

PARDONS, COMMUTATIONS, AND REMISSIONS.

MESSAGE
OF THE
GOVERNOR OF IOWA,
COMMUNICATING
REPORT
OF
PARDONS, COMMUTATIONS, AND REMISSIONS,
FROM
JANUARY 17, 1878, TO JANUARY 14, 1880,
INCLUSIVE.

[PRINTED BY ORDER OF THE GENERAL ASSEMBLY.]

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THE STATE OF IOWA,
EXECUTIVE DEPARTMENT,
DES MOINES, February 16, 1880. }

GENTLEMEN OF THE SENATE AND HOUSE OF REPRESENTATIVES:

I HAVE the honor to transmit herewith, in accordance with the requirements of the constitution, a report of pardons granted, and a list of fines and forfeitures remitted, with amounts remitted, from the seventeenth day of January, 1878, to the fourteenth day of January, 1880, inclusive.

JNO. H. GEAR.

REPORT
OF
PARDONS, COMMUTATIONS AND REMISSIONS.

PARDONS.

SYLVESTER FRITSCH. January 29, 1878. Offense, larceny. Committed from Dubuque county to the Additional Penitentiary, at Anamosa, on the 15th day of June, 1877, for the term of one year. He stole six hundred dollars from one C. Shulte. He has made full restitution of the stolen property. The party from whom he stole the money, in connection with the judge, the prosecuting attorney, and many reputable citizens of Dubuque county, who are known to me, ask for his release. I being convinced that the law has been satisfied and that the said Fritsche is thoroughly repentant, this pardon is granted.

FRANK L. BAILEY. February 18, 1878. Crime, larceny. Committed to the Anamosa Penitentiary for seventy days, December 14, 1877, from Floyd county. He was eighteen years old. This boy stole a small lot of wheat. He made full restitution of the property; plead guilty, and testified on the trial in regard to the whole transaction, Pardon strongly recommended by district judge G. W. Ruddick, and district attorney John B. Cleland.

WILLIAM YOUNG. March 1, 1878. Committed to the Penitentiary of the State, June 13, 1877, under a sentence of the district court of Story county, for the term of one year for the crime of larceny. This man is one of two who were convicted for breaking into a car. It was the first offense of Young, who from the evidence seems to have been a man of rather weak mind, and was evidently led into the commission of the crime by bad associates. I am of the opinion that his punishment has been sufficient for the crime committed.

RANSOM TUCKER. March 21, 1878. Committed to the Penitentiary of the State, December 22, 1877, under a sentence of the district court of Mahaska county, for the term of one year, for the crime of forgery. The court sentencing him suspended sentence until he (Tucker) should have opportunity to earn the money necessary to repay the person wronged; whereupon Tucker went to work, and repaid the amount in full. In view of this highest evidence of penitence, I looked upon the punishment he had already undergone, both mental and physical, as sufficient for this his first offense.

CARROLL P. JONES. April 6, 1878. Committed to the Penitentiary of the State, February 11, 1876, under a sentence of the district court of Wapello county, for the term of four years, for the crime of manslaughter, to which he plead guilty. He was nineteen years old at the time the crime was committed. From letters from a large number of leading citizens of Ottumwa, I am satisfied that he had borne a good character prior to the commission of the crime; that the killing of young Harry Booze was done by the said Jones while under intoxication, and was without malice or intent. So well satisfied were the parents of the boy who was killed, that Jones had no malice towards their son, that they went before the grand jury, and urged that body not to find a bill of indictment. Believing that the law has been vindicated by the imprisonment of the said Jones, and that his punishment has been sufficient, I have this day pardoned him.

LAWRENCE DOERING. April 19, 1878, to take effect April 26, 1878. Committed to the Additional Penitentiary, December 13, 1875, under a sentence of the district court of Dubuque county, for the term of four years, for the crime of assault with intent to commit murder. I am satisfied that this man committed the assault while under temporary aberration of mind, produced by the use of intoxicating liquor, and consider that his punishment has been sufficient.

DAVID H. BURROUGHS. May 4, 1878, to take effect May 15, 1878. Committed to the Additional Penitentiary, October 7, 1876, under a sentence of the district court of Buchanan county, for the term of two years, for the crime of forgery. This man was convicted on the testimony of a felon. The pardon was refused March 4, but on re-examination I have grave doubts as to whether he committed the crime intentionally. Pardon to take effect May 15, 1878. Time would be out under the law June 17, 1878, being a commutation of thirty-two days.

LEROY PLOPPER. May 13, 1878. Committed to the Penitentiary of

the State, October 30, 1877, under a sentence of the district court of Franklin county, for the term of eighteen months, for the crime of larceny. He had seduced the daughter of a man named Holly, and had fled the state, taking with him certain property which had been mortgaged to the said Holly. It is shown that he left a sufficient amount of property behind him, which was sold by the said Holly, and the debt canceled. He has married the woman. Pardon is granted at the request of L. O. Bliss and many prominent citizens of Hardin and Franklin counties. Pardon conditioned that he live a sober life, and live with and support his wife and family; a failure on his part to comply with this condition to render the pardon void, and he to be returned to prison to serve out his time.

JOHN N. REYNOLDS. May 15, 1878, to take effect June 17, 1878. Committed to the Penitentiary of the State, June 30, 1877, under a sentence of the district court of the county of Boone, for the term of four years, for the crime of seduction. From evidence not given on trial, I am fully satisfied that he is not guilty of the crime with which he is charged. Pardon to take effect June 17, 1878. Pardon asked for by all the leading citizens of Boone county to the number of over four hundred.

T. B. VON MICHALOWSKI. May 23, 1878. Committed to the Additional Penitentiary, December 8, 1877, under a sentence of the district court of Dubuque county, for the term of two years, for the crime of forgery. He forged the name of Hon. George C. Heberling on a bank-check for the sum of fifty dollars. It was his first offense. Pardon granted in consideration of the fact that he served in the army for nine years, and was a good soldier. Papers signed by Hon. J. K. Graves, Geo. C. Heberling, and Geo. L. Torbert.

