

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 Calder,
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 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 the 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.