

# REPORT

BY THE

## GOVERNOR OF IOWA

OF

### Pardons, Suspensions and Commutations of Sentence

AND

### Remissions of Fines

FROM

January 1, 1904, to December 31, 1905.

DES MOINES, IOWA  
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EXECUTIVE OFFICE, January 8, 1906.

*To the Senate and House of Representatives:*

In compliance with section 16, article IV of the Constitution, I herewith transmit to you a report of each case of pardon, reprieve, commutation, and suspension granted, and the reasons for the same, also the names of all persons in whose favor remissions of fines and forfeitures have been granted, and the amounts, for the period ending December 31, 1905.

*Albert B. Cummins*



## PARDONS

### ADVISED BY THE THIRTIETH GENERAL ASSEMBLY.

**FRANK HALL**, Pottawattamie County. Convicted at the March Term, 1891, of the offense of murder in the first degree, and sentenced to the penitentiary for the term of his natural life. Notice was published and this case submitted to the 30th General Assembly, as the law requires, and by resolution of the body the defendant was pardoned on the 16th day of April, 1904.

**HENRY STEFFEN**, Plymouth County. Convicted at the September Term, 1901, of the offense of manslaughter, and sentenced to serve a term of eight years in the penitentiary. A very strong showing was made in this case in support of the theory that the defendant acted in self-defense. An unusually strong showing signed by the court officials and citizens generally who were conversant with all of the facts was filed in support of the application for clemency. In addition to this the Pardon Secretary visited the community and made a personal investigation of all of the facts obtainable that had any bearing on the case. The belief was prevalent in the community that the defendant should not have been sent to the penitentiary. Pardoned February 19, 1904.

**WILLIAM BOEVER**, Plymouth County. Convicted at the December Term, 1901, of the crime of manslaughter, and sentenced to serve a term of four years in the penitentiary. The facts and circumstances set forth in the case of Henry Steffen, above, also apply in this case. Pardoned February 19, 1904.

**JULIUS PRINGLE**, Clinton County. Convicted at the April Term, 1904, of the offense of embezzlement, and sentenced to serve a term of one year in the penitentiary. It was shown that the defendant was only technically guilty, if guilty at all; that he had for a period of years acted as the agent of the prosecuting witness in renting a number of houses in the city of Clinton; that he frequently had a large amount of money in his possession which belonged to the prosecuting witness; that it was a part of his duty to keep up the different properties and to render an accounting to the prosecuting witness whenever he should ask for the same. It was also urged in support of the application for pardon that the defendant was of unsound mind and could not have entertained intent to commit a crime. Pardoned October 30, 1905.

**J. D. WHIPPS**, Fayette County. Convicted at the September Term, 1905, of the offense of embezzlement and sentenced to serve a term of three months in the penitentiary. An unusually strong showing was made in support of the defendant's application for clemency, the same being recommended by the county attorney and trial judge and a large number of business and professional men. It was urged in support of the application that the defendant had so many duties to perform that it was impossible for one man to attend to all of them; that if guilty at all it was by reason of lack of ability to keep a record of the defendant's transactions and not because of any criminal intent. Pardoned November 6, 1905.

**EMMET L. SEYMOUR**, Jones County. Convicted at the January Term, 1894, of the offense of murder in the second degree, and sentenced to serve the term of his natural life in the penitentiary. The defendant had already undergone two operations for necrosis of the mastoid bone, and the prison physician had found it impossible to heal the wound thus made. Afterward it developed that a similar operation would be necessary on the other mastoid bone and it was believed that the defendant could not possibly survive the second operation. The defendant had served the equivalent of a twenty year's sentence. Pardoned November 24, 1905.

## SUSPENSIONS.

**JAMES McDONALD**, Carroll County. Convicted of the crime of larceny and sentenced at the September Term, 1903, to serve a term of five months in the county jail. Clemency was recommended by Judge F. M. Powers and County Attorney Chas. E. Reynolds. Sentence suspended January 1, 1904.

**ROY KING**, Johnson County. Convicted at the September Term, 1903, and sent to the county jail for a period of four months for the offense of larceny. Clemency was recommended by the judge who pronounced sentence, by the mayor and city marshal of Iowa City, and by seventeen other citizens who were familiar with all of the circumstances of the case. Sentence suspended January 7, 1904.

**ALBERT HAGAN**, Johnson County. Convicted at the September Term, 1903, and sent to the county jail for a period of four months for the offense of larceny. Clemency was recommended by the judge who pronounced sentence, by the mayor and city marshal of Iowa City, and by seventeen citizens familiar with all of the circumstances of the case. Sentence suspended January 7, 1904.

**CHARLES HERLING**, Jasper County. Convicted at the December Term, 1902, of the offense of larceny from a building and sentenced to serve a term of two and one-half years in the penitentiary. Clemency

was recommended by Judge Scott and County Attorney Silwood. Sentence suspended January 12, 1904.

**WILLIAM FERGUSON**, Polk County. Convicted at the May Term, 1909, of the crime of burglary and sentenced to the penitentiary for a term of six years. Clemency was extended on the recommendation of the trial judge and the county attorney, both of whom state that they have very grave doubts of the defendant's connection with the crime charged. Sentence suspended January 15, 1904.

**WILLIAM McLAUGHLIN**, Audubon County. Convicted at the October Term, 1894, of the crime of murder in the second degree and sentenced to serve a term of twenty-two years in the penitentiary, being committed under said sentence on the 30th day of October, 1894. Clemency in this case was recommended by a large number of citizens—there being six petitions on file, all numerously signed. The judge who pronounced sentence wrote that he had no objection to either a pardon or a suspension of sentence. Sentence suspended February 1, 1904.

**WILLIAM NAGEL**, Jefferson County. Convicted at the September Term, 1904, of the crime of larceny and sentenced to the penitentiary for a term of two years. Clemency was recommended by the trial judge, county attorney, and the county attorney at the time the application was made and by a large number of citizens conversant with all of the facts, who wrote letters in the defendant's behalf, also by a numerously signed petition containing the names of several prominent officials of the state. Sentence suspended February 2, 1904.

**CHARLES WILSON**, Polk County. Convicted at the September Term, 1902, of the crime of larceny from the person, and sentenced to serve a term of two years in the penitentiary. The showing in this case indicates that the defendant was formerly a man in good circumstances—the owner and editor of a newspaper in Illinois; that the sudden death of his wife and children so affected him that he began drinking to excess with the result that he soon lost his property and became a tramp printer. Clemency was recommended by the county attorney and by a large number of citizens both in Iowa and Illinois who were familiar with the life of this unfortunate man. Sentence suspended February 2, 1904.

**ED. D. McCLELLAND**, Pottawattamie County. Convicted at the November Term, 1903, of the offense of breaking and entering and sentenced to the penitentiary for a term of two years. Clemency was recommended by the trial judge, county attorney, and by a petition containing the names of 105 citizens who were familiar with the circumstances surrounding the conviction. Sentence suspended February 2, 1904.

**CASSIUS MASON**, Clayton County. Convicted at the April Term, 1900, of the crime of assault with intent to commit murder, and sentenced to the penitentiary for a term of seven years. A strong peti-



tion is on file in support of the application for clemency. The same is also recommended by the county attorney. Sentence suspended February 8, 1904.

**MELVIN A. PARMENTIER**, Crawford County. Convicted at the January Term, 1903, of the offense of keeping a house of ill-fame and sentenced to serve a term of one year in the penitentiary. Sentence suspended before commitment on the recommendation of the judge and county attorney. Sentence suspended February 17, 1904.

**JOHN THORDSON**, Pottawattamie County. Convicted at the March Term, 1903, of the offense of larceny and sentenced to serve a term of two years in the penitentiary. Clemency was recommended by the trial judge, county attorney, and several other good citizens conversant with all of the facts. Also a numerous signed petition in support of the application is on file. Sentence suspended February 20, 1904.

**JOHN HUEBNER**, Woodbury County. Convicted at the September Term, 1903, of the crime of larceny and sentenced to serve a term of thirteen months in the penitentiary. The county attorney, in response to an inquiry from this office, stated that he did not regard the defendant as being a criminal, but that his downfall was the result of evil associations, and that he heartily recommended clemency in his behalf. The trial judge referred to the statement of the county attorney and stated that he fully endorsed it. Sentence suspended February 20, 1904.

**OTTO T. RIEMAN**, Dubuque County. Convicted at the March Term, 1903, of the offense of embezzlement. Clemency was recommended by the trial judge and county attorney, and by a large number of business and professional men, all of whom were thoroughly conversant with the facts. Sentence suspended February 20, 1904.

**JOHN SHEA**, Wapello County. Convicted at the January Term, 1903, of the offense of larceny and sentenced to serve a term of six months in the county jail. Clemency was recommended by a large number of citizens and officials who were familiar with all of the circumstances incident to the prosecution. Sentence suspended March 10, 1904.

**GEORGE VAN NESS**, Poweshiek County. Sentenced July 26, 1903, to serve a term of one year in the county jail for the offense of breaking and entering. Clemency was recommended by the county attorney, sheriff, and several citizens familiar with all of the facts. A petition in support of the application containing the names of 154 citizens of said county is on file. Sentence suspended March 11, 1904.

**BERT E. LEE**, Palo Alto County. Convicted at the March Term, 1903, of the crime of breaking and entering and sentenced to serve a term of five years in the penitentiary. An unusually strong showing was made in support of the application for clemency. Employment

was procured for the defendant prior to his release. Sentence suspended March 21, 1904.

**ROSE DAWSON**, Marshall County. Convicted at the October Term, 1903, of the offense of larceny and sentenced to the penitentiary for a term of three years. Clemency was recommended by the trial judge and the county attorney, also by several citizens who wrote letters in her behalf. Two petitions numerously signed are also on file. Clemency was also urged on account of her extreme youth, she being at the time of commitment only sixteen years of age. Sentence suspended March 21, 1904.

**WILLIAM H. BARKLEY**, Sac County. Convicted at the November Term, 1903, of the offense of maintaining a nuisance, and fined \$300.00. In default of payment defendant to be committed to the county jail. On the recommendation of the trial judge, county attorney, five county officials, the mayor of the town in which the nuisance was maintained, and two other citizens, that part of the judgment of the District Court which required his incarceration in the county jail was suspended. Sentence suspended March 21, 1904.

**CHRIS KEEGAN**, Fayette County. Convicted at the January Term, 1903, of the offense of maintaining a nuisance and sentenced to pay a fine of \$300.00, and in default of the payment of same to be committed to the county jail. On the recommendation of numerous citizens and officials that part of the judgment of the District Court which required his incarceration in the county jail was suspended. Sentence suspended March 21, 1904. Suspension revoked May 16, 1904.

**WALTER COOK**, Cedar County. Convicted at the February Term, 1904, of the crime of larceny and sentenced to serve a term of two years in the penitentiary. Sentence was suspended before commitment on the recommendation of a large number of citizens who signed the petition, and with the approval of the trial judge and county attorney. Sentence suspended March 21, 1904.

**EDWARD CAHAIL**, Guthrie County. Convicted at the September Term, 1903, of the offense of breaking and entering and sentenced to serve a term of one year in the penitentiary. Two petitions containing the names of many of the best citizens of the county, also a number of letters written by business and professional men were filed in support of the application. Sentence suspended April 13, 1904.

