

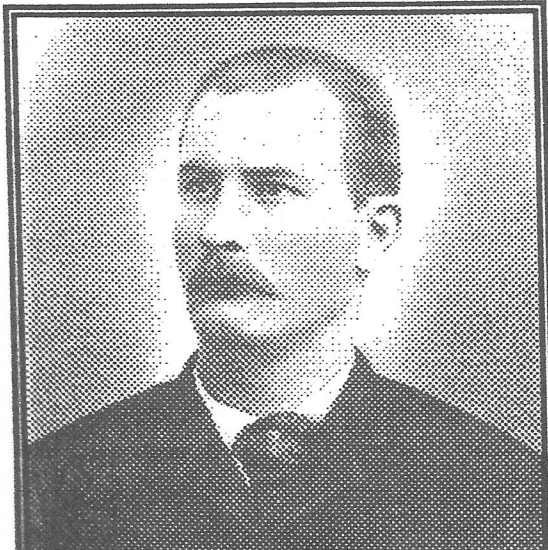
Swen Edwin



Serena

Justice in 1896

Grandpa Swen Edwin had a brother who got in trouble in 1896. A copy of the newspaper article is on the next page. It is humorous. Henry went up into the mountains above Levan and would break down to Edwin & Serena's home to get supplies. My aunts remember his visits & that Serena was always very nervous until he left. The incident was soon forgotten and Henry returned to Levan & lived a law abiding life.



Swen Edwin



Henry

SKIPPED!

No one to stop them in their flight.

MCCARTHY & MALMGREN

Hearing the Verdict of the Jury Took a Disliking to the Country.

Lewis McCarty and Henry Malmgren, two young men from the town of Levan, were on trial in the District Court of this city on Wednesday of this week, charged with stealing, or attempting to steal a bunch of cattle.

The trial had been on during the whole day and a rather strong case mostly circumstantial evidence - - had been woven around them by the prosecuting attorneys, Wm. K Reid and J. E. Cockren. The defendants were ably defended by Attorneys Houtz of Provo and James W. Cherry of this city, but they were unable to convince a jury of eight men of the innocence of their clients, and a verdict of "guilty as charged in the indictment" was brought into court at a late hour in the night.

McCarty and his partner in guilt were ordered to appear in court next morning at 11 o'clock to have sentence passed upon them.

They did not like the lay-out a little bit.

Niels Jorgenson, court bailiff, in the absence of the Sheriff, was in charge of the prisoners, and to him they pleaded for a breath of fresh air. The bailiff being a kind and tender-hearted man, granted their request, and followed them down-stairs onto the sidewalk, little dreaming that they would attempt escape.

But McCarty and Malmgren "charged" with a crime, and McCarty and Malmgren "convicted" of a crime, were entirely different individuals, and inwardly thanking the bailiff for his kindness towards them, they no more reached the bottom of the stairs than they separated in opposite directions, one striking south, the other scaling the fence and taking to his heels through the Peacock orchard and there whereabouts will be known no more forever.

No effort was made at the time to recapture them, and so far as we were able to learn no one is yet looking for them.

Some of the bystanders say McCarty had a gun in his hand as he went skipping through the orchard, but he had no occasion to use it as none seemed inclined to give him a chance. Evidently they found horses saddled and started in a westerly direction, through the darkness prevented anyone from seeing the direction they took after leaving Main street. Their own horses were in a stable, all saddled, about a half block from the court house, and were found there next morning. But as other horses and saddles are missing from town, it is very probable they either helped themselves or were helped to horses on which they made their escape.

Every opportunity was theirs. Their bondsman had been released: the night was dark, the midnight stillness was upon the earth; the Penitentiary was staring them in the face; seemingly no one cared whether they went away or stayed, and with a decided feeling against staying, --a hop, skip and a jump, and away they went.

NOTE: Henry hid out in the hills above Levan and Grandpa Ed Malmgren took food to him. Henry would sneak down at night and visit Ed and Sorena. Geneva can remember how upset Sorena would get for fear they would get caught. Beth Taylor (daughter of Jennie) sent this article to me. Henry was Eds brother..