POOR DOCUMENT

THE SEMI-WEEKLY TELEGRAPH, ST. JOHN N. B., SEPTEMBER 24, 1902.

should do if arrests were made. I swear I did not say it would be an easy matter to kill anyone who tried to make an

use it. Holm made it in his woodhouse, and said we should use it to hit any and said we should use it to hit any hoboes who tried to put us off the train. I did not think they were going to rob in Maine. Once Doherty said that if we were chased it would be best for us to chuck the stuff away. The club Holm made me was a piece of a stair bannister, and in the end of it he put some lead. I took mine with me, but I chucked it off the Susmension bridge. We took the train at Suspension bridge. We took the train at Fairville. I didn't want to carry mine. It was too awkward. They carried theirs hung around their necks. They said that hoboes might come was and the

He Tells of Hobo Habits

To Judge Landry—"A hobo steals rides on the train and begs his meals. In win-

dangerous. We were traveling the same way as the hoboes but we did not beg our meals but hought them. The hoboes never carried clubs, but had knives instead. I know that because we met one, one night, and he carried a big knife. This was in a shack between McAdam and Vanceboro. We left St. John on Wednesday after-noon, getting on the train at Fairville because it was easier jumping on the train there. We got on the blind baggage. I never knew anything about the hoboes un-til after I left St. John. When Holm gave me the club in his woodhouse I knew it was to hit somebody with, but I didn't ask him why he had given it to me.

tood me about the robberies and when they returned from breaking the store at Brownville and woke me up in the car I was supprised. After that I watched myself. My reason in leaving the city with them was to go and start in Bangor."

Here Mr. McKedwn remarked that Hig-

gins had said the day previous he was merely going on a trip through Maine. Sinalply questioned now, the witness re-

"I was just going into Bangor to see it I couldn't get some work. My mother knew I was going to Bangor to get work. I didn't huy my second-class ticket for I hadn't money."
"You had money to get that revolver
with, hadn't you?" questioned Mr. Mc-

back home on Monday, the 26th of May.

I earned it by jobbing around the city,
running errands and putting in coal. I
put in coal for a woman down on Orange
Terrace. I used to get 20 cents a load. I Gamble was with me this time. I also put coal in for a woman on Exmouth street. She gave me 20 cents."

"Wasn't this money you bought the revolver with the proceeds of the Brown

"No sir; I swear it. The most I ever paved at one time was about \$5. I did not tell my mother how I was going away. weapons, but I never taiked like that at mother that it was through fear of getting mixed up in the murder, although I bid not tell her anything about what had happened at the Bank of British North America some time in May. The reason I bought the revolver was because I changed in drawing lots for the watch. The time I was to brownville I came home from Brownville I came home from the 26th of May and last of the month—still again it might have been in June."

weapons, but I never taiked like that at would not spit to the potecmen. I know that. The reason I never squealed on any of the boys was because I was scared of getting into fights with them, although I am sure it was my duty to tell.

"We left where the murder was committed about quarter to six o'clock. Goodspeed at him, although I am sure it was my duty to tell.

"We left where the murder was committed about quarter to six o'clock. Goodspeed left me just about 10 minutes past 6 o'clock.

We crossed the Marsh bridge just at 6 o'clock.

He Felt Bad

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"We left where the murder was committed about quarter to six o'clock. Goodspeed left me just about 10 minutes past 6 o'clock.

"We stayed in the old burial ground until library that I am sure it was my duty to tell.

"We left where the about 10 minutes The second time I went away I told my

"One day in the graveyard he told me he blamed Doberty for stealing from the cave a lamb, a half a pig, some headcheese and four pounds of beefsteak which he had stolen from McDade's shop. Holm never told me about any other stuff he had

although I used to steal little things. I do not think it would be worse for a fel-low to steal from his chum than for him

to enter a shop and steal."

