafter

Mr. Mullin then called William Mor lain, and he not being in attendance counsel for the defense stated that he would dispense with that testimony, which was along the line of that just received and would rest his case here.

Mr. McKeown announced that he wished to present some evidence in rebuttal. He intended to show in the first place that Goodspeed was home in the afternoon of the murder at a much earlier hour than that stated by Higgins, who said they crossed the Marsh after I saw him on the wharf to the ago. The law under which he was then Bridge on their way in from the park time I saw him in the house." ust as the six o'



GOODSPEED'S MOTHER.

Mrs. Goodspeed, mother of Fred law of vengeance and the gospel of Goodspeed, said she was home all the noon of Friday, Aug. 1.

"Fred left home that afternoon one o'clock," she said. "He returned about ten or fifteen minutes before five. I was outside the house and 1 saw him on the wharf." To Mr. Mullin: "He was in at tea penalty in various states of America.

at six o'clock. I don't know what time he came in. He had a cup of tea. I him to refer to this subject, upon remember telling a reporter he had no- which he himself has strong opinions thing to eat. He didn't take anything In this connection he referred to the but the cup of tea. He went out short- case of Patrick Bergen, hanged for ly after and got back at half past nime. breaking and entering his employer It was about 20 or twenty-five minutes shop in this city seventy-four years

A MIRE THE MED TO BE AND THE

SEMI-WEEKLY SUN, ST. JOHN, N. B., SEPTEMBER 27, 1902.

1st, but couldn't state definitely how jury find the prisoner guilty. He dis- John police. He had yet to see an in cussed the ethical principal underlying stance when the police deserved an: commendation for anything they had the punishment of crime by death, and contrasted eloquently the old Mosaic done. If any of the chief's friends were

on the jury he put to their oaths and consciences if everything he had said peace and forgiveness brought in with the Christ and under the dispensation was not well founded. He would not of which we were living. He spoke of put the blame for conditions on the chief personally, but there was "somethe gradual amelioration of the punthing rotten in the state of Denishments prescribed by law, arguing that the subject was still open and mark," and the sooner it was remedied referring to the abolition of the death the better.

Continuing, Mr. Mullin protested again He considered that it was right for against what he called the outrageous way the press of St. John had treated this case, and said in England such pre-judging would have been punished as contempt of court.

Pursuing his argument, counsel for the defeuse urged further legal objections to the acceptance of Goodsp killed was the same in principle as evidence at its face value, and again dwelt with insistence upon

I had nothing to deny. -"Of course I said I didn't do was Wednesday or Thursday murder, when I was coming street, and I think John Quig-Detective Killen was going to the cartridges in my revolver t they were like the bullets in s body. They didn't say I murder, and I didn't deny it. ion of Harry Kelly's evidence d to the effect that Higgins new where he had put his reand the witness said that was He had only said: "I know ly revolver is."

mitted that he had spoken to about leaving town, but said after Goodspeed had suggesting away and had threatened e the crime on the witness if re arrested.

PER IN HIS POCKET.

talking Higgins had been nervously in his pockets with and just at this time he abdedly pulled out a piece of om the side pocket of his coat. sheet of manifolded type-

me that paper," sharply order-Ickeown, and the witness rehanded it over. Mr. Mullin hurriedly for it and the counthe crown handed it to him a look.

ullin opening the sheet glanced ontinued on Page Three.)

## ach and Bowel Troubles.

mptly satisfactory cure for Colic, Indigestion, Heartburn, ess, Sick Stomach and Sumaplaint is a few drops of Nervsweetened water. Nerviline relieves pain and suffering. s the cause of the trouble and manently. Polson's Nerviline est general purpose remedy for pains known; it acts so quickno household should be with-Buy a 25c. bottle of Nerviline s all right. on's Pills Cure Constipation.

IITE WHALE CAUGHT.

BEDFORD, Mass., Sept. 24.ling bark Platina, of this port, McKenzie, about May 10, cappure white whale, which made ired barrels of oil. In his 25 whaling, Captain McKenzie hat he never before, saw a hale. The Platina had been or four days out from Barthen the big fellow was cap-

Johnson has sold the yearling gen, by Bingen, 2.061-4, dam ton, 2.09. He goes to E. Le , the well known provincial

To prove to you that Dr. Chase's Ointment is a certain and absolute cure for each and every form of itching bleeding and protruding piles ed it. See ter rs have gua n the daily press and ask your neigh-hey think of it. You can use it and oney back if not cured. 60c a box, as or EDMANSON, BATES & CO., Toronto. hase's Ointment sonableness of Higgins' account ? This also was objected to and ruled by the terrible strain which he is unblowing dergoing, has abated not a jot of his

the truth, was pitiful.

the sole topic of conversation.

closely did they crowd that late-com-

ing counsel found admission almost

impossible, and Mr. Mullin himself.

caught in the jam, delayed the pro-

ceedings of the court half an hour be-

fore he could be extricated, and

THE MOTHERS ON THE STAND.

