

sons of down-right perjury in order to sustain this woman's story." But it was not necessary to do anything of that kind. Mr. Parsons might have been honestly mistaken after all this lapse of time. Naturally his feelings were greatly wrought up, family pride and honor stepped in, and he was thus unintentionally led away in his belief. Mr. Varian mentioned the circumstance of the marshal telling Mrs. Giesy when he took Prindle to her house that the judge and prosecuting attorney desired her to be received there, as she was unlike an ordinary prisoner. But the tune in that regard had since been changed. And why the change? Why should the marshal have said to Mr. Vandercook, "If she does not go back to Giesy's, send her into the cell?" Could counsel give his motive for that? The story of the drive to the penitentiary was recalled, and also the alleged interference of the marshal with Anna Prindle at the office in the penitentiary. It was stated that they were interrupted. Who interrupted them? Giesy's son, it was said, a boy of fourteen, who had never been called by the defense, though quite old enough to give evidence. The occasion of the gathering of relatives at the Giesy residence was once more raked up, and at some length the district attorney analyzed the evidence of the various witnesses, with the object of showing that they were mistaken. If this matter had never come into question, Mrs. R. A. Giesy—who was so very positive in what she said—could not, to save her life, as a matter of independent recollection, have told whether the door between the kitchen and sitting room was open or shut. With her general character for intelligence, was it at all probable that Anna Prindle would have named such a place and time for the assault if she were relating a concocted story? The second time on which the marshal was alleged to have assaulted her in his private office in the Wasatch building was referred to, and counsel argued that the fact that Miss Prindle was seen walking alone in the hallway near the corridor went to show that she had escaped from somebody. Mr. Giesy, the marshal's brother-in-law, his subordinate, his dependent, had been sent out of the office on an errand while Miss Prindle was there; but he had not been called to the witness-stand. The marshal's visit to Miss Prindle's cell was next taken up. She had been thrown into that cell, into that corridor, with prostitutes. There was no escape from those associations. She was absolutely in the power of the marshal. He could have put her in the sweat-box or anywhere else. No power more despotic over the person of the citizen existed than the marshal possessed there, and she knew it. Was it surprising, then, that she hesitated and deliberated long before telling her story? She knew she was standing alone, surrounded there by the marshal's pensioners, dependents, members of his family circle, and she had a hard load to roll. Nothing but pressure long and repeated could have induced her to bring her name out in the way she had had it brought out. She knew too well the position in which she would place herself if she told of the marshal. After giving vent to his feelings in regard to the gen-

eral conduct of affairs at the penitentiary Mr. Varian remarked that so much as to the management of that institution had cropped up during this inquiry that they were enabled to form a tolerably fair judgment as to what the marshal's ideas were concerning these things. Maggie Forkner was in custody simply as a witness, and should have been placed in the county jail or some house of detention; for even if she were a prostitute she had a right to control her own person and her own associations. She was taken and placed in the women's ward with two or three others, and kept there. The marshal knew that during this time it was rumored in the penitentiary that at least one of the convicts had a key which admitted him (or them) into the women's ward. He knew it because the warden had informed him that the guards had been in the habit of allowing these convicts to go down and talk with the women through the bars of their windows. Among the privileged ones was Loomis, the twelve-year term burglar from Ogden, Essie Banks' lover, who took part in the picnics in the corridor in the day time. But when Miss Prindle came upon the scene there was a new element introduced that they did not want. Could anybody imagine such a state of things possible in a reformatory institution? The conditions were such that not only the convicts but possibly the guards were permitted to have access to these women in order to reform them! It was an institution more like a reformatory of beasts than human beings. Romeo climbed to his Juliet on the balcony, but it remained for the convict Loomis, in this prison *par excellence*, to pass through iron bars and windows to reach his Essie. (Laughter.) What scenes by day, what contemplations by night! The convicts furnished with keys of their own making! Mr. Vandercook was warden there, but only in name. He reported everything to the marshal, as he did the complaints of these women. No attention was paid to him. He had not the appointment of a guard; when he made a report against one of the guards who happened to be a relative of the marshal no regard was paid to it; and when he gave an order, it was countermanded by "the man Giesy." Essie Banks was sarcastically described by the district attorney as "the queen of the daily saturnalia who covered this model prison with glory." It was she who was said to have heard the conversation between Guard Stark, Prindle and Forkner concerning the marshal, and her assertions hereon Mr. Varian branded as a piece of unblushing perjury. This woman was permitted to go upon the stand and cover her soul all over with lies, to drag down the reputation and destroy the character and credibility not only of Anna Prindle and Maggie Forkner, but of Mr. Stark also. If her testimony had been true Mr. Stark would have stood branded in this community, at the outset of his bright career, as a perjured scoundrel whom no honest man could recognize as he walked by him. There was a reckless, an utter and fatal regard for men and society exhibited in this attack that was beyond his comprehension. Why, in God's name, should a man who was not connected with this affair, who

stood beyond reproach, be selected as one of those to be dragged down into infamy and degradation with them in the counter attack? He could only account for it on the principle that the drowning man clutched at every straw. It would go on record for many years yet to come that this marshal, charged with inhumanly oppressing his female prisoners, set up a defense which he knew to be false, and connected with it the fair name and character of a young man who had stood hitherto above reproach among his fellows. When the defense started in to attack the character of Anna Prindle they sought to do so through the guards and prisoners; but it failed. Never was there such a total collapse as in that particular as to Anna Prindle when the defense took the mantle of Essie Banks and attempted through cross-examination to place it upon her shoulder. But it didn't fit; so they threw that aside, descended into the slums, and brought forward that fellow Wolfington—a parrot, a bird of prey, a scavenger in the community. With the little information he had he came into a court of justice and undertook to drag down an unprotected and helpless woman by attacking her character. "Wolf"—that should be his name—knew nothing; he was simply at the saloon kept by Masterson for one week—admitting his statement to be true. Counsel knew not what this Masterson mystery was. No man could yet search a woman's heart and divine what was passing there. That Miss Prindle was desperately attached to Masterson—a man unworthy of her—he doubted not; but that there were criminal relations between them he denied. There was no proof in this case worth a moment's consideration that it was so. "This fellow" (said Mr. Varian, referring to the witness Wolfington), "this dirty dog who comes from the slums, who has no business, who has been tried once for murder, who, according to his own confession, has been arrested here and held to answer for an assault with intent to kill, who comes from nowhere and is going nowhere, who has no antecedents, no pride of ancestry, and, God grant, no hope of posterity—he comes here and drags down a woman whom he saw for a week and knows nothing about, and in cross-examination says that all he knows of her he heard from Schell and Lowenstein." And they were nobody. Counsel, for the defendant had the audacity to ask in this court room, "Where is Masterson? Why is he not here?" Whereas they themselves had him for hours in their office, upstairs, in that building. "Was it for me to bring him here?" asked Mr. Varian with scorn. No testimony had been given to prove that Anna Prindle was an unchaste woman; nobody knew anything about it except as it came from the mouth of the "Wolf!" Masterson himself denied it so far as he was concerned. The question for the commissioner to decide now was, "Is there probable cause to believe that this man is guilty of the offense charged?" "We are told" (continued the prosecuting attorney) "that the grand jury has already determined this subject. Has it? We propose to have a grand jury selected by some other