Here Mr. McKeown said suddenly:—

"Didn't you tell 'Bill' Holm that
Doherty had stolen from you and that you would get square with him?" "Nor sir-no such thing. On my return from Brownville Holm and I did not talk about our chances of arrest. I did not tell him that if anybody tried to arrest me it would be an easy thing for me to kill him.
'Bill' Ho'm said it would be an easy thing for him to kill anybody, for he had lots of

of shooting for we did not see anything to shoot at. I had been out in this direction

"Down in the car Holm said 'We'll give you this watch and chain. Higgie,' and I took it. I was also given a jackknife. I was given the stuff just because I had come home with Willie.

"Doherty and Holm had a dispute about a watch worth \$15 and drew lots for it. I think it was Willie Doherty who won the watch. I said that Doherty did not deserve anything, for Doherty was so cowardly. I told Holm he ought to get it all.

Higgins Kept Doherty's Share.

"I don't know where Holm hid his stuff, but Billie Doherty gave me what he had to keep for him. He gave it to me yo keep, saying he had no place to hide it. I don't know if any of the stuff was sold. Higgins Kept Doherty's Shara.

"I don't know where Hohn hid his stuff, to keep for him. He gave it to me be the part how it is to me be the part his tower it is tower it is tower it. I don't know if any of the stuff was sold. I didn't sell any. The watch I had given in me I used to wear on Sumdays."

To Judge Landry.—"I think I know of these who knew about the Brownwille roberty. Harry MoNell was one. I heard both and how the had had how the bear was heaving up and down. I can't early be the thouse alley. I heard holm also at a didn't sell any ard."

To Mr. McKeown.—"He told McNeil stout us being chased at Mattewamker and bridge. This time he was talking in the Opera House alley. Doherty was boasting about he and mysether being chased at Mattewamker and to be the robbing.

"The boys around town that do commat another se can't say I ever had anything to do with what they have done. If beherty had told McNeil I was helping rob I would have denied it.

The Robber's Cave.

"I don't remember of any of the Brown ville stuff being put in a cave or of any cave near the park where stuff has ever the put. I do know of a cave near the old powder house. "Bill' Holm told me about it and he said he had hidden stuff it. It was helping rob I would have denied it.

Bilky Ho'ari isn't so sharp, for when he'd make a break he'd go around teting about it. He told me he broke into McDlade's meat shop and he said he was going to enter King's shoe store.

"The first time I went to the powder house cave was in June or July. I went of the work in the broke into McDlade's meat shop and he said he was going to enter King's shoe store.

"The first time I went to the powder house store." Bill' Holm told me about it the body and it was Sunday. We searched through it but did not find anything. I knew Holm to be a thief and a housebreaker but didn't know much about the holm is horty. When I left for Brownville with them I hadn't any idea they were going to rob.

Say Helling Rismad Dabarty.

An Ugly-looking Knife.

Mr. McKeown requested Chief Cark to produce the knife that was found on Holm. The weapon was most vicious look-ing and had a blade which when straighing and had a blade which when straightened out, was all of eight inches in length. The witness eagerly examined it, weighing it in his hand, feeling the edge, and finally exclaiming, "Yes, sir, this is one of the knives Holm and Doherty got at Brownville." He then passed it to Mr. McKeown and, later, it was cautiously examined by his honor.

Continuing, the witness said: "I knew of the D. A. Kennedy robbery here sometime in July—about the 20th. I also knew of a robbery to take place of Daly's carpenter shop, on corner of Union and St. Patrick streets. Doherty was in both of these breaks. Afterwards the boys, who closely knew about it, would talk about

these breaks. Afterwards the boys, who closely knew about it, would talk about what had happened. I remember a disagreement about the division of the stuff. Doherty was close-mouthed and would hardly ever talk about the breaks. Holm, though, would talk to all of us. Holm would not split to the policemen. I know that the theorems is the progression of the policemen. weapons, but I never talked like that at

talking about Bill Holm—I couldn't remember if I should think all night. It about going out, but I had no place else to the policeman who arrested ham should have shot the policeman who arrested ham was a fool for not fining the revolver—I aid in the says it nor anything like it.