**JAMES CAHAIL**, Guthrie County. Convicted at the September Term, 1903, of the offense of breaking and entering and sentenced to serve a term of one year in the penitentiary. Two petitions containing the names of many of the best citizens of the county, also a number of letters written by business and professional men were filed in support of the application. Sentence suspended April 13, 1904.

**ALEXANDER WHITE**, Pottawattamie County. Convicted at the September Term, 1903, of the offense of breaking and entering and sentenced to serve a term of one year in the penitentiary. Clemency



was recommended by a large number of citizens and county officials who were familiar with all of the circumstances attending his conviction. Sentence suspended April 13, 1904.

**HENRY J. TIERNEY**, Des Moines County. Convicted at the September Term, 1904, of the offense of larceny and sentenced to serve a term of two years in the penitentiary. The uniform good character of the defendant prior to the commission of the offense of which he was convicted was shown. Clemency was recommended by the trial judge, county attorney, and by a large number of citizens. It was also to his credit that he gave the warden some very valuable information while in the prison which undoubtedly saved the lives of several of the prison officials. Sentence suspended April 13, 1904.

**GERTRUDE McDONALD**, Scott County. Convicted at the January Term, 1903, of the crime of larceny from the person, and sentenced to serve a term of five years in the penitentiary. Clemency was recommended by the trial judge and a number of citizens and professional men who were familiar with all of the circumstances of the case. Sentence suspended April 13, 1904.

**JAMES O'BRIEN**, Clarke County. Convicted at the January Term, 1902, of the offense of burglary, and sentenced to serve a term of five years in the penitentiary. The showing filed in support of the application for clemency revealed the fact that the defendant was incarcerated under an assumed name; that he came of a good family in Chicago; that his father was a prominent business man in that city. It was also shown by the certificate of the prison physician that his mind had become affected during his incarceration and it was recommended that he be permitted to return with his father to his home in Chicago. Sentence suspended April 13, 1904.

**ROSCOE SEWELL**, Bremer County. Convicted at the November Term, 1900, of the offense of rape, and sentenced to the penitentiary for a term of eight years. Clemency was recommended by the trial judge and a large number of citizens who wrote letters in support of the application. Sentence suspended April 18, 1904.

**EMMA D. McDANIEL**, Scott County. Convicted at the January Term, 1903, of the offense of obtaining money by false pretenses, and sentenced to serve a term of two years in the penitentiary. Clemency was recommended by the trial judge, county attorney and a number of citizens who wrote letters in the defendant's behalf. Sentence suspended April 28, 1904.

**W. T. NORRIS**, Story County. Convicted at the January Term, 1904, of the offense of maintaining a nuisance, and sentenced to pay a fine of \$300.00. In default of the payment of same to be committed to the county jail for the period of ninety days. That part of the sentence requiring his commitment to the county jail was, on recommendation of a number of citizens and county officials, suspended. It was also shown at the time of the issuing of the suspension that his father was lying at the point of death. Sentence suspended April 29, 1904.

**ROBERT BURNS**, Poweshiek County. Convicted at the September Term, 1903, of the offense of assault with intent to commit great bodily injury, and sentenced to serve a term of one year in the county jail. Clemency was recommended by the county attorney and sheriff. A petition containing the names of over three hundred citizens of the county was also filed in support of the application for clemency. Sentence suspended April 29, 1904.

**CONRAD REITER**, Jefferson County. Convicted at the April Term, 1902, of the offense of forgery, and sentenced to serve a term of five years in the penitentiary. Clemency was recommended by the man whose name was forged, also by the trial judge and county attorney, and several business and professional men who were familiar with the facts. Sentence suspended April 29, 1904.

**JOHN SEEVERS**, Clinton County. Convicted at the April Term, 1898, of the crime of robbery, and sentenced to serve a term of twelve and one-half years in the penitentiary. The defendant always maintained that he was innocent. Clemency was recommended in his behalf by nine of the jury who returned the verdict against him, also by a large number of citizens who wrote letters in his behalf. Sentence suspended April 29, 1904. Revoked June 11, 1904.

**FRED LONG**, Washington County. Convicted at the March Term, 1904, of the offense of maintaining a nuisance and fined in the sum of \$1,000.00, in default of the payment of which he was remanded to the county jail. That part of the judgment of the District Court which required his incarceration in the county jail in default of payment of the fine imposed was, on the recommendation of a large number of citizens, including one state officer and a state senator, suspended May 13, 1904.

**GEORGE JOHNSON**, Marshall County. Convicted at the March Term, 1904, of the crime of lewdness, and sentenced to serve a term of three months in the county jail. Clemency was recommended in his behalf by the court officials and a number of citizens, it being urged in his behalf that he was a very ignorant man and did not really understand that he was violating the law. Sentence suspended May 13, 1904.

**W. H. COLEMAN**, Polk County. Convicted at the September Term, 1902, of the offense of adultery, and sentenced to the county jail for a term of six months. Sentence suspended on the recommendation of a large number of officials and citizens, and for the further reason that his wife, at the time the order was issued, was seriously ill. The defendant was released six days prior to the expiration of his term. Sentence suspended May 24, 1904.

**NICK NELSON**, Mahaska County. Convicted at the April Term, 1898, of the offense of murder in the second degree, and sentenced to serve a term of twenty years in the penitentiary. Clemency was recommended by the trial judge, also by more than 200 citizens who signed a petition praying for the same, the judge stating in his letter



that his recommendation was based on the discovery of evidence not produced at the trial, which indicated almost beyond doubt that the defendant acted in self-defense. Sentence suspended May 28, 1904.

**RALPH COPP**, Carroll County. Convicted at the September Term, 1903, of the offense of larceny from the person, and sentenced to serve a term of three years in the penitentiary. Clemency was recommended by the trial judge and by a large number of citizens who signed petitions in support of the application. Sentence suspended June 1, 1904.

**JOHN CORWIN**, Mahaska County. Same offense and same statements as in the case of Ralph Copp, above.

**JOHN BOOTH**, Mahaska County. Convicted at the April Term, 1903, of the crime of breaking and entering, and sentenced to serve a term of two years in the penitentiary. Clemency was recommended by the trial judge and county attorney, both of whom stated that an investigation revealed the fact that this was his first offense; that he came of a good family and that it was their opinion that it would be better to permit him to return to his mother in Minnesota than to remain in the penitentiary, being at the time of his commitment only nineteen years of age. Sentence suspended May 28, 1904.

**ROBERT MERRICK**, Benton County. Convicted at the April Term, 1904, of the crime of maintaining a nuisance, and sentenced to the county jail for a period of ninety days in default of the payment of a fine of \$300.00. That part of the judgment of the District Court which required his incarceration in the county jail in default of the payment of the fine was suspended on the recommendation of the trial judge, county attorney and twenty-one citizens of the county who were familiar with the circumstances of the conviction. Sentence suspended May 28, 1904.

**DANIEL W. MALONE**, Jackson County. Convicted at the November Term, 1903, of the offense of rape, and sentenced to serve a term of three and one-half years in the penitentiary. Both the trial judge and the county attorney when written to after the filing of the application in the defendant's behalf refused to make any recommendation. Three prominent citizens of the county and one state official came personally to recommend clemency in his behalf. The prison physician reported that he was in a very bad physical and mental condition, and stated that he feared the worst if he was kept in confinement. Sentence suspended June 7, 1904.

**THOMAS MARSH**, Marion County. Convicted at the September Term, 1903, of the offense of maintaining a nuisance, and sentenced to pay a fine of \$1,000.00, and in default of the payment of same to be committed to the county jail. On the recommendation of the county officials who were concerned directly or indirectly in the collection of the fine, that part of the judgment of the District Court which required his incarceration in the county jail was suspended after he had served

almost eight months of the required time. Sentence suspended June 11, 1904.

**SAMUEL HORTON**, Woodbury County. Convicted at the November Term, 1903, of the offense of assault with intent to inflict great bodily injury, and sentenced to serve a term of ten months in the county jail. Sentence suspended on the recommendation of the trial judge, police judge, and nearly all of the county officers, together with a large number of business and professional men. After having served seven months of his sentence the same was suspended July 2, 1904.

**R. W. BURKE**, Woodbury County. Convicted at the August Term, 1901, of the crime of embezzlement, and sent to the penitentiary for a term of five years. The former good character of the defendant was urged in support of his application. Clemency was recommended by the trial judge, county attorney, and a large number of citizens. Sentence suspended July 2, 1904.

**JOSEPH BALLUFF**, Johnson County. Convicted at the February Term, 1903, of the crime of assault with intent to commit rape, and sentenced to serve a term of one and one-half years in the penitentiary. Clemency was recommended by the county attorney, Hon. M. J. Wade, David Brandt, D. W. Koonts, and F. K. Stebbins, Mayor. Two petitions numerously signed were also filed in support of the application. There was also filed an affidavit made by the marshal who arrested the defendant who swore that the defendant was intoxicated at the time he took him into custody. Sentence suspended July 2, 1904.

**CLAY LEIGHTON**, Mahaska County. Convicted at the February Term, 1904, of the offense of resisting an officer, and sentenced to serve a term of eight months in the county jail. Clemency was recommended by the trial judge and county attorney and by several citizens of the county. Sentence suspended July 11, 1904, after he had served half his term.

**WILLIAM JACKSON**, Polk County. Convicted at the September Term, 1899, and sentenced to serve a term of five years for the offense of larceny from the person. On the recommendation of a large number of citizens and partly on account of the dependent condition of his widowed mother, sentence was suspended twenty-eight days prior to the expiration of the term. Sentence suspended July 23, 1904. Revoked October 20, 1904.

**L. P. SCROGGS**, Shelby County. Convicted at the October Term, 1902, of the offense of assault with intent to commit rape, and sentenced to serve a term of one and one-half years in the penitentiary. The trial judge stated that he would not make a recommendation either way, but that in imposing the short sentence he had taken into consideration some of the remarkable facts that developed during the trial. The county attorney was out of the state and his whereabouts unknown. A petition was filed containing the names of 355 citizens—residents of the vicinity, and who were thoroughly familiar with all of the circumstances. Sentence suspended before commitment July 25, 1904.



**H. W. MERCER**, Madison County. Convicted at the December Term, 1903, of the offense of maintaining a nuisance, and sentenced to pay a fine of \$1,200.00 and in default of payment of the same to be committed to the county jail for 360 days. Clemency was recommended by the trial judge and by fifty citizens. Statements were also filed by two physicians to the effect that his eyes were seriously affected and that he would soon be entirely blind. Sentence suspended August 19, 1904.

**FRANK BROWN**, Polk County. Convicted at the September Term, 1903, of the offense of uttering a forged instrument, and sentenced to serve a term of one and one-half years in the penitentiary. Clemency was recommended by the county attorney, trial judge, mayor of the city, and by a number of citizens. Sentence suspended August 24, 1904.

**A. E. ROGERS**, Cedar County. Convicted at the February Term, 1904, of the offense uttering a forged note, and sentence commuted to a term of one year in the county jail. The defendant always maintained his innocence. At the time of his conviction there was a grave question as to whether or not he did not have authority to sign the name of his sister to the note in question. Sentence suspended August 27, 1904.

**JOHN BARNHOLTZ**, Woodbury County. Convicted at the March Term, 1903, of the offense of forgery, and sentenced to serve a term of three years in the penitentiary. The trial judge made no recommendation, stating that he did not have information subsequent to the conviction upon which to base an opinion. The county attorney recommended clemency in his behalf, as did also a number of other citizens who were cognizant of all of the facts. Sentence suspended September 6, 1904.