PATRICK QUINN. June 1, 1878. Committed to the Additional Penitentiary, January 3, 1877, under sentence of the district court of Dubuque county, for the term of two years, for the crime of swindling. He was convicted of swindling by the "strap-game" to the extent of five dollars. I think his punishment has been sufficient. Pardon granted at the request of Hon. D. S. Wilson, district judge, J. B. Powers, prosecuting attorney, the county officers of Dubuque county, and two members of the board of supervisors.

PATRICK WHITTLE. June 7, 1878. Committed to the Additional Penitentiary, October 3, 1876, under a sentence of the district court of Clayton county, for the term of five years, for the crime of manslaughter.

ter. He is pardoned on the certificate of the surgeon of the prison that he is in the last stages of consumption, and at the request of Judge Reuben Noble, District-Attorney O. J. Clark, Hon. Samuel Murdock, and many others.

CHRISTOPHER SHERIDAN. July 2, 1878. Committed to Penitentiary of the State, May 6, 1873, under sentence of the district court of Marshall county, for the term of ten years, for the crime of robbery, and then transferred to the Additional Penitentiary at Anamosa. Sheridan was convicted at the same time with Ephraim W. Ford, who committed the crime with him. Ford turned State's evidence and was sentenced for five years. In my opinion, both were equally guilty, and Sheridan is the better man of the two. Sheridan's conduct in the prison has been exceptionally good. Pardon granted at the suggestion of Gov. Kirkwood, who left a recommendation on file before he went out of office, as follows: "I think Sheridan should go out when Ford does. If Ford is allowed to serve out his term of five years, I think Sheridan should then be pardoned, and hope my successor may so conclude;" also at the request of Mrs. Anna Merrill, teacher at the Penitentiary.

PETER NOON. July 12, 1878. Committed to the Penitentiary of the State, May 6, 1877, under sentence of the district court of Warren county, for the term of two years, for the crime of assault with intent to commit rape. The boy was only sixteen years old, at the time of committing the offense. I am of the opinion that his punishment has been sufficient to atone for his crime. Pardoned by request of H. Y. Smith, district attorney, part of the jury, and fifty citizens of Warren county; a commutation of six months and four days.

T. L. WILLIAMS. July 5, 1878. Committed to the Additional Penitentiary under a sentence of the district court of Jones county, for the term of three years, for the crime of larceny. Pardoned on affidavit of Dr. A. O. Stout, physician of the Penitentiary, that he has a cancer and cannot live but a short time. Died a few days after pardon.

JOHN NAGLE. July 31, 1878. Committed to the Penitentiary of the State under a sentence of the district court of Polk county, for the term of seven years from May 8, 1876, for the crime of larceny and burglary. Pardoned because of his rapidly failing health. The physician of the Penitentiary wrote me as follows, under date of July 23d: "I have the honor to say that Nagle has consumption and heart disease, and that there is no hope of his recovery while here in

prison, but that in all probability he will die soon." Died three days after pardon.

JAMES JONES, ALIAS CHARLES RAY. August 2, 1878. Committed to the county jail of Iowa county, under a sentence of the mayor's court of Victor, for the term of ten days, for the crime of petit larceny. Pardoned because the mayor writes that he is satisfied that he was mistaken, and that he is fully satisfied that the boy was not guilty.

LYMAN P. HAZEN. August 23, 1878. Sentenced to imprisonment in the Penitentiary of the State, by the district court of Polk county, on the 14th day of April, 1874, for two terms of three years each, for the crime of adultery, the first of which terms expired on the 28th day of November, 1876. Pardon recommended by Hon. H. W. Maxwell, the judge before whom he was tried, and Hon. Josiah Given, the prosecuting attorney. The physician of the prison certifies that he, since he was imprisoned, has acquired double inguinal hernia, which incapacitates him from hard work, and that he has varicose veins on both legs. His conduct in prison has been good.

WILLIAM L. MOSELY. September 16, 1878. Committed to the Penitentiary of the State, at Fort Madison, on January 9th, 1878, under a sentence of the district court of Van Buren county, for the term of one year, for the crime of forgery. He is young, and this is his first offense. I am of the opinion that his punishment has been sufficient. Commutation, asked for by W. O. Crosby, F. M. Drake, the county auditor, and treasurer, and eighty-four citizens of Appanoose county, was a diminution of time of two months and thirteen days.

JAMES BRISCOE. October 15, 1878. Committed to the Additional Penitentiary, at Anamosa, on November 6, 1877, under a sentence of the district court of Howard county, for the term of three years, for the crime of robbery. This boy is only seventeen years old. His father, Elias H. Briscoe, went to California at the time the boy was a child. His father only returned to Iowa in July last, and found that his boy was in prison. Pardon granted at the request of L. Bullis and Judge Reuben Noble, and on condition that the father shall take the boy to California, place him in school, and do his best to reform him; and on the farther condition that, if the boy shall return to this state and lead a life other than that of a law-abiding citizen, the sentence shall be revived, and he shall be remanded to prison.

HENRY W. ROBINSON. October 29, 1878. Committed to the Penitentiary of the State, under a sentence of the district court of Hamilton county, on March 12, 1878, for the term of one year, for the crime of assault with intent to commit murder. Term expires in January, 1879. Pardoned at the request of Senator Chase, the sheriff, recorder, and 115 citizens of Hamilton county, being a diminution of time of about three months.

ELNATHAN GIBBS. November 16, 1878. Committed to the Penitentiary of the State, at Fort Madison, under a sentence of the district court of Plymouth county, on March 8, 1877, for the term of two years, for the crime of grand larceny. He is in feeble health, having been injured in his throat by the use of medicine, so that he cannot eat any solid food. Pardoned for the reason that in my opinion his punishment has been sufficient.

