VRAPPER

OF EVERY

BOTTLE OF

CAPE TO CAIRO RAILROAD.

Cape to Cairo railroad have Victoria Falls, the largest falls dbed has been graded for about of the distance between Bulalaid and it is expected that late year trains will be running to ia Falls all the way from Cape 1,700 miles. Meanwhile a force veyors is laying out the route

route has been changed from riginally contemplated by Mr. His intention was to extend ing it between Lakes Nyassa and reolo to Lake Tanganyika; but the survey was made explorers to give definite information the coal mines which Livingdiscovered on the banks of the si many years ago. It has been ined that the coal strata in gion carry an enormous amount fuel and it is proposed to begin

s Victoria Falls. e line has thus been deflected the west, it has been decided extend it for the present German East Africa near anganyika, but to Lake Kasali, s north of Victoria Falls, in the Free State. From this point acks will be carried down the River to Stanley Falls. ne of road projected by King d of Belgium is to be built to Nyanza, where the Nile has its

is to be a link in the Cape ro railroad. most astonishing things are n Africa nowadays, and the will not be very much surprised It finds in a few years more that ng railroad, extending from the south of Africa to the north Nile, is a full-fledged reality.

This stretch of road, therefore,

n Stanley Falls and Albert

DRNWALLIS GLEANINGS.

NWALLIS, N. S., Sept. 20 .- The

ord C. French, the largest Amthree masted schooner afloat, is repaired on the marine slip at Kingsport. narriage took place at Billtown ednesday of last week of Mrs. Kinsman of that place and Spur orth of Hillside Farm, Canning de looked charming in a hand-

wn of viccuit colored satin and chine. She was attended by er, Miss Blanche Forsythe of and was given away by her Eugene Forsythe of Billtown. return of Mr. and Mrs. Woodfrom a trip to Halifax they erenaded by several members of C. H. and the citizens of Can-

marriage of Chipman Parker of and Miss Libbie Chute of lle took place recently. ent Vaughn, principal of the at Upper Canard last year, left rvard University on Saturday. he will be a student during the

drill carried on by the K. C. H. odside during the past twelve as said to be the most successheld by the troop. Trooper Weeks, while practicing for orts which were held on Friday. d an ankle very badly.

ng its many curious products Africa includes the "sneezetree, which takes its name from at that one cannot cut it with without sneezing, as the fine as exactly the effect of snuff. n planing the wood it will someause sneezing. No insect, worm nacle will touch it; it is very to the taste, and when placed er it will sink. The color is own and the grain very close rd. For dock work, piers or it is a useful timber, lasting

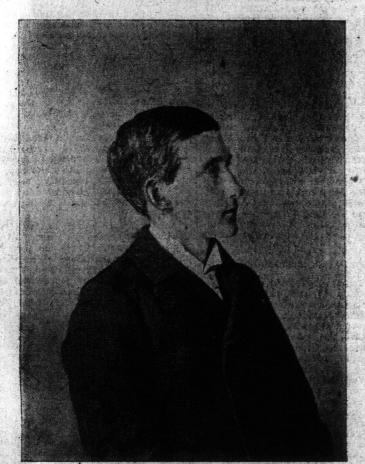
ST.JOHN SEMI-WEEKLY ST

ST. JOHN, N. B., SATURDAY, SEPTEMBER 27, 1902.

VERDICT OF "GUILTY."

"I Don't Care" Higgins Said, When He Heard the Announcement.

out 2 1-2 Hours—Recommended Mercy On Account of His Youth-Sentence Postponed—Case May Be Appealed.



FRANK HIGGINS, AGED 16.

gerald, foreman of the jury, that broke proceeded with, but no one was ready. the strained stillness of the court Nobody took any interest in civil cases room. The hands of the big white at a time like that. They wanted to clock on the wall pointed to five minutes before three, almost precisely the jury to hurry. hour when nearly two months ago the shaded silence of Lovers' Lane was shattered with the re-echoing shock of four pistol shots and a boy, murdered

from behind by his familiar friend, gasped his life out. Over the tight-lipped, white calm of the prisoners' face swept a wave of red for an instant. His hand went up as if to brush something from in front of his eyes; some shadow, some memory, some haunting shape that he would be rid of and could not. He reached for his handkerchief and

pressed his lips with it. But only for Then his features ran into their usual mould of impassivity. His eyes carelessly into his trousers'

A few minutes later, as the constable felt, but by word nor expression did trance toward the cell where he will ledge.

await his sentence, a Sun reporter "I don't care," was the stolidly sul-

len reply as the big door swung dark- wait and wait. ly shut behind him.

