

THE COURT: This defendant participated in that part-- I mean directly?

MR. TOBIN: Well, there is a question as to that, his statement as to the extent of it; but I think that either because he was afraid of Edwards or for some other reason, he took the watch from the person of the man who had been held up; but he claims that he did not benefit in any way by this robbery. Mr. Edwards owed him several dollars, and all he received out of this was \$3., in the next day or so.

THE COURT: You have consulted with your client and this arrangement is agreeable to you, I take it?

MR. TOBIN: Yes, more than once.

THE COURT: I mean so far as the change of plea is concerned and the entering of a plea of Guilty to the one count, that of grand larceny.

MR. TOBIN: Yes. I might state, your Honor, that I attended the hearing when Mr. Edwards was tried, that is, the trial, and I take it that it is absolutely beyond dispute that the State could not have secured a conviction in the Edwards case without the testimony of Mr. Van Nixon; and you might say, when he was arrested, he told the officers practically the same story that he told on the witness stand; and he told them immediately. He did not try to conceal anything; and it was because of his attitude in the matter that the State was able to secure a conviction in the case of the State against Edwards. I know that if Mr. Wire and the other officer who investigated the case, if they were here they would bear this out. I believe that the detective department would favor this man being shown leniency under the circumstances.