

CRIMINAL LAW—GROUND OF ARREST OF JUDGMENT.—A judgment in a criminal case will be arrested only on the ground that the facts alleged in the indictment did not constitute a public offense within the jurisdiction of the court.

Appeal from Sebastian Circuit Court, Fort Smith District; *J. Sam Wood*, Judge; affirmed.

*Harney McGehee*, for appellant.

*Hal L. Norwood*, Attorney General, for appellee.

PER CURIAM. Tom Hicks prosecutes this appeal to reverse a judgment of conviction for the crime of uttering a forged instrument. There is no bill of exceptions, and the sole reliance for a reversal of the judgment is that the court erred in overruling the defendant's motion in arrest of judgment. Under our statute, a judgment can only be arrested on the ground that the facts alleged in the indictment did not constitute a public offense within the jurisdiction of the court. *Dover v. State*, 165 Ark. 496, 265 S. W. 76; and *Lewis v. State*, 169 Ark. 340, 275 S. W. 663.

The indictment contains the essential elements of the crime charged as defined in *Ferrel v. State*, 165 Ark. 541, 265 S. W. 62. There is no error upon the face of the record, and the judgment will be affirmed.

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