**WILLIAM HOLSCLAW**, Mills County. Convicted at the September Term, 1903, of the crime of larceny, and sentenced to serve a term of two and one-half years in the penitentiary. The county attorney stated that he knew nothing of the defendant except what developed at the time of his conviction, but that he was not up to the average in mental strength. The trial judge made practically the same statement, and says that can render very little assistance for the reason that he knows nothing of the defendant except what was disclosed at the trial, but neither of said officials wished to be understood as opposing the extension of clemency. Clemency was recommended by a large number of officials and business men who were familiar with all of the circumstances incident to the conviction. Sentence suspended September 6, 1904.

**WESLEY YOUNG**, Scott County. Convicted at the January Term, 1903, of the offense of assault with intent to commit manslaughter, and sentenced to a term of four years in the penitentiary. Clemency was recommended by the trial judge, county attorney, and a number of

business and professional men. There was also filed a petition numerously signed in support of the application. Sentence suspended September 7, 1904.

**FRANK HANOVER**, Benton County. Convicted at the April Term, 1903, of the offense of burglary, and sentenced to serve a term of two years in the penitentiary. A very strong petition was filed in support of the application for clemency. The same was also recommended by the trial judge, and county attorney. Sentence suspended September 7, 1904. Revoked December 5, 1904.

**HERVEY R. SMITH**, Wapello County. Convicted at the September Term, 1902, of the offense of seduction. The showing in support of this application is one of the strongest on file in any case. The petitions filed in its support contain the names of 737 citizens, it being urged in defendant's behalf that he was very young at the time the crime was alleged to have been committed, being just past sixteen years of age. Sentence suspended September 7, 1904.

**MOSES SIMPSON**, Jasper County. Convicted at the December Term, 1903, of the offense of assault with intent to commit great bodily injury, and sentenced to serve a term of one year in the county jail. Clemency in the defendant's behalf was recommended by a large number of citizens who were conversant with all of the facts. He was released from the county jail after he had served nine months of the sentence. Sentence suspended September 7, 1904. Revoked February 1, 1905.

**RICHARD FITZKE**, Cerro Gordo County. Convicted at the April Term, 1904, of the offense of larceny, and sentenced to serve a term of eight months in the county jail. A very strong showing signed by nearly all of the county officers was filed. Sentence suspended September 7, 1904.

**THOMAS HARGIS**, Polk County. Convicted at the January Term, 1900, of the offense of assault with intent to commit murder, and sentenced to serve a term of ten years in the penitentiary. Clemency was recommended by the trial judge and county attorney, both of whom state that it is their opinion that he had more than paid the penalty for the crime. Clemency was also recommended by a number of citizens who were familiar with the circumstances connected with the commission of the crime. Sentence suspended September 13, 1904.

**J. H. MARSH**, Polk County. Convicted at the September Term, 1903, of the offense of obtaining property by false pretenses, and sentenced to serve a term of two years in the penitentiary. A number of citizens joined in the recommendation for clemency in his behalf. It was also shown that the mother of the defendant was seriously, if not fatally ill. Sentence suspended September 16, 1904. Revoked February 1, 1905.



**JOHN GOFF**, Ringgold County. Convicted at the November Term, 1902, of the offense of rape, and sentenced to serve a term of five years in the penitentiary. Four petitions containing between 600 and 700 names are on file in support of the application. A letter was also filed written by the young lady in the case, who stated that she had sworn falsely at the trial; that the defendant was not guilty, and that her step-father had by threats and duress forced her to so swear. Sentence suspended September 20, 1904.

**JOHN H. WEBB**, Scott County. Convicted at the January Term, 1890, of the offense of burglary and robbery, and sentenced to serve a term of thirty-five years in the penitentiary. Clemency was recommended by the trial judge, who stated that he had come to the conclusion that the sentence imposed was excessive. Clemency was also recommended by a large number of citizens and by the prison officials who commended him for his uniform good conduct during his long imprisonment, he having served the equivalent of a twenty-two year sentence. Sentence suspended September 20, 1904.

**N. A. BUCY**, Hardin County. Convicted at the August Term, 1902, of the offense of uttering a forged instrument, and sentenced to serve a term of eight years in the penitentiary. Clemency was recommended by the county attorney. A petition in support of the application bearing the names of a number of county officials, several ministers and nearly two hundred other citizens was filed. Sentence suspended September 20, 1904.

**MARIA PAYNE**, Scott County. Convicted at the January Term, 1903, of the offense of robbery, and sentenced to serve a term of five years in the penitentiary. The defendant became insane and was transferred to the hospital for the insane at Independence. On her recovery upon the recommendation of the warden she was paroled and permitted to return to her mother who resided in Indiana. Sentence suspended October 5, 1904.

**AZOR L. STEVENS**, Cerro Gordo County. Convicted at the October Term, 1901, of the offense of maintaining a nuisance, clemency was recommended by all of the county officers who were concerned directly or indirectly in the collection of the fine imposed. That part of the judgment of the District Court which required his imprisonment in default of the payment of said fine was suspended. Sentence suspended October 7, 1904.

**DELIAH FAILS**, Bremer County. Convicted at the November Term, 1897, of the offense of murder in the second degree, and sentenced to serve a term of twenty years in the penitentiary. Clemency was recommended in her behalf by a large number of citizens and officials, the officials at the prison also being unanimous in support of the same. A place was also procured for her to work in a good family in Cedar Rapids. Sentence suspended October 13, 1904. Revoked December 12, 1904.

**M. B. LYTLE**, Cass County. Convicted at the January Term, 1904, of the offense of forgery, and sentenced to serve a term of two years in the penitentiary. Clemency was recommended by the trial judge, and county attorney, who stated that they did not regard the defendant as a criminal by nature and that the lesson learned would be sufficient. Two petitions numerously signed, and a large number of letters written by business men and private citizens in support of the application are on file. Sentence suspended October 13, 1904.

**CHARLES J. CACKLEY**, VanBuren County. Convicted at the March Term, 1904, of the crime of murder in the second degree, and sentenced to serve a term of ten years in the penitentiary. The crime of which the defendant was convicted was committed thirty-seven years prior to his indictment and just subsequent to his return from the Civil War where he had served in the army. After committing the crime he escaped from the state, changed his name took up his residence in the Ozark mountains, married and reared a family. A careful investigation of his life in the state of Missouri indicated that he had been a law abiding citizen during all the years intervening between the commission of the crime of which he was convicted and his arrest. On the recommendation of the trial judge and a large number of citizens clemency was extended to him. Sentence suspended October 20, 1904.

**HARRY A. PERRY**, Polk County. Convicted at the September Term, 1903, of the offense of adultery, and sentenced to serve a term of one and one-half years in the penitentiary. A number of letters in support of the application for clemency were filed, also a petition containing the names of 53 citizens and professional men who were familiar with the facts. Sentence suspended October 20, 1904.

**JOHN E. ANDERSON**, Clinton County. Convicted at the September Term, 1904, of the offense of rape, and sentenced to serve a term of one year in the penitentiary. The trial judge stated that the offense was wholly statutory and that if he had had any discretion in the matter he would not have imposed a penitentiary sentence. The county attorney joined with the judge in recommending clemency before commitment. A petition was also filed signed by the police judge, clerk of the district court, chief of police, sheriff, deputy sheriff, assistant county attorney, and a number of other professional men. Sentence suspended October 29, 1904.

**EUGENE BALDECK**, Scott County. Convicted at the January Term, 1904, of the offense of seduction, and sentenced to serve a term of three years in the penitentiary. The trial judge stated that he had no objection to the issuing of a parole to the defendant. The county attorney said that he had come into possession of additional evidence since the conviction which caused him to feel that the defendant had been sufficiently punished. Sentence suspended November 12, 1904.

**EDWARD DAVISON**, Wapello County. Convicted at the March Term, 1902, of the offense of assault with intent to commit rape, and sentenced to serve a term of eight years in the penitentiary. A very



strong showing was made in support of the application for clemency. It was also averred that some doubt existed as to the defendant's guilt. Sentence suspended November 18, 1904. Revoked October 21, 1905.

**WILLIAM WINSLOW**, Polk County. Convicted at the September Term, 1899, of the offense of murder in the second degree, and sentenced to serve a term of twenty years in the penitentiary. A petition containing the names of 133 residents of Des Moines, a large number of whom were business and professional men, also a petition containing the name of half of the jury that returned the verdict, was filed in support of the application. Sentence suspended November 18, 1904.

**ALLEN K. RIDDLE**, Polk County. Convicted at the May Term, 1903, of the offense of embezzlement, and sentenced to serve a term of two and one-half years in the penitentiary. Clemency was recommended by the trial judge, the county attorney who drew indictment, also by the county attorney who prosecuted the case. In addition to this a number of letters were filed in support of the application. Sentence suspended November 18, 1904.

**BURTON MILLER**, Adair County. Convicted at the September Term, 1903, of the offense of burglary, and sentenced to serve a term of three years in the penitentiary. Clemency was recommended by the trial judge, the county attorney, and by a numerous signed petition. In addition to this an unusually large number of letters in support of the application were filed. Sentence suspended November 29, 1904.

**ED OXBERGER**, Madison County. Convicted at the September Term, 1904, of the offense of larceny and sentenced to serve a term of two and one-half years in the penitentiary. The county attorney stated that he was in favor of paroling the defendant after he had served one year of his sentence. A letter from the chief of police of the city of Des Moines was filed strongly urging clemency and relating the facts connected with the commission of the crime which the police department developed. A numerous signed petition signed by a number of county officials and business men in support of the application was also filed. Sentence suspended November 29, 1904.

**H. N. SHAFER**, Polk County. Convicted at the January Term, 1903, of the offense of embezzlement and sentenced to serve a term of eight months in the penitentiary. The judge in recommending the extension of clemency stated that he made the sentence eight months because of the previous good character of the defendant. The President of the Board of Park Commissioners also strongly urged clemency stating that they had had the defendant employed and that his work had been entirely satisfactory. A numerous signed petition was also filed. Sentence suspended December 12, 1904.

**A. D. MORLAN**, Greene County. Convicted at the March Term, 1900, of the offense of embezzlement and forgery and sentenced to serve a term of seven and one-half years in the penitentiary. On the

recommendation of the judge and the county attorney, and an unusually large number of citizens who wrote personal letters and signed petitions, clemency was extended four months prior to the expiration of the term. Sentence suspended December 20, 1904.

**GEORGIA WHITE**, Mahaska County. Convicted at the April Term, 1903, of the offense of larceny, and sentenced to serve a term of two years in the penitentiary. The defendant was suffering from pulmonary tuberculosis and had been a patient in the prison hospital for two months prior to her release. Both the warden and the prison physician recommended clemency for her on account of her health, the latter stating that if she remained in prison she would undoubtedly be in the hospital during all of the time. Sentence suspended December 20, 1904. Died December 31, 1904.

**CHARLES JENESTE**, Scott County. Convicted at the November Term, 1904, of the offense of forgery, and sentenced to serve a term of one year in the penitentiary. Clemency was recommended by the trial judge, county attorney, assistant county attorney, and the three persons whose names were forged, also by the chief of police. Sentence suspended December 23, 1904.