A TRYING DAY. the judge closely and followed his funeral.

smooth and darkened from contact mask-absolutely expression With the many sinful ones it has in patted a careless tattoo on the floor.

JURY GOES OUT. Then at twelve minutes past twelve, the judge having finished his charge, wonderful nerve and flinched not a the jury retired to the room where whit. Whatever might have been gotheir deliberations involving a human ing on behind those narrow eyes—and life must be concluded. In anticipa-tion of a somewhat prolonged confine-ment, arrangements were made for no sign. verdict be reached before that time.

We find the prisoner gullty of the with restrained impatience to await murder of William Doherty, with a re- the result. The prisoner was brough commendation to mercy on account of in and remanded to fail again. As a matter of form, the judge called for the It was the voice of burly John Fitz- next civil case on the docket to be hear the verdict and they wanted the

In the meanwhile all waited as pati ently as they might and waited quietly. JURY OUT 2 1-2 HOURS.

The stillness was broken at eighteer inutes to three by the voice of a constable at the door:

The jury is coming, your honor." Everybody stiffened with nervous expectancy, and with parted lips and cager eyes watched the entrance. Two minutes later the jury, headed by Foreman Fitzgerald, filed in and solemnly took their seats. They had been out only two and a half hours and everyone knew by this that a ver dict had been agreed upon.

took on their wonted expression of in- | But what was it? There was nothsolent indifference his hands were ing in the impassive faces of the twelve pocket and he was Frank Higgins, the considering only the guilt or innocence imperturable, again. He gazed around of the prisoner, whose life depended the crowded room with bravado and upon the turn of their thumbs. They settled himself comfortably on his sat solemnly enough, their looks telling seat.

was hurrying him through the side en- they betray anything of their know-Straining forward the crowd gazed at them as if trying to read their What do you think of the verdict, thoughts. They yearned for that verdict: they wanted to hear it from the only men who knew, but they had to

NINE MINUTES OF AGONY.

For after the jury had taken their It was a trying day for all con-cerned. During the morning the pris-the Court Willet was not in his place. oner, the jury and the spectators lis- The sheriff volunteered as a substitute tened for two hours to the judge calm- but the formalities of the court had to ly, dispassionately, logically summing be complied with, and the judge order up the odds and ends of evidence, urg- ed a delay while the absentee was ing upon the jury their duty as citi- summoned. The minutes plodded by zens to the state and charging strong- with feet of lead and the waiters grew ly against the boy in the dock. The pale with suspense. The court room twelve men who held the issue of life was still as a graveyard. For the most or death in their hands were gravely part the people were motionless. Had attentive, as befitted their great re- anyone occasion to move he walked on sponsibility. Most of them watched tip-toe softly, solemnly, as at a

At fourteen minutes to two the pris The prisoner was apparently the oner was again brought in. He sat in least interested one in the room. He the middle of the dock this time and sat immovably in the corner of the crossed his hands lightly across his dock, his head against the railing, knees. His face was set like a white those near him could see the gnawing years enclosed. His fingers were turn-ed idly together in his lap, and his feet twitching of his interlaced fingers, the steady tattoo of his feet upon the floor and back behind his half closed eye-

dinner to be served there and the It was remarkable that none of his court adjourned until 2.30, Judge Lan- relatives nor those of the other prisdry making the proviso that he should oner, all of whom have attended every summoned immediately should a other session, were not present. Mr. McKedwn and Mr. Mullin, the respec At 2.30 the court re-assembled, Hun-tive counsel, felt the strain as much dreds crushed around the outer doors if not more than the rest as they sat in search of admittance, but only at the long table and waited those nine which might actuate the witness in enough were let in to comfortably fill minutes that seemed years, before the

the nerve-straining formality of call-ing the roll and the orler with mon-otonous voice answered with the num-

Then came the question, "Gentlemen of the jury, have you agreed upon your verdict? Who speaks for you?"

The long form of John Fitzgerald arose in his place, and the spectators with sharply indrawn breaths through clinched teeth leaned forward.

