

RISE SOAP

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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...

JUROR MERRIT QUESTIONS. Juror W. Hawley Merrit here questioned the witness closely as to his reason for leaving Doherty and Goodspeed at the beach...

HIGGINS HAD IT WRITTEN DOWN. "After I was arrested," said Higgins in explanation, "I thought out all the occurrences of the day of the murder and everything that transpired from the murder to the arrest..."

DR. WHITE'S EVIDENCE. Dr. W. W. White was then called by Mr. Mullin and sworn. He was questioned regarding the effect of bullet wounds such as Doherty had received.

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.

THE DAY'S DOINGS. Little of an interesting nature took place yesterday. The greater part of the morning session was taken up with discussion regarding the advisability of evidence which the crown brought forward...

COUNSEL IN A SCRAP. Mr. McKewon asked for Higgins to be recalled that he might question him regarding the story of the evidence he said he had written down.

ACH AND BOWEL TROUBLES. A simple, satisfactory cure for Colic, Indigestion, Headache, Sick Stomach and Stomach Troubles is a few drops of Nervine Sweetened Water.

STARTLED. By some sudden sound she drops the vase upon the floor. She is nervous and may be told that nervousness is a luxury which only a rich woman can afford to indulge in.

WHITE WHALE CAUGHT. BEDFORD, Mass., Sept. 24.—A 30-foot white whale, which was seen on the coast of Bedford, Mass., Sept. 24, was killed on the beach of Bedford.

TO prove to you that Dr. Chase's Ointment is a certain and absolute cure for every form of itching, hemorrhoid and protruding piles...

DR. PIERCE'S Favorite Prescription makes weak women strong, sick women well, it establishes regularity, drives weakening drains, heals inflammation and cleanses and cures female weakness.

TO cure the feet can be cured by a few applications of Putnam's Corn Extractor, which has been successfully used for 20 years.

Corns Between the Toes. Ducks, when migrating, rarely fly lower than 600 feet, and more usually 1,400 feet.

ing the law would permit of the jury remaining out after twelve o'clock, if necessary, and bringing in their verdict on Sunday.

The question of sitting Saturday night was left to the decision of the jury, and Juror Fitzgerald arose ponderously and said: "Well, your honor, we've had a pretty hard week, and we've heard a lot of talk of all kinds."

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 conclusion.

Yesterday the taking of evidence was concluded; cases for the crown and defense were closed and Mr. Mullin began his address to the jury on behalf of his client.

The case has progressed, and more sensational developments have arisen and the mystery hiding the real murderer of Willie Doherty on the fateful first of August has thickened instead of clearing, public interest, keen from the first, has grown more intense.

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must pertain to a point material to the issue. Upon this ground the evidence of Will Holm, of Harry Kelly and others was ruled out.

What evidence was received at the morning session was in the main damaging to the prisoners' case. On the other hand, the evidence of Harry Kelly and others was ruled out.

In contradiction to this it was testified yesterday by three credible witnesses that the subject was still open and that they passed the Marsh bridge on the way to just the 6 o'clock whistle was blowing.

The morning session opened with the examination of Morris Doherty, called by the defense. He took the stand and testified to the effect that he had followed a delay of ten minutes before the prisoner put in an appearance.

Mrs. Goodspeed, mother of Fred Goodspeed, said she was home all the afternoon of Friday, Aug. 1. "Fred left home that afternoon at one o'clock," she said.

Mr. Mullin then called William Morrish, and he not being in attendance, counsel for the defense stated that he would dispense with that testimony.

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

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See the 'Kootenay' before buying.

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1st, but couldn't state definitely how she had fixed the date.

GOODSPEED'S MOTHER. Mrs. Goodspeed, mother of Fred Goodspeed, said she was home all the afternoon of Friday, Aug. 1.

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jury find the prisoner guilty. He discussed the ethical principal underlying the punishment of crime by death, and contrasted eloquently the old Mosaic law of vengeance and the gospel of peace and forgiveness brought in with the Christ and under the dispensation of which we were living.

He considered that it was right for him to refer to this subject, upon which he himself has strong opinions. In this connection he referred to the case of Patrick Bergen, hanged for breaking and entering his employer's shop in this city seventy-four years ago.

Mr. McKewon stated that he wished to present witnesses in order to contradict the prisoner on certain points of conversation upon which he had given evidence. The testimony which he would present would prove certain of his statements as to what he said to Kelly, King, Holm, and others who were mentioned. Higgins for instance, had sworn he did not tell Kelly in the graveyard that it would be easy to kill anyone trying to arrest him, and that Holm should have shot the policeman arresting him after the Cullinan burglary.

Mr. Mullin objected to the presentation of this evidence as not material to the issue, and argued his point at length, quoting authorities bearing on the subject.

Mr. McKewon contended that as affecting the credibility of the prisoner by having the falsity of statements he had made the evidence was admissible. Judge andry supported Mr. Mullin's contention and ruled against the admission of evidence contradicting the prisoner in points not material to the issue.

Mr. McKewon submitted that as evidence had been given regarding the general good character of the prisoner in the community in which he lived would be admissible, but not that dealing with specific acts or statements.

HOLM RULED OUT. In this connection Mr. McKewon called William Holm, who was strongly objected to by Mr. Mullin as a person of infamous character, a prisoner from Dorchester. He objected to the calling of such a man as a travesty on justice.

The judge ruled that the evidence of a man like Holm was inadmissible regarding the prisoner's good character. This 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.

MR. HIGGINS TESTIFIES. In opening his strong plea for his client, Mr. Mullin in eloquent words impressed upon the jury their solemn responsibility in holding in their grasp the disposal of a human life. He referred to the tender years and previous good character of the prisoner, and before entering upon the body of his discourse, requested and was allowed permission to call Mrs. Edward Higgins, mother of the accused.

Mr. Mullin had often had occasion to criticize the mal-administration in the police. The crime under consideration was directly due to police negligence and gross incompetence of the St. John police. He had yet to see an instance when the police deserved any commendation for anything they had done.

Continuing, Mr. Mullin protested again 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.

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Pursuing his argument, counsel for the defense urged further legal objections to the acceptance of Goodspeed's evidence at its face value, and again dwelt with insistence upon the inferences to be drawn from Sgt. Baxter's failure to appear.

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 cross-examination.

What was Fred Goodspeed's cause, he asked, that of an innocent creature? What fear was under after he had left Higgins at Clarence street? Yet he did not turn run to spread the news of the horrid crime.

Another maxim he urged them to remember was that it was better that 99 guilty men should escape than that one innocent man should suffer. He did not believe that the prisoner was entitled to the benefit of every reasonable doubt arising from the evidence.

Continuing, counsel referred to his objection to Higgins' testimony, and said that without that there was nothing to justify a verdict of guilty. There was evidence that Higgins owned a revolver, and he was seen with it on the day of the murder. It was also shown that Higgins and Goodspeed and Doherty were seen going toward the Park and in the Park a few days later the body was found.

There was the finding of the revolver in the creek. These alone were no foundation for a verdict of guilty. GIGGINS' STORY UPHELD.

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After reading further and copious 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 unscathed.

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