WILLIAM B. WELLS. November 21, 1878. Committed to the Penitentiary of the State, at Fort Madison, under a sentence of the district court of Polk county, on July 9th, 1878, for the term of two years for the crime of seduction. Pardon granted at the request of G. L. Godfrey, E. M. Ford, Hon. Samuel Merrill, Hon. Geo. G. Wright, Hon. C. C. Carpenter, Hon. R. C. Webb, J. S. Clarkson, Isaac Brandt, Carrie Fisher, the prosecuting witness, P. H. Bristow, and one hundred other citizens.

HARVEY BROOKE. December 7, 1878. Sentenced to the Penitentiary of the State, at Fort Madison, January 28, 1878, by the district court of Muscatine county, for the term of one year, for the crime of larceny and burglary. His time expires on the 16th day of December, 1878. Pardoned at the request of Hon. Wm. F. Brannan and Hon. Wm. C. Evans, to take effect on December 14, 1878, two days before his sentence expires.

P. H. THORNBILL. January 21, 1879. Committed to the Penitentiary of the State, at Fort Madison, on March 12, 1878, under sentence of the district court of Page county, for the term of one year, for the crime of "breaking and entering." Pardoned to take effect January 28th, instant, which is one day before his time expires.

JOHN O. PRIZER. February 17, 1879. Convicted of the crime of seduction, at the November, 1877, term of the district court of Washington county, and sentenced to the Penitentiary of the State for the term of one year. The petition is signed by a large number of the best citizens of the county, the jury and county officers, and the Washington bar. From evidence that was not produced on the trial

I am satisfied this man was not guilty of the charge. Pardon granted on condition of the payment of the court costs in the case.

P. H. HEATH. March 13, 1879. Committed to the Penitentiary of the State, at Fort Madison, on February 8th, 1879, under a sentence of the district court of Audubon county, for the term of four months, for the crime of conspiring to defeat the administration of public justice. Pardon granted at the request of the county officers, four grand jurors, two editors, two pastors of churches, Judge Reed, and 173 citizens of Audubon county.

STEPHEN BREADY. April 22, 1879. Committed to the Penitentiary of the State, at Fort Madison, on May 6, 1876, under a sentence of the district court of Mahaska county, for the term of six years, for the crime of "breaking and entering." This man was convicted of breaking into a house and stealing a pair of second-hand boots and fifty cents in money. He has served three years of his sentence. I think the sentence was too severe for the crime. Pardoned at the request of the district judge, prosecuting attorney, all the county officers, and many prominent citizens of the county.

CHARLES BARTLETT. May 7, 1879. Committed to the Additional Penitentiary, at Anamosa, on December 2, 1878, under a sentence of the district court of Floyd county, for the term of six months, for the crime of adultery. His wife, after the crime, procured a divorce from him, and he then married the partner of his guilt, and they were both convicted and committed to prison at the same time. Pardoned three days before the expiration of his sentence.

LILLIAN MERCHANT. May 7, 1879. Committed to the Additional Penitentiary, at Anamosa, on December 2, 1878, under a sentence of the district court of Floyd county, for the term of six months, for the crime of adultery. Same reasons as in the Charles Bartlett case. Pardoned three days before her time expired, diminished by allowance for good behavior.

PAUL KRIEL. June 11, 1879. Committed to the Penitentiary of the State, on November 15, 1876, under a sentence of the district court of Lucas county, for the term of three years, for the crime of manslaughter. His term would expire by diminution of time for good conduct, on June 30. Pardoned at the request of several hundred citizens of Lucas county.

WILLIAM McANDREWS. July 3, 1879. Committed to the jail of Polk county, at Des Moines, on June 16, 1879, under a sentence of the police court of Des Moines, for a term of thirty days, for the crime of

drunkenness. Pardoned on the recommendation of Judge M. D. McHenry, who sentenced him, and who says he would have given him twenty days had it been possible under the law, and he thinks that all the good resulting from imprisonment has been accomplished.

ALLEN R. SMITH. July 7, 1879. Committed to the Penitentiary of the State, at Fort Madison, on August 9, 1878, under a sentence of the district court of Guthrie county, for the term of four years, for the crime of abandoning a child, under six years of age, on a doorstep. I have evidence which was not admissible on the trial, that tends to throw a doubt upon his guilt. I am of the opinion that the sentence was too severe. Pardon granted to take effect August 9, 1879, at the request of Judge Loofbourn, eight jurors, Senator Lafe Young, Hon. John Y. Stone, the county officers, city officials of Atlantic, and over two hundred of the leading citizens of Cass county.

WILLIAM MCPHERSON. July 8, 1879. Committed to the Penitentiary of the State, at Fort Madison, on October 15, 1877, under a sentence of the district court of Des Moines county, for the term of three years for the crime of larceny. He is hopelessly paralyzed and cannot live but a short time, as certified to by the prison physician and warden.

LORENZO BRUMM. August 18, 1879. Committed to the Additional Penitentiary, at Anamosa, on the 2d day of January, 1878, under a sentence of the district court of Mitchell county, for the term of two years, for the crime of "assault with intent to kill." Pardoned at the request of Judge Ruddick, District Attorney Cleland, Hon. N. C. Deering, and one hundred and twenty others.

DANIEL E. FYOCK. September 2, 1879. Committed to the Penitentiary of the State, at Fort Madison, on the 23d day of May, 1878, under a sentence of the district court of Polk county, for the term of two years, for the crime of seduction. He has served nearly sixteen months of his sentence. I think he has reaped the full moral effect of his sentence; that he has been sufficiently punished, and if pardoned will make a good citizen. Pardoned at the request of the county officers, the jurymen who tried him, and one hundred and seventy-seven citizens of Dallas and Polk counties.