Mrs. Goodspeed and Mrs. Higgins,

mothers of the two prisoners, have

watched every move throughout the last

week with keen anxiety as the balance

of the evidence has swayed in favor

of one or the other of the boys. Yes-

terday each was on the stand for a

short time, and the anxious eagerness

of each to give all the evidence favor-

able to her son and consonant with

The prisoner though sobered a little

out. Mr. Mullin returned to the attack: coolness and is always ready, when as intended to corroborate Good-"From your experience as a surgeon ously amused smile of his. He bright- that of Higgins. He fought the point and physician, how long would you ened considerably after listening for say a man would live after receiving pistol shots through the kidneys, liver, over two hours to his counsel's impassioned plea in his behalf and grinned ilium, left lung and scapula ?' "A few minutes," was the reply. "No

cheerfully as with his usual nonchalance he left the court room yesterday afternoon.

collapse would follow. The opposite THE DAY'S DOINGS. would be exceptional, but not impos sible. It would be possible for a man Little of an interesting nature took so wounded to run 10 or 15 feet and place yesterday. The greater part of struggle, but I would consider it imthe morning session was taken up probable

To Mr. McKeown:-There have been cases, however, when a man has run some distance with a bullet through his heart. Witness admitted that he had not

THE MURDER TRIAL. (Continued from Page Two.)

hurriedly at it and then said it was a

copy of part of Goodspeed's deposition at the police court which he had copied

for his client, that the prisoner might

know occasionally what had been tes-.

within Mr. Mullin's right and the

questioning-thus startlingly interrupt-

Asked to tell again the circumstan-

ces directly connected with the shoot-

ing, Higgins repeated verbatim his

former story, beginning when he ran

out of the bushes and ending when he

left Coodspeed at the foot of Clarence

street. He differed not a word from

his reported evidence of the day be-

terward," he said. "I told Goodspeed

not to mention it to me again. It

JUROR MERRIT QUESTIONS.

Juror W. Hawksley Merrit here

questioned the witness closely as as to his reason for leaving Doherty and

Goodspeed at the bear den and going

down the hill into the woods to pick

herries because he knew they were

thick down there. Witness admitted

that he had not been berrying there

that summer, but said he knew rasp-

berries were plentiful there, because

he had been out the summer before

and remembered the place. Nobody

Mr. McKeown closed his cross-exam-

ination here and Mr. Mullin taking his

clent in hand again, questioned him

with the idea of explaining to the jury

why the witness' story had been so

glibly told over and over again with-

out variation, as a well learned lesson.

HIGGINS HAD IT WRITTEN DOWN.

in explanation, "I thought out all the

occurrences of the day of the murden

and everything that transpired from

the murder to the arrest. I thought

all out and wrote it down while the

matter was fresh in my memory so I

wouldn't omit anything that occurred.

DR. WHITE'S EVIDENCE.

Dr. W. W. White was then called by

Mr. Mullin and sworn. He was ques-

tioned regarding the effect of bullet

wounds such as Doherty had received.

He said he had considerable experi-

ence as a surgeon and was eleven

years connected with the hospital staff.

He had heard the evidence in the case

almost continuously. Read Mr. Mac-

aulay's testimony. Heard Fred Good-

speed's account and Higgins' story of

"From your knowledge of the case

and speaking from your experience as

a surgeon, which account do you think

the more reasonable?" asked Mr. Mul-

Mr. McKeown objected, and the

Mr. Mullin then asked:-"Assuming

that the evidence of Higgins is true,

and assuming that the wounds in Do-

herty were as described by Dr. Mac-

aulay, what would you say of the rea-

accurate limit could be set. In the

majority of cases I think immediate

question as given was ruled out.

the murder.

lin.

"After I was arrested," said Higgins

told him of berries being there

made me sick to hear of it.

"We didn't talk much about it af-

Judge Landry said that this

tified against him.

fore

ed-was proceeded with.

