

FIRST DISTRICT COURT

The Trial of Hank Parrish For Murder.

THE SHOOTING NARRATED BY THE DEFENDANT.

Ike Clark Pleads Guilty to the Charge of Adultery.

Thursday morning at 9 o'clock, court resumed business.

ARRAIGNMENTS AND PLEAS.

Gustave Thornberg was arraigned on the charge of adultery, and given until Saturday to plead. Wm. David Graham was arraigned for adultery with one Sarah Ann Tracy. He took until Saturday to plead. Lewis Larsen previously arraigned upon the segregated charges of unlawful cohabitation and adultery. To the former he pleaded guilty; to the latter not guilty. Sentence set for two weeks hence. Jens Andersen, previously arraigned for unlawful cohabitation, plead guilty. Sentence set for Saturday. Soren C. Thygersen, previously arraigned for adultery, plead not guilty. Neils L. Christensen was arraigned on the charge of unlawful cohabitation. He took until to-day to plead. Another indictment charging him with adultery with his wife Josephine Christensen, was read to him. He took same time to plead to this indictment.

THE PARRISH MURDER CASE

was called up for trial. The following jurors were called and examined as to their qualifications:

Jos. Hyde, Geo. Chesley, C. E. Sterritt, W. A. Haws, Geo. Allred, Hans. Larsen, E. W. Fox, James Lindsay, John T. Leatham, Jesse J. Knight, Peter Stubbs, Henry Robbins.

Fox had conscientious scruples at finding a verdict where the penalty involved death. He was excused.

S. K. Roberts was called to take his place. He too was excused for the same cause.

Richard Brereton was next called. He had conscientious scruples also, and stepped down.

Orson Cuddeback next took the vacant seat. He had no conscientious scruples and remained.

Examination of the jurors by the defense was then proceeded with.

Hans Larsen and John T. Leatham were challenged for actual bias by the defense. They were excused.

D. C. Daniels and E. Petersen were then called as jurors. The former had formed an opinion and retired. The latter passed.

Geo. Allred was excused and D. C. Johnson called. He had conscientious scruples and went back to his seat.

John Leatham next came forward, and took his seat. He passed.

Robbins was peremptorily excused by the prosecution; Sterritt by the defense; John Leatham by the prosecution; Petersen and Johnson by the defense, and Stubbs by the prosecution.

At this stage there remained only Joseph Hyde, Geo. Chesley, W. A. Haws, O. Cuddeback, Jas. Lindsay and Uriah Coleman. The Clerk then called six additional jurors—Wm. Wallworth, Luther Chase, Mesbach Pitt, W. G. Barton, Chas. Patten and Geo. White.

Wallworth was excused because he had conscientious scruples against capital punishment.

Chase and Pitt knew all about the case and were excused.

Riley Jones was called and passed.

G. C. Elmer was called and had a fixed opinion; he was excused.

It was now found that the box was exhausted, and the Court ordered a venire for fifteen additional jurors to be issued, returnable forthwith.

DISMISSED.

The cases of the People against Mrs. Marks were, on motion of the prosecution, dismissed, the parties concerned agreeing to adjust the costs.

The court then took recess until 1 o'clock.

THE PARRISH MURDER CASE RESUMED.

The empanneling of the Parrish jury was resumed.

John Greer and Stephen B. Moore were called.

Jones was peremptorily excused by the defense; White by the prosecution, and Patten and Barton by the defense. This left eight, the two additional ones being duly sworn.

Wm. Farrer, Wm. Wilson, Logan Holdaway and Jorgen Hansen were called and examined. Wilson, Hansen and Holdaway had conscientious scruples and were excused.

R. S. Hines was called. He asked to be excused as he was a druggist. He was told to stand aside.

Geo. A. Kerr, Henry J. Maiben and W. R. H. Paxman were next called. They were accepted by both sides. Mr. Kerr asked to be excused, his business being in a condition that could not safely be neglected by him. Both sides consented to his release, and he was excused.

David Meldrum was accepted and sworn. This completed the panel.

Mr. D. Evans, who conducted the case for the People, read the indictment to the jury. The case for the defendant was conducted by Messrs. Thurman & Sutherland.

D. S. Dana was the first witness called and sworn to testify. He said: I live in Eureka. On December 20th last, was Justice of the Peace; also acting coroner. On that date held an inquest over the dead body of Enos S. Blancett. The body was brought in dead. Dr. Ahearn made the examination; he is now dead. Witness saw one wound in the left breast, and another in the arm. The wounds were evidently caused by buckshot.

