

MURDERS THREE

Molineux "Not Guilty" Mason Let Go— Frank Higgins' Fate in Balance.

Argument at Fredericton for a New Trial for the Convicted Slayer of Doherty—Judgment Will Be Given on Friday.

Before the supreme court at Fredericton yesterday morning, Daniel Mullin, K. C., counsel for Frank Higgins, made formal application for a new trial for his client on the grounds that the presiding judge at the first trial had mis-directed the jury and that he was in error in admitting in rebuttal the evidence which tended to prove that Goodspeed had returned to his home the day of the murder at an hour earlier than the one named by Higgins as the time he and Goodspeed arrived in the city. The other two points he made in his argument for leave to appeal were not considered.

Attorney General Pugsley on behalf of the crown, argued against the granting of the plea. The presiding Justices took active part in the debate and judging by the attitude assumed by the majority, it seems highly probable that the appeal will be denied and no new trial granted.

Justice Hanington and the Chief Justice were inclined to uphold Justice Landry's actions throughout, and Justice Barker, though more non-committal, seemed to lean the same way. Justices McLeod and Gregory actively upheld Mr. Mullin's contentions during the first of his argument, but latterly, as Justice Landry elucidated his position more clearly, showed signs of being impressed with his side of the case.

At the conclusion of the argument the chief justice announced that the court would consider and would deliver judgment on Friday morning. At the opening of the court Judge Landry's report of the case and his decisions therein, prepared in obedience to the order of the court, was read.

The two questions reserved for argument were:— 1st. Was the trial judge in error in admitting the evidence called in rebuttal by the crown? 2nd. Was the trial judge in error in admitting the evidence called in rebuttal by the crown?

In discussing the first question the report gave a full and concise summary of all the evidence adduced against the prisoner Higgins mentioning the many opportunities the prisoner had to give information regarding the murder, had he so desired, and referring to the judge's comment on his failure to do so.

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Some objection was taken technically to the wording of the report and by the order of the court some minor changes were made.

In opening his argument Mr. Mullin read that portion of the judge's charge which referred to the absolute silence maintained by Higgins and the inference to be drawn therefrom, contending that the judge had no right to comment to the jury upon his prisoner's actions, especially after he had been arrested and employed counsel. To Justice Hanington he admitted that he had no complaint to make of comment upon Higgins' conduct previous to his arrest.

Judge Hanington asked what was the difference in principle between the reference to the prisoner's silence before and after arrest, and Mr. Mullin in reply quoted the law regarding the lack of right of police officials to question prisoners after arrest, and said that, reasoning by analogy, his conclusion was that the prisoner's silence before and after arrest should be treated as a single fact which he had no right to comment upon.

Justice Gregory supported Mr. Mullin's contention, arguing that if the prisoner had made statements revealing his guilt or innocence such would have been a proper subject for comment, but that the mere fact of his saying nothing was not so. The chief justice considered that the judge was simply commenting to the jury upon facts before the court was acting within his perfect right.

Continuing, Mr. Mullin called the attention of the court to the law stating that if a prisoner did not take the stand in his own behalf, which was his right, neither the judge nor prosecuting attorney could make any comment upon his refusal to do so. He held that the principle involved here should apply to the case in point.

Judge Gregory gave his opinion that if the judge had desired to make reference to Higgins' silence he ought to have mentioned specific times when the prisoner should have made statements he had to declare himself. Justice Hanington said that he had no complaint to make of comment upon Higgins' conduct previous to his arrest.

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THE RESILIENT TURK

Too Much for a Yankee Boat Admiral.

He Did Not Show His Hand Till Two or Three Days Later.

NEW YORK, Nov. 12.—When the Armenian troubles were at their height a few years ago, said a naval paymaster, "my ship, the San Francisco, flagship of the Mediterranean squadron, carrying Admiral Kirkland's bit of bunting, dropped her anchor in the harbor of the most important seaport town in one of the main provinces of Turkey in Asia. The idea of anchoring there was not alone to kill time, but also to give the engineers a chance to do some overhauling required by the machinery."

"After the ship had been swinging to her mudhook for an hour or so, a gaily caparisoned short-bow came from the beach, bearing a message from the rail, or Turkish governor of the province. He was in full Turkish uniform, this messenger, and he jabbered at the gangway for some time before the officer of the deck thought it was the admiral's messenger."

"The admiral's messenger was a linguist and had won renown for his knowledge of the obscure languages. What Ward couldn't do with any old language, living or dead and Turkish, from ancient Carthaginian down to the coon French of Louisiana, wasn't worth doing."

"So the officer of the deck sent for Ward to see if he could pick any talk out of this violently-persuading person in the baggy, gilt-embroidered trousers at the gangway. It was something easy for Ward, talking Arabic Turkish, and in no time he had the valis pleased to visit the San Francisco himself on the following day, with the gracious admiral's invitation, etc., etc."

"The messenger's message was the simplest thing in life. He simply bore the respect of the admiral, who was pleased to visit the San Francisco himself on the following day, with the gracious admiral's invitation, etc., etc."

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the good time that had been given to him, he departed from the ship. On the following day, Lieut. Ward went ashore on some personal business. He ran smack into the wall a short distance from the wall's palace. The wall beckoned pleasantly to Ward to approach him.

"My boy," said the wall, in perfect, liquid, bubbling English—the most perfect English for a Turk that Ward had ever heard—"My boy, will you be good enough to say to the gracious Admiral Kirkland for me that I regard you not only as an interpreter of inestimable value, but as a gifted diplomatist as well."

