

State Vs Delano #3.

THE COURT: Perhaps we better have the Information read to the defendant, first.

(Information read; copy delivered to the defendant.)

THE COURT:

Q To the Information that has been read to you, Mr. Delano, what is your plea-- Guilty or Not Guilty?

MR. HEMPSTEAD: If the Court please, I did not know there were two counts in the Information. I thought it was just burglary in the second degree. He desires to plead guilty to burglary in the second degree but not guilty to the larceny. I understand Judge Rogers is willing to dismiss that or not ask for a plea on it.

MR. ROGERS: We move that the second count be dismissed, with the understanding that the defendant pleads guilty to the first charge.

Q To the charge of burglary in the second degree, as made in the Information, what is your plea, Guilty or Not Guilty?

A Guilty.

Q Are you ready for the sentence of the Court at this time?

A Yes sir.

THE COURT: Now I will hear from you, Mr. Hempstead.

MR. HEMPSTEAD: This young man tells me, if the Court please, that he is twenty-five years of age; that he has been in the United States Navy for six years and was in the Navy during a portion of the World War; that he was given a furlough for four days, and-- I don't know the technical expression, but he stayed away longer than his furlough permitted-- absent without leave, I suppose. His home was in Chicago, originally. He came to Salt Lake City and met this young lady, who was nineteen years of age. She was broke and he was broke. They became