"To you find the prisoner grafter as "Do you find the prisoner guilty or

crowd as the strain relaxed. The prisoner's guilt or innocence according prisoner, barring a momentary flush and the brushing of his hand over his with the law. He warned the jury that

regarding the case of Goodspeed?" asked the judge, and the answer was Then the judge thanked the jury for their attention and for the way they had done their duty. The recomm ation they had made, he said, was one that appealed to the best sentiments

would act as they thought best regardservice and the trial, which had excited more interest than almost any other event in the history of the city,

of all, and he assured them that it

would find its way to the proper quar-ter when the officers of the crown

MAY BE AN APPEAL But before the court adjourned Mr. Mullin said that there were certain questions which he would like to dis-cuss before his honor before sentence was passed with a view of having the case reserved for a higher court, The judge said he would present opposition to such a course if grounds would withhold sentence until Mr. Mullin had made his argument.

may not be for a week yet.

Meanwhile the crown will push the
case against Fred Goodspeed, who
stands indicted as an accessory after the fact—an offence punishable ife imprisonment as a maximum penalty. Mr. McKeown, who will prosecute me up this morning unless counse

INTERVIEW WITH HIGGINS. eporter secured a brief interview with the prisoner Higgins, who since his

He knew that the jury whom he had cap in hand, and swung his feet care-

He smiled a perfunctory "Hello" to

seen him in the tanyard one morning after the murder and assured the prisoner that he was mistaken.

"Is that so?" was the response. "I vas sure it was you. I remember you tragedy and afterward, The revolver talking to me several times, and I was sure it was you who was trying to pump me down to the tanyard that norning. Someone that looks mighty cartridges partially so. like you if it wasn't you."
"Say, do you remember that day you

Alexander told you about?" he grinned. "'Course I couldn't tell you ting mixed up in this scrape. I was always exceedingly important testion to you all right, but I wondered meny. The first we have, outside the where you found it out. I didn't think boys' you'd put it in the paper after I denied

The conversation was summarily interrupted here and the reporter had to get out. Higgins nodded a good-bye

Later, as reported above, he was sked after the verdict submitted what he thought of the result, and his answer, "I don't care," showed his deermination to present the same bold ront to the end.

THE JUDGE'S ADDRESS. His honor was fifteen minutes late esterday morning—something unprecedented for him. The crowd in the com was large and equally as atter ive as they had been through the whole course of the trial. The court opened without any pre-iminaries and Judge Landry entered

In this case, he said, there was but little of the law for him to explain.

Still, as a foundation for these deliberations, he read from the Code the legal definitions of murder, and said they would have no difficulty in placing the death of William Doherty under this

mention was regarding the evidence of an accomplice. In strict law he must charge them that such was admissible and need not be corroborated. But they must scrutinize such testimeny with more care and suspicion than or dinary evidence, among the motives such a case. Yet if there be sufficient intrinsic value in such evidence to would proclaim his innocence?

an acundance of outside and cor-

at the bar to take their consideration as to its truth or falsity. The evidence of a person concerned in crimes, he said, was not entitled to the same credit as that of more reputable citizens; but the most hardened criminal may tell the truth.

This applies alike to the testimony of both Higgins and Goodspeed. If anything, Higgins, under the graver charge, might have the greater inducement. The value of the evidence of each rested with the judgment of the jury. It was their duty to search out the truth, and they would not be Their only duty was to determine the

the crown, the judge submitted to the ficient evidence to convict without the evidence of either, Goodspeed or igins. Should the evidence be accepted as true, he considered it suffi-cient to base a verdict upon. Higgins was a chum of Doherty. What was meant by that term the jury could decide. What these two young men, without any visible means of support

was produced that Higgins said he would get square with Doherty. Again, he said he didn't like to have him around, as the police were always fol-lowing him. The judge left the weigh-ing of the value of this evidence with the jury. Then there was the

PURCHASE OF A REVOLVER by the prisoner. The weapon was bought after a tour through the States, where, at least, he received no high lessons of morality.

The judge here excluded this reference to the Brownville trip, as being a part of Higgins's testimony, which he did not wish to consider at present. But Higgins purchased the revolver under peculiar circumstances—got an-other person to get it for him. Later he bought cartridges. What he wanted these for, either as amusement or profit, what proof was there, he asked Morrell, who is acting in that capacity would not say last night what course he would take in the matter.

