

friends, and he ascertained from her that she had been on the stage all of her life, or for a number of years, at least, as a violinist; that she had no violin when he met her, and no way of making a livelihood through her musical ability. So, in order to help her out, and probably himself, this idea was conceived of stealing a violin, and they broke into this violin store on Regent Street. Was the girl with you when you broke into the store? A. Yes sir.

MR. HEMPSTEAD: And they stole a violin, and while they were in there, being without funds, they took two more violins, intending to sell those two, I presume, to provide themselves with funds until she could get a position. Five days later they were arrested and the violins found in their possession. He has been in jail ever since.

Those are the facts of the case, as he relates them to me. He says he is still in the Navy, that is, he has not been discharged, but he has broken his furlough. I think with this record he would probably not be a confirmed criminal. He is only twenty-five years of age and has been in the Navy since he was nineteen. I suggest that in view of his pleading guilty and not putting the State to the expense of a trial, that these facts be taken into consideration in your Honor's recommendation to the Board of Pardons, as to the length of time he should serve.

THE COURT: Have you anything to say?

MR. ROGERS: I have nothing to say. I would like to ask the defendant one question:

Q Mr. Delano, have you ever been in trouble before?

A No sir.

Q Never served time for anything?

A. No sir.