Cou

e rest.

clusior

10 a. m. Monday.

this province.

brought in.

derously and said:

"Well, your honor, we've had a pret-

talk of all kinds. We're pretty tired,

and if we have to sit here tonight and

McKeown speak, and then to your

honor's address, I think it would be

The court smiled, and with a laugh

The case of the King against Frank

Higgins, begun before Judge Landy at

an adjourned sitting of the circuit

court last Tuesday, is nearing its con-

listen to Mr. Mullin speak, and Mr.

studied the case and Mr. McKeowr read over to him Dr. Macaluay's cross examination, and questioned him on different points thereon. Witness could not state how long it would take for death to occur after such wounds. The man's vitality had something to do with it.

Mr. Mullin then called Morris Doherty and Will Mackin, but neither was in court. He asked for permission to have them sent for, as they necessary to his case, which he would close with their evidence. "Where will you find them ?" asked his honor. "Will they be in the tan-

yard ?"

COUNSEL IN A SCRAP.

sharply.

Mr. McKeown asked for Higgins to be recalled that he might question him regarding the story of the evidence he d he had written down. But Mr.

Mullin strenuously objected "I am here to protect the interests of my client," said he; "he has been on the stand all day and since four o'clock yesterday afternoon and Mr. McKeown had all the chance he wanted to ask his questions. That boy has been nailed to the cross." "What's that," said Mr. McKeown,

"What do you mean by saying that? You have used a most in reverent and blasphemous expression. 'Who set you up to be a guide in Israel ?" sneered Mr. Mullin

Counsel for the defense continuing to object, the judge ruled against the recall of Higgins, Mr. McKeown ac cepted the situation with a remark to the effect that he was not anxious to recall the prisoner, especially as the jury could see his counsel was so eager to cover something up. "I have covered nothing," retorted

Mr. Mullin. " I have courted the fullest inquiry and I will stand no such insinuations. I want no impertinence from you." "I couldn't be impertinent to yo

Mr. Mullin," was Mr. McKeown's sarcastically gentle reply. While waiting for the other wit

nesses, Thomas F. White was called and told of Higgins being in his employ about eight months. He was above the average regarding attention to his work. He left of his own ac

Mr. Mullin's witnesses not appear ing, he said if the judge and jury so lesired, he was willing to go to the jury with his case then. Discussion followed, during which the judge re marked that if the consel and he could finish their addresses that even-

crown when he refused to admit the evidence of Will Holm, brought from again. Dorchester for the purpose of contradicting certain statements made and adhered to by Higgins. The objections of the counsel for the defense were technical and based upon the contention that evidence submitted in rebuttal to contradict a previous witness

STARTLED

By some sudden sound she drops the vase upon the floor. She is nervo us and may be told that nervousness is a luxury which only a rich woman can afford to indulge in. Nervous has cost many a woman her po-sition. Sometimes when women run machinery the price of nervousness is mutilation,—a finger lost or per-haps the whole hand crushed. Nervousness in women is commonly but a symptom of womanlydisease. It is useless in such cases to

"doctor" for the nerves, alone. Cure the diseases which attack the delicate woman-ly organism and nervousness will be cured also. Dr. Pierce's Favorite Pre

scription makes weak women strong, sick women well. It establishes regular-ity, dries weakening drains, heals inflam-mation and ulceration, and cures female, weakness. It tranquilizes the nerves and induces refreshing sleep.

"In the fail of 1897, I was troubled with nerv-ousness, headache, heart trouble and female weakness," writes Miss Blanch M. Bracey, of Sala, Oswego Co., N.Y. "Last summer I wrote you and you advised me to try your 'Favorite Prescription' and 'Golden Medical Discovery.' I did so and I began to improve rapidly. Con-tinued taking the medicine, half a dozen each of 'Favorite Prescription' and 'Golden Medical Discovery' for the space of five months, and in less than a year had regained my former health." Dr. Pierre's Placeont Dailate clear the muddy complexion.

Dr. Pierce's Pleasant Pellets clear the

Mr. Mullin objected to this eviden strenuously, but his honor allowed the

evidence to be presented. GOODSPEED WAS HOME.

The witness referred to-Harris Mc were mentioned. Higgins, for instance, had sworn he did not tell Kelly in the Ginley, of Mecklenburg street-was then called. He said he was employed graveyard that it would be easy to kill at night work in the I. C. R. round-

house. He had known Fred Goodspeed arresting him after the Cullinan burgsince July 1. He remembered Friday Aug. I. He was not working that day with discussion regarding the advisa- and saw Fred Goodspeed fishing on the Mr. Mullin objected to the presenta-

bility of evidence which the crown wharf at the foot of Mecklenburg wished to present in rebuttal. Mr. street at about five o'clock that even Mullin objected strongly and pertinenting. He saw him come along the whard ly to the crown counsel's contentions alone from the direction of the cotton the subject.

