

imperturbable, lying, hypocritical being who followed a life of duplicity, falsehood and deceit—the other woman frank, open and above board—and they would see who would come out best. Unless this sort of blackmailing scheme were speedily checked, tomorrow it would involve some other decent and respectable man, and next day someone else would be drawn in. Nothing could justify any conclusion but that the defendant, Marshal Parsons, ought not to be held on this charge for one instant. The testimony against him was to be discredited and refuted; it was incredible on its face and ought to be stamped as utterly unworthy of belief. That was what the defense asked. It was not necessary for him to go over the details of this case, because the arguments of his colleagues who had preceded him had been so conclusive.

Mr. Rawlins' address occupied about twenty minutes only, and at its close the court took a recess till two o'clock.

U. S. DISTRICT ATTORNEY VARIAN

this afternoon entered upon his task, making the closing address on behalf of the prosecution. Punctually at two o'clock he came into the court room armed with a large scrap book full of newspaper cuttings, and a small pile of sheets of typewriter matter, obviously for purposes of reference and quotation in the course of his remarks. He is expected to speak for a couple of hours at least, having refreshed his memory prior to starting from a number of pages of lead pencil notes in his pocket book.

"I am ready," said Mr. Varian at 2:15, and he at once started in. Counsel began by saying that the object of this investigation, as in the case of all judicial inquiries, had been, and was to ascertain the truth; and it would now remain for the commissioner to determine whether there was reasonable or probable cause to believe that the offense charged against the marshal had been committed, and, if so, whether the defendant committed it. He denied, as had been asserted by Judge Henderson, that there was "a something behind this prosecution—a something in the motives of the prosecuting officer—which would not bear inspection.

The defendant's counsel this morning said something about him (Mr. Varian) being compelled to take part six years ago in certain proceedings, and a parallel was drawn with the object of showing that the course pursued by the prosecuting attorney was not consistent as between then and now. In 1885 a great conspiracy was entered into in this city, involving every member of the then police force, and a great fund was raised for the purpose of establishing houses of prostitution here. To accomplish what? In order that the promoters might stock them with imported harlots, who through intrigue and solicitation might entrap the unsuspecting and unwary Gentile into places and situations where they could be observed through creep-holes, cracks and crevices by those who had banded together to bring about what they termed an exposure. The scheme was carried out, houses were rented, women were imported from Colorado and San Francisco, and it was set in motion. When all was ready some 200 or more com-

plaints were filed in the Police court against the unwary ones.

This investigation, said he, was to ascertain the truth and find if the offense alleged had been committed, and if there was probable cause to believe the defendant committed it. All through this case an effort had been made to drag into it that which did not belong here, and to drag into it persons who were not parties to the investigation. Much latitude had been taken in this direction by counsel on the other side. Judge Henderson, for instance, suggested that there was some motive behind this prosecution which would not bear inspection; and while Judge Henderson spoke of the charity that should be extended to "this official," he forgot to take other important considerations into account. He asked me (continued Mr. Varian) what I would do were I in this defendant's position. I can say what I would not do if such charges were brought against me. I would not endeavor to blacken the waters of investigation with the black cloud of the cuttle fish in order that I might escape in darkness. I would not try to screen myself behind the petticoats of my wife or my relatives. Furthermore, I would put my own word against the word of my accusers. I would not seek to mould public opinion or to ascertain in advance before what magistrate the case would be heard. Then, again, a parallel has been drawn between a case in which I took part some six years ago and this, as had been foreshadowed by a subsidized press. Now, the cases are not at all similar. In the former a great conspiracy was entered into here, in which were engaged the mayor of the city and other officials. The plan was to stock houses with imported harlots and entice Gentiles there in order to bring about an exposure. The plan was carried out, and even the governor and other high officials were sought as prey to be drawn into this trap. At last some two hundred complaints were filed. These houses were closed and these conspirators were brought in to testify as to the very things of which they complained. Those complaints were dismissed because all law, human and divine, forbid that the law should be prostituted. The women were brought back and we convicted at least one arch conspirator, who served a term in the county jail. The prosecuting attorney here read from his scrap book of newspaper clippings as to what was said in court on the occasion referred to, and, continuing, said it was not for him to say what the object of the defense was in endeavoring to cover the case with matters foreign to the investigation. All through this case the defense had charged him with prosecuting a case when they knew it was useless. It would not be professional then if the prosecution repelled this insinuation. It would seem to him, according to statement of counsel, that no charge made by any prisoner was worthy of credence. The statute under which this proceeding was brought was designed for the protection of the helpless. The oppression of citizens at large to citizens at large could be met in another way, but the statute was designed for those who suffered under the crushing weight of their mis-

fortunes—the poor creatures who were dependent upon their guards for even their poor privilege of communicating with the outside world. Would Mr. Critchlow have him say when this story came to him that the woman was not to be believed? That when she entered the doors of the penitentiary the sacred garb of woman was stricken from her, and she became only a convict to be kicked about? He did not know that when this woman was put in the penitentiary she was put into a den of harlots. The condition of affairs there was not revealed until afterwards. It was true that a grand jury of the marshal's own selection did not find an indictment, but that was no reason why an investigation should not be had. If counsel were of the opinion that there was any conspiracy in the matter, that the district attorney and governor were concerned in foisting perjured evidence on the court, why didn't they probe it to the bottom? He (Mr. Varian) had held a public office longer than Judge Henderson, and never yet had such a thing been intimated in regard to him. If the insinuation were true, what bearing could it have on the facts? Maggie Forkner was simply detained in the penitentiary as a witness, and the marshal has no more right to throw her into a cell than he has to throw me there. And the associates of Annie Prindle while at the penitentiary were those among whom she was thrust. Maggie Forkner could have no object in making this charge against the marshal, but it was suggested that Annie Prindle wanted a pardon. The question of pardon was on the other side. It was Essie Banks, not Anna Prindle, who had made application for a pardon. It was also suggested that Anna Prindle—whose lips were sealed when called for sentence, preferring to plead guilty to making the same defense that was made in the Olsen case—wanted notoriety. If this "cool, calculating woman" desired through this notoriety to get a pardon, she must have known, of course, that these things which had been brought out would secure it for her. It was ridiculous. Now, if this woman was so cool and calculating, a type of all that was had in the world, she would have fixed the occasion of these assaults when others might not have seen what took place. But in each instance there were others about who might have seen it all. If she was so cool and calculating, why did she take such chances? Counsel then entered upon a microscopical review of the evidence throughout. He first took up the testimony of Prindle and Forkner, and adverted to the first meeting of the marshal and Miss Prindle in the private office of the former on September 22nd. Mr. Varian laid especial stress on the testimony of Mr. M. K. Parsons, whose recollection as to that one particular day he asked the commissioner not to place too much reliance upon. It was strange that he should be able to recollect all that he did and all that transpired on that one afternoon and yet be unable to call to mind things that took place on other occasions. If Mr. Parsons had been there, would not Miss Prindle have seen him? Counsel for the defendant had said "You must convict Mr. M. K. Par-