POOR DOCUMENT

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ST. JOHN, N. B., WEDNESDAY, SEPTEMBER 24, 1902.

HIGGINS SWEARS GOODSPEED in the park that afternoon. I did not ossed the car tracks and kept along be that Jenkins and the detective wanted the

about a fellow seeing us going out Giber lane on Friday affernoon in company Doherty. 'Wo'll have to skip,' said

Mr. McKeown, for the Crown, Subjects the Accused to a Long and Searching Crossexamination, Dwelling on His Contradictions - Higgins Sticks to His ation of Goodspeed.

....es Some Contradict the Accused in Regard to Goodspeed's Movements on the Day of the Crime, While Others Testify to His Good Character -- Holm Not Allowed to Testify--Mr. Mullin's Argument--He Scores the Police and the Newspapers.

Frank Higgins took the stand Friday | out of that.' I said I couldn't afternoon in his own defence and swore no other pocket to put it in. that Fred Goodspeed shot and killed Wil-"When Fred Goodspeed had he asked me if I had the revolver. I said and suggested that they go to the park afterwards and burn the body. I had and Goodspeed asked me to let him see it, also asking me for a few cartridges. This amazing accusation caused a great mensation, although it had been expected Goodspeed as a Desperado. I at if the prisoner testified at all he "He put a few of them in the cham sewould throw the whole burden on his companion's shoulders. then jumped on a tombstone and pointing Higgins got his opportunity and in a nost thorough and masterly manner he old in detail of seeing Doherty lying on is back with Goodspeed standing beside im with the smoking revolver in his invid. Without hesitation, with no conthe revolver at me, said :--1 o'clock. revolver to me. Harry Kelly and Cliff Went to the Ball Gameon the Athle

said: 'Come, let's all go out to the park. ess, without a falter, a We went down Brus lip or a tremor in his voice along Gilbert's Lane,

tween Brunswick and Erin streets. "Goodspeed now offered me the revol-ver, but I said I would not touch itver, but I said I would not touch it-he could keep it. He said he'd chuck it into the creek and I said 'all right.' We then went along to Sandy Bank and he chucked it in. We now went along the chucked it in. We now went along the chucked it in. We now went along the track again at the foot of Brunswick J street. I left Goodspeed at the corner of Clarence street, while he kept along up the track toward his home on Mecklenburg m leaving the coroner's office I went home, also Goodspeed and his brother. n Mecklenburg and about 7 Union and Waterloo etreets. I got my supper and about met Goodspeed on Union street Goodspeed Scared Him.

"He asked me if I'd seen in the

Proposed to Burn the Body. "He asked me if I would come out to to the body of "t he said 'Well, Doherty. I refused, but he said. you come out, anyway.' you come out, anyway? "I agreed and we walked down Brus-sels street and into the park, through the regular entrance. We went up hill, passed the refreshment house, along Military Road and out Lover's Lane. "I stopped here and he went along in the path to where the body of Doherty lay.

Hidden Money. Doherty "All Right" "Presently he returned stating to me that Doherty was all right. We came back to town by way of Lover's Lane and going up to the tanyard about 9 o'clock met Goodspeed's brother, Jack, and Billy kelly. We all stayed around there till about 9.30 o'clock. I saw Goodspeed Sun-day about 12:30 o'clock. He was sitting on the doorstep of Kee & Burgess' anop, Union street. He was eating candy and said he had a key that would let him into the rear of the shop. The next time I met Goodspeed was the following day (Saturday.) It was in the tanyard about 1 o'clock. Doherty "All Right"

"He now asked me to wait and he won get the cash. I did so and he return

"We wen't down to the base ball game office on King street, ie Athletic grounds. On Monday ng I walked along the Courtenay the tickets and spent the rest of the morn- I wn and getting din ing v

boys to be at the corner that evening. "I went to the Shanrock grounds with nistols in the park "When Doherty happened along, Good sneed also asked him to co 'Let's go the bear den. Good

think of it being against

pretty hard against you, for you've got

about 15 minutes. get the cash. I did so and he returned with \$17. We then went to the C. P. R. at Doherty. The murder took place about a quarter of a mile beyond this hill. vent into the bu

my brother Jack and an another boy came and joined us." HIGGINS' STORY Said He Winked at the Witness.

Here Juryman Fitzgerald so id:-"A lawyer sitting in front of the wit ness is winking at him. I don't consider The judge asked what he meant and the juryman indicated Scott E. Morrell, Good

ed's counsel. Mr. Morrell rose and denied that he

Mr. Morrell rose and denied that he had made any signals. Continuing, witness said: "I stole candy from Phillips & Foley's on Sunday morn-ing, for I had a key to enter the store. I came away with lots of it and gave the boys in the tanyard some candy—also Frank Higgins. I gave the boys in the tanyard some candy on Sunday, the hour being, I think, late in the aftermoon." It was here that Mr. Mullin began to trin the witness, for he got him affirm trip the witness, for he got him he was at his home all Sunday afte oon and again swear that he was ard on Sunday afternoon, and a erning conflicting stories about

lay or Monday being wet. For nearly an hour the que answers were all confided to the sphere of the old graveyard, the tanyard, the giving of candy and of the rambling about the streets with the boys. Once the wit-ness admitted he had been lyng.