ALFRED COX. September 6, 1879. Sentenced to the Penitentiary of the State, at Fort Madison, on the 2d day of September, 1879, under a sentence of the district court of Madison county, for the term of one month, for the crime of uttering a forged promissory note. He plead "guilty," his confederate plead "not guilty." Pardoned at the request

of Judge McHenry and over three hundred of the best citizens of Winterset, and on the representations of the jury that tried his confederate.

JACOB C. HOOVER. September 16, 1879. Committed to the Penitentiary of the State, at Fort Madison, on December 17, 1877, under a sentence of the district court of Union county, for the term of two years, for the crime of larceny. His term expires by reason of allowance of time for good behavior on September 18th. Pardoned two days before the expiration of his sentence on account of general good conduct.

C. W. HUDSON. October 7, 1879. Committed to the Additional Penitentiary, at Anamosa, on December 30, 1878, under a sentence of the district court of Floyd county, for the term of one year, for the crime of larceny. Pardoned at the request of county officers, trial jurors and one hundred and twenty-five of the leading citizens of Floyd county, thirty-seven days before his time would expire.

PATRICK HOGAN. October 10, 1879. Committed to the Reform School, at Eldora, on the 28th day of August, 1878, under an order of the judge of the district court of Polk county, for the term of his minority, for the crime of larceny. This boy, who is only nine years old, was led into the commission of crime by older companions. Pardoned on account of his extreme youth at the request of his parents, who desire to have him at home, that they may exercise parental care over him.

JAMES WILSON. November 19, 1879. Committed to the Penitentiary of the State, at Fort Madison, on the 30th day of April, 1876, under a sentence of the district court of Louisa county, for the term of five years, for the crime of larceny. Pardoned on the certificate of the surgeon of the prison that he is dying of consumption, and cannot live out a short time.

JOHN E. FLETCHER. December 8, 1879. Committed to the Penitentiary, at Fort Madison, on the 13th day of June, 1877, under a sentence of the district court of Des Moines county, for the term of three years, for the crime of larceny from the person. His time would expire on January 24, 1880. Pardoned for good conduct while in prison.

PETER OLSON. December 8, 1879. Sentenced to the county jail of Winnebago county for ten days, and to pay a fine of fifty dollars and cost, for the crime of attempting to bribe a public officer. The sentence to jail is remitted at the request of the members of the grand

jury, county officers, A. K. Bailey, Hon. T. W. Burdick, Senator Johnson, and many others.

THOMAS E. SMITH. December 13, 1879. Sentenced to the Penitentiary of the State, at Fort Madison, on the 18th day of June, 1877, by the district court of Polk county, for the term of five years, for the crime of compelling a woman to be defiled. The defendant has since married the woman injured, and according to the wife's testimony they are living happily together. Pardoned at the request of the county officers, H. Y. Smith, district-attorney, and thirty-nine citizens of Jefferson township, Polk county.

A. J. REED. January 2, 1880. Committed to the Penitentiary of the State, at Fort Madison, on the 28th day of June, 1879, by reason of a judgment of the district court of Hardin county, for the term of one year, for the crime of larceny. Sentenced on his plea of guilty at the November, 1876, term of the court aforesaid. Pardoned for valuable services rendered the State, by which Henry Weese, the murderer of the Graeser family, was convicted. Pardon recommended by T. A. Bereman, district-attorney first district; J. W. McKenzie, district judge; Hon. John H. King, county officers of Hardin county, J. H. Bradley, circuit judge; M. D. O'Connell, ex-prosecuting attorney; Hon. Delos Arnold, Hon. R. Howe Taylor, and many others.

A. J. REED. January 2, 1880. This pardon refers to a term of two years for which he was sentenced at the same time as for the preceding and to follow it. It is proper to say that Reed was sentenced November 11, 1876, to six years imprisonment, for three offenses, and has served out the first term of three years, earning full diminution. He is now released from further imprisonment, and for the reasons set forth above.

JAMES MCGUIRE. January 14, 1880. Committed to the Additional Penitentiary, at Anamosa, on June 25, 1878, under a sentence of the district court of Buchanan county, for the term of two years, for the crime of robbery. His time will expire by diminution for good conduct March 7, 1880. Pardoned at the request of the district judge, D. S. Wilson; J. B. Powers, ex-district-attorney, Hon. M. W. Harmon, the county officers, the prosecuting witness, and many others.

COMMUTATIONS.

CHARLES BURNS. February 23, 1878. Sentenced to the Additional Penitentiary, February 20, 1878, from Scott county, for the term of two years, for the crime of robbery. Commuted to six months; for reasons see Thomas Hill.

THOMAS HILL. February 23, 1878. Sentenced to the Penitentiary of the State, from Scott county, February 20, 1878, for the crime of robbery, for the term of two years. Commuted to six months.

The boys are young, and in view of this being their first offense the district judge suspended sentence, and writes that if the law had not compelled him to sentence them for two years, he would have confined them in the Scott county jail for six months. Sentence commuted to six months in Fort Madison Penitentiary, as I am of the opinion that the influences in the Penitentiary will be more salutary than those in a common jail.

F. D. ALBERTSON. June 27, 1878. Committed to the Penitentiary of the State, November 16, 1876, under a sentence of the district court of Chickasaw county, for the term of five years, for the crime of embezzlement. This was his first offense, and was committed while he was in a state of intoxication, and from what I can learn of the case he has been sufficiently punished to meet the ends of justice. His sentence is commuted to two years from November 16, 1876, on the condition that he shall abstain from the use of intoxicating liquors, and shall lead a sober life; otherwise this commutation to be null and void, and he to be subject to a return to the penitentiary to serve out the remainder of his sentence. Pardon requested by O. J. Clark, district attorney, A. J. Felt, Bassett, Hunting & Co., the parties from whom he embezzled the money, Hon. Aaron Kimball, Hon. Wm. B. Perrin, J. H. Merrill, the Board of Supervisors, the county officers, and several hundred citizens of Chickasaw county.