**JACOB GEIER**, Keokuk County. Convicted at the December Term, 1898, of the offense of murder in the second degree, and sentenced to serve a term of fifteen years in the penitentiary. Clemency was recommended by the trial judge, county attorney, Hon. T. T. Brooks, State Senator, Hon. John Cownie, and by a large number of citizens who signed petitions and wrote letters in support of the application. Sentence suspended December 24, 1904.

**HERBERT W. GREEN**, Cedar County. Convicted at the November Term, 1904, of the offense of uttering a forged instrument, and sentenced to serve a term of three years in the penitentiary. Clemency was recommended by the trial judge, county attorney, and by F. H. Miller whose name was forged, also by numerous other citizens. The father of the defendant, who resided in Ohio, paid the costs of prosecution. Sentence suspended before commitment with the condition imposed that he should return to and live with his father. Sentence suspended December 28, 1904.

**JACOB STUDER**, Winnebago County. Convicted at the October Term, 1900, of the offense of assault with intent to commit murder, and sentenced to serve a term of ten years in the penitentiary. A large number of people, including the trial judge, county attorney, and city marshal on whom the assault was made, recommended clemency. There was also a strong petition numerous signed filed in support of the application. Clemency was also recommended by the prison officials for the reason that while at work in the penitentiary the defendant met with an accident which resulted in the loss of his right eye, also on account of the uniform good conduct of the defendant during the term of his incarceration. Sentence suspended December 28, 1904.



**JAMES TIGUE**, Lee County. Convicted at the May Term, 1904, of the offense of larceny, and sentenced to a term of one and one-half years in the penitentiary. Clemency was recommended by the trial judge, the judge of the superior court, the county attorney, and several other citizens. Sentence suspended January 3, 1905.

**JOHN LOEWING**, Pottawattamie County. Convicted at the April Term, 1904, of the offense of robbery, and sentenced to the penitentiary for a term of ten years. Clemency was recommended by the county attorney, city attorney, a number of residents of Council Bluffs, by Mayor Harrison of Chicago, Judge Tuthill of Chicago, and by more than 200 people who signed the petition. The extreme youth of the defendant at the time of his commitment—sixteen years of age—was urged in his behalf. Sentence suspended January 3, 1905.

**MRS. MILLIE STEWART**, Mahaska County. Convicted at the April Term, 1903, of keeping a house of ill-fame and sentenced to serve a term of one year in the penitentiary. Clemency was recommended by the county attorney who stated that he would be satisfied with whatever the prosecutor recommended. A certificate signed by Dr. Barringer was filed in which he stated that the defendant was in such a condition that she was liable to die at any time. A petition signed by a number of business men was also filed in support of her application. Sentence suspended before commitment January 4, 1905.

**A. GHRIST**, Marion County. Convicted at the February Term, 1901, of the crime of uttering a forged instrument, and sentenced to the penitentiary for a period of six years. Both the trial judge and the county attorney recommended clemency. The same was also recommended by more than 250 citizens who signed a petition in his behalf. Sentence suspended January 20, 1905.

**FRANK TROUGHTON**, Clinton County. Convicted at the September Term, 1904, of the offense of sodomy, and sentenced to serve a term of one year in the penitentiary. Sentence suspended on the recommendation of the trial judge, county attorney, and a number of prominent citizens of Clinton. Sentence suspended February 6, 1905.

**PAUL G. NEVINS**, Benton County. Convicted at the November Term, 1904, of the offense of larceny from the person, and sentenced to the penitentiary for a term of three years. Clemency was recommended by the trial judge and county attorney and by a large number of private citizens and professional men who interceded in his behalf before commitment. Sentence suspended February 11, 1905.

**FRANK RIVERS**, Dallas County. Convicted at the November Term, 1902, of the offense of forgery and sentenced to serve a term of one year in the penitentiary. Clemency was recommended by Judge Nichols, who said, "I am convinced that the future of Mr. Rivers in this case should receive special consideration, the needs of his family, and the grave doubts which must now exist of his real guilt are ample reasons why his petition should be granted. I earnestly join in recommending

favorable action in his behalf." The county attorney states that he has no objection whatever to the extension of clemency. Clemency was recommended by five of the county officials of Dallas County, by a large number of leading citizens who wrote letters in his behalf, and signed a petition in support of the application. In addition to the showing on file the Pardon Secretary visited the county and made an impartial investigation of the merit of the application. Sentence suspended February 21, 1905.

**WILLIAM MULLEN, JR.**, Lucas County. Convicted at the February Term, 1901, of the offense of robbery, and sentenced to serve a term of five years in the penitentiary. A very strong showing was made in support of the application for clemency, a large number of letters are on file written by business and professional men who were thoroughly cognizant with all of the circumstances in connection with the conviction. Sentence suspended February 25, 1905.

**E. A. BLAINE**, Polk County. Convicted at the January Term, 1902, of the offense of larceny, and sentenced to serve a term of five years in the penitentiary. Clemency was recommended by the trial judge and county attorney, both of whom say that they regard the sentence as excessive. An affidavit was also filed made by the man who purchased the saddle, which was the subject of the larceny, for \$21—that the same had been in use for two years. It was urged that this made the offense a misdemeanor instead of a felony. Sentence suspended March 3, 1905.

**CARL DOOLITTLE**, Polk County. Convicted at the March Term, 1905, of the offense of breaking and entering, and sentenced to serve a term of four months in the penitentiary. It was shown that the defendant was only seventeen years of age at the time the crime was committed. Clemency was recommended before commitment by the trial judge, county attorney, chief of detectives, and the owner of the property. Sentence suspended March 20, 1905.

**CHARLES FOX**, Polk County. Same history as in the case of Carl Doolittle, above.

**J. A. McKELVIE**, Keokuk County. Convicted at the December Term, 1904, of the offense of violating an injunction, and sentenced to serve a term of six months in the county jail. The defendant opened a saloon in the town of Hedrick under an arrangement with the city council by which a fine was paid monthly. During the time that he conducted the said saloon the Supreme Court decided that the petition for the conducting of saloons in Keokuk County was not sufficient. Immediate steps were taken to close the saloons which had been running during the two years that the matter was pending. In the prosecution of the men who had been conducting these saloons an injunction issued five years prior against the defendant was discovered and the sentence above referred to was imposed for its violation. A petition signed by five or six citizens was filed in support of the application for clemency



in his behalf. Clemency was also recommended by a large number of citizens and officials, all of whom were familiar with all of the facts. Sentence suspended March 22, 1905.

**FRANK SMITH**, Madison County. Convicted at the December Term, 1904, of the offense of maintaining a nuisance, and sentenced to pay a fine of \$400.00. In default of the payment of said fine he was committed to the county jail. The trial judge and the county attorney, also the clerk of the district court, joined in a recommendation that that part of the judgment imposed which required his incarceration in the county jail be suspended. Sentence suspended March 22, 1905.

**F. ROSCHE**, Scott County. Convicted at the January Term, 1904, of the offense of larceny from the person, and sentenced to serve a term of five years in the penitentiary. Clemency was recommended by the trial judge, the county attorney at the time of conviction, and by the county attorney at the time the application for clemency was made. Clemency was also recommended by the chief of police, constable, the sheriff, two deputy sheriffs, clerk of the district court, and the county auditor. Three petitions containing the names of more than 600 citizens were also filed in support of the application. Sentence suspended March 22, 1905.

**H. SHULTZ**, Scott County. Same as in case of F. Rosche, above.

**EMIL PAULSON**, Scott County. Same as in case of F. Rosche, above.

**GAIL SPURGEON**, Boone County. Convicted at the February Term, 1904, of the offense of robbery, and sentenced to serve a term of two years in the penitentiary. Clemency was recommended by the trial judge, county attorney, and a number of other citizens who were familiar with all of the facts. It was also urged in his behalf that he was only eighteen years of age at the time the crime was committed. Sentence suspended March 22, 1905.

**C. W. CRAWFORD**, Dallas County. Convicted at the March Term, 1895, and sentenced to serve a term of twenty-two years in the penitentiary for the offenses of robbery and assault with intent to commit murder. Clemency was recommended by the trial judge, by Hon. J. J. Crossley, State Senator, Hon. S. M. Leach, whose bank was robbed, and by a large number of citizens who signed the petition in support of the application. Clemency was extended after the defendant had served the equivalent of an eighteen years' sentence. Sentence suspended April 1, 1905.

**THOMAS WOODMAN**, Lucas County. Convicted at the March Term, 1905, of the offense of maintaining a nuisance, and sentenced to serve a term of ninety days in the county jail in default of the payment of a fine of \$300.00. That part of the judgment of the district court which required his incarceration in the county jail in default of the payment of said fine was suspended on the recommendation of the county at-

torney, the mayor and ex-mayor of the town of Chariton, the marshal of said town, and one of the constables. Sentence suspended April 10, 1905.

**JOSEPH BUCK**, Polk County. Convicted at the March Term, 1904, of the crime of robbery, and sentenced to serve a term of three years in the penitentiary. Clemency was recommended by the trial judge, county attorney and a large number of citizens. Sentence suspended April 17, 1905. Revoked at his own request, May 8, 1905.

**CHARLES RAPHAEL**, Black Hawk County. Convicted at the April Term, 1903, of the offense of breaking and entering, and sentenced to serve a term of four years in the penitentiary. Clemency was extended on the recommendation of the trial judge and the county attorney. Sentence suspended April 17, 1905.

**WILLIAM CAYTON**, Boone County. Convicted at the October Term, 1904, of the offense of obtaining money by false pretenses, and sentenced to serve a term of ten months in the county jail. Clemency was recommended by eight of the county officials on the ground of former good conduct, and that he was under the influence of intoxicants at the time the crime was committed and was not capable of entertaining criminal intent. Sentence suspended May 1, 1905.

**MARTIN MAY**, Buchanan County. Convicted at the October Term, 1893, of the offense of murder in the second degree, and sentenced to serve the term of his natural life in the penitentiary. Clemency was recommended by the trial judge, the county attorney, and by a large number of leading citizens who wrote letters in support of the application, also by fifty-four citizens including a large number of business men who signed the petition in his behalf. After the defendant had served the equivalent of a twenty-two year's sentence, sentence was suspended May 2, 1905.

**ROYAL T. BRANCH**, Lucas County. Convicted at the September Term, 1900, of the offense of murder in the second degree, and sentenced to serve a term of twenty years in the penitentiary. Clemency was recommended by practically all of the court officials, and by a number of citizens who wrote letters in his behalf, it being urged that the crime was the result of an accident—that no criminal intent was involved, and that subsequent developments indicated that if convicted at all the defendant should have been convicted of manslaughter. Sentence suspended May 1, 1905.

**GEORGE SHRIVER**, VanBuren County. Convicted at the March Term, 1905, of the offense of maintaining a nuisance, and sentenced to serve a term of ninety days in the county jail in default of the payment of a fine of \$300.00. Clemency was urged by the trial judge and the county attorney on the ground that the defendant was the victim of consumption, and that he had a hemorrhage two or three times a week. Sentence Suspended May 2, 1905.



**J. S. ANDERSON**, Jasper County. Convicted at the October Term, 1904, of the offense of larceny, and sentenced to serve a term of four years in the penitentiary. Clemency was recommended by the county attorney, by the prosecuting witness, and by a large number of citizens and officials who were familiar with all of the facts. Sentence suspended May 2, 1905.

