

that Davis took part in the crime. When the defendants were apprehended at Cedar Valley, each of them had a gun which corresponded to the gun with the man at the service station stated was used in the hold-up, and each of the defendants also had approximately one-third of the money taken from the service station. I do believe, however, that the defendant, Davis, was not the mover of the crime, because he appeared to me as being a person below normal in intelligence. Davis claims to be a resident of Wyoming and a coal miner by occupation, and stated that he is only nineteen years of age; but he appeared to me to be somewhat older. Bergsen professes that he is a real highwayman, although he does not look to be a bad man. In my opinion, the defendant, Davis, should be held not less than one year, and Bergsen should be confined for at least the minimum term of five years.

Respectfully submitted,

Eliar Hammon
JUDGE.