and in nearly every instance was up-Mr. McKeown contended that as afmill. Witness was there about ten or held by the judge, who inflicted a fifteen minutes and then went over to fecting the credibility of the prisoner ed the jury to remove from their minds by having the falsity of statements he all such pre-conceived opinions and to severe and unexpected rebuff to the the vacant lot in front of Goodspeed's had made the evidence was admissable. house. Didn't remember seeing him Judge andry supported Mr. Mullin's dence as they had sworn to do. Othercontention, and ruled against the ad- wise, he warned them they would be To Mr. Mullin:-"I will swear that

didn't tell Detective Killen that it was a quarter to five when I saw Goodprisoner in points not material to the speed. I was fishing that afternoo Mr. McKeown submitted that as evidstarting when the tide was right, about

ming in at 4.30.

sel made no capital.

way to be confused.

day, Aug. 1.

"The five o'clock whistles were blow

ing when I was talking to Goodspeed

If Goodspeed says he got there at 5.25

he is wrong." He placed the day as

Friday, Aug. 1, exactly on account of a

Mr. Mullin kept at his examination

MRS. MARSHALL CALLED.

Mrs. Sarah Marshall, of 48 Mecklen-

burg street, the last house down near Courtenay Bay, was called. She knew

Fred Goodspeed and remembered Fri-

"I saw Fred Goodspeed that after-

noon sitting at the railway wharf fish-

ing between a quarter to five and five

some time but witness was in no

base ball game which was to come off

that day and was postponed.

half past four. I will swear that the tide was not out at that time. Don't know when it went out. At half past

four I'm not sure whether it was com-"The judge ruled that general evidence ing in or going out. When I started regarding the prisoner's character in the community in which he lived would there was about two feet of water at the foot of the wharf. There was no occasion for me to note that day the be admissable, but not that dealing time I started or stopped fishing.

with specific acts or statements. wouldn't be surprised to learn that the HOLM RULED OUT. tide wasn't high until nine o'clock that In this connection Mr. McKeown callnight. In that case the tide would be

ed William Holm, who was strongly objected to by Mr. Mullin as a person of speed and Doherty were seen going to-Mr. Mullin pressed witness closely infamous character, a prisoner from regarding the time and made strong ef-Dorchester. He objected to the calling a few days later the body was found. forts to entangle him upon the state of of such a man as a traversty on jus- Then there was the finding of the rethe tide, but witness held to his story coolly and the cross-examining coun tice.

The judge ruled that the evidence of a man like Holm was inadmissable regarding the prisoner's good character. Thus closed the reception of evidence in the Doherty murder case.

When court opened at 2.15 for the afternoon session and all who could be comfortably accommodated were admitted, it was discovered that the counsel for the defense was not present. After a little delay, enquiry was made with the result that Mr. Mullin was found struggling in the crowd outside. It was a quarter to three before he gained an entrance and proceedings were again under way. Judge Gregory was on the stand with the presidin judge and later in the afternoon Chief

hind the judge's desk.

that afternoon. I was looking out the window. I didn't see him when he went away from the wharf." To Mr. Mullin the witness said sh had never been spoken to about the matter till this morning. She was cer-tain of the hour and day she mentionferred to the tender years and previous good character of the prisoner, ed, but was unable to state definitely and before entering upon the body of how she fixed the date. She had seen his discourse, requested and was allow-

this boy there frequently other after-noons. She remembered the time be-cause the whistles blew for five o'clock swore that Frank arrived home the swore that Frank arrived home the police incompetence. just after she looked out the window day of the murder between 15 and 20 and when she started to get tea. She minutes past six. She said Frank had

knew it was Friday, because it was prayer-meeting night and because her Resuming. Mr. Mullin dwelt u Resuming, Mr. Mullin, dwelt husband was down at the drill shed that night. She was sure it was Aug. hecessary death sentence should the and gross incompetence of the St. 1,400 feet.

that p A LEGAL POINT. He foretold that in seventy-five years Mr. McKeown stated that he wished more, if the present jury should find a to present witnesses in order to con- verdict of guilty, knowing the conseoccasion arises, with that contemptu-speed's evidence rather than to rebut tradict the prisoner on certain points quences, men of that time would look of conversation upon which he had back with the same horror upon the given evidence. The testimony which execution of sentence upon this 16 year he would present would prove certain old boy. In closing his introduction he of his statements as to what he said dwelt in ornate language upon the to Kelly, King, Holm, and others who value of mercy.

MAXIMS FOR THE JURY.