**C. D. JOHNSON**, Jasper County. Same as J. S. Anderson, above.

**CHARLES BELL**, Johnson County. Convicted at the February Term, 1904, of the offense of robbery, and sentenced to serve a term of three years in the penitentiary. Clemency was recommended by the trial judge, county attorney, and by eighteen citizens, many of whom were officials and business men. Sentence suspended May 16, 1905.

**THOMAS LALLY**, Linn County. Convicted at the March Term, 1896, of the offense of murder in the second degree, and sentenced to serve a term of twenty years in the penitentiary. Clemency was extended on the recommendation of the warden, prison physician, and Dr. Ristine of Cedar Rapids. The defendant was suffering from the effects of a cancer which originated in his lower lip and extended down through the glands and ligaments of the throat. It was urged by the physician referred to above that an operation was necessary to prolong his life, and that the same could not be properly done in the prison. A suspension of sentence was granted and he was taken by the prison physician to the Post Graduate Institute in Chicago, where he was operated upon, but it proved that his trouble was too far along to be of benefit. He died about two months after his restoration. Sentence suspended May 23, 1905.

**H. A. ANDRUS**, Clinton County. Convicted at the January Term, 1904, of the crime of larceny, and sentenced to a term of three years in the penitentiary. On the recommendation of the warden and the prison physician a suspension of sentence was granted to him in order that he might be operated upon for cataract of the eyes. Sentence suspended May 23, 1905.

**J. L. LOWE**, Jackson County. Convicted at the September Term, 1904, of the offense of larceny from the person, and sentenced to serve a term of two years in the penitentiary. Clemency was recommended by the trial judge, the county attorney, and by nearly all of the county officers, and by fifty-two citizens, many of whom were business men and all of whom were familiar with all of the circumstances of the conviction. Sentence suspended May 23, 1905.

**THOMAS SEDDON**, Appanoose County. Convicted at the January Term, 1905, of the offense maintaining a nuisance, and sentenced to serve a term of ninety days in the county jail. Clemency was recommended by the trial judge, the county attorney, and by Dr. O. C. Huston, who stated that he had made an examination of the defendant and that he found him suffering from a malignant tumor on the right submaxillary bone. Also a tumor of the submaxillary gland; that it

was necessary that a surgical operation be performed and that the same could not be done in the county jail. Sentence suspended May 23, 1905.

**ANNA POINDEXTER**, Jasper County. Convicted at the December Term, 1902, of the offense of assault with intent to commit manslaughter, and sentenced to serve a term of four years in the penitentiary. Clemency was recommended by the county attorney at the time of conviction, the county attorney at the time the application was made, and by a large number of citizens who signed the petition. Sentence suspended May 29, 1905.

**RICHARD PRAY**, Decatur County. Convicted at the March Term, 1903, of the offense of arson, and sentenced to serve a term of one year in the penitentiary. After the defendant was committed to the penitentiary and had served nearly one-third of the time his case was appealed to the Supreme Court and he was released pending the decision in that tribunal. Nine months after his release the decision of the lower court was affirmed. On the recommendation of a number of officers and between five and six hundred citizens, who were familiar with all of the circumstances connected with the conviction, clemency was extended to him before his second commitment. Sentence suspended and assistant county attorney, by Hon. J. H. Jamison, State Senator, June 6, 1905.

**WILLIAM SAFFEL**, Clark County. Convicted at the September Term, 1903, and sentenced to serve a term of three years for the offense of forgery. Clemency was recommended by the county attorney and by over 200 citizens and business men who signed a petition in support of his application. Sentence suspended June 7, 1905.

**JAMES JOHNSON**, Fayette County. Convicted at the November Term, 1904, of the offense of larceny, and sentenced to serve a term of one year in the penitentiary. Clemency was recommended by the trial judge, county attorney, Hon. William Larrabee, Jr., and by fifteen citizens and professional men. Sentence suspended June 7, 1905.

**JAMES LAUGHLIN**, Cerro Gordo County. Convicted at the April Term, 1905, of the offense of maintaining a liquor nuisance, and sentenced to serve a term of ninety days in the county jail, in default of the payment of a fine of \$300.00. Clemency was recommended by the trial judge, by the mayor of Mason City, and by several other citizens and business men. Sentence suspended June 9, 1905.

**BENJAMIN OLIVER**, Clarke County. Convicted at the February Term, 1905, of the offense of larceny, and sentenced to serve a term of one and one-half years in the penitentiary. Clemency was recommended by the trial judge, the county attorney, Hon. M. L. Temple. A petition containing the names of 128 citizens was also filed in support of the application. Sentence suspended June 10, 1905.



**JAMES MOSHER**, Boone County. Convicted at the September Term, 1903, of the offense of maintaining a nuisance, and sentenced to serve a term of ninety days in the county jail in default of the payment of a fine of \$300.00. The defendant herein made application to the Governor for the remission of the fine imposed, which application was denied. A few days prior to the denial of the application the defendant was arrested on another charge and remanded to the county jail for a period of 76 days, at the end of which time he was tried and acquitted. It was urged that he be given the benefit of the time served in the county jail by applying the same on the sentence herein. Upon the recommendation of a large number of citizens this prayer was granted. Sentence suspended June 15, 1905.

**C. E. HOCKETT**, Henry County. Convicted at the December Term, 1900, of the offense of rape, and sentenced to serve a term of ten years in the penitentiary. The trial judge stated that he had no objection to the extension of clemency, in which the county attorney acquiesced. The father of the prosecutrix filed a letter in which he urged clemency. A petition was also filed containing the names of fifty citizens who were conversant with all of the facts. Sentence suspended June 22, 1905.

**FRANK LIVINGSTON**, Jasper County. Convicted at the October Term, 1904, of the offense of assault with intent to inflict great bodily injury, and sentenced to serve a term of one year in the county jail. Clemency was recommended by the trial judge, county attorney, and by twenty-two citizens and county officers who signed the petition in support of the application. Sentence suspended June 22, 1905.

**JOHN CAVANAUGH**, Polk County. Convicted at the March Term, 1904, of the offense of breaking and entering, and sentenced to serve a term of three years in the penitentiary. Clemency was recommended by the trial judge, the county attorney, by the chief of detectives of the city of Des Moines, by Hon. J. A. T. Hull, and by six other prominent citizens. Sentence suspended June 22, 1905.

**CHARLES WARREN**, Polk County. Convicted at the September Term, 1903, of the offense of assault with intent to commit murder, and sentenced to serve a period of two and one-half years in the penitentiary. Clemency was recommended by the trial judge. Three petitions each numerously signed, were also filed in support of the application. Sentence suspended June 22, 1905.

**GRANT JENNINGS**, Polk County. Convicted at the March Term, 1904, of the offense of larceny from a building, and sentenced to serve a term of two years in the penitentiary. Clemency was recommended by the trial judge, the county attorney, and by the prosecuting witness. Sentence suspended June 22, 1905.

**ALBERT MARSH**, Polk County. Convicted at the January Term, 1905, of the offense of forgery, and sentenced to serve a term of one

year in the penitentiary. Clemency was recommended by the trial judge, and by fifty-seven citizens who signed the petition in his behalf. Sentence suspended June 22, 1905.

**CHARLES F. GREESON**, Taylor County. Convicted at the September Term, 1903, of the offense of forgery, and sentenced to serve a term of three years in the penitentiary. Clemency was recommended by the trial judge, and by forty-seven citizens who signed the petition recommending the same. Sentence suspended June 29, 1905.

**ROSSER DAVIS**, Mahaska County. Convicted at the December Term, 1904, and sentenced to serve a period of six months in the penitentiary. The trial judge stated that he would offer no objection to the extension of clemency. The county attorney stated that he regarded the crime as wholly incidental and that the defendant had no intention of doing anything that would result fatally. The petitions filed contain the names of between 500 and 600 citizens, many of whom were business and professional men, and all of whom were familiar with all of the circumstances. Sentence suspended before commitment June 29, 1905.

**FRED BEEMS**, Cass County. Convicted at the November Term, 1900, of the offense of burglary, and sentenced to serve a term of fifteen years in the penitentiary. Clemency was extended on the recommendation of a number of prominent citizens who came personally to intercede in his behalf. Sentence suspended July 3, 1905.

**CLYDE GORE**, Polk County. Convicted at the January Term, 1905, of the offense of obtaining property by false pretenses, and sentenced to serve a term of one year in the penitentiary. On the recommendation of the trial judge, county attorney and twenty business and professional men clemency was extended to him. Sentence suspended July 10, 1905.

**JOHN CISTON**, Linn County. Convicted at the September Term, 1903, of the offense of manslaughter, and sentenced to serve a term of five years in the penitentiary. Clemency was recommended by the trial judge, county attorney, and the marshal of the city of Cedar Rapids. Sentence suspended July 10, 1905.

**IRA BAUM**, Mahaska County. Convicted at the April Term, 1905, of the offense of maintaining a nuisance, and sentenced to the county jail for a period of 300 days in default of the payment of a fine of \$1,000.00. Clemency was recommended by the trial judge, county physician, county attorney, and six other county officers. Sentence suspended July 29, 1905.

**HEZEKIAH FIELDING**, Mahaska County. Convicted at the April Term, 1905, of the offense of maintaining a nuisance, and sentenced to the county jail for a period of 300 days in default of the payment of a fine of \$1,000.00. On the recommendation of the county attorney and six other county officials that part of the sentence requiring his incarceration in the county jail was suspended. Sentence suspended August 14, 1905.



**SAMUEL JACKSON**, Mahaska County. Convicted at the April Term, 1905, of the offense of maintaining a nuisance, and sentenced to pay a fine of \$1,000.00, and in default of the payment of same to be committed to the county jail for a period of 300 days. On the recommendation of the county attorney and six other county officers that part of the judgment of the District Court requiring his incarceration in the county jail was suspended. Sentence suspended August 14, 1905.

**J. A. BREWER**, Madison County. Convicted at the May Term, 1900, of the offenses of conspiracy and larceny, assisting a prisoner to escape, and robbery, and sentenced to serve a term of twenty-three years in the penitentiary. Clemency was recommended by the trial judge, who advised an absolute pardon, and by the county attorney after he had served the time imposed for the offense of robbery. There was also filed an unusually large petition in support of the application. A number of affidavits were filed made by reputable citizens to the effect that the defendant was in another county at the time of the alleged crime. Sentence suspended August 21, 1905, after the defendant had served an equivalent of a fifteen year's sentence.

**E. H. EVANS**, Mahaska County. Convicted at the April Term, 1905, of the offense of maintaining a nuisance, and sentenced to the county jail for a period of 300 days in default of the payment of a fine of \$1,000.00. Clemency was recommended by the county attorney and nine other county officials. Sentence suspended August 26, 1905.

**RICHARD ROWLAND**, Scott County. Convicted at the December Term, 1903, of the crime of breaking and entering, and sentenced to serve a term of four years in the penitentiary. Clemency was recommended by the trial judge, county attorney, the mayor of the city of Davenport, by a number of professional men who wrote personal letters in his behalf, and also by a large number of citizens who signed a petition in support of the application. Sentence suspended August 28, 1905.

**ARTHUR LAUGH**, Mills County. Convicted at the January Term, 1899, of the offense of robbery, and sentenced to serve a term of eighteen years in the penitentiary. Clemency was recommended by the trial judge, the county attorney, and by a large number of citizens who wrote letters in his behalf. Sentence suspended September 12, 1905.