John T. Sullivan testified that he was constable at Eureka in December last. Saw Blancett last alive on the 17th or 18th of that month. On the 20th saw him in front of Haws' house, lying dead, with his head to the south. Blancett was a cripple, and wore crutches. Saw a pistol lying by his side. His shotgun had been moved before witness got there. The pistol was cocked, just a little above the cap. The body had four wounds, one in the left breast, one above the left hip at back, and two in the left arm. I was told where the man who did the shooting was; found him in McDonald's saloon; it was Parrish. He said to me, "Johnny, I want to give myself up, but I don't want to be disgraced." I said all right, and took him before the justice. The difference between the place where the shooting was done and where the arrest was made is about 300 yards.

To Mr. Thurman—There were two or three houses around where the shooting was done. Shea's corral is in the middle of the town.

Mr. Lamb was in Eureka on the night of December 19th last. Saw Parrish and Blancett that night in McDonald's saloon. Blancett was playing poker. Parrish came in and sat down. They soon had words, and another bad man, etc. Parrish picked up a \$20 gold piece. They quarreled, Parrish got out his pistol, and after I talked with him he put it up. They got to striking one another. After that Blancett accused Parrish of having stolen the \$20 gold piece. Parrish said he threw it to him, and Blancett took his clothes off to show he hadn't got it. Tom Nance came along and Blancett said "if you don't kill that s— of a b— (Parrish) I'll kill you." Parrish and Blancett agreed that night to meet at 7 o'clock the next morning and fight a duel. They were drinking that night. Blancett said, "I'll fight you," and Parrish said "I'll go you; you have got away with two or three good men, but you can't get away with me."

To Mr. Sutherland—Before Parrish came in, Blancett was quarrelsome; call-

ing every one s—s of b—s. Parrish was good natured when he came in. Blancett said to Parrish—"Were you ever in Mexico, or Colorado?" and Parrish said yes. Then Blancett said, "you are a bad man." I had not been drinking myself. Blancett seemed to be the aggressor all the way through; he seemed to act as though he wanted to get killed all that day.

Mrs. Jane Yates testified that she saw Parrish behind Haws' house; he was aiming his gun. When he fired I then saw a man fall. Heard Parrish then say, "You got it then, you s— of a b—." This was the second time he fired. The first time he fired I was just coming to my front door. Parrish was leaning against the house, just as though he were hiding. Thought when he first came out, that he was aiming his gun at me. Before that, saw Blancett coming up the street; could see he had a pistol under his coat and a shotgun in his hand. My little boy, eleven years old, was out playing a little before that.

To Mr. Thurman—Did not see Blancett till he fell. Parrish was half hid, right against Haws' house. Some houses hid Blancett from view. Think he fell forward. Saw the first shot as I came to the door; saw the smoke from it. The fence between the defendant and deceased was a board fence.

Wm. Matthews saw Parrish on the 20th of December last. Was standing back of my house when Parrish passed. Next saw him standing back of Shea's corral; ten minutes after I heard he shot fired. Saw Blancett after that lying dead, even with the corner of Haws' house.

James Yates, an 11-year-old boy, next took the stand. The Court asked the little fellow if he knew what would become of him if he told a story, and he answered, "I would be arrested." After being sworn the boy pointed out on the map the place he saw Henry Parrish standing at Haws' house with the gun. After the shots were fired saw deceased lying in the street (the witness pointing out the spot on the map). I came straight into the house when I saw Mr. Parrish standing there was gone, and then I went to the window. There is a board fence in front of Haws' house, with some bullet holes in, just a few feet from his gate.

Lorenzo Stenhouse testified that on December 20th last saw Parrish at Eureka. Met Parrish at McDonald's saloon with another man; he had a gun. They caused me considerable trouble. I was there on business connected with my Gazetteer. I asked Parrish what game he was after; he said it was two-legged game, and he was going to get the drop on him. This was in the saloon. As soon as I heard of the shooting and who did it, I thought at once of the remark he made. Saw him after, and I asked him if he killed the cripple, and he said yes. He had his gun with him.

To Mr. Thurman—First spoke of this I think to a Mr. Adams, an attorney, at Nephi. Have no recollection of speaking of the matter anywhere else than at the hotel at Eureka.

William Stevens: I live at Eureka. Was at McDonald's saloon on December 20th, and saw Parrish and Blancett. Blancett asked Parrish if he might ask a question. Blancett said he would fight him at ten feet; Parrish said he wanted no trouble with him. Blancett said you have got to have trouble with me. Parrish said "if we must fight, we will go out of town to fight, and we'll fight any way you please. I have got a good double-barreled shot-gun," and Blancett said he'd got another. They agreed to go to Shea's fence and fight it out; the fight was to take place about half-past 2; did not hear Blancett say, "Now don't you shoot me in the back."