INTERVIEW WITH HIGGINS

mony. If King were to be believed, While the court was anxiously wait- Higgins seemed to be anxious to conng the reappearance of the jury a Sun | ceal it. In this connection, the judge

CAUTIONED THE JURY arrest has addressed a word to no one against the evidence of many of these boys on the stand, speaking of their bad memory regarding points they should be expected to best remember. faced daily during the past weary week were in a room just above him deciding whether he should live or die, but, with the traces of his dinner still prisoner and Goodspeed not far from around his mouth, he sat in a chair, their own showed that they had a re volver at the time. The next pleces of evidence, outside the testimony of the reporter's greeting.

"How are you feeling, Frank?" he gins and Goodspeed were seen returning from the scene of the tragedy by was asked.

"Me? On I'm feeling fine. Nervous?
Not a bit. 'Course I know things has been kind of on the strain the last day or two, but it ain't woryin' me any. I ain't got anything to worry 'about. I've just told the truth and I know things is gain' to come out all right. What's the use of me worryin'?"

The reporter reminded Higgins that he had said on the stand that he had seen him in the tanyard one morning if they could or could not connect. if they could or could not the revolver with the boy who had it in he carried it up to the time of the

POSITIVELY IDENTIFIED as the one Higgins bought, and the After that, bullets were found in the body of the victim. It rests with you ere asking me about that revolver to decide if these were the same pur-

chased by Higgins.

Keeping in mind these details, trace the truth then, as I was afraid of get- the conduct of the prisoner, which is own testimony, was his meeting with the father of the murdered boy to whom he denies seeing his son aftder. If this is not explained away,

THIS DELIBERATE LIE. is prima facie evidence of guilt. He also told the father that Willie had gone to Springhill.

Discussing the prisoner's further a

where his revolver was, when Kelly stated that the owning of such a wea pon looked bad. Then at the identifi-cation of the body and his subsequent anxious perusal of the newspapers, were these the actions of an innocer man? The jury could also consider h ittempt to get Alexander to deny that expression that he used at the time did this mean? Then his declaration that if he got safely out of the coronsubsequent subterfuges which were to assist his escape. The changing of his name, the choosing even of the name of the street in Portland where they said they lived-were these concoction Arrested at McAdam further denials

WATCH HIGGINS' CONDUCT afterward. Absolute silence-not word from him as to his knowledge of the crime. Was that the action of an innocent person? Would this or not be the time when an innocent man

and after that silence again. It was for the jury to decide whether this was with the knowledge of guilt and an in-

or was this silence that of an innocent man, who saw a hard case against him and decided that it would be for his advantage to withhold his state-ment until the time of the trial. Has this developed naturally, or is it the plan of a shrewd boy who saw in this method his best way of escape? Should you find all these things true,

and so found your verdict on this, there is sufficient to base a verdict upon that will be upheld by the courts, even if you ignore the testimony Higgins and Goodspeed. If the jury should decide that

BOTH THE BOYS were guilty of murder, it was their duty to find the prisoner guilty. Un-explained he believed the evidence was enough to find them both guilty without one word from the mouths of either on the stand.

Of all this, how much does Higgins deny? Not chumming with Doherty; not purchasing and earrying the revol ver; not having it the day of the murder; not that Doherty was last seen alive with him; not that the revolver was thrown in the creek; not that its bullets were the ones found in Doherty's body. He denies nothing, and on-ly makes some slight variations. For nstance, he insists he said to Kelly, "I know where my revolver is," instead of "I know where it was." He seems to attach strong importance to that, and it is for the jury to draw their own inferences.

He also denied that he used the word "too" in his threat to Alexander. He of Goodspeed, according to Higgins's was exceedingly careful of the significance of little words.

