

## Messenger and Visitor

Published in the interests of the Baptist denomination of the Maritime Provinces by

The Maritime Baptist Publishing Co., Ltd.

TERMS: \$1.50 per annum in advance.

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Address all communications and make all payments to the MESSENGER AND VISITOR.  
For further information see page nine.

Printed by Paterson & Co., 107 Germain Street, St. John, N. B.

### The Higgins Case.

It is generally known to the readers of the MESSENGER AND VISITOR, that a lad named Frank Higgins now lies in St. John jail, under sentence of death for the murder of William Doherty, on the first of August last. The appeal of the prisoner's counsel to the Supreme Court of the Province for a new trial was not successful, and, accordingly, unless there shall be a commutation or postponement of the sentence, the condemned youth stands to suffer the death penalty on the eighteenth of the present month. A petition has been circulated in the city, and we believe quite largely signed, asking for the commutation of the sentence to imprisonment for life. And doubtless if the view shall be taken by the Minister of Justice that the youth of the condemned justifies the exercise of such a measure of clemency, the decision to that effect will be received with a sense of relief and gratification, even by those who have felt that they ought not to seek by any personal influence to determine the course of justice in the matter.

This case and the attendant circumstances are no doubt sufficiently well known to our readers, so that it is quite unnecessary to rehearse them here. The result is one to excite both the horror and the sympathy of the community. Here is a youth, sixteen or seventeen years of age—in appearance a mere boy—condemned to die for having killed a comrade, a few years older than himself. One cannot but feel some measure of sympathy for this unhappy lad and experience a thrill of horror at the thought of his going to the scaffold. Yet it must be confessed that, apart from the mere fact of the condemned lad's youth, there is little indeed on which to base a plea for the exercise of clemency. There seems every reason to believe that the murder was premeditated and to the last degree cold-blooded. Its perpetration indicated a deeply criminal purpose, and the conduct of the murderer, both before and after the terrible deed, has been such as to indicate a deeply criminal character. Apart therefore from the mere fact that the murderer has not attained the full stature and maturity of manhood, one can see in this case, so far as the condemned himself is concerned, small reason for the exercise of executive clemency.

On the other hand there is the question of what is demanded for the protection of society. If this murder stood alone, without other criminal connection, so that it could be considered as wholly exceptional, a freak of personal wickedness, the outcome merely of an abnormal criminal propensity on the part of the murderer, the case would be different, there would be greater reason for regarding and dealing with it as something quite abnormal, and the argument for the exercise of clemency would be correspondingly strengthened. The facts are quite otherwise. Evidently the murderous deed committed by Higgins was not merely the outcome of an idea which had fastened itself in a mind of abnormal criminal propensities, and having no close connection with other crimes and criminals. The facts brought to light in connection with the investigation of the case before the courts indicate the existence of relations among a certain class of youths in the city closely approaching an organization for the promotion of crime—a condition of things in which crimes and criminals were being produced like toad-stools on a dunghill. In considering the question of clemency in the Higgins case, these facts cannot be ignored. One must ask—What is likely to be the effect upon the budding criminals of this

and other communities of extending clemency in a case like this? Would or would it not encourage lads of criminal inclinations to pursue careers of crime, trusting in the many chances of eluding apprehension and conviction and of escaping from custody if convicted, and comforting themselves with the assurance that, at the worst, whatever they do, they are in little or no danger of ever being brought to the scaffold for their crimes?

There are, however, other serious considerations connected with this case. Whatever one may think of the propriety of the executive clemency being extended to the unhappy youth now under sentence of death, it must be a most serious consideration that such a crime as this, and having such criminal connections as we have pointed out, should occur in this community. It may be said in general terms that in a moral point of view, St. John compares fairly well with other cities in this or other countries. It is a quiet, law-abiding, church-going community, and crime—apart from drunkenness and its associations—is comparatively rare. The condition out of which this crime was produced are not probably peculiar to St. John. They are more or less in evidence in all towns and cities. But what shall we say of such manifestation of youthful depravity and hardened criminality in a place where so many Christian institutions and agencies have place? Certainly if the home, the church, the school and wholesome personal influences had been doing all that might be expected of them in this Christian community to inculcate right principles and to train to right habits of thought and action, and if there had been the exercise of civic authority to compel education or industry on the part of the lads of the city, results so sad as those with which we are now confronted could not have occurred. It is indeed a terrible thing to contemplate that, in consequence of a condition of things which should have been impossible in such a community as this, a young man stands condemned to die at the hands of the hangman, and that on the eve of the joyous Christmas season. The idea haunts the mind like some horrible spectre, and no doubt the feeling in favor of clemency takes on strength in view of the date set for the execution.