SAMUEL MASURE. July 17, 1878. Sentenced to imprisonment in the Additional Penitentiary, at Anamosa, by the district court of Delaware county, on June 1, 1878, for the crime of forgery, for the term of six months, and to pay costs of prosecution. Amount of forgery \$27. He is a young man, and this is his first offense. His sentence is commuted to three months in the county jail of Delaware county, and to pay the costs of prosecution, at the request of District Judge

Wilson, prosecuting attorney J. B. Powers, and all the county officers.

HENRY REINMUTH. November 2, 1878. Sentenced to the Penitentiary of the State, at Fort Madison, on October 3, 1876, by the district court of Adair county, for the term of three years, for the crime of "assault with intent to commit rape," upon plea of "guilty." This boy was sixteen years of age. Plead guilty at the request of his parents. Sentence commuted to two years and five months. Recommended by the citizens of Adair county, Judge Leonard, and H. Y. Smith, prosecuting attorney.

FRANK SIMONS. November 23, 1878. Committed to the Des Moines county jail, under a sentence of the district court of Des Moines county, for the term of three months, for the crime of breaking and entering with intent to commit a felony. Sentence commuted to thirty days from the date of his commitment, for the reason that he had restored the goods taken to the value of \$250, which was as far as he was able to make restitution.

JACOB KEPHART. January 7, 1879. Sentenced to the Penitentiary of the State, at Fort Madison, on March 28, 1878, by the district court of Washington county, for the term of five years, for the crime of assault to kill. This man was out hunting with a party of companions, who had an altercation with another party of men over some dogs. The result was a fight. Commuted to one year. Pardon asked for by the county officers, all of the trial jurors, Attorney-General J. F. McJunkin, H. A. Burrill, and five hundred and fifty-two citizens of Washington county.

H. H. LINN. January 7, 1879. Committed to the Penitentiary of the State, at Fort Madison, on December 10, 1877, under a sentence of the district court of Story county, for the term of eighteen months, for the crime of bigamy. The parents of the girl to whom he was married were aware of the fact of his having a wife living. I think his punishment has been sufficient, and have commuted his sentence to sixteen months, which is a reduction of two months.

M. M. HUNTER. January 25, 1879. Committed to the Penitentiary of the State, at Fort Madison, on August 21, 1877, under a sentence of the district court of Decatur county, for the term of two years and three months, for the crime of larceny. Commuted to twenty-one months, which is a diminution of six months from his sentence. Pardon recommended by Judge Forrey, District-Attorney McPherson, ten grand jurors, and twelve petit jurors, and all of the county officers.

PATRICK SHANNON. March 14, 1879. Committed to the Penitentiary of the State, at Fort Madison, on September 19, 1876, under a sentence of the district court of Iowa county, for the term of ten years, for the crime of murder in the second degree. Sentence commuted to three years from the date of his imprisonment, upon condition that he shall abstain from the use of intoxicating liquors as a beverage. Granted at the request of Judge Shane, Hon. J. N. W. Rumble, Thomas Boyle, the prosecuting witness and brother of the murdered man, and 184 citizens of Iowa county.

DAVID J. VON WIE. March 20, 1879. Committed to the Penitentiary of the State, at Fort Madison, on January 22, 1873 (and afterwards transferred to the Additional Penitentiary, at Anamosa), under a sentence of the district court of Johnson county, for the term of eight years, for the crime of robbery. Petition for pardon signed by Anna C. Merrill, John B. Fiske, pastor Congregational church, Rev. Mr. Corbin, rector St. Mark's church, and others. Recommended by trial judge, W. T. Brannan. His conduct has been excellent, and I am of the opinion that his punishment has been sufficient. Sentence commuted so as to expire April 1, 1879, being a commutation of six months and seven days.

GEORGE W. DUNTON. October 27, 1879. Committed to the Additional Penitentiary, at Anamosa, on the 8th day of October, 1878, under a sentence of the district court of Kossuth county, for the term of two and one-half years, for the crime of perjury. Sentence commuted to one year, three months, and six days. There are mitigating circumstances in this case. Sentence commuted at the request of the members of the board of supervisors, twelve grand jurors, and over sixty of the leading citizens of Kossuth county.

FRANK STARR. January 7, 1880. Committed to the Penitentiary of the State, at Fort Madison, on January 20, 1876, under a sentence of the district court of Des Moines county, for the term of five years, for the crime of burglary. He obtained a set of harness by his crime. Commuted so as to expire February 1, proximo, on account of excessive sentence, and general good conduct while in prison.

CONDITIONAL PARDONS.

S. D. STODDARD. November 13, 1878. Sentenced to the Penitentiary of the State, at Fort Madison, at the June, 1878, term of the district court of Polk county, for the crime of adultery, for the term of three years. Pardoned conditionally at the request of his wife, the prosecuting witness, eight of the trial jurors, J. S. Clarkson, all the county officers, and thirty-five other citizens, upon the following conditions.

1. That he will abstain from the use of intoxicating drinks.
2. That he will not again commit the crime for which he was sentenced.
3. That he will properly support his family.

FRANK COUSINS. July 3, 1879. Committed to the Penitentiary of the State, at Fort Madison, January 22, 1878, under sentence of the district court of Marion county, for the term of two and a-half years, for the crime of burglary. Pardoned on condition that he shall hereafter lead a sober life, and abstain from the use of intoxicating liquors. Pardon granted at the request of Val Mendel, the mayor of Knoxville, county officers, and other citizens of Marion county.

JOSEPH (OR D. M.) FERGUSON. July 15, 1879. Committed to the Penitentiary of the State, at Fort Madison, on the 4th day of June, 1877, under a sentence of the district court of Jasper county, for the term of two and a-half years, for the crime of larceny. Sent to the Asylum for the Insane, at Mt. Pleasant, July 3, 1878. Pardoned on condition that said Ferguson, being insane, shall be cared for by his relatives, and without expense to the State.

