

you anything to say why the sentence and judgment of the court should not now be pronounced against you? You can speak either yourselves or through your attorney.

Mr. Allen---These young men request that I call the court's attention to the fact that this is the first time they have been in any serious trouble. As we often find in these cases---as I have had occasion to mention to your honor before---this infernal moonshine is connected with it. These boys had been drinking here in Salt Lake, and they met this man Hanck, and they all decided to leave town together and go as far as Garfield. I haven't learned from them just how the difficulty arose between them, but it appears ^{that} they learned this man Hanck had a gun and he had made some threats against them, so they said, "Let's take the gun away from him," and they not only took the gun from him, but they took his money. I understand that the man Hanck has a different story.

The Court---Where is he?

Mr. Allen---He is over in jail, or was.

The Court---Is he awaiting proceedings on some charge against him?

District Attorney E. A. Rogers---No; he was just being held as a witness, your honor.

Mr. Allen---But the district attorney informs me he is satisfied these boys took this gun, and I don't know but what they took some money off him, a small amount, and the taking of the gun, of course, is larceny from the person