To Mr. Thurman—I heard Blancett say, "If you don't fight, I'll kill you anyhow." Heard Parrish say, "If I must fight, give me a show, and let me get a gun, if I have to borrow one." In the saloon Parrish did not have a gun at any time. Don't remember Stenhouse being there. Was in the saloon when Parrish left, and saw no gun there at all. I heard Blancett say, "I'll go out into the grave-yard or to Pat Shea's corral and fight you." The slaughter yard is close by the grave-yard, belongs to Pat Shea and is called a corral.

THE GRAND JURY'S DILEMMA.

The grand jury came into court at this juncture. The foreman handed his honor a paper and said it was signed by the majority of the grand jury, upon which it was desired the opinion of the Court should be given. His honor passed the paper, after reading it, to Assistant District Attorney Hiles and Evans, remarking that it was something for them to consider. It developed that the grand jury were asking permission to adjourn for five weeks. Mr. Hiles said if they were to adjourn for that length of time, they might be released for the term. The Court finally stated that the officers would do their best to secure the witnesses desired so that the grand jury could be discharged at the end of next week for the term.

The grand jury thereupon retired.

The difficulty seemed to be with that body that a number of witnesses could not be got hold of—just when they were wanted, and several had taken refuge on the Underground, so it was inferred from remarks made by Mr. Hiles.

IKE CLARK PLEADS GUILTY.

Ike Clark, indicted for adultery with Mrs. Emily Hindmarsh, appeared before the bar of the court and plead guilty.

Court then adjourned until this morning, at 9 o'clock.

Court opened again at 9 o'clock this morning.

BOTH PLEAD GUILTY TO U. C.

Geils H. Burrison was arraigned on the charge of unlawful cohabitation, and plead guilty. Sentence set for Saturday.

Jens E. J. Knop, was also arraigned and plead guilty to the usual charge. Sentence to be given to-morrow. Another indictment, charging him with adultery with his wife, was read to him. To this he took until to-morrow to plead.

THE PARRISH MURDER CASE RESUMED.

The trial of Henry Parrish was resumed. The prosecution re-called John T. Sullivan to the witness stand, to describe the locations of the wounds on the person of the deceased.

W. A. McDonald was next called. He said he was a saloon keeper in Eureka. On the evening of Dec. 19th saw Parrish and Blancett there. There was a poker game being played. Parrish came in, and had a double barreled shot gun with him. One of the boys asked him where he had been and he said "I've been out hunting rabbits." He then laid down his gun. Blancett said to Parrish, "I want you to answer me a question correctly." Parrish said, "I will answer you." Then asked Blancett, "Were you once in Colorado?" and Parrish said he was. Then Blancett said "That's all right; I don't want to say any more to you." Blancett became very quarrelsome. By and by he threw a \$20 gold piece after twirling it on his finger. Parrish took it up as though he were going to throw it back, when Blancett said, "Giv that back, you s— of a b—, do you want to steal it." Parrish said, "If you were not a cripple, I'd whip you." By and by Tom Nance came in and Blancett said to him, "Tom, if you don't kill him, I'll kill you." Next morning they met again. Witness said Blancett came into the saloon and Parrish said: "I suppose you have come to kill me." Blancett then said he would fight, and the time and place were named—2 o'clock at Pat Shea's corral. As Blancett went out he said to Parrish "Don't shoot me in the back," and Parrish said "I'll not shoot you in the back, and then Blancett went out. Saw Parrish the night before slap Blancett. Did not see Parrish get a gun from behind my bar; I discharged a gun myself. When Blancett came into the saloon on the morning of the 20th, Blancett said they would go back of Pat Shea's corral and fight, and said they could fight on the snow. Blancett said "I have a good shot gun at home if you will give me time to go and get it." Parrish said, "Go and get it."

To Mr. Sutherland—Blancett proposed to fight anywhere. Parrish said I don't want to fight in the saloon. Blancett spat out on the floor, and said, "I'll fight you over that." Parrish several times said, I don't want any trouble with you. Heard Blancett say, I'll fight you at ten feet. Couldn't say that Blancett said: "You s— of a b— you've got to fight me anyhow, or I'll kill you." I discharged the load from the gun the night before, and Parrish took it away with him; don't think I saw Parrish with a gun in his hand at all next day. Don't remember defendant saying that he was hunting for two legged game and that he meant to get the drop on him. The night before I heard Blancett say he would meet him (Parrish) at seven next morning. Don't recollect that when Blancett went out, Parrish shut the door after him. Parrish was cool, not excited; but Blancett did nearly all the talking and appeared excited. Blancett appeared to be the more angry of the two.