J. W. STEVENSON. January 9, 1880. Sentenced to the Additional Penitentiary, at Anamosa, at the August term, 1877, of the district court of Delaware county, for the term of three months, for the crime of selling, transferring, and removing property stored with him, contrary to the provisions of section 4088 of the Code. This was a technical violation of law, and in my opinion without intent to defraud. The supreme court granted a rehearing in this case before itself, "from a hope," the court says, "that we might be able to discover some legal avenue to a different conclusion," "and thus release the defendant of the consequences of a conviction which seemed to us, under the circumstances, to be attended with very great hardship." Pardoned at request of county officers and others, on condition that the defendant pay the costs.

SPECIAL PARDONS.

CHARLES REED. February 7, 1878. Committed to the Additional Penitentiary, under a sentence of the district court of Cedar county, May 14, 1875, for the term of three years, for the crime of burglary and larceny. This pardon was granted to take effect ninety days before the expiration of his term, Reed having, as he supposed, earned the same by good conduct; the prison authorities at Anamosa having interpreted the law so as to make section 4754 of the Code applicable to the convicts at the Additional Penitentiary. I concur in the views of my predecessor on this point, as expressed in his biennial message, namely, that such interpretation was erroneous; but that, as the prisoners at Anamosa had been led to believe otherwise, he deemed it only right that they should be allowed for the time supposed to be earned prior to May 5, 1877, the date of his notification to the Warden to discontinue giving credits under section 4754, of the Code. Reed came within this category, and was accordingly released as stated.

GEORGE SAMUELS. February 12, 1878. Committed to the Additional Penitentiary, November 28, 1876, under a sentence of the district court of Clinton county, for the term of fifteen months, for the crime of larceny. Pardoned fourteen days before the expiration of term. Reason same as in Charles Reed case.

JAMES HOYE. February 18, 1878, to take effect February 22, 1878. Committed to the Additional Penitentiary, February 26, 1877, under a sentence of the district court of Scott county, for the term of one year, for the crime of stealing from the person. Pardon issued four days before the expiration of term. Reasons same as in Charles Reed case.

BERNHARD HANEY. February 18, 1878, to take effect February 22, 1878. Committed to the Additional Penitentiary, February 26, 1877, under a sentence of the district court of Scott county, for the term of one year, for the crime of larceny. Pardon issued three days before the expiration of the term. Reasons same as in Charles Reed case.

SUSPENSION OF SENTENCE.

WILLIAM BRUMWELL, ANDREW LEE, and MILLARD L. TRACY. January 13, 1880. Sentenced to the Penitentiary at March term, 1879, of the district court of Benton county, as follows: Tracy for one year, Lee for six months, and Brumwell for three months, for the crime of "assault with intent to commit murder." Sentence suspended one year from this day, on condition that they shall deport themselves as good citizens.

REMISSION OF FINES AND FORFEITURES.

FINES.

January 21, 1878. CONSTANTINE FULLER. Lee county, 1877. Penalty, \$100 and costs; amount remitted, \$100, upon payment of costs.

January 30, 1878. HENRY MEESE. Washington county, 1877. Penalty, \$200 and costs; amount remitted, \$200, upon payment of costs.

February 5, 1878. TIMOTHY JORDON. Mitchell county, 1873. Penalty, \$100 and costs; amount remitted, \$100, upon payment of costs.

February 13, 1878. A. KAISER. Wapello county, 1873. Penalty, \$500 and costs; amount remitted, \$500 and costs. Kaiser is deceased, and left an estate that, if sold, would not more than pay the judgments, and would leave his widow in almost a peniless condition; besides, she is in miserable poor health.

February 13, 1878. A. KAISER. Wapello county, 1876. Penalty, \$500 and costs; all remitted.

February 13, 1878. A. KAISER. Wapello county, 1873. Penalty, \$100 and costs; all remitted.

February 21, 1878. C. C. BIRNEY. Floyd county, 1876. Penalty, \$330 and costs; amount remitted, \$165, at the suggestion and request of Judge G. W. Ruddick, who is of the opinion, that under the circumstances, he placed the fine too high.

March 1, 1878. J. MARTIN DUMUTH. Davis county, 1873. Penalty, \$100 and costs; amount remitted, \$100, upon payment of costs.

April 19, 1878. JAMES CLARK. Polk county, 1878. Penalty, \$100 and costs; all remitted, conditioned that he would leave the city of Des Moines.

May 17, 1878. HANNAH DONAHEY. Wapello county, 1869. Penalty, \$50 and costs; amount remitted, \$50, upon payment of costs.

This and the following fines against this person were for nuisance, in selling intoxicating liquors illegally. She is a widow, has quit the business, and the fines were remitted at the request of board of supervisors of Wapello county.

May 17, 1878. HANNAH DONAHEY. Wapello county, 1869. Penalty, one cent and costs; fine remitted upon payment of costs.

May 17, 1878. HANNAH DONAHEY. Wapello county, 1870. Penalty, \$100 and costs; amount remitted, \$100, upon payment of costs.

May 17, 1878. HANNAH DONAHEY. Wapello county, 1871. Penalty, \$75 and costs; amount remitted, \$75, upon payment of costs.

May 17, 1878. HANNAH DONAHEY. Wapello county, 1872. Penalty, \$200 and costs; amount remitted, \$200, upon payment of costs.

May 17, 1878. HANNAH DONAHEY. Wapello county, 1873. Penalty, \$10 and costs; amount remitted, \$10, upon payment of costs.

May 17, 1878. HANNAH DONAHEY. Wapello county, 1874. Penalty, \$10 and costs; amount remitted, \$10, upon payment of costs.

May 17, 1878. HANNAH DONAHEY. Wapello county, 1874. Penalty, \$25 and costs; amount remitted, \$25, upon payment of costs.

May 25, 1878. FRANK CHANDLER. Linn county, 1876. Penalty, \$50 and costs; amount remitted, \$50, upon payment of costs, upon recommendation of Hon. John Shane, district judge, who imposed the fine.