To a question from Judge Landry, the witness said that when coming along the track from the park Friday afternoon he had not met John Quigley or any one he had known.

dered:-"Didn't you fire the shots that killed

his word questionable, answered sharply with a tinge of seeming indignation:-"No sir."

"Didn't Higgins go in the bushes and

"Dadn't you nit Donerty on the head with the pistol butt?" "No sir, but I saw Higgins do it." "Didn't you hear the whistles blowing for 5 o'clock when you were coming

Goodspeed at Bay.

home?" "No sir."

creek?" "No sir."

A Surprise.

Suddenly Mr. Mullin asked, with an "Did you not on Friday evening ask Frank Higgins to go with you to the park and born the body of Doherty?" After h

After he had concluded Mr. Magee, the "No sir," said Goodspeed. Mr. Mullin requested him to think it hatter, was called for the defence. He testified that he had employed Higgins and

carefully over, to recall it to the very best of his knowledge, but the witness still persisted in claiming that he had never and a request to Hispins Thn Mr. Barry, principal of St. Mala as a student and that as far as he again the story of the murder, to just tell the jury again what Higgins had done and of the way Doherty died. Goodspeed began easily and talked with could recall he was quiet and inoffensive

OF THE KILLING. "Ding" Doherty, Fred Coodspeed, and me-self came to the little hill, when I said "I want to go into the bushes, and I'll meet you fellows at Lovers' Lane " I went into the bushes, and next thing heard four or five revolver shots, followed by a yell, and Doherty's voice crying' "Help, Higgie, Help!" I ran out, and saw Doherty laying on his back. his chest heaving up and down. Fred Goodspeed was right by with the revolver in his hand. ran between them, and ask ed Goodspeed if he'd shot Doherty. He said he had. Goodspeed felt Doherty's heart and said "My God, he's dead, and I'll hang for it."

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Margin and Jamma and Sampa and Jamma at set of a large system of a larg

an expression of apparent good faith. He described the walk to the park, the pick-ing of berries, the climbing of the hill, the hearing of the fatal shots and of seeing Higgins' club Doherty. Mr. Mullin's Hot Fire.

Mr. Mullin suddenly turning on the witness scru inized him with an impressive gaze and pointing a finger at him thun-"Didn't you nre the shots that kined Willie Doherty? Answer my question!" "No sir," came the answer in a clear, steady voice, while as he spoke his right hand rested on the rail of the stand and with the left he kept turning round and round his small cloth cap. Another wave of Mr. Mullin's hand and

another thunderous question:--"Didn't you borrow the pistol from Hig-gins and kill Doherty yourself?" The small figure in the stand straight-ened up and looking around as if in won-derment why any person should consider

He Examines the Weapon.
The witness was here shown the revolver. He accepted it eagerly, turning it around, peeting at the muzzle, trying to snap the broken hammer, and finally, handing it back with the words:—
"Yes, that's it; an American bull dog."
"I was not out of the house the night of the Russell robbery," he continued.
"Before this I had given up Holm's compary. I don't remember having a talk with Cliff. King about the murder, nor do I remember seeing him at the dead house. I mind meeting Doherty's father the Monday after the murder, and of telling him that I thought Willie'd gone to Springhill. I did'nt look him in the face as I talked.
"I read in the papers about my owning the revolver, and tried to get it denied, through fear of getting arrested. I told Alexander I'd fix him, but I never said I'd fix him, 'too.' There was no 'too' to it, whatever. What I did say was 'Alexander, if you don't deny the statements are made about my revolver, I'll fix you."

The Higgins case will be finished tomorrow. Probably a verdict will be re-corded tomorrow night. During eight hours of skillful cross-examination by Mr. McKeown on Satur-

cation with, was not in regard to Hig-

gin's sanity, but relative to the revolver wounds in Doherty's body.

During eight hours of skillful cross-examination by Mr. McKeown on Satur-day, the prisoner battled hard and cooly, like one who realized that his life hung mon the impression he made upon the jury while he was under fire. Eight hours of stremuous cross-examina-tion, and Higgins' assertion that Good-speed is the nurderer remains unshaken. Eight hours in the witness stand, and Higgins' grip on the main feature of his defence was not weakened. The prisoner contradicted himself on some points, and Mr. McKeown led him again and again over the story, showing that he knew it by heart. The day was one of intense interest. More than 100 women found seats or stood up in the ill-smelling court room. Most of them seemed vastly in-terested in the extraordinary prisoner. Why? That would be hard to tell. Many clergymen also were present. Today it is expected that several with number of staurday was solely occu-pied by the cross-examination of Higgins, and although, in several minor instances, his testimony was shaken, yet in the main facts of his story, in what he told of the direct tragedy, he was never at a loss for a reason to back up what he had said, and when requested to repeat his former sentences concerning the murder, he would do so with marked fluency and re-peat word for word something he had said hours before, with such perfection as to show how thoroughly he was prepared for the ordeal. Cool and Resourceful

when he came out you said you'd killed Doherty, and that if he told you'd swear he did it because he owned the revolver?" "No sir." "No sir." "Didn't you hit Doherty on the head for the ordeal .. "Didn't you throw the revolver into the

Cool and Resourceful.

Although Mr. McKeown assailed him "Why were you able to so accurately state what part of the creek the pistol