To Mr. Evans—There might have been considerable said and done in the saloon that I did not hear and see. Could not state positively whether Parrish had his gun in the saloon on the 20th or not.

To Mr. Sutherland—Pat Shea has two corrals—one is in town and the other is about half a mile out of town.

Sheriff Thomas Fowler testified that he was in Eureka two nights ago. There were three or four bullet holes in the board fence fronting Haws' house. The balls had taken a direct line toward the street from the south corner of the house.

The prosecution rested, and Mr. Geo. Sutherland stated to the jury the theory and line of evidence the defense proposed taking.

John Davis was the first witness called by the defense. He testified very emphatically to the good character of the defendant and bad character of the deceased.

Mr. Kennedy testified that he was the first to get to the body of the deceased after it fell. The shot-gun was on his left arm and deceased was lying on his left side, and his right hand on the trigger of his pistol.

John T. Sullivan testified to the good character of Parrish.

To Mr. Evans.—When I arrested Parrish, he said Blancett had fired first.

Fred Lamb was called by the defense. Parrish reputation was that of a quiet and peaceable man. That of deceased was bad.

To Mr. Evans.—Had had trouble with Blancett himself a few days before. He had made witness sit down in his chair. Blancett holding a gun over him.

To Mr. Sutherland.—Heard lots of people speak of Blancett as a d—d s— of a b—.

Henry Parrish, the defendant, then took the witness stand. He said: I was out hunting the day before the killing. Borrowed a gun from Mr. Chisholm for the purpose of going hunting. That day went into Hatfield's saloon. The bartender took my gun and shoes, and put them behind the bar. Went away, and went to McDonald's saloon at 9 o'clock at night. Blancett looked at me and said: "Your name is Parrish?" I said "yes." Well, were you in Colorado when Major Graham was killed?" I said I thought I was. With that, he said: "That's all I want to know. You are a bad man, and a dirty s— of a b—. I told him if he was'n't a cripple I'd kill him. I slapped him over the face. Tom Nance came in and Blancett said to him: "If you don't take out that s— of a b— and kill him, I'll kill you." Then I went behind the bar to get my shotgun and some gentlemen held me. Finally, he was going out, and turned to me and said, pointing his finger at me, "You dirty s— of a b— I'll kill you yet, if I have to come on your trail." That night I slept at Davis' house. Next day I was again at McDonald's saloon. After 12 o'clock I was sitting there. Blancett came in. Didn't see any gun, but he had a belt on and some cartridges. I was sitting there. He went round and said something. I got up and went to him. He said, "Don't come too close," and then spit on the floor, saying, "Don't come over that." He said he would fight me here, or in the grave-yard, or in Pat Shea's corral. I told him if I had to fight I would do it, only give me a show. He took his watch out and said it is just fourteen minutes to 1 o'clock. Soon after he stepped to the door, saying I suppose you are man enough not to shoot me in the back, and I said I am. He went out. I stayed at the saloon twenty minutes. I then went out, got my gun and shoes and started for home. I loaded the gun that night. I went up to the pump house to get my overalls. Engineer had gone; I turned to come back, met Mr. Haws and walked with him to the back part of his house. He asked me if I had been hunting and I said yes. Haws went in, I turned to go and heard the click of a gun and saw Blancett in the act of shooting; raised my gun and fired at him; he fell, and said, "You dirty s— of a b— shoot again." I did shoot, but the second shot did not hit him. I never at any time saw Stenhouse, and never said to anyone that I was hunting two-legged game. When Blancett asked me to fight at Shea's corral I thought he meant the corral outside of town. Had no idea of going to fight him there when I left the saloon; thought I wouldn't notice the affair again.

On cross-examination, he reviewed various places he had been to during the last fifteen years. He had evidently traveled considerably over Utah, Colorado, Nevada, New Mexico, Montana, Idaho, and California; nearly all his life had been in mining camps. Witness went on to say that he had loaded his gun on the night of the 19th to protect himself. Blancett had threatened me. Had my shot gun at half past ten on the morning of the 20th. Blancett didn't have time to fire when I saw and fired at him; he was in the act of leveling his gun when I saw him. I don't recollect telling McDonald that he fired first.

BOTH PLEAD NOT GUILTY.

Herbert Bate was arraigned on the charge of fornication, and his wife, Jane Bate, was arraigned on the same charge. Both plead not guilty.

Court took recess till 1 o'clock.