The judge then asked the jury in view of the close intimacy in the tanyard and Opera House gangs, if they elieved that only Higgins and Goodspeed knew of the murder, even before the body was found. He asked them to study the demeanor of the witnesses and judge whether they strove to help

HAVING NO MEMORY. He referred to the literature which had evidently inflamed the minds of all these boys, and wondered if Higgins and Goodspeed had not been proud of their deed and boasted about their heroic deed to their companions. If Hig-gins had not fold anything more why did he tell them he would run away?
After the finding of the body who was
the centre of attraction of admiring crowds of boys? Was it not Higgins? And yet the boys to whom he was talking swear that they don't remember whether the murder of Doherty was the subject of their conversation or not. To all appearance there was an rganization as strong and perhaps nore shrewd than the police. This was his prejudice the case of the prisoner Higgins, unless they were sure of his

guilt through the evidence. The evidence, in order to find the prisoner guilty, need not point to him alone. If they thought both concerned they must remember that they were trying one and must deal with him acording to their oath and leave the

other with the crown. DISCUSSING THE MOTIVE His honor said if Higgins committed id, there must have been a motive. dspeed says he led the way until they were in a secluded place, when Donerty came up even, and the shots were fired. If there had been a plan between them, could it have been better arranged? Goodspeed claims he had no knowledge that the deed was going o be done. In this way the judge could liscover no evidence of motive. general circumstances of their having leen chims and having committed crime together might furnish conjective but there. re, but there was no direct evidence

credible conduct of Goodspeed in ceaking into a store and stealing candy on Sunday, only a day or two after the murder, the knowledge of which must have been on his mind. If the crime itself, and pointed to a fear-

ful mental and moral condition. Higgins's story, if true, would to ome extent show a motive in Goodspeed's swiftly originated quarrel with Doherty. This, if believed, would give

VERDICT OF MANSLAUGHTER. To decide which one committed the urder the jury must scrutinize all again. the facts and examine the corrobora-

speed said they were coming towards the city, and that before Higgins caught up to Doherty the latter turned and struggled with his assailant. The evidence of one of the police said the from the city. In Higgins's story Doh-erty was made to fall while running oward the city. The jury would decide

nds on the head and face post mortem. Goodspeed said the first ones were given before Doherty had fallen. The jury could consider whether or no this detracted from the evidence of Goodspeed. Higgins said Goodspeed pegged stones upon the head artiser Doherty was dead, while Goodspeed says the stones were theory down force.

says the stones were thrown down from the hill to cover the body.

Again Higgins said Goodspeed took the body by the left arm and left legs as he rolled it down. The jury could nsider if this were possible in the of the body when found.

In conclusion he urged again upon the jury the spirit of their duty. When a person was indicted for murder, he said, a jury might return a verdict of

FIND NO EVIDENCE. justifying such a verdict. In the case chance. Which story, he asked, was the more convincing? Higgins says he til he heard the shots and came and found the victim dying. If that be true afterwards? . If Goodspeed had done the deed on account of his violent low. Would you expect an innocent boy, as Higgins says he is, to help bury the body, to hang paper on a tree to mark the place, strew paper along to the path that the body might be disovered, and do all this simply because Goodspeed would hold up the of a trial against Higgins because the revolver was his? Was this natural to boys excited as these must have been? Or did Goodspeed's statemen that he had acted under threats of im ing? Or was the secret of it all that both were concerned in it, and were turn later and destroy the evidence of back on the following Monday for? Each swears he stayed in the lane and that the other went out to the body.

What was that for, if one did stay? TO WATCH
if anybody might come and observe them near the fatal spot? It should be mbered that even had they wood and shrubbery were too wet for

of criminals. It was to prevent the re-petition of crime, by putting the criman example to other possible criminals. He urged the jury again to proals. He urged the jury again to pro-ceed to the juryroom and search for the truth. Should there be a reason-able doubt in favor of the prisoner they should give it to him, but should the evidence show them that the prisoner was guilty, they should unhesitatingly

The Goodspeed case and other civilcases to come up will occupy the atten-tion of the court for several days yet. ing he referred to the almost and it may be a week before Higgins conduct of Goodspeed in into a store and steeling. What may be the effect of the recom-

the judge to pronounce the death sentence, leaving an interval before its execution long enough to allow of the necessary action for a reprieve being aken. Then all the facts of the case taken. Then are to the minister of jusation, are sent to the minister of jus-tice, with whom the decision rests. Meanwhile Mr. Mullin will undoubtdly make a strong argument for a new trial and it is possible that the whole business may have to be done over

BUTTER TUBS

tions, Judge Landry referred to Hig-gins' statement to Kelly that he knew Sizes 10, 20, 30, and 50 lbs.

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