

fair, then, that the prosecution could turn to them tauntingly and say, "You have not shown anything here?" The defense had a gentleman on the stand that morning who had information which he was ready to give, and yet he was prevented from telling what he knew. He would not say that this was improper; but it was wrong.

These terrible accusations against Marshal Parsons came from a source which cast discredit upon them. The charges were made by two inmates of the penitentiary—the one, Forkner, a self-confessed harlot, a girl whose own testimony showed that she was sent to the Reform School at the request of her mother, who stated that the girl was incorrigible and that she could not believe a word she uttered. A nigger furnished her with money to come to this city; she stayed here for several days, and they might at least infer that she took refuge in a questionable house. When they got to this girl's heart they found it such a foul nest of infamy that even her own mother could not believe her. As to Anna Prindle, he was ashamed of his legal brethren for prosecuting such a pure woman in the first instance! There was something wrong in Utah! Here was a lady of eminent virtue confined in the penitentiary at the instance of these gentlemen! She had tried to commit the crime of murder; that was all; and still she was spoken of as a "radiant angel!" She did not commit that crime and step down from absolute rectitude all at once. What was the matter between this woman and Maaterson? Perfect silence covered it, and counsel for the defense were not allowed to ask her about it or show certain facts in relation to it. Yet she went to the penitentiary convicted upon her own plea of guilty of an assault with intent to commit murder.

So much upon the threshold of this case. Not a lip was heard of this affair until they found the marshal being spoken of disparagingly by these girls after ordering them to be locked up in their cells. Where was the motive, asked Mr. Stephens. This was shown pretty clearly by the evidence. Miss Prindle had been told she must go back to the Glesy house or be locked up like the other prisoners; and here it began. Counsel spoke of Mr. Vandercook's discharge from the penitentiary as having a strong bearing upon the efforts to get rid of the marshal. He did not take the ground that Mr. Vandercook concocted the conspiracy against Marshal Parsons; he could not and did not believe it; but what he did say was that Mr. Vandercook had not been in sympathy with his superior officer. The testimony in this case showed that he had not been true to him as a man and what it ought to have been towards a superior officer. The evidence showed conclusively to his mind that these girls breathed their foul stories into Mr. Vandercook's ear; it was a willing ear; he was ready to listen to them; and they knew it. Otherwise, why did they not go to Mr. Vandercook and tell her what had happened? The reason and the motive were here apparent. Was not this the prostitutes' remedy always? When she became enraged at a man, the first thing she

did was to turn upon and charge him with association with her. That was notorious the world over, and it was resorted to in this case. The marshal had done something these women did not like, and they retorted by alleging that he had tried to wrong them. If the marshal had acted rudely toward Miss Prindle, why did she wish to go back to the penitentiary, knowing that he went there ten times where he went to the penitentiary once? Did her story wash? Was it in "fast colors?" Was it not rather a pretense, an effort to blacken the character of the marshal?

Turning his attention to Maggie Forkner, the speaker said there was nothing in her case to overcome the presumption that she had lied. Look at her history, child though she was. She was a confessed harlot. As to the alleged indecent conduct of the marshal toward "the divine Anna"—(laughter)—in his private office, counsel said, the woman's story could not in that regard be pronounced true until Mr. M. K. Parsons had been found guilty of perjury, and who could suspect him of this for one instant? It would not do to say that Mrs. Glesy or any other member of the marshal's family lied as to that particular day at the Glesy house simply because they were the marshal's relatives. Their testimony showed conclusively that this part of Prindle's story, at least, was a concocted one, with the sole object of injuring the defendant. Counsel ridiculed the story of the cell episode, where the marshal and doctor visited Miss Prindle when sick, and asked, "Will you put the stain of infamy on this man from this kind of testimony? Will you put upon this man and his family the stain of infamy I say, on evidence of such a kind, by holding him to bail under that statute which requires that before you can do it you shall find that a crime has been actually committed, and that he is probably guilty of it? Those people who were pressing this prosecution should at least be fair to this defendant, invite every investigation, and everything that will throw light upon it, instead of standing in the way." The Judge came next to the testimony of Essie Banks, whom he said counsel for the prosecution had flippantly described as "the Alabama wench."

Mr. Varian—I beg your pardon; those were not the words used.

Continuing, Judge Henderson said he would not ask the court or any person to believe that a conspiracy had been put up by Mr. Stark, Mr. Vandercook, or anybody else upon that girl's unsupported testimony; but what he did say was that one part of her statements went by unchallenged. This was Prindle's remark to her, "You had better not say so and so; the governor and the marshal are not friends, and you will have no chance of getting a pardon if you do," or words to that effect.

Mr. Varian—The Prindle woman herself denied it; who else could?

Judge Henderson admitted that there was some resemblance between Banks and the "divine Anna." Both were professional nurses, both smoked, and Essie Banks was in the penitentiary for shooting a woman, while Anna was there for shooting a man.

There was something peculiar about this case. The usual order would be to bring it before a magistrate first and then take it before the grand jury. The prosecution had seen fit to take it before the grand jury first, and it being thrown out there, it had been brought into court, with the request to have it kicked back again, like a foot ball, to the grand jury. Taking up, then, the last assault alleged by Prindle to have been committed, Judge Henderson analysed it, dissected the result and threw the dust out of the case. The whole thing came from a corrupt heart, and the motive was clearly apparent. He had full confidence in the commissioner. Counsel for the defense depended upon facts for the result, and were quite content to let the case speak its own story from the testimony given here, and nothing else. "But," said the Judge, in conclusion, "we say that this story is damned; eternally damned, that these women, especially the Prindle woman, has falsified her testimony, and, that no man's character can be smirched or ought to be affected by it."

MR. CRITCHLOW'S ADDRESS.

Mr. Critchlow took up the argument on the side of the defense. He said they were content to submit their answer on the evidence simply. In some respects this was a most unique case. In the first place, the character of the man assailed, and his official standing, made it so; and it was safe to say that were it not for the high position which he held, but for the vast interests which depended upon the final decision of this case, the prosecution long ago would have abandoned it, disgusted with the showing which they had been compelled to make. It was unique because it would seem to indicate that, whether strong or weak, there was something in it which impelled it onward to a final determination—whether the evidence warranted a determination in favor of the prosecution or not. He desired to call attention to a feature in this case which could not but be apparent to anyone, viz., the unusual manner in which it had been begun. It was begun in reverse order—first taken before the grand jury, then banded back into this court, and now this court was asked again to send it back to the tribunal which had refused to indict on the evidence already brought before it. It was unique because the prosecution, contrary to the usual custom, had taken without question the stories of these two women who were *prima facie* disreputable and unworthy of belief, and yet when the slightest attempt was made to look at the outlying circumstances in order to see whether they were worthy of credence, a stop was at once put upon the defense. All the circumstances showed that every particle of evidence adduced by the defense had neither been sought nor cared for by the other side. There had not been one syllable of exculpatory evidence put in by the defendant's counsel which had been welcomed on the part of the prosecution, no matter from what source it came. Yet Maggie Forkner could come forward and tell a story so incredible as to shock the credulity of almost any mind. The prosecution