Laurier Sick Man.

Will Leave Canada to Recover His Health.

OTTAWA, Nov. 11.—Laurier is a sick man. He will go to Hot Springs, Virginia, for three months at least, and Cartwright will act as premier in his absence. Laurier has been warned by specialists that unless he takes a long rest he cannot expect to stand the fatigues of the next session. His political friends are seriously alarmed as to his condition.

At today's meeting of the cabinet, T. B. Flint, M. P. for Yarmouth, was appointed clerk of the house, in succession to the late Sir John A. Macdonald. The cabinet considered the vacancies in the house and it was decided to issue writs for Argenteuil, Massonville and Yarmouth. Nominations will take place Wednesday, November 26th, polling December 3rd. Terrebonne and Two Mountains being in the courts, it was agreed not to issue writs for some time. The North Grey election will go over until January, as the government is scared of the referendum campaign.

Laurier will go to Hot Springs, Virginia, for three months at least. Prefontaine attended a cabinet meeting. He was sworn in as privy councillor and minister of marine and fisheries shortly after noon, Mr. Sutherland also taking the oath as minister of public works. Prefontaine's acceptance of office vacates both seats in the cabinet. Mr. Paterson today said and asked permission to occupy, Malouineville and Terrebonne, but a high constitutional authority says it will not stay the legal proceedings in Terrebonne.

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Advertisement for Pure Soap, featuring an illustration of a woman washing clothes and the text 'PURE SOAP MAKES CHILD'S PLAY OF WASH DAY'.

A NEW YORK PARISH.

St. George's Church in Stuyvesant Square.

Rev. Dr. Rainsford's Noble Work in the American Metropolis—A Sketch as Large as That of a Railway President—The Multiplicity of His Activities.

The great and complicated organization a populous and energetic New York parish has become is illustrated in the "year books" or annual reports of Episcopal churches like Grace, St. Bartholomew's and St. George's. It has developed into a machine, religious, philanthropic and social, in the running of which is steadily engaged an army of workers, clerical and lay, and the expenditure of money required to keep it going is as great as that of a considerable town.

Take, for example, the last "year book" of St. George's church in Stuyvesant square. Besides the rector, the Rev. Dr. Rainsford, the clerical staff includes four assistants. Then come deaconesses and a large body of volunteer lay workers. So vast is the volume of details that the rector requires the aid of a skilful and industrious secretary, for he is like the president or superintendent of a great railway company or trust. The number of "souls" who claim membership in this church, the rector reports, is 3,200, and they are "scattered all over Manhattan Island and outlying districts." The majority of them, however, are residents within the bounds of the parish or in the neighborhood of it, for 3,400 live between East Seventh and East Twentieth streets, St. George's being at East Sixteenth street.

It is a district of the town which is fast becoming unfavorable to the growth of a great Protestant parish. When Dr. Rainsford came to St. George's in 1882 the parish was falling away. "There was only a handful of people in attendance on the old church." The character of the neighborhood had changed from a fashionable district and the population of it had increased accordingly. A like transformation has taken place in our own city. The parishioners during Dr. Rainsford's rectorship, for he has been rector since 1882, were 1,000, and the collections and contributions of money for conducting the parish and its activities and for building and endowment had been \$25,546. The total of these was last year nearly one hundred thousand dollars. But Dr. Rainsford is not satisfied. He wants the endowment to be increased so as to yield at least \$40,000 a year in addition, to help meet fixed charges and repairs, etc., in our church and extension plant.

St. George's church is open daily for meditation and private prayer, from 8 in the morning to 5 in the afternoon, and these are services every day, at all of which the seats are free. The communion is celebrated on Sunday at 8 in the morning, and on Thursday at 8 in the morning, and on each month at 11, and on saints' days at 9 in the morning, and on the third Sunday of the month at 9 in the evening. During the last year there were 163 baptisms, 25 adults and 138 children; 30 marriages and 98 burials. The whole number of regular communicants was about 2,500, and the average attendance at the 154 celebrations of holy communion was 107, by far the highest average number being at the monthly communion, 272. The number of confirmations was 206, about equally divided between males and females. There were 2,312 scholars on the books of the Sunday school.

"To show the multiplicity of the activities of the parish we will give a list of them: Choir Committee, Church Committee, Church Decoration Committee, Deacons' House, Memorial Home, erected in memory of Mr. and Mrs. Charles Tracy, Brotherhood of St. Andrew, Men's Club, Women's Missionary Association, Young People's Missionary Association, Church Periodical Club, Girls' Friendly Society, King's Daughters, St. Augustine League, Poor Fund, Care of the Sick, Grocery Department, Clothing and Tailoring Department, Health and Hygiene, Mothers' Meeting, Free Circulating Library, Young Married Women's Society, Sewing School, Boys' Industrial Trade School, Golden Glee, Dramatic Society, Hibernian, Glee Club, Calisthenic Class, Cooking Class, Basket Weaving Class, Draw-Work Class, Dressmaking Class, Military Class, Penny Provident Fund, Mothers' Class.

St. George's, in this municipality of its religious and philanthropic activities, is only a type of a great Episcopal parish of New York at this time. It is a marvellous development and it has taken place almost wholly during

Advertisement for TAMMAM, featuring an illustration of a man and the text 'TAMMAM'.

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