

MR. HUTCHINSON: In connection with that, your Honor, Mr. Wire, the detective, investigated this matter and handled this case for the Police Department. I talked with him yesterday concerning the case, and this procedure is satisfactory to him.

THE COURT: Mr. Van Nixon, come forward, please.

Q. You have been charged, Mr. Van Nixon, is that the name?

A. Yes sir.

Q. By the Information of the District Attorney, in two counts, each being a felony; first, with the crime of robbery, and second, grand larceny, to which you have heretofore entered a plea of Not Guilty. Now the District Attorney has recommended and your counsel, Judge Tobin, has acquiesced and announced it is agreeable to him, that in view of certain facts, as narrated here, he is willing that you should be permitted to plead to the second count, grand larceny.

MR. TOBIN: Pardon me for interrupting, your Honor; the first count is grand larceny.

THE COURT: Well, whichever it is, it has been announced you are willing to change your plea, that of Not Guilty to the Information and now enter a plea of Guilty to the first charge, of grand larceny; is that correct?

A. Yes sir.

Q. In order to make this matter formal and get this in the record-- To the Information charging you with grand larceny what is your plea, Guilty or Not Guilty?

A. Well, Judge, I am not guilty.

Q. Not Guilty?

A. But I will take the plea of Guilty to Grand Larceny.

Q. You mean you are not guilty of robbery but guilty of grand larceny.