

course my second wife she has no children.

THE COURT: Oh, your second wife is now suing for divorce, is she?

DEFENDANT: Yes, she is suing for divorce now which should be up in this month, in August, both of them will be up this month to get their divorce.

THE COURT: Where does your wife live?

DEFENDANT: She is living at Manti, Utah.

THE COURT: The suit for divorce is down there then?

DEFENDANT: Yes, sir, she is suing for divorce at the Manti court. It is set now; she will get it this month, both parties.

THE COURT: Well, now, this woman, Mrs. Henningson, her husband is living?

DEFENDANT: Yes, he is living.

THE COURT: She had children by him?

DEFENDANT: Yes, sir.

THE COURT: And they are not divorced?

DEFENDANT: No, they are not divorced, but he will be divorced this month just the same. His application has been in for some time. It is up before the court now.

THE COURT: Whereabouts, Manti?

DEFENDANT: Manti, Utah, yes, sir.

MR. HUTCHINSON: Your honor, I may say this that the defendant was married twenty years ago to the former woman and had two children, and he was charged with rape, if I remember correctly, and was sent to the state penitentiary and served, his wife at about that time divorcing him. He remarried to his present wife sometime after his release. The woman named in the information had separated from her husband, and it was