"I don't believe Harry Kelly likes me, but if he says I had this kind of a conversation he's telling a lie. I don't think had say was away from me only a shout me, for them I knew.

"Goodspeed was away from me only a what the park, leaving the stand, and gladly evacuated it for the dock, after an occupancy of more than about going out, but I had no place else thours, every minute of which was for a display of unusual mental alertness.

Ruled Out the Mayor's Testimony.

Ruled Out the Mayor's Testimony.

Tonight in all probability will tell the story. Innocent or guitty?

The answer is near at hand unless in need there should be a disagreement.

As the trial, which has now been in progress since this day a week ago draws to its close, public interest grows more intense. It permeates all classes of society and yields material for conjecture body. Mr. Mullin had reference to Dr. Walter W. White, and the doctor was allowed there are cocupancy of more than about going out, but I had not pask 7 o'clock. I hesitated about going out, but I had no place else the unust, every minute of which was for a display of unusual mental alertness.

Ruled Out the Mayor's Testimony.

**Mr. Mullin now announced that he would not be acting in justice to his client unless he called as a witness one into this close, public interest grows more intense. It permeates all classes of society and yields material for conjecture body. Mr. Mullin had reference to Dr. Walter W. White, and the doctor was and comment of every grade and in every large for Goodspeed at the Ocurt-and they think they alone know.

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As the trial, which

That Green Tea.

"As he would shuffle about in the stain and only of sake in head in regard points was a colder and some are the same of t

"When I talked with the boys afterwards, and when the boys told me things were looking black, the only time I mentioned Fred.'s name was when in telling Alexander, Goodspeed and I were in a lot of trouble. The Wednesday or Thursday after the murder John Quigley told me that the detective was directing his attention to the revolver cartridges. I said I could prove where my revolver is—this

I attention to the revolver cartridges. I said I could prove where my revolver is—this was to Harry Kelly after the base ball game on Wednesday, when we were walking up Brussels street."

Here Kelly's evidence about his talk with Goodspeed concerning the revolver was read, part of which evidence was denied by the witness.

"I remember a talk I had with the boys before going to Doctor Berryman's, that

before going to Doctor Berryman's, that I thought I'd leave town or I'd get into trouble; but before this, at the bishop's picnic, Goodspeed mentioned skipping."

To Judge Landry—"Goodspeed would not leave town alone."

"How much longer client in that witness the last eight hours and the boy nailed to the old the last eight hours and the boy nailed to the last eight hours and the boy nailed to the old the last eight hours and the boy nailed to the old the last eight hours and the boy nailed to the old the last eight had the last eight h not leave town alone."
To Mr. McKeown—"Goodspeed's word was just as liable to be taken as mine."

As Higgins was replying and parryin the avalanche of questions which had bee coming on him without intermission sin 10.30 o'clock, his attitude, while not exact the state of the state of

lo.30 o'clock, his attitude, while not exactly nervous, showed great restlessness and and evident fervent desire to be anywhere else in the world excpt in the witness stand. He would tap briskly with his finger tips on the edge of the stand, shuffle impatiently and occasionally pass a hand rapidly over his head, as if seeking inspiration for the successful answering of some new and unlooked for query.

He had a habit of keeping his left hand in the side pocket of his coat, and from the agitation of the cloth it was easy to see that he was fumbling and toying with something in the pocket. Just after he had said to Mr. McKeown Goodspeed's word is as hable to be taken as mine," word is as liable to be taken as mine," he partly withdrew his hand, and the edge of some document could be seen protruding.

Higgins Had a Paper.

Mr. McKeown instantly detected it, and leaning toward him with outstretched arm, said sternly:—

"Give me that paper."

Higgins immediately did so, but just as it came into Mr. McKeown's possession a quick observation was heard from Mr. Mullin, concerning the transfer of the paper. It had the effect, however, of inducing Mr. McKeown to pass what he had secured over to Mr. Mullin, but as

who had expressed certain views concerning the effect of the shots in Doherty's body. Mr. Mullin had reference to Dr. Walter W. White, and the doctor was locality throughout the city.