**H. WILLIAMS**, Hancock County. Convicted at the September Term, 1901, of the offense of larceny from the person, and sentenced to serve a term of ten years in the penitentiary. Clemency was recommended by a number of citizens and business men who wrote letters in his behalf, also by two petitions numerously signed. Sentence suspended September 12, 1905.

**HARLEY WAYRICK**, Lucas County. Convicted at the August Term, 1904, of the offense of arson, and sentenced to serve a term of five years in the penitentiary. Clemency was recommended by the trial judge, county attorney who prosecuted the defendant, the county attorney at the time the application was made, by nearly all of the county officials,

and the officials of the city of Chariton. Two petitions were also filed containing the names of half of the residents of Chariton. It was shown that the defendant was weak-minded and easily influenced by others, and that the crime of which he was convicted was committed at the instigation of the former chief of the fire department in revenge for his dismissal from the service. Sentence suspended September 13, 1905.

**HARRY SCHOTTE**, Lucas County. Convicted at the August Term, 1904, of the offense of arson. Same facts and same recommendation as Harley Wayrick above.

**ALBERT E. ISENHART**, Hamilton County. Convicted at the November Term, 1903, of the offense of bigamy, and sentenced to serve a term of four years in the penitentiary. Clemency was recommended by the trial judge, the county attorney, and the same was also advised by a number of leading citizens and professional men who wrote letters and signed petitions in his behalf. Warden Hunter stated that in his department he was one of the best men ever released from the penitentiary. Sentence suspended September 14, 1905.

**THOMAS JACKSON**, Mahaska County. Convicted on the 5th day of July, 1905, of the offense of violating an injunction, and sentenced to pay a fine of \$1,000.00 and in default of payment of the same to be committed to the county jail. That part of the sentence requiring his incarceration in the county jail was suspended on the recommendation of the county attorney, county auditor, sheriff, and the board of supervisors. Sentence suspended September 18, 1905.

**VERNON WILSON**, Polk County. Convicted at the May Term, 1904, of the offense of larceny by embezzlement, and sentenced to serve a term of two years in the penitentiary. It was urged in behalf of the defendant that with the exception of the offense of which he was convicted that he had always borne a good reputation. His extreme youth—being at the time he was convicted only nineteen years of age—was also urged in his behalf. The prosecuting witness stated that he thought it would be better to parole the defendant before the expiration of his term. A number of business men, among the number being several for whom he had worked, wrote letters in his behalf. Sentence suspended September 18, 1905.

**LEWIS S. AALVICK**, Emmet County. Convicted at the October Term, 1904, of the offense of larceny, and sentenced to serve a term of two years in the penitentiary. Clemency was recommended by the trial judge, county attorney, sheriff, clerk of the district court, and by twenty-seven citizens and business men who signed the petition in his behalf. Sentence suspended September 18, 1905.

**THOMAS F. ALLEN**, Cass County. Convicted at the January Term, 1905, of the offense of larceny from the person, and sentenced to serve a term of one and one-half years in the penitentiary. An unusually large number of citizens and business men interested themselves in the



defendant's behalf by writing letters which were filed in this department. Three petitions numerously signed were also filed. Sentence suspended September 18, 1905.

**HOWARD JEFFRIES**, Polk County. Convicted on the 30th day of September, 1905, of the offense of drunkenness and disorderly conduct, and sentenced to serve a term of thirty days in the county jail. The victim of the assault was the defendant's wife, who made intercession for him after he had been incarcerated in the county jail for several days. Several citizens also interceded in his behalf, on assurance from him that he would refrain from the use of intoxicants in the future. Sentence suspended October 2, 1905.

**J. H. MARNETTE**, Carroll County. Convicted at the January Term, 1905, of the offense of burglary, and sentenced to serve a term of one year in the penitentiary. On the recommendation of the trial judge, and the county attorney, also a large number of citizens who interceded in his behalf, clemency was extended to him. Sentence suspended October 4, 1905. Revoked November 29, 1905.

**JOHN PIERCE**, Poweshiek County. Convicted at the September Term, 1905, of the offense of malicious mischief, and sentenced to serve a term of three months in the county jail. Clemency was recommended by the trial judge, county attorney, and by twelve business men who signed the petition in his behalf. Sentence suspended October 5, 1905.

**JAMES SULLIVAN**, Polk County. Convicted at the May Term, 1904, of the offense of breaking and entering and larceny, and sentenced to serve a term of seven years in the penitentiary. The Judgment of the district court was in this case suspended upon the showing of the warden and the prison physician that the defendant was suffering from tuberculosis and would not live very long. Sentence suspended October 5, 1905.

**LINK ROBERTS**, Scott County. Convicted at the September Term, 1900, of the crime of rape, and sentenced to serve a term of fifteen years in the penitentiary. Clemency was recommended by the trial judge, county attorney, by a number of citizens who wrote letters in support of the application, and by two numerously signed petitions. Sentence suspended October 21, 1905.

**LOUIS VALESKE**, Chickasaw County. Convicted at the October Term, 1905, of the offense of practicing as a physician without a license, and sentenced to pay a fine of \$300.00 and in default of the payment of the same to be committed to the county jail for a period of ninety days. Clemency was recommended by the trial judge, county attorney, and practically all of the other county officials, a large number of citizens who wrote letters and signed petitions in his behalf. There was also filed a statement of two reputable physicians that they had examined the defendant in the county jail and that they found him suffering from pulmonary tuberculosis, and that it was their opinion that confinement would hasten his death which was not far off in any

event, and gave it as their opinion that he would not survive the period of confinement. Sentence suspended October 23, 1905.

**JOHN THOMPSON**, Chickasaw County. Convicted at the December Term, 1902, of the offense of rape, and sentenced to serve a term of ten years in the penitentiary. Clemency was recommended if his prison record was good, by the county attorney, by Hon. W. S. Hart, by the sheriff, clerk of the district court, by the prosecuting witness, by the county attorney at the time the application was made, and by a number of other county officers, and a petition numerously signed was also filed in support of the application. In the showing made it was averred that the defendant was intoxicated at the time; that he was also weak-minded, and probably did not comprehend the enormity of the offense. Sentence suspended October 23, 1905.

**ROBERT REED**, Boone County. Convicted at the February Term, 1904, of the offense of maintaining a nuisance, and sentenced to pay a fine of \$300.00, and in default of the payment of the same to be committed to the county jail for a period of ninety days. On the recommendation of the trial judge and six county officials, and a number of professional and business men, that part of the sentence requiring his incarceration in the county jail was suspended. Sentence suspended October 23, 1905.

**PATRICK DUNN**, Mahaska County. Convicted at the January Term, 1901, of the offense of manslaughter, and sentenced to serve a term of eight years in the penitentiary. Clemency was recommended by the trial judge, county attorney, and a large number of citizens who wrote letters and signed petitions in his behalf. It was also alleged in his behalf that he suffered an injury while in the prison which resulted in the loss of one of his eyes. Sentence suspended October 23, 1905.

**N. E. CARNAL**, Tama County. Convicted at the May Term, 1904, of the crime of adultery, and sentenced to serve a term of two years in the penitentiary. Clemency was recommended by the trial judge, county attorney, and was strongly urged by the injured wife. Sentence suspended October 31, 1905.

**FRANK A. GREENLAND**, Decatur County. Convicted at the March Term, 1903, of the offense of larceny, and sentenced to serve a term of three years in the penitentiary. Clemency was recommended by the assistant county attorney, the assistant prosecutor, by nearly all of the county officers, and by about three-fourths of the citizens residing in the vicinity where the crime was committed. Sentence suspended November 4, 1905.

**EDWARD MILLER**, Polk County. Convicted at the March Term, 1904, of the offense of larceny, and sentenced to the penitentiary for a term of three years. Clemency was recommended by the trial judge, county attorney, and the chief of detectives. Sentence suspended November 14, 1905.



**F. D. RUSSIE**, Marshall County. Convicted at the September Term, 1900, of the offense of rape, and sentenced to serve a term of twenty years in the penitentiary. Clemency was recommended by the trial judge, county attorney at the time of the trial, county attorney at the time application was made, and by a large number of citizens who wrote letters and signed petitions in his behalf. Sentence suspended November 14, 1905.

**J. R. ROBINSON**, Polk County. Convicted at the September Term, 1904 of the offense of lewdness and sentenced to serve a term of six months in the county jail. Clemency was urged in his behalf an account of his former good character and of the bad character of the person with whom the crime was committed. It was also urged in his behalf that since the commission of the act he had married a very respectable woman and had faithfully endeavored to redeem himself from the false step which he had taken. Sentence suspended November 16, 1905.

**HARRY FLYNMORE**, Muscatine County. Convicted at the September Term, 1903, of the offense of breaking and entering, and sentenced to serve a term of seven years in the penitentiary. It was urged in the defendant's behalf that he was under the influence of intoxicants at the time the crime was committed, and that he did not know what he was doing; that after his conviction he returned to Muscatine, admitted his guilt and was instrumental in the conviction of two others, one of whom received a sentence of four years and the other three years. It was also urged with some degree of reason that the sentence imposed upon him was excessive. The defendant had lived in Chicago prior to his conviction where he had a wife and four children. Sentence suspended November 16, 1905.

**ANDREW B. SIMPSON**, Page County. Convicted at the October Term, 1905, of the offense of embezzlement as bailee, and sentenced to serve a term of two years in the penitentiary. Clemency was recommended by the trial judge, and county attorney on the ground that the defendant was weak-minded. It was also urged in his behalf that he made a full statement of the whole transaction thereby aiding in the conviction of the man who was really responsible for the commission of the crime. Sentence suspended November 17, 1905.

**ORRIS WOLFE**, Poweshiek County. Convicted at the March Term, 1903, of the offense of rape, and sentenced to serve a term of five years in the penitentiary. A petition signed by 277 citizens, business and professional men residing in the vicinity where the crime was committed was filed in support of the application for clemency. The defendant had already served five months in the penitentiary when he was released pending the appeal of his case to the supreme court. Sentence suspended November 18, 1905.

**ELVIN ICENBICE**, Poweshiek County. Convicted at the September Term, 1903, of the offense of rape, and sentenced to serve a term of five years in the penitentiary. The same facts, with the exception of

the commitment to the penitentiary, exist in this case as in the case of Orris Wolfe, and the showing made in his case was even stronger. Sentence suspended November 18, 1905.

**ABRAHAM SCHIF**, Woodbury County. Convicted at the November Term, 1904, of the offense of burglary, and sentenced to serve a term of three years in the penitentiary. The records in this case developed the fact that the defendant was born in Russia and had been in this country only four weeks when he was arrested for this offense. He was at that time eighteen years of age, could not speak English and could not understand the same when spoken, and did not realize his situation until after he had been incarcerated in the penitentiary long enough to be taught and begin to understand the English language. The trial judge is now deceased and the county attorney strongly recommended clemency in his behalf. Sentence suspended November 24, 1905.

**WILL MESSENGER**, Scott County. Convicted at the September Term, 1900, of the offense of rape, and sentenced to serve a term of fifteen years in the penitentiary. Clemency was recommended by the trial judge, the assistant county attorney—the county attorney being deceased—and by eighteen of the leading business and professional men of the city of Davenport. Sentence suspended November 24, 1905.

**WILLIAM A. RICE**, Tama County. Convicted at the October Term, 1905, of the offense of maintaining a nuisance, and sentenced to pay a fine of \$400.00, in default of payment of which to be committed to the county jail. The trial judge and county attorney joined with a large number of citizens and other officials in recommending that that part of the sentence requiring his incarceration in the county jail be suspended. Sentence suspended December 8, 1905.

