

and that in all probability, he stole these things, not for the purpose of engaging in the business or for the purpose of making money out of it, but rather for the purpose of supporting his wife, I am rather inclined to suggest to the Court that the Court exercise some leniency. The minimum is a year and perhaps, under all the circumstances, that would be a sufficient penalty.

THE COURT: Does the defendant want to make a statement, or the defendant's counsel?

MR. STEWART: No, I think, Your Honor, we are satisfied with the recommendation of counsel for the state.

THE COURT: You may stand up, Mr. Frank. It is the judgment and sentence of the Court that you be confined in the State Penitentiary at hard labor. The Court will, within the next thirty days, make a recommendation to the Board of Pardons, and that, together with the statement of the District Attorney, recommending leniency in your case, will be forwarded to the Board of Pardons. That will be all, Mr. Frank.

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State of Utah  
County of Salt Lake.

I, R. W. Gallacher, Official Reporter of the above entitled court, hereby certify that the above and foregoing is a full, true and correct transcript of the proceedings on arraignment, plea and sentence in the above entitled matter.

Witness my hand this 28th day of December, 1921.

R. W. Gallacher