Mr. Mulin to witness—Assuming that the evidence of Higgins is correct, or assuming that the wounds found in Doherty were as described by Doctor Macaulay, would you say Higgins' or Goodspeed's story was most reasonable?'

Judge Landry—"Ruled out."

Mr. Mulin—"Trom your experience as a hymician adversed, how long would yesterday forenoon with the wind out.

Mr. Mullin—"From your experience as a physician and surgeon, how long would you say a man who had received bullet wounds in liver and kidney, also in lung and hip bone,—how long do you say he

Doctor White-"It is possible, but not warmth against it.

"Hon. Mr. McKeown asked the witness if he had not heard of cases where men had run after receiving a bullet in the heart, to which Doctor White replied that he had, but, like Mr. Mullin's last question, the circumstance was possible but the honor, Judge Landry, succeeded in the honor, succeede not probable. Extracts from Doctor
Macaulay's testimony were now read to
Doctor White, who substantially agreed
to what Doctor Macaulay had stated.

Maurice Dougherty and Willie Mackin

questions concerning his recollections of the tragedy.

But the proposition of the crown's counsel appeared to irritate Mr. Mullin. He regarded Mr. McKeown with a hostile eye and in tones of rightfous indignation,

"How much longer do you want my client in that witness stand? Why, for the last eight hours and more you've had

Mr. McKeown, however, hastened to assure Mr. Mullin that the judgment he

progress since this day a week ago uraws to its close, public interest grows more intense. It permeates all classes of society and yields material for conjecture and comment of every grade and in every locality throughout the city.

"And you'll undertake to come the court and deny other witnesses?"

"I'll undertake to swear that I was talking to Fred Goodspeed at the Court-enay Bay wharf at 5 o'clock on Friday. August 1st. One reason I especially recall Friday was that night I was to have a stalk game with the Coronations, but the

Walter W. White, and the doctor was a coordingly sworn. He was a physician and surgeon, and had studied at McGill and Edinburgh Universities. He had practiced his profession prior to his election as mayor of St. John.

He was for 11 years in connection with the General Public Hospital and was frequently called to perform operations there aside from general practice.

He had read the evidence so far adduced at the trial, and from the standpoint of a physician and surgeon, would say that of the two accounts of the murder—Good speed's and Higgins—that—

and comment of every grade and in every locality throughout the city.

In the throngs which gather daily at the court house are men representative in their respective callings—clergymen, physicians, jurists, merchants—leaders in the best life of the city, and from these down to the shock headed, out-at-the-elbows—down-at-the-heels denizens of the tanyard, the assembly all-embracing. Its common note is interest.

He was for 11 years in connection with the court house are men representative in the court at the court at

out by Judge Landry.

Mr. Mullin—"I ask that he may be allowed to proceed on the grounds that he is an expert."

Judge Landry—"The question does not fill one of the essentials."

Mr. Mullin to witness—"Assuming that the is are applied to his lips.

The next witness for the crown was one of the dock, he nodded socially to any acquaintance whom he might have in the acquaintance whom he might have in the acquaintance whom he might have in the crown the groups of her testimony and the same as that of McGinley. She said:

"The next witness for the crown was supplied to the dock, he nodded socially to any acquaintance whom he might have in the crown was sort witness for the crown was to the dock, he nodded socially to any acquaintance whom he might have in the crown was the same as that of McGinley. She said:

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"The bearing of her testimony acquaintance whom he might have in the acquaintance whom he might have in

Several stimes yesterday Mr. Mullin, conferred with his client—a whispered conversation that was not intended for out-ide ears—but consultations that the

and hip bone,—how long do you say he could live?"

Doctor White—"Two minutes—well, that is the outside limit. Scarcely any accurate limit could be set."

Mr. Mullin—"Would the effect of the shots in liver and kidney result in instant collapse?"

Mr. White—"Would the effect of the shots in liver and kidney result in instant collapse?" Doctor White—"In the majority of cases it would. Anything otherwise would be exceptional, that not impossible."