May 25, 1878. FRANK CHANDLER. Linn county, 1876. Penalty, \$50 and costs; amount remitted, \$50, upon payment of costs.

May 25, 1878. FRANK CHANDLER. Linn county, 1876. Penalty, \$150 and costs; amount remitted, \$150, upon payment of costs.

May 25, 1878. J. L. PEAK. Linn county, 1876. Penalty, \$50 and costs; amount remitted, \$50, upon payment of costs.

May 25, 1878. J. L. PEAK. Linn county, 1877. Penalty, \$50 and costs; amount remitted, \$50, upon payment of costs.

May 25, 1878. J. L. PEAK. Linn county, 1877. Penalty, \$50 and costs; amount remitted, \$50, upon payment of costs.

June 6, 1878. HENRY TSCHILLARD. Muscatine county, 1871. Penalty, \$100 and costs; amount remitted, \$100, upon payment of costs.

June 6, 1878. P. H. LENON. Guthrie county, 1877. Penalty, \$100 and costs; amount remitted, \$100, upon payment of costs.

August 6, 1878. THOMAS GALLAGHER. Wapello county, 1874. Penalty, \$150 and costs; amount remitted, \$150, upon payment of costs, and that he will not, by himself or agent, engage in the sale of

intoxicating liquors for the period of five years from the date of these remissions.

August 6, 1878. THOMAS GALLAGHER. Wapello county, 1874. Penalty, \$20 and costs; amount remitted, \$20, upon payment of costs.

August 6, 1878. THOMAS GALLAGHER. Wapello county, 1875. Penalty, \$75 and costs; amount remitted, \$75, upon payment of costs.

August 6, 1878. THOMAS GALLAGHER. Wapello county, 1876. Penalty, \$25 and costs; amount remitted, \$25, upon payment of costs.

August 6, 1878. THOMAS GALLAGHER. Wapello county, 1876. Penalty, \$50 and costs; amount remitted, \$50, upon payment of costs.

August 6, 1878. THOMAS GALLAGHER. Wapello county, 1876. Penalty, \$100 and costs; amount remitted, \$100, upon payment of costs.

August 6, 1878. THOMAS GALLAGHER. Wapello county, 1877. Penalty, \$50 and costs; amount remitted, \$50, upon payment of costs.

September 14, 1878. MARTIN OHLSCHLAGER. Wapello county, 1873. Penalty, \$500 and costs; amount remitted, \$500, upon payment of costs, and that he will not engage in the sale of intoxicating liquors for the period of five years from the date of these remissions.

September 14, 1878. MARTIN OHLSCHLAGER. Wapello county, 1873. Penalty, \$400 and costs; amount remitted, \$400, upon payment of costs.

September 14, 1878. MARTIN OHLSCHLAGER, JOSEPH OHLSCHLAGER, and JACOB OHLSCHLAGER. Wapello county, 1874. Penalty, \$100 and costs each; fines remitted upon payment of costs.

September 18, 1878. LEONARD ETZEL. Johnson county, 1872. Penalty, \$200 and costs; fine remitted. Etzel is dead. He left a wife and five children in poor circumstances. Remitted at request of Hon. S. J. Kirkwood, Hon. Rush Clark, Hon. E. Clark, Hon. M. Bloom, Hon. J. P. Irish, the sheriff, and forty others.

September 19, 1878. JOHN CAHILL. Van Buren county, 1874. Penalty, \$500 and costs; amount remitted, \$500, upon payment of costs and district-attorney's fees. It appears that defendant was not in the saloon business separately. Fine remitted at request of all the county officers, board of supervisors, and Judge Robert Sloan.

March 3, 1879. JOHN E. REININGHAUS. Van Buren county, 1874. Penalty, \$200 and costs; amount remitted, \$200, upon payment of costs, and on condition that he shall not engage in the sale of intoxicating liquors. Remitted at request of officers of Van Buren county, and mayor and city council of Cantril.

March 3, 1879. JOHN E. REININGHAUS. Van Buren county, 1874. Penalty, \$50 and costs; amount remitted, \$50, upon payment of costs. Reasons same as in previous case.

September 19, 1878. JOHN BARTLETT. Polk county, 1878. Penalty and costs all remitted. Remitted at the request of Judge McHenry, who imposed the fine, and the policeman whom he assaulted at the time of his arrest.

September 19, 1878. CHARLES SPRINGER. Polk county, 1878. Penalty, \$50 and costs; fine remitted, to take effect September 23, 1878, at the request of Mayor Sneer, Rev. D. R. Lucas, Rev. P. P. Ingalls, P. H. Bristow, N. B. Collins, and Mrs. M. J. Miles.

September 20, 1878. FRED ZACH. Hardin county, 1877. Penalty, \$100 and costs; fine remitted, at the request of county officers, board of supervisors, mayor of Ackley, and sixty other citizens.

September 20, 1878. FRED ZACH. Hardin county, 1877. Penalty, \$250 and costs; fine remitted, at same request as previous case.

October 3, 1878. O. J. SILVERTHORN. Union county, 1877. Penalty, \$200 and costs; amount remitted, \$200, upon payment of costs.

October 15, 1878. JAMES HEATH. Montgomery county, 1872. Penalty, \$30 and costs; amount remitted, \$30, costs paid. Ashley, the petitioner, says that he signed an appearance bond for Jas. Heath; that Heath was fined \$30 and costs; that the costs have been paid; and that a former clerk of the district court entered Ashley's name as surety, whereas he never was surety except as above. District-attorney says the statement is correct.

November 7, 1878. FRANK GREEN. Polk county, 1878. Penalty, \$100 and costs; amount remitted, \$100, upon payment of costs. Recommended by Hon. H. Y. Smith, district-attorney.