**ARTHUR STANLEY**, Appanoose County. Convicted at the April Term, 1904, to serve a term of one year in the penitentiary, for the offense of seduction. An unusually strong showing was made in support of the application for clemency,—the trial judge strongly recommending the same. Sentence suspended December 16, 1905.

**W. H. WOOD**, Dallas County. Convicted at the September Term, 1905, of the offense of maintaining a nuisance, and sentenced to serve a term of five months in the county jail. Clemency was recommended by the trial judge, county attorney, and several other citizens who were familiar with all of the facts. Sentence suspended December 23, 1905.

**GEORGE BERTO**, Mahaska County. Convicted at the October Term, 1905, of the offense of maintaining a nuisance, and sentenced to pay a fine of \$400.00, and in default of the payment of the same to be committed to the county jail for a period of 120 days. The defendant in this case was committed to the county jail on the 28th day of October, 1905. The application recites that he has seven small children who have no means of support except the daily labor of the



applicant. Clemency was recommended by the county attorney, county auditor, sheriff, county treasurer, deputy clerk, and by the chairman of the board of trustees in his township. Sentence suspended December 28, 1905.

## RESTORATIONS.

Pardons and Restorations to Citizenship were granted in the following cases to persons whose sentences had previously been suspended during good behavior. In each case before an order restoring the applicant to citizenship was issued a showing was filed signed by five or six citizens who knew the applicant personally, and who gave it as their opinion that he or she would not again violate the law.

### RESTORATIONS

Name.	County.	Term.	Suspended.	Restored.
W. P. Royce.....	Woodbury.	17½ years....	Aug. 18, 1900.	Jan. 18, 1904.
John Huxford.....	Monroe....	5 years.....	June 6, 1901.	Jan. 29, 1904.
Harl Hoskinson.....	Monroe....	5 years.....	June 6, 1901.	Jan. 29, 1904.
John Benesh.....	Benton....	10 years.....	Dec. 31, 1901.	Mar. 19, 1904.
Howard Elerton.....	Van Buren.	6 months....	Nov. 15, 1902.	Mar. 19, 1904.
A. J. Benham.....	Franklin...	15 years.....	Sep. 29, 1900.	Mar. 19, 1904.
Jacob Dill.....	Des Moines	5 years.....	Nov. 24, 1900.	Mar. 19, 1904.
Clark Battie.....	Davis.....	{ county jail } 4 months....	Sep. 5, 1903.	Mar. 19, 1904.
Louis Jones.....	Wapello....	5 years.....	June 12, 1903.	July 2, 1904.
Harry Spencer.....	Dubuque....	1 year.....	Nov. 23, 1901.	June 29, 1904.
Robert Callahan.....	Polk.....	10 years.....	May 20, 1897.	July 8, 1904.
W. H. Coleman.....	Polk.....	{ county jail } 6 months....	May 24, 1904.	Aug. 29, 1904.
Emma Jamison.....	Linn.....	{ county jail } 1 year.....	Dec. 2, 1902.	Sep. 2, 1904.
H. J. Paap.....	Calhoun....	4½ years....	Mar. 5, 1902.	Sep. 2, 1904.
James Maxwell.....	Keokuk....	{ county jail } 1 year.....	Oct. 19, 1903.	Sep. 2, 1904.
Stephen Hawk.....	Keokuk....	2½ years....	Dec. 2, 1902.	Sep. 2, 1904.
Edgar A. DeMeulles.....	Dubuque....	6 months....	May 23, 1903.	Sep. 2, 1904.
Fred W. Benham.....	Franklin...	15 years.....	Sep. 29, 1901.	Sep. 2, 1904.
Chas. H. Newhouse.....	Monroe....	3 years.....	Jan. 7, 1903.	Sep. 2, 1904.
James Chenoweth.....	Polk.....	9 years.....	July 6, 1899.	Sep. 2, 1904.
H. O. Soper.....	Washington	2 years.....	May 9, 1903.	Sep. 2, 1904.
Henry Mongovern.....	Wapello....	3½ years....	May 7, 1903.	Sep. 2, 1904.
A. B. E. Saunders.....	Clinton....	5 years.....	Sep. 4, 1900.	Sep. 2, 1904.
John Christmas.....	Harrison...	3 years.....	May 2, 1901.	Sep. 2, 1904.
Patrick Dunn.....	Howard....	10 years.....	Dec. 6, 1901.	Sep. 2, 1904.
One Frazee.....	Floyd.....	10 years.....	Dec. 12, 1901.	Sep. 2, 1904.
Harry Owens.....	Davis.....	4 years.....	July 2, 1901.	Sep. 2, 1904.
J. W. Dewitt.....	Pottaw....	3 years.....	Jan. 15, 1902.	Sep. 2, 1904.
William Norris.....	Story.....	{ county jail } 3 months....	April 29, 1904.	Oct. 14, 1904.
E. A. Benham.....	Franklin...	15 years.....	Sep. 29, 1900.	Oct. 14, 1904.
Julia A. Crosby.....	Clarke....	6 years.....	Feb. 10, 1902.	Oct. 14, 1904.
John Lee.....	Sioux.....	6 years.....	May 2, 1902.	Oct. 14, 1904.
W. H. Joyner.....	Warren....	2 years.....	July 27, 1903.	Oct. 20, 1904.
H. J. Prins.....	Sioux.....	2 years.....	Dec. 1, 1903.	Nov. 4, 1904.
Alexander White.....	Pottaw....	1 year.....	April 13, 1904.	Jan. 23, 1905.
E. B. Willey.....	Polk.....	2 years.....	Nov. 17, 1903.	Mar. 23, 1905.
A. E. Rogers.....	Cedar.....	{ county jail } 1 year.....	Aug. 27, 1904.	Mar. 23, 1905.
Clarence Robinson.....	Kossuth....	7 years.....	April 9, 1902.	Mar. 23, 1905.
Otto Riegan.....	Dubuque....	1 year.....	Feb. 20, 1904.	Mar. 23, 1905.
Edward Burns.....	O'Brien...	1½ years....	Nov. 24, 1903.	Mar. 23, 1905.
D. P. Minard.....	Calhoun....	10 years.....	Nov. 25, 1897.	Mar. 23, 1905.
George Johnson.....	Marshall...	{ county jail } 3 months....	May 13, 1904.	Mar. 23, 1905.
Edward Shaffer.....	Hardin....	1 year.....	Feb. 2, 1902.	May 23, 1905.
Alva Caskey.....	Webster....	10 years.....	Jan. 6, 1903.	May 23, 1905.
Alice Miller.....	Polk.....	4 years.....	July 6, 1903.	June 29, 1905.
H. N. Shafer.....	Polk.....	8 months....	Dec. 12, 1904.	July 13, 1905.
Albert Kuba.....	Linn.....	15 years.....	Dec. 30, 1903.	Oct. 23, 1905.
Louis Hess.....	Johnson...	3 years.....	Dec. 22, 1900.	Oct. 23, 1905.
R. W. Burke.....	Woodbury.	5 years.....	July 2, 1904.	Oct. 23, 1905.
Richard Fitzke.....	CerroGordo	{ county jail } 8 months....	Sep. 7, 1904.	Oct. 23, 1905.
Frank Troughton.....	Clinton....	1 year.....	Feb. 7, 1905.	Oct. 23, 1905.
Henry J. Tierney.....	Des Moines	2 years.....	April 13, 1904.	Nov. 16, 1905.
Robert Brown.....	Cass.....	8 years.....	Oct. 19, 1903.	Nov. 16, 1905.

## REVOCATIONS.

Name.	County.	Suspended.	Revoked.
Elmer J. Donahue.....	Dallas.....	Feb. 14, 1903.	April 15, 1904.
Chris Keegan.....	Fayette....	March 21, 1904.	May 16, 1904.
E. S. Burke.....	Winnebago.	Aug. 9, 1902.	June 9, 1904.
John Sievers.....	Clinton....	May 3, 1904....	June 11, 1904.
Anna Crofford.....	Clinton....	Nov. 17, 1903.	July 6, 1904.
Harry Phillips.....	Muscatine..	June 19, 1904.	July 25, 1904.
Frank Hanover.....	Benton....	Sept. 13, 1904.	Dec. 5, 1905.
Rudolph Hauschild.....	Scott.....	Dec. 9, 1901.	Dec. 10, 1904.
Delliah Falls.....	Bremer....	Oct. 18, 1904.	Dec. 12, 1904.
John McCluskey.....	Union.....	Feb. 9, 1900.	Jan. 23, 1905.
Moses Simpson.....	Jasper....	Sept. 8, 1904.	Feb. 1, 1905.
J. H. Marsh.....	Polk.....	Sept. 16, 1904.	Feb. 1, 1905.
Joseph Buck.....	Polk.....	April 17, 1905.	May 8, 1905.
Edward Davison.....	Wapello....	Oct. 25, 1904.	Oct. 21, 1905.
Ed. Bell.....	Johnson	Dec. 23, 1902.	Nov. 14, 1905.

## COMMUTATIONS.

**JOHN DIMMITT**, Polk County. Committed to the county jail on the 7th day of November, 1903, for a period of four months for the offense of breaking and entering. Commuted to three months and twenty-three days on showing that he had a lucrative position offered him which he could not obtain if required to serve the remaining week of his sentence. Commuted February 29, 1904.

**JOHN SHEA**, Polk County. Committed to the county jail of Polk County on the 9th day of October, 1903, to serve a term of five months for the offense of breaking and entering. Commuted to four months and twenty-four days on showing that the brother of the defendant had died, the commutation being granted to enable him to attend his funeral. Commuted February 29, 1904.

**JOHN LAMAR**, Marshall County. Committed to the penitentiary December 7, 1900, to serve a term of three years for the offense of adultery. Commuted to two years eleven months and two days for the purpose of restoring twenty-eight days of good time forfeited while in the penitentiary. Commuted June 17, 1904.

**WALTER WEST**, Clarke County. Committed to the penitentiary February 15, 1902, to serve a term of two and one-half years for the crime of burglary. Commuted to two years five months on the recommendation of the warden of the penitentiary for the purpose of restoring thirty days of good time forfeited by reason of a violation of the prison rules. Commuted May 9, 1904.

**A. F. ROGERS**, Cedar County. Sentenced on the 26th day of February, 1904, to serve a term of fifteen months in the penitentiary for the crime of uttering a forged note. Commuted to one year in the county jail. Commuted May 17, 1904.



**ROY LEIGHTON**, Mahaska County. Committed to the penitentiary November 11, 1902, to serve a term of four years for the offense of assault with intent to commit murder. On the recommendation of the trial judge, and the county attorney sentence was commuted to two years and one month. Commuted September 5, 1904.

**SAMUEL STULL**, Lucas County. Committed to the penitentiary February 19, 1901, to serve a term of five years for the offense of robbery. On the recommendation of the warden of the penitentiary sentence was commuted to four years and eleven months. Commuted September 26, 1904.

**M. R. HAMMER**, Jasper County. Committed to the penitentiary April 23, 1902, to serve a term of three and one-half years for the offense of assault with intent to commit manslaughter. Commuted to two years ten months and five days. Commuted October 13, 1904.

**FRED BEALL**, Polk County. Committed to the penitentiary December 7, 1899, for a term of seven and one-half years for the offense of larceny. On the recommendation of the warden commuted to five years and seven days for the purpose of restoring two hundred ninety-eight days of good time lost through the infraction of the prison rules. Commuted December 8, 1904.

