

REPORT

BY THE

GOVERNOR OF IOWA,

OF

PARDONS, COMMUTATIONS, SUSPENSIONS OF  
SENTENCE, AND REMISSIONS OF FINES.

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From January 11, 1894, to January 16, 1896.

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1896.

STATE OF IOWA. }  
EXECUTIVE OFFICE. }  
DES MOINES, January 16, 1896. }

*To the General Assembly:*

In accordance with the requirements of section 16, article 4 of the Constitution, I herewith transmit to you a report of each case of reprieve, commutation and pardon granted and the reason therefor, and also of all persons in whose favor remission of fines and forfeitures were made, and the several amounts remitted, during my official term, which closed January 16, 1896.

FRANK D. JACKSON.

## PARDONS.

ED. LINCOLN. Polk county. Pardoned April 27, 1894. Committed to the state penitentiary at Fort Madison on October 28, 1893, for a period of four years, for the crime of larceny. Pardoned upon the request of Hon. W. F. Conrad, the trial judge, who has become fully convinced of defendant's innocence. Lincoln's conviction was procured on the sole evidence of the prosecuting witness, who, it has since been ascertained, was himself an ex-convict, having but a short time previously been released from the state penitentiary at Fort Madison, and whose entire testimony in regard to himself was false. The judge further states that if the evidence now in his possession had been produced at the trial, he would have directed a verdict of acquittal.

J. H. HOUGH. Linn county. Pardoned May 22, 1894. Committed to the state penitentiary at Anamosa on November 29, 1893, for a period of one year, for the crime of grand larceny. Pardoned upon the recommendation of the trial judge, the prosecuting attorney, the prosecuting witness and a number of prominent citizens of Linn county, including the senator in the general assembly from said district, and upon the condition that defendant shall hereafter refrain from the use of intoxicating liquors as a beverage and shall demean himself in every respect as an orderly and law-abiding citizen.

THOMAS BROOKS. Pottawattamie county. Pardoned May 22, 1894. Committed to the state penitentiary at Fort Madison on November 14, 1889, for the period of his natural life, for the crime of murder in the first degree. Pardoned upon the recommendation of the Twenty-fifth General Assembly, to which the case was referred.

FRANK DWYER. Winneshiek county. Pardoned May 28, 1894. Committed to the state penitentiary at Anamosa December 7, 1893, for a period of eighteen months, for the crime of larceny from the person. Pardoned upon the recommendation of the trial judge, the prosecuting attorney and a number of other officials and many prominent citizens of Winneshiek county, including the senator and representative in the general assembly from said district, all of whom urged that defendant had been sufficiently punished. Granted upon the condition that said Dwyer shall hereafter refrain from the use of intoxicating liquors as a beverage, that he shall not frequent saloons, and that in every respect he shall demean himself as an orderly and law-abiding citizen.

FRANK ANDERSON. Cass county. Pardoned May 25, 1894. Committed to the state penitentiary at Fort Madison October 3, 1893, for a period of one year, for the crime of burglary. Pardoned because in my opinion the ends of justice have been fully subserved by the punishment already inflicted upon the defendant for said offense. Granted upon the condition that he shall hereafter demean himself in every respect as an orderly and law-abiding citizen.

WILLIAM KENNEDY. Ida county. Pardoned September 18, 1894. Sentenced at the August, 1893, term of the district court to be imprisoned in the state penitentiary for a period of one day, for the crime of manslaughter. Pardoned upon the recommendation of Hon. George W. Paine, the trial judge, who recited the following statement of facts as a reason for his action: "It appeared upon the trial that the difficulty out of which this indictment arose was by the deceased, Hurd, interfering in an altercation between Kennedy and another party; that Hurd interfered to prevent an assault by Kennedy upon this other party; that on being told by Kennedy to go away and not interfere, Kennedy struck Hurd a blow upon the side of his head with his naked fist; that shortly after Hurd complained of a pain in his head, and within a few hours died, and the post mortem examination disclosed the fact that there was a malformation in the skull of Hurd which had caused the rupture of an artery that caused the death. Physicians, at the trial, testified that it was but a question of time when this malformation of the skull would have caused the death of Hurd, and the question upon which the case turned was whether the

rupture was caused by the blow of Kennedy or by the excitement through which Hurd had passed. After the conviction I consulted with the jury and they agreed unanimously that under the circumstances Kennedy ought not to be sent to the penitentiary. I ascertained the entire cost to the state of the proceedings and imposed a fine of eight hundred and sixty dollars, that being the amount of the costs and expenses, and also one day's imprisonment, and suspended the execution of the imprisonment. The fine was immediately paid and the defendant released. It seems now a proper case for the remitting entirely of the effects of the sentence of one day in the penitentiary, and I recommend that it be done." Granted upon the condition that Kennedy shall hereafter demean himself in every respect as an orderly and law-abiding citizen.

JAMES GATES. Guthrie county. Pardoned December 27, 1894. Sentenced at the May, 1894, term of the district court to be imprisoned in the state penitentiary for a period of six months, for the crime of forcible defilement. Pardoned upon the recommendation of the trial judge, the prosecuting attorney, ten of the trial jurors, many of the officials and a large number of prominent citizens of Guthrie county, who state that defendant was an old man, over 70 years of age, and in very feeble health, and that in their opinion the payment by defendant of the fine of \$100, together with the costs imposed in the case, would, under the circumstances, be sufficient punishment for said offense. Granted upon the condition that the fine and costs of the case be first paid.

M. TENNEBOM. Johnson county. Pardoned January 31, 1895. Committed to the state penitentiary at Fort Madison December 14, 1894, for a period of four years, for the crime of arson. Pardoned because, after a careful consideration of all the facts of said case, I became convinced that said Tennebom was entirely innocent of said crime.

GEORGE A. CARSON. Iowa county. Pardoned February 6, 1895. Sentenced at the January, 1895, term of the district court to be imprisoned in the state penitentiary for a period of three months, for the crime of uttering a forged instrument. Pardoned upon the recommendation of the trial judge, many of the officials and a large number of prominent citizens of Iowa county, including the persons injured by defendant's acts in



question, who state that full restitution had been made by him. Defendant had previously borne a good reputation for honesty and integrity, and in my opinion the humiliation and disgrace suffered by him in consequence