

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF THE
STATE OF UTAH, IN AND FOR UTAH COUNTY.

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THE STATE OF UTAH, :

Plaintiff, :

against :

ALBERT H. BERGSEN and :

THOMAS DAVIS, :

Defendants. :
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TO THE HONORABLE BOARD OF PARDONS OF THE STATE OF UTAH;

In pursuance of the provisions of section 9064, Compiled Laws of Utah, 1917. You are advised that on September 23, 1924, the defendant, Albert H. Bergsen, was sentenced to serve a term of not less than five years and which may be for life, in the State Prison of Utah, and on the 21st day of October, 1924, a like and similar sentence was imposed upon the defendant, Thomas Davis. The defendant, Bergsen, pleaded guilty to the crime of robbery, and the defendant, Davis, was found guilty with recommendations of leniency, by the jury, of the same crime.

The crime was committed at American Fork, in this county, on the 11th day of July, A. D. 1924, and consisted in holding up a service station at about two or three o'clock in the morning. The two defendants, together with a one-armed man, drove down from Salt Lake City, and while the one-armed man remained with the car, as it appears, the two defendants, each of whom carried a revolver, went to the service station and aroused the man in charge and asked for gas. As the man in charge went to get the gas, they pulled a gun on him and demanded that he turn over the money that he had in the till. They received about \$55 in money, a winchester rifle, and some cigarettes, after which they left American Fork and later were followed into Cedar Valley, where they were arrested. The one-armed man escaping in the automobile, and has not yet been located. At the time of the trial of Thomas Davis the defendant, Albert H. Bergsen, was brought down from the State Prison to testify for Thomas Davis. Bergsen seemed to pride himself on being a real highwayman, and assumed all of the blame. He stated that Davis was picked up at an employment agency in Salt Lake, and was to be used as a sort of decoy; that Davis knew nothing about the crime that was planned, and that he, Bergsen, and his brother committed the crime. Bergsen also stated that the plan was for bigger game than the Cobble Rock Service Station, but that their plans miscarried, and they decided to hold up the station, and that Davis was left with the car that had been run around American Fork so as to attract attention. Bergsen stated that he and the other men who were assisting him had a Cadillac car, and the plan was to leave Davis with the Ford car and have the officers arrest him while the other parties to the crime were to make their escape in the Cadillac. I do not believe the story of Bergsen, and do believe