THE BROWN MURDER CASE

Now on in the First District Court at Provo.

TESTIMONY FOR THE PROSECUTION

Witnesses for the Defense Called.—A Horrible Case.

The Brown wife murder case, which was commenced in the First district court at Provo before Judge Blackburn a few days ago, is at present the main topic of discussion in Utah and other counties south. The case occupied the attention of the court the whole of yesterday.

An important witness was Ann Bird, mother of the murdered girl. She testified—I saw my poor girl for the last time in May of this year. Don't remember the date, but it was Thursday. Saw her dead body next at Jack Russell's ranch on May 26th. She had been killed the night before. The defendant was married to my daughter June 6th, 1888. My daughter was living with me at Ivie's ranch just before the killing. Brown had been living at his own home. He had not been to the ranch for nine weeks before the child was born in March, but came after its birth. Seven days before the murder he was at our house. There was a scene for my daughter not living with Brown. She refused to room with him, which brought out an oath at me for the time which I remember about, and he said "I'm a s—n of a b—h if I can't paddle my own canoe. The child lived eight days after it was born. My daughter was killed about a mile from the Jack Russell ranch. I never heard a cross word between the man and his wife; they seemed to think a great deal of one another.

Agnes Bird, sister of the murdered woman, testified: I saw Mary on the 24th day of May last, at Ivie's sheep ranch, about 11 o'clock. Brown came to the house. He asked her to take a walk and they went up a dry road southeast of the house. They were two blocks away when I saw them last. He had been there that week and seemed to be affectionate towards her and she to him. They were occupying the same room.

Christian Madsen, a physician of Salina, testified: I knew the defendant. I have been treating him for a venereal disease. I advised him not to associate with his wife, as there would be likelihood of disease. This was nearly a month before the killing. I saw the dead body of Mary R. Brown on the 25th or 26th of May. The corpse was stretched on a bed. I saw marks of violence on the throat, arms and limbs. There must have been a blow administered on the throat. I believe the blow together with the strangulation caused the death.

Brigham Clarke.—Was at Gooberry last May. Mary Brown was living at the Jack Russell ranch. Brown was at the ranch also. On Monday the 26th I heard of the missing woman and started in search. Two men accompanied me. I looked for Brown in a granary where he slept, and found him after calling three times, and told him I was in search of him and his wife. I put him on a horse and I mounted another; we rode toward Choke Cherry hollow. When we got to the top of the hollow he pointed to a ridge and a large rock. We rode on and I asked him where he saw his wife last and he pointed to the place. He would not answer my questions about what had happened, but finally said nothing had happened. The men with me made a thorough search in connection with myself. I then went to the Russell cabin and I heard the signal from the searchers from near the rock Brown had pointed out. I went in that direction and found Brown on my horse, running and whipping him.

The body was on the side hill, with the feet toward the top of the hill. She was on her back with her head to one side and one hand up. Her clothes were unruffled. There was blood issuing from her mouth and nose and one cheek was covered with blood. I found evidences of a struggle. There were marks of the elbow and knee in the sand; the marks were a few rods apart.

The apron was torn in slips. I measured the tracks and they corresponded with Brown's and the woman who had been murdered. I noticed black marks on the throat, which proved great violence. I carried the body to the cabin. I then followed him and found my horse tangled in a thicket with another horse. Saw Brown again the next morning. Mr. Cuddeback and I found him in a potato hole and ordered him out. Irons were put on him and he was taken away. There were marks on Brown's throat.

William Heath went with Cade on the search for Brown and his wife. He followed Brown on his attempt to escape and in striking at him with a piece of a broom the handle fell off.

O. Cuddeback arrived on the scene the night after the murder. I searched and found Mr. Brown, pulled a gun on him and brought him out of a potato hole. I asked him why he had killed his wife, and he said she has deceived me. He also told me that she had made him mad and he choked her and thought he had choked her too long. At Manti he wanted to go and see the grave, and as I took him along he remarked that hanging was too good for a man who had committed the crime. He had asked me if I thought his case would be worse than Mr Parlan's, the Manti murderer. He stated that since committing this horrible deed he had thought more than ever before that there was a hereafter.

Marshal Cuddeback was recalled and said that Brown had asked him why he didn't shoot him when he found him in the potato hole. He said he wanted to be shot.

Commissioner Brown said Leonard was advised to plead guilty in his court and he did so.

The prosecution rested, and Ann Brown, mother of the defendant, was called by the defense. She testified something about trouble at Brown's birth, which was objected to. Another child was said to be insane, and at times was in a raving condition. It was a girl eighteen years of age, and she was taken into custody because of her condition. She is now thirty-two years old and all right. An uncle of hers and a cousin were reported to go out of their minds.

Dr. C. E. West lived in Salina one year, and I knew Brown; treated him last December for spermatorrhea and nervous weakness. I prescribed medicine for this disease. His action in seeking solitude and avoiding everybody would indicate this disease. At the time of killing his wife I believe he was insane. I saw actions that were symptoms of insanity. He often had a wild, vacant stare. After the homicide he showed no more sympathy. He glared at the man who had their guns on him in black amazement. I had counseled his wife not to live with him, not as a separation, but not to occupy the same room.

Cross-examination.—I think he had melancholia, delirium and mania. Saw him a week before the killing. Did not notice how he was at that time. The doctor was of the opinion that there was a little more the matter with him than the disease he prescribed for.

Mary F. Brown said—The defendant is my brother. Have lived at Salina twenty years in the same house with him. He used to be very cheerly in his habits before his marriage. Sleeped to the amusements and society. After marriage he became very indifferent about his dress, and at times became delirious and foolish; talked about starving to death. His wife once showed me how he tried to hang himself. His actions were very strange.

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