

gulped at it, and swallowed every syllable of it, without attempting to inquire whether circumstances or outlying evidence fortified it. He did not remember ever before to have seen a case prosecuted in the Territory of Utah against any reputable citizen upon the bare word of two women, inmates of a penitentiary or a house of prostitution, or even semi-reputable people, without some attempt being made to ascertain whether their stories bore the stamp of truth. No such thing was sought in this case. They had the spectacle yesterday of Assistant U. S. District Attorney Stephens thanking God, in his pious manner, that out of the evidence put in by the defense he had fished out one little utterance which seemed to tell against the defendant. Think of it! A brother officer charged with an offense of this kind; the assistant district attorney brings forward evidence in order to convict him, though representing the people and not private interests—not a civil litigation. There were no private interests behind this U. S. assistant district attorney; yet so deep was his zeal that he plausibly thanked God for this. Counsel then turned his attention to the general testimony in the case and the different incidents which went to make up the charge against the marshal. Maggie Forkner, for the fourth time—this disreputable girl, abandoned to a life of shame, the product of the stews, a very dreg upon the streets—had been engaged in a case in which the attempt had been made to besmirch the character of a public officer. Mr. Critchlow here cited Forkner's accusations against other men as divulged during this trial, and said it was enough to make gods and devils laugh to see her upon the witness stand telling the court with a straight countenance that these alleged attempted familiarities of the marshal made her indignant and that she felt outraged. This from the woman who started out in her career with a negro, and boldly admitted that when she left the penitentiary she intended to enter upon a life of shame! As to the testimony of Anna Prindle, would any respectable person hang a fig upon the word of such a creature? A few years ago in this city, when party feeling ran high, a house of prostitution was opened to further the interests of one side. Evidence of crime was preferred against certain men and they were convicted. Then "this U. S. attorney" took the matter up to a higher court and said that never would he wear the mantle of the United States attorney if the law were prostituted to such base ends. Was there any difference between Oscar Vandercook convicted of a crime of that kind and Elias H. Parsons charged with a crime of this nature? He wanted to know whether women of this sort were more worthy of belief than the responsible, reputable people who testified in that case? If the forms of law were prostituted then on private grounds, in party malice, or anything else, what about the present? Times had changed in this community truly!

Mr. Varian—Do you claim that any prosecution against Mr. Vandercook was ever dismissed? You had better get your facts right. It never was.

Mr. Critchlow—I may be I have mistaken the name. I do not know

that that case was, but I do know that some cases were dismissed. If I have made a misstatement it is not wilful, and the gist of my argument remains. Counsel touched upon the family gathering at the Giesy house, and said that when Mrs. Giesy introduced Prindle to her friends she could not have known her to be a disreputable and abandoned woman. She kept her true character to herself, and imposed upon Mrs. Giesy in the same manner that she had upon those who had come here and sworn to her good character and reputation. Calmly, coolly and calculatingly this woman laid her plans when she got back to the penitentiary, and the same coolness and calculation were concealed from the outside world even when she was carrying on her tender ministrations of mercy as a nurse. Look at the dual life she was leading in Masterson's saloon. Mr. Critchlow insisted on the undoubted reliability of the testimony of Mr. M. K. Parsons, ridiculed the bare thought of the alleged assault on the part of the marshal while en route with his prisoner to the penitentiary, and said that to put forward such evidence was an outrage; it was a prostitution of the engines of the law. The Giesy residence again came in for review, and counsel commented upon the singularity of the fact—presuming Prindle's improbable statement to be true—that the marshal should have chosen a day when the house was full of visitors to commit such an act as that charged. If there was anything in the story, what more probable than that this woman would have gone right there to the defendant's wife, who was in the next room, and told her of the occurrence? "No, gentlemen," said counsel, "it is too thin. This woman never did feel outraged, because she had nothing to be outraged at." The accusation as to the second alleged assault in the marshal's private office at the Wasatch building was dissected by Mr. Critchlow, who said that if in this or any other court it should be found that this Prindle woman's story could be sustained, we might look forward to seeing other adventuresses coming in to courts of justice with their devilish blackmailing schemes; because they would know that they would find a ready ear, willing prosecutors, and people who believe them, as against any one else. He did not believe, however, that this or any other court was going to lay down such a rule of evidence or such a rule of law. Counsel, scornfully denominating Miss Prindle as "that monument of chastity," cast aside as unworthy to the faintest credence her assertions as to what happened in the prison cell; and as to her desire to get away from the Giesy residence, why, of course, he suggested, she preferred to go back to the penitentiary, where she could smoke her cigarettes and flirt with the guards at her own sweet will. Thereby she would obtain more freedom than she could possibly have in the service of Mrs. Giesy. He would not stop to discuss the part played by Mr. Vandercook in this transaction, but if one thing had been apparent in the hearing of this case it was that that gentleman was only too willing to listen to a story of this kind; and

so was Guard Stark. By their position and objections, and the rulings they had obtained, the defense had been utterly precluded from showing the truth with regard to the Prindle woman—this Diana, this Goddess of chastity, who, like some cloistered nun in her virginal purity; had desired to remain in the silent cloister for the rest of her days—this poor saint who had been so persecuted and maligned by harsh and unfeeling attorneys who had flung at her the mud, of epithet and vituperation! After the questions of the defense as to character had been ruled out over and over again, was it fair for the prosecution to boastfully say to him, "Now we throw down the bars; bring in your prostitutes and your keepers of houses of ill-fame and be bound by their answers;" and this after denying them the petty privilege which they had sought? "Where is Masterson," asked the counsel, "her friend, the man whom she asked the marshal to allow her to see—the man with whom she had spent whole nights?" It was said that Miss Prindle's character had not been assailed; but what about the evidence of Wolfington, Masterson's bartender? "A conspiracy, a scheme, a plot, or what you will" (said counsel) is here; but somewhat beyond and behind these two poor, weak tools is somebody interested in having these stories told and believed. That is all there is of a conspiracy; and that is all we claim." If the prosecution did not like Essie Banks' testimony, let them draw a parallel between her past and that of Prindle and Forkner, and they would see who came out the more worthy. There was absolutely nothing in this case against the defendant; for who could say he believed the testimony of Prindle, this woman who, under cover of a nurse, sneaks into families? and piles a trade as black as the arts which she has used in this case. To one I would rather take the word of a common harlot of the town than a woman like this." It was quite time now that this filthy, loathsome case came to a close; and he trusted that when Mr. Varian had concluded his address the commissioner would once and for all set the seal of judicial disapproval upon the testimony of women of the town, kept mistresses and prostitutes who came in simply to besmirch men and their families.

So concluded Mr. Critchlow, who had spoken just two hours.

#### RAWLINS FOR THE DEFENSE.

It was now after twelve o'clock, and Attorney Rawlins started upon his address for the defense. He took a very brief general review of the case, and drew a comparison between the Prindle and Forkner women and Essie Banks, maintaining that the testimony of the last named at least bore the semblance of honest truth, whereas that of her prison companions was utterly beyond the region of belief. Counsel severely handled the conduct of Anna Prindle at the Masterson saloon during five whole months, where she was frequently seen drinking whisky with strange men, spending her days and nights in debauchery, and invited the prosecution to put the so-called "little negro beast from Alabama" by the side of the vestal virgin, Anna Prindle, the false, cool,