

In the Matter of Pardon of  
Fred D. Callender.

STATE OF UTAH )  
COUNTY OF SALT LAKE ) SS.

LAURINE CALLENDER, being first duly sworn on oath, deposes and says: That she is the wife of Fred D. Callender, now confined in the Utah State Penitentiary and serving a sentence for grand larceny; that at the time of the arrest of my husband, I was also arrested with him, and all of the money which we had was taken from us. I was arrested at Pocatello and brought back to Ogden, where I was confined in the City Jail for eight days without any charge being preferred against me or without being given an opportunity to consult any attorney, and at that time neither my husband nor myself had means with which to employ an attorney to defend either of us. My husband, acting under the advice of the officers and because he was without means, waived his preliminary examination and was then confined in the County Jail at Ogden from the time of waiving his examination until about the 24th day of April, 1924, when his cause came on for trial; that during the time my husband was confined in jail one D.L. Olesen was also confined in the jail at Ogden, and he claiming to be a Salt Lake lawyer offered to defend my husband. My husband being without money and a stranger at Ogden, having no friends there, accepted his offer of support, and the only pretended defense he had was such as was given by D.L. Olesen; that when the case came on for trial about the 24th of April, it resulted in a mis-trial, the jury being unable to agree upon a verdict. Thereafter the case came on for trial on the 10th day of May, 1924, Mr. Olesen again attempting to defend my husband.

I was not called by Mr. Olesen as a witness in the first case, and in the second case, he called me as a witness but without talking with me and learning the nature of my evidence, and I was never given an opportunity before the court to tell all the facts in relation to the case, and what I did testify to was in such a disconnected manner, owing to the questions which were asked me, that I never was afforded an opportunity of telling the facts of the case against my husband. I was given no opportunity to contradict some of the statements made by the officers in relation to some admissions made by me which were absolutely and positively untrue, and for this reason, I make this statement at this time under oath, in order that the same may be filed in the records of the Board of Pardons, in relation to the application now pending for the pardon of my husband.

I first met the complaining witness, Bruce W. Ritchie, at Casper, Wyoming. At that time Ritchie was connected with a gambling house, and was one of the proprietors, and at this place Ritchie was selling liquor. My husband being out of employment was employed for a short time by Ritchie and working for him in his place of business, and on one or two occasions Ritchie came to the place where myself and husband were living, and it was there that I met him. Later on and in the month of March we determined to try to go back to our home in California, and left Casper, Wyoming, for Cheyenne. At that time we did not know where Ritchie was, as his place of business had been closed sometime before. While in Cheyenne I went into a restaurant with my husband for something to eat, and while there, to our surprise, Ritchie came into the restaurant. We then advised him that we were trying to work our way back to California, and he stated that he was going as far as Ogden, and we could go that far together.