

THE COURT: The defendant then waives further time for the entry of judgment. Before making the formal statement to the defendant, I will hear from the District Attorney. You may be seated for a moment.

MR. ROGERS: The County Attorney of Tooele County does not desire to make any recommendation to your Honor at this time, but within the time of your Honor's making a recommendation to the Board of Pardons will communicate with your Honor concerning the case.

THE COURT: You may stand up. C. C. Clarke, you have been duly charged by the information of the District Attorney with the crime of forgery committed as alleged in the information, as follows:

That the said C. C. Clarke on the 8th day of March, 1924, at the County of Tooele, State of Utah, wilfully, unlawfully, falsely, feloniously and with intent to defraud the Tooele Auto Service Company, a partnership, organized and doing business at Tooele, Utah, to a certain bank check, the tenor whereof which has been read to you, and did forge and counterfeit the name "C. C. Carter."

The second count is based upon the same transaction, charging uttering and passing the same check. Do you desire to proceed on one count only, or on both?

MR. ROGERS: I think on both.

THE COURT: Do you make any recommendation as to the sentence running concurrently?

MR. ROGERS: I think the sentence should run concurrently on each count.

THE COURT: Very well. You are charged with the