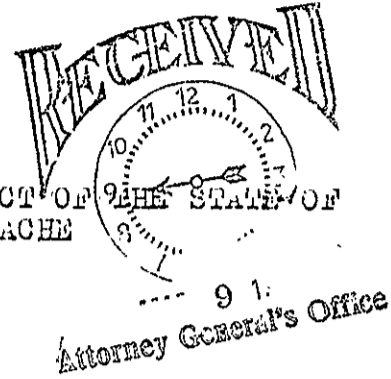


IN THE DISTRICT COURT OF THE FIRST JUDICIAL DISTRICT OF THE STATE OF
UTAH, IN AND FOR THE COUNTY OF CACHE



THE STATE OF UTAH,

Plaintiff,

vs

Elmer Childer,

Defendant

No. 370

The Hon. State Board of Pardons.

Salt Lake City Utah.

Gentlemen:

Pursuant to the provisions of Section 9064, Compiled Laws of Utah, 1917, as amended by Chapter 132, Session Laws of Utah 1919, the undersigned hereby makes the following report to the State Board of Pardons:

The above named defendant was convicted on November 22nd, 1924, of the crime of having carnal knowledge of a female over the age of thirteen years and under the age of eighteen years, and sentenced to an indeterminate term in the State Penitentiary of not more than five years, in accordance with the provisions of Section 7904, Compiled Laws of Utah, 1919.

At the trial, Helen Andrews, a girl of the age of seventeen years, testified that while out automobile riding with defendant, he had sexual intercourse with her on the 9th day of July 1924. There was some testimony corroborating her statements, but the defendant produced a rather strong defense of alibi. After the defendant was arrested, he married, Ella Loftus, a young girl, who, a short time before had been the plaintiff in a bastardy suit, and the defendant offers as a reason why he should not serve any lengthy term the fact that he has a wife to support.