December 6, 1878. ROBERT BYRN, or BAIRD. Polk county, 1878. Penalty, \$45 and costs; amount remitted, \$45, upon payment of costs, and that he leave the state with his sister for one year.

December 7, 1878. GEORGE R. KELLER. Louisa county, 1868. Penalty, \$50 and costs; amount remitted, \$50, upon payment of costs. Remitted at request of district-attorney, Louisa county officers, and others.

December 7, 1878. J. H. MCFARLAND. Lucas county, 1871. Penalty, \$50 and costs; amount remitted, \$50, upon payment of costs, at request of county officers and more than fifty citizens of Chariton.

February 18, 1879. CHARLES DAWSON. Cass county, 1874. Pen-

alty, \$300, and costs; amount remitted, \$300, upon payment of costs, and on condition that he quit the business of selling intoxicating liquors.

February 18, 1879. CHARLES DAWSON. Cass county, 1874. Penalty, \$50 and costs; amount remitted, \$50, upon payment of costs, and on condition that he shall quit keeping a gambling house.

March 24, 1879. STEPHEN LONG. Des Moines county. Penalty, \$13 and interest and costs; amount remitted, \$13 and interest, upon payment of costs.

April 16, 1879. THEODORE KRUEMLING. Hardin county. Penalty, \$200 and costs; amount remitted, \$200, upon payment of costs, and that he shall not again violate the law in the sale of intoxicating liquors.

April 18, 1879. CHARLES H. PATTEN. Lee county, 1878. Penalty, \$50 and costs; amount remitted, \$50, upon payment of costs. This and the following fine of Patten's remitted on condition that he does not again violate the law in the sale of intoxicating liquors.

April 18, 1879. CHARLES PATTEN. Lee county, 1879. Penalty, \$20 and costs; amount remitted, \$20, upon payment of costs.

April 18, 1879. CHARLES PATTEN. Lee county, 1879. Penalty, \$50 and costs; amount remitted, \$50, upon payment of costs, and that he shall not again violate the law in relation to gambling.

May 17, 1879. W. B. SHERMAN. Boone county, 1876. Penalty, \$50 and costs; all remitted, at request of Judge Mitchell, G. W. Crooks, and 127 citizens.

June 17, 1879. THOMAS KENNEDY. Polk county, 1879. Penalty, \$30 and costs; all remitted, at request of Judge McHenry, J. S. Clarkson, and seven others.

July 11, 1879. ANDREW RICHART. Boone county, 1879. Penalty, \$200 and costs; amount remitted, \$150, at request of county officers, and twenty-two citizens of Boone county.

July 16, 1879. JOSEPH WALTZ. Muscatine county, 1873-79. Penalty, \$265; amount remitted, \$115.08 of amount of fine upon payment of remainder of principal and interest and costs, and quit selling intoxicating liquors.

September 1, 1879. HENRY H. IRVING. Des Moines county, 1877. Penalty, \$50 and costs; amount remitted, \$50, upon payment of costs, at request of District-Attorney Sprague.

November 18, 1879. ADAM BACHMAN. Polk county, 1879. Pen-

alty, two fines of \$500 and costs each; fines remitted, to relieve the estate of his bondsman Schwilke from liability, and clear from incumbance to his children, he being reported as dying.

November 26, 1879. GEORGE BERRY. Des Moines county, 1879. Penalty, \$150 and costs; amount remitted, \$100, upon payment of the remainder of fine and costs. This remission and those in the following four cases were made at the request of Hon. A. H. Stutsman, the judge by whom the fines were imposed.

November 26, 1879. JOSEPH NEY. Des Moines county, 1879. Penalty, \$200 and costs; amount remitted, \$150, upon payment of the remainder of fine and costs.

November 26, 1879. JOHN NEWOHRER. Des Moines county, 1879. Penalty, \$200 and costs; amount remitted, \$150, upon payment of remainder of fine, and costs.

November 26, 1879. DANIEL REINART. Des Moines county, 1879. Penalty, \$200 and costs; amount remitted, \$150, upon payment of costs and remainder of fine.

November 26, 1879. JACOB DUTWEILER. Des Moines county, 1879. Penalty, \$200 and costs; amount remitted, \$150, upon payment of costs and remainder of fine.

November 28, 1879. H. A. ZANGS. Wapello county, 1873. Penalty, \$500 and costs; amount remitted, \$500, upon payment of costs, it appearing that he is and has been for five years the county agent of Wapello county for the sale of liquors, and has never forfeited his license as such by misconduct or otherwise.

November 28, 1879. H. A. ZANGS. Wapello county, 1874. Penalty, \$100 and costs; amount remitted, \$100, upon payment of costs.

FORFEITURES.

January 23, 1878. JOHN ZIMBELMAN. Boone county, 1877. Forfeiture, \$1,000 and costs; amount remitted, \$500, upon payment of costs.

March 2, 1878. M. ERNSDORF. Boone county, 1877. Forfeiture, \$500 and costs; amount remitted, \$250, upon payment of costs.

April 8, 1878. JEREMIAH BEAL and J. H. WALLACE. Taylor county, 1877. Forfeiture, \$150 and costs; amount remitted, \$150, upon payment of costs.

April 26, 1878. W. A. WYSONG. Taylor county, 1877. Forfeiture, \$150 and costs; amount remitted, \$150, upon payment of costs.

September 20, 1878. FRED ZACH. Hardin county, 1876. Forfeiture, \$121.18 and costs; amount remitted, \$121.18, upon payment of costs.

September 20, 1878. FRED ZACH. Hardin county, 1876. Forfeiture, \$69.63 and costs; amount remitted, \$69.63, upon payment of costs.

July 8, 1879. J. A. DAVIS and HENRY STEVENSON. Appanoose county. Forfeiture, \$300; amount remitted, \$300, upon payment of costs.

January 13, 1880. JOHN H. HATFIELD. Page county, 1879. Forfeiture, \$400 and costs; amount remitted, \$400, upon payment of costs.