Possible, Not Probable

Mr. Mullin—"After receiving such wounds could a man run 10 feet, grasp a pistol, struggle and then live for a lew minutes after?"

Doctor White—"It is received the majority of cases of Mr. Mullin, who it is expected will conclude by today. He expetited to the jury at the gravity of their responsibility and quoted maxims that they would do well to bear in mind while deliberating as to what nature of verdict they would bring in. He dwelt strongly on the danger of accepting the evidence of Goodspeed as sufficient for the conviction of the prisoner and reasoned with great the strong of the prisoner and reasoned with great the strong of the prisoner and reasoned with great the strong of the prisoner and reasoned with great the strong of the prisoner and reasoned with great the strong of the prisoner and reasoned with great the strong of the prisoner and reasoned with great the strong of the prisoner and reasoned with great the strong of the prisoner and prisoner a

A Great Crush.

house reserved for the entrance of officials or privileged persons. It was somewhat of an effort though on the part of his honor and when he was at last admitted, he entered alone as quickly as possible—and Maurice Dougherty and Willie Mackin were now called on to appear as witnesses, but as they did not respond to their names, a constable was dispatched to find them. While the court was waiting, the question of recalling Higgins to the witness stand was raised by Mr. McKeown, who stated he wished to ask him certain questions concerning his recollections of the tragedy.

But the proposition of the crown's countries appeared to irritate Mr. Mullin. He sel appeared to irritate Mr. Mullin. He does the employment of deep strategy.

Mr. Mullin found his way beset with Prisoner Gets Benefit of the Doubt. serious difficulties, and it was only through lively activity that he managed

Morris Dougherty was the first witness called by the defence, at the beginning of Monday's Session. The prisoner entered

assure Mr. Mullin that the judgment he had used in directing such an accusation toward him must be defective. He wished him to know that he was not in the least justified in employing such language, for, said he, "What you have just said is irreverent and blasphemous."

"Indeed," observed Mr. Mullin, with an air of mixed astonishment; "and who set you up as a guide in Israel?"

"Nobody set me up as a guide in Israel," retorted Mr. McKeown; "nor do I profess to be such."

"You're impertinent, at all events," remarked Mr. Mullin.

But Mr. McKeown, with an infectious smile, and in tones of icy sarcasm, observed softly that such would be impossible.

Judge Landry now said that the proper.

served softly that such would be impossible.

Judge Landry now said that the propertime for Mr. McKeown to have asked what he wished to ask the witness was when he occupied the stand. He would, however, decide that as the counsel for the prosecution did not insist and the counsel for the defence objected, the witness need not be recalled.

It was now nearly 5 o'clock, and the witnesses, Dougherty and Mackin, could not be found, the question of adjournment came up. Some were for having an evening session, some for adjourning until Monday.

It was now nearly 5 o'clock, and the witnesses, Dougherty and Mackin, could not be found, the question of adjournment came up. Some were for having an evening session, some for adjourning until Monday.

Judge Landry expressed his willingness to return and sit until 12 o'clock, but Mr. McKeown took occasion to make him sensible of the fact that such would be approaching preciously near a desecration of the Sabbath, and that the court might possibly be subjected to reproof from the Lord's Day Alliance.

His honor, however, said that a court of law might adjourn at midnight, but that the verdict of the jury could be received on Sunday and it would not be a Sabbath violation.

Kind of Painful.

The matter of adjournment was still in abeyance, when Juror Fitzgerald arose and said:—

"We have been sitting here for nearly a week, listening to all kinds of converse."

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The matter of adjournment was still in abeyance, when Juror Fitzgerald arose and said:—

"We have been sitting here for nearly a week, listening to all kinds of converse."

The matter portion of Goodspeed's evidence with the paper Mr. Mullin said he had given it to him.

Bougherty was now permitted to leave the stand and Harris McGinley was now permitted to leave the stand and Harris McGinley was now permitted to leave the stand and Harris McGinley was now permitted to leave the stand and Harris McGinley was now permitted to him.