Proceeding to more practical matanyone trying to arrest him, and that ters, Mr. Mullin emphasised the legal Holm should have shot the policeman maxim than every man is presume innocent until proved guilty. This had

not been adopted, he said, in the case of Frank Higgins, in which the press tion of this evidence as not material to had so prejudiced the public mind that the issue, and argued this point at it was exceedingly difficult to get a length, quoting authorities bearing on fair jury. It has gone so far that one juryman, after being sworn, had said he could not give a fair trial. He praycross-examination. leave their decision purely on the evi-

hission of evidence contradicting the committing judicial murder. Another maxim he urged them to re member was that it was better that 99 guilty men should escape than that ence had been given regarding the gen-eral good character of the prisoner it also insisted that the prisoner was en-titled to the benefit of every reason-coolly went fishing. Then he went in ence had been given regarding the gen- one innocent man should suffer. He to show he was involved in burglaries. able doubt arising from the evidence. Continuing, counsel referred to his objection to Goodspeed's testimony, and said that without that there was nothing to justify a verdict of guilty. There was evidence that Higgins owned a revolver and cartridges; was seen with them several times, especi-ally on the day of the murder. It was

also shown that Higgins and Goodward the Park and in the Park, where volver in the creek. These alone were no foundation for a verdict of guilty.

## GOODSPEED-PERJURER AND ' THEIF.

Therefore it was for the jury to carefully examine Goodspeed's testi-mony and judge of its reliability. He did not believe that on the evidence of a self-confessed burglar and perjure they could find a fellow creature guilty. • In this connection Mr. Mullin quoted again from legal authorities regarding the value of the evidence of an avowed accomplice. In referring to Goodspeed's confession he commented upon the failure of the crown to produce Sergt. Baxter, who had first spoken to him in his cell. In his abice the jury were at liberty to infer

that Baxter must have held out some client, Mr. Mullin in eloquent words police force in this city was discredit-impressed upon the jury their solemn ed. Had Attorney Gross discredit-

the disposal of a human life. He re-ferred to the tender years and pre-vious good character of the prisoner, eulogy upon Mr. Pugsley as the leader of his profession, a laudable gentleman in every respect, an honorable

criticise the mal-administration in the

ences to be drawn from Sergt. Baxter's failure to appear. His argument was based upon his contention that there was no outside corroboration of Good speed's statements. The finding of the revolver in the creek was no confirmation because the story of its being thrown there by Higgins rested upon the uncorroborated evidence of an accomplice who was a self-convicted thief and perjurer. HIGGINS' STORY UPHELD.

Referring to the stress laid upon the unvarying nature of Higgins' testimony, counsel said it was only natural for him to do as he said he did-to think all things over carefully and write the result of his recollections down so that he might have his story sure and not to be shaken by any

Was Fred Goodspeed's cause, he asked, that of an innocent creature. What fear was he under after he had left Higgins at Clarence street? Yet he did not than run to spread the news of the horrifying crime. By his own admission he took 40 minutes time going from Clarence to Mecklenburg the house and washed his hands. "But never, as long as he is Fred Goodspeed," cried the counsel, "will he be able to wash away the stain of the horrible suspicion at least, which shal ever dwell concerning him in the minds of all who have heard him." Then, Mr. Mullin went on, he had his tea and hurried out, not to tell the authorities, but down to the tanyard, the boys' rendezvous. Were these the acts of an innocent boy shaking under the fear of death at the hands of a murderer? The next day he entered a store and stole a lot of candy. Would the jury take the evidence of a boy like that? counsel asked, passionately. The prisoner was entitled to the benefit of every reasonable doubt, and who could not have doubt concerning the credi bility of such a witness.

After reading further and copiously from authorities bearing on the case, showing that the evidence of an accomplice should be corroborated, Mr. Mullin again submitted that nothing had been produced by the crown tending to support Goodspeed's story. He spoke of Higgins' showing on the stand and maintained that only an innocent witness would have sustained such a cross-examination as that through which Higgins had passed un-scathed.

Higgins' lawyer then urged again upon the jury the responsibilities of their position and affirmed his trust in their fairness

It was five o'clock by this time, and at Mr. Mullin's request court adjourned till 10 a.m.

## Corns Between the Toes

Or the soles of the feet can be cured by a few applications of Putnam's Corn Extractor, which has been successfully used for 30 years. Putnam's is sure, safe and painless, and much belter than any substitute.

Ducks, when migrating, rarely fly lower than 600 feet, and more usually

upon police. The crime under consideration

Mr. Mullin had often had occasion to

## Justice Tuck also occupied a seat be-