**HENRY FRENCH**, Jasper County. Committed to the county jail May 15, 1905, to serve a term of six months for the offense of resisting an officer. On the recommendation of the trial judge and county attorney commuted to five months and ten days. Commuted October 24, 1905.

**CHARLES S. WRIGHT**, Polk County. Committed to the penitentiary October 27, 1901, to serve a term of five years for the offense of burglary. Commuted on the recommendation of the warden to four years and nine months for the purpose of restoring three months of good time forfeited by violation of the prison rules. Commuted November 4, 1905.

**H. S. RICKEY**, Harrison County. Committed to the penitentiary September 19, 1902, to serve a term of two years for the offense of attempt to break and enter a store. Commuted to one year ten months and eight days on the recommendation of the warden for the purpose of restoring one month and twelve days of good time forfeited for violation of the prison rules. Commuted November 16, 1905.

**CHARLES BUNCE**, Madison County. Committed to the penitentiary October 10, 1903, to serve a term of two and one-half years for the offense of larceny. Commuted to two years nine months and fifteen days on the recommendation of the warden for the purpose of

restoring ninety-two days of good time forfeited for violating the prison rules. Commuted November 23, 1905.

**THOMAS I. JEBB**, Wapello County. Committed to the penitentiary on the 12th day of February, 1903, to serve a term of five years for the offense of forgery and uttering a forged note. Commuted to four years one month and eighteen days on the recommendation of the trial judge and the man whose name was forged, and a large number of business men who advised the same. Commuted December 16, 1905.

## REMISSIONS.

The remissions herein presented were, in almost every case, recommended by those officers in the counties where the fines were imposed who are concerned, directly or indirectly, in the collection of the same; namely, county attorney, county auditor, clerk of the district court, county treasurer, and the members of the board of supervisors, or a majority of them, and were conditioned upon the payment of all costs when the same had not been paid.

### REMISSIONS.

Name.	County.	Term Imposed.	Amt.	Date Remitted.
Grant Hoon.....	Cedar.....	Nov. 1903...	\$ 200	Jan. 7, 1904
J. C. Cole.....	Taylor.....	May 1903...	300	Jan. 29, 1904
T. K. Young.....	Madison.....	Sept. 1903...	600	Feb. 6, 1904
Henry Seever.....	Plymouth.....	Oct. 1886...	800	Feb. 6, 1904
John Hoffman.....	Plymouth.....	Oct. 1886...	300	Feb. 8, 1904
John H. Harrison.....	Mahaska.....	April 1891...	300	Feb. 20, 1904
Hunting Barnes.....	Fayette.....	Jan. 1904...	300	Feb. 28, 1904
James Elerick.....	Wapello.....	Aug. 1901...	150	Mar. 19, 1904
G. W. Cain.....	Fayette.....	Sept. 1902...	300	Mar. 19, 1904
C. D. Andrus.....	Howard.....	March 1904...	300	Mar. 11, 1904
Gilbert Frederick.....	Guthrie.....	Dec. 1898...	300	April 18, 1904
W. W. Moore.....	Clay.....	Jan. 1904...	300	April 13, 1904
Harry Schrack.....	Fayette.....	Jan. 1904...	300	April 13, 1904
Valentine Ness.....	Tama.....	Dec. 1898...	300	April 13, 1904
John Daniels.....	Wright.....	March 1899...	500	April 28, 1904
D. B. Roberts.....	Taylor.....	Dec. 1903...	300	May 2, 1904
S. A. Spurgeon.....	Boone.....	Oct. 1893...	300	May 2, 1904
M. J. Shea.....	Cherokee.....	March 1896...	150	May 6, 1904
Henry Yates.....	Madison.....	Oct. 1903...	250	May 6, 1904
R. H. Hopkins.....	Story.....	March 1904...	300	June 28, 1904
Mike Noveski.....	Cherokee.....	Nov. 1902...	300	June 23, 1904
A. W. Halden.....	Appanoose.....	Jan. 1903...	200	June 28, 1904
C. J. Dutton.....	Clarke.....	Nov. 1903...	200	July 6, 1904
W. F. Miles.....	Floyd.....	Nov. 1903...	300	July 6, 1904
F. B. Downs.....	Hardin.....	Aug. 1903...	300	July 21, 1904
G. T. Martin.....	Decatur.....	Nov. 1903...	100	Sept. 24, 1904
A. L. Fuller.....	Madison.....	Dec. 1887...	455	Sept. 24, 1904
Ray Byers.....	Jasper.....	Feb. 1904...	100	Oct. 14, 1904
A. Kooser.....	Houx.....	March 1893...	500	Oct. 29, 1904
M. A. Caley.....	Cherokee.....	March 1893...	925	Nov. 17, 1904



## REMISSIONS--CONTINUED.

Name.	County.	Term Imposed.	Amount.	Date Remitted
August Hartman }	Cherokee..	Mar. 1893..	\$ 950	Nov. 25, 1904.
Herman Hartman }	Cherokee..	Mar. 1893..		Nov. 25, 1904.
James Shea.....	Warren....	Jan. 1894...	300	Nov. 28, 1904.
G. E. Shoemaker.....	Shelby....	Jan. 1896...	50	Nov. 17, 1904.
Henry Wheelhouse.....	Sioux.....	Nov. 1901..	300	Nov. 8, 1904.
Charles Fickens.....	Marshall..	Oct. 1894...	300	Dec. 8, 1904.
J. B. Greenen }	Plymouth..	1896...	1,250	Dec. 23, 1904.
Elizabeth Greenen }	Plymouth..	1896...		Dec. 23, 1904.
S. D. Bacon.....	Adams....	Jan. 1896...	800	Jan. 2, 1905.
Ignace Snidelar.....	Linn.....	June 1896...	235.95	Jan. 14, 1905.
Samuel Gibson.....	Polk.....	Jan. 1904...	300	Jan. 4, 1905.
J. B. Lewis.....	Union.....	Jan. 1898...	50	Jan. 21, 1905.
Ole M. Hanson.....	Winnebago	Nov. 1904...	300	Feb. 6, 1905.
F. E. Johnson.....	Benton....	Nov. 1904...	500	Feb. 11, 1905.
Harry Wagner.....	Van Buren.	Jan. 1903...	300	Feb. 15, 1905.
F. M. Berry.....	Benton....	Sept. 1904...	200	Mar. 13, 1905.
John Goode.....	Washingt'n	Nov. 1900...	300	Mar. 16, 1905.
J. A. McKelvey.....	Keokuk...	Dec. 1904...	1,000	Mar. 22, 1905.
Ray McQuinn.....	Cherokee..	Nov. 1900...	200	Apr. 18, 1905.
Fred Holly.....	Cherokee..	Mar. 1897...	200	Apr. 18, 1905.
J. B. Welland.....	Shelby....	Aug. 1877...	75	Apr. 13, 1905.
Ed Haworth.....	Lucas.....	Oct. 1904...	200	May 8, 1905.
A. J. Phares }	Appanoose.	Jan. 1894...	300	May 8, 1905.
John Phares }	Appanoose.	Jan. 1894...		May 8, 1905.
Wright Phares.....	Appanoose.	Jan. 1904...	300	May 8, 1905.
Fred McDaniel.....	Madison...	Dec. 1896...	350	May 8, 1905.
Al. Walker.....	Linn.....	Apr. 1889...	300	May 15, 1905.
John Duncan.....	Boone.....	Apr. 1903...	300	June 12, 1905.
George Hanson.....	Worth.....	Jan. 1902...	350	June 16, 1905.
Ray F. Ellis.....	Sioux.....	Sept. 1899...	100	June 19, 1905.
Peter Blitsch.....	Linn.....	June 1893...	300	June 24, 1905.
J. F. Preston.....	Hancock...	Feb. 1905...	300	July 11, 1905.
John A. Pickering.....	Johnson..	Feb. 1895...	500	Aug. 11, 1905.
George Starevich.....	Appanoose.	Sept. 1903...	300	Sept. 12, 1905.
George Clements.....	Appanoose.	Sept. 1901...	300	Sept. 26, 1905.
Clark Rogers }	Cherokee..	Aug. 1897...	300	Oct. 3, 1905.
Al. Orner }	Cherokee..	Aug. 1897...		Oct. 3, 1905.
Robert Blumer.....	Plymouth..	May 1896...	300	Oct. 13, 1905.
Carl Reifsteck.....	Jackson...	Jan. 1900...	50	Oct. 21, 1905.
B. F. Erb.....	Polk.....	Mar. 1905...	300	Oct. 30, 1905.
W. C. Bibbles.....	Clarke....	Sept. 1900...	300	Nov. 4, 1905.
G. L. Rutledge.....	Madison...	Nov. 1897...	300	Nov. 15, 1905.
Frank Lindsay.....	Washingt'n	Sept. 1893...	200	Nov. 15, 1905.

## FORFEITURES.

**JOHN HOFFMAN**, Plymouth County. Canceled and set aside the forfeiture of a certain appearance bond in the sum of \$50.00 made by John Hoffman as surety for one Henry Sievers, to abide the judgment of the District Court of Plymouth County. Forfeiture declared March 14, 1887. Granted February 6, 1904.

**LOUISA SIEVERS AND J. W. HAWKINS**, Plymouth County. Canceled and set aside the forfeiture of a certain appearance bond in the sum of \$500.00 made by Louisa Sievers, and J. W. Hawkins as surety for one Henry Sievers, to abide the judgment of the District Court of Plymouth County. Forfeiture declared February 23, 1888. Granted February 6, 1904.

**HANS SPECKLER AND PETER HOMAN**, Plymouth County. Canceled and set aside the forfeiture of two certain appearance bonds each in the sum of \$300.00 made by Hans Speckler and Peter Homan as sureties for one H. Sievers, to abide the judgment of the District Court of Plymouth County. Forfeiture declared March 6, 1886. Granted March 16, 1904.

APPLICATIONS FOR PARDONS  
SUBMITTED TO THE GENERAL ASSEMBLY.

Nathan Rainsbarger, Frank Rainsbarger, Thomas W. Watson, J. B. Taylor, Orman McPherson, William Toole, John G. Steel, Joseph C. Smith, Alonzo Robbins, A. D. Storms, John H. Cater, and Louis Busse; convicted of the crime of murder in the first degree, and sentenced to the penitentiary for the term of their natural lives, except Joseph C. Smith and Louis Busse, who were sentenced to be hanged, the date of said execution being fixed for April 20, 1906.

The statute provides that no pardon shall be issued by the Governor for the crime of murder in the first degree until he shall have presented the matter to the General Assembly for its advice.

It also provides for publication of notice of application for pardon, containing the grounds upon which it is asked,—such notice having been published in each case, as the statute requires.

The original applications, with accompanying papers, are on file in the Executive Office for the inspection of the members of the General Assembly.

*Albert B. Cummings*



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# REPORT

OF THE

## SECRETARY OF STATE

RELATING TO

# CRIMINAL CONVICTIONS

OF THE

STATE OF IOWA FOR THE YEAR ENDING SEPTEMBER 30, 1904,  
AND THE YEAR ENDING SEPTEMBER 30, 1905.

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W. B. MARTIN, SECRETARY OF STATE.

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DES MOINES.  
B. MURPHY, STATE PRINTER.  
1905.