Dougherty was now permitted to leave the stand and Harris McGinley was now permitted to leave the stand and Harris McGinley was now permitted to leave the stand and Harris McGinley was now permitted to leave the stand and Harris McGinley was now permitted to leave the stand and Harris McGinley was now permitted to leave the stand and Harris McGinley was now permitted to leave the stand and Harris McGinley was now permitted to leave the stand and Harris McGinley wa

Goodspeed and I came in town, I said for him not to mention anything to me about the shooting, for to talk of it made me sick."

To Mr. Mullin—"After we were arrested I began to think over the whole thing. All I could remember of the shooting and where I'd been and who I'd seen every day between the time of the murder and the arrest."

The witness here was permitted to leave Titis expected that the jury in the Higgins' fate o'clock. The 5 o'clock whistles were blowd and that whose sheddeth blood, his own book and the time of would be coming in at the time I was fishing. I do not say there was anything special this evening. Mr. Mullin, who began his summing up yesterday afternoon and spoke earnestly and eloquently, will conclude his address today. Then Mr. Mc-keown will close for the crown and his honor will charge the jury.

The men in whose hands Higgins' fate rests seemed deeply impressed yesterday.

The witness here was permitted to leave the tide on August 1st was not high until and that whose sheddeth blood, his own blood should pay the penalty was something that had cortainly been handed down through the generations; yet there tide in my mind. I could not say if the tide was quarter full at half past four. I fished about three quarters of an hour because the tide was about right at half past 5 o'clock. The 5 o'clock whistles were blow-

at the trial, and from the standpoint of a physician and surgeon, would say that of the two accounts of the murder—Good-speed's and Higgins'—that—

But here Mr. McKeown objected, and further testimony along this line was ruled out by Judge Landry.

Mr. Mullin—"I ask that he may be allowed to proceed on the grounds that he lowed to proceed on the standard the testing that the lowed to proceed on the grounds that he lowed to proceed the grounds that the lowed to proceed a ground that the electron of the tanyard, the assembly all-embracing. Its common moters that the assembly all-embracing. Its common moters that the lowed to proceed a ground that the lowed to proceed a ground that the lowed to proceed the ground that the lowed that the lowed to proceed the ground that the lowed to proceed a ground that the lowed to proceed the ground th

Friday nights. I saw Fred . a quarter to and 5 o'clock. I saw a.m setting down on the wharf fishing. At that hour, on Friday afternoon I was looking out of the window, there was just a lot between our house and the railway To Mr. Mullin-I was asked this morn-

ing about seeing Fred Good peed that Friday afternoon."
"But how do you known it was Friday afternoon, 1st of August, that you saw Fred Goodspeed at the Courtenay Bay wharf," asked Mr. Mullin. "Because I saw him then—I remember

"How does it come that you hever work particular pains to be accurate concerning Fred Goodspeed's other appearances at the wharf, and along the railway track?" "I can't say, but I do remember that I saw Fred Goodspeed on the wharf that Friday afternoon because the soldiers were drilling that evening, and my hus-band was with them. I won't swear that

Mrs. Goodspeed, mother of Fred Good-speed, was next the witness called for the crown, she testified: "I am the mother

Mr. McKeown now proposed to call rethrough lively activity that he managed to appear in time for the opening proceedings.

The Morning Session.

Morris Dougherty was the first witness called by the defence, at the beginning of

the side of rigor.

Judge Landry considered it very doubtful, if when a prisoner was cross-examined and gave his testimony not material to the issue, witnesses could be called to contradict him. He would give the benefit of the doubt to the prisoner and not permit evidence in rebuttal not material to

but Mr. Mullin objecting claimed it would be a reflection upon the administration of be a reflection upon the administration of justice if a convict serving a term in the penitentiary should be permitted to testify as to anyone's character.

Judgs Landry fe't that Mr. Mullin could make his observation later, but at present he would decide in his favor and hold that evidence of this nature should who was brought from Dorchester on Saturday. The case was now formally closed, and court adjourned until 2.15

Mr. Mullin Opens Mr. Mullin began his address to the