But it might be a wholesome thing for St. John to take this matter very seriously to heart, even at the expense of all the Christmas mirth and gladness. Such conditions as have been brought to light here call for the most serious reflection and for thorough-going efforts after a better state of things. And, as has been indicated, it is not the concern of one community only, but of many. The punishment by life imprisonment or even by death, of one youth who has shown himself to be a somewhat apter scholar in the school of crime than his fellows will avail little if the influences under which the criminal developed are not removed. If boys who should be studying their school lessons in their homes, or quietly sleeping in their beds, are spending their evenings on the streets, congregating in dark alleys, smoking cigarettes, reading blood-and-thunder fiction and wallowing in pools of moral filth which receive the poisonous seepage from the most unclean and vicious elements in the community, what is to be expected of such a school of vice but that it will graduate criminals of the most pronounced type? The revelations connected with this melancholy case have doubtless not been without some effect in this community. They have caused some searching of heart, some deepened sense of responsibility, some enquiry as to the causes and the remedy for conditions so flagrantly evil. It will be well if all this be but preliminary to earnest efforts to secure more wholesome conditions. Surely it is not too much to expect that in our Canadian towns and cities the spirit and the power of Christianity shall so assert itself as to strengthen the moral barriers for the protection of the young, remove the pitfalls of vice, and make such schools of crime as that out of which this terrible tragedy has resulted, morally impossible.

### The Ontario Referendum and Results.

The result of the popular vote taken on Thursday last in Ontario on the Liquor Act, is perhaps not very different from what was generally anticipated. The affirmative vote is largely in excess of the negative vote, the majority in favor of the Act being in the vicinity of 60,000. But the affirmative vote has

fallen far short of the 212,724 required to give effect to the Act. The figures on the referendum, so far received are not final. The Toronto *Globe's* estimate is that final returns will show an affirmative vote of about 150,000 and a negative vote of 90,000.

It appears therefore that the Act has failed to carry, not because of the prevalence of sentiment actively adverse to prohibition, but because of an inertia in respect to the matter on the part of a large majority of the electors, too strong to be overcome by all the efforts which were put forth to bring them to the polls. No doubt a certain percentage of the voters remained inert because of influence brought to bear by the liquor interests, since every temperance voter kept away from the polls counted on the negative side of the contest. How large this percentage may be cannot be told, but certainly if the referendum had been taken at a Provincial election or at the time of the municipal elections the affirmative vote would have been much greater, for many would have voted for prohibition while at the polls who would not leave their work to go and cast a vote in the referendum. The vote in Ontario has not resulted in all that could be desired in the interests of the Temperance cause, but certainly it is not altogether discouraging. In spite of adverse conditions a very considerable affirmative vote has been recorded and the majority over the liquor vote is a large and formidable one. If the Temperance vote is considerably below that recorded in the plebiscites, the liquor vote has also fallen considerably below its former record. An especially encouraging feature of the referendum vote is that a majority of the cities of the Province, including both Toronto and Hamilton, have given respectable majorities for the Act. Considering the large and wealthy brewing interests which centre in these cities, this result is a surprise even to the temperance people themselves. While the result of the referendum falls short of achieving prohibition, or such a measure of prohibition as was attainable under Provincial auspices, it probably indicates an organized temperance power which can successfully demand the application of severer restrictive measure to the liquor business. In this connection the *Montreal Witness* says: "What view statesmen will take of the result as polled and of the campaign which has just closed, we do not know. They have probably already discounted the indifferent voter for all that he is worth, but they cannot deny the tremendous interest taken in the subject by all the potential elements of society, and they cannot but see that the march of sentiment is toward a result which will make the party which espouses temperance the winning side."

### Editorial Notes.

—We have learned that one hundred copies of Dr. Saunders' History of The Baptists of the Maritime Provinces have been offered for Yarmouth. Mr. C. H. Harrington advanced \$200 toward publishing this book. Now he directs that from the proceeds of the sales the \$200 shall be given to the Capital of the Ministers' Annuity Fund. The one hundred copies taken by Yarmouth will nearly pay this \$200.

—Canon Henson of Westminster exercises a larger charity toward Nonconformists than do most of his brethren in the Establishment. The *Independent* notes that the Canon preached a funeral sermon on Rev. Hugh Price Hughes, the distinguished Wesleyan, lately deceased, and appealed to the Nonconformists to come into relations with the Established Church, that such a bitter conflict might be avoided as has been seen over the Education Bill. Canon Henson has written a letter to the *Times* in which he protested that union must soon become a leading question in the Church, but that it could not be achieved until the Established Church should cease to regard Nonconformists as aliens, their sacraments as doubtful and themselves as left to the uncovenanted mercies of God. Churchmen would have to review the teachings of historic science and of the New Testament, revise their dogmatic statements and reverse their attitude of exclusiveness. All which is very interesting, but it is far from representing the general attitude of the Anglican Church toward Nonconformists.

—Rev. W. T. Stackhouse, the able and indefatigable Superintendent of Baptist Mission work in Manitoba and the Northwest, has completed, so far as circumstances permitted, his canvass of churches in Nova Scotia in the interests of the Twentieth Century Fund. He will shortly give the readers of the MESSENGER AND VISITOR some account of the work undertaken and accomplished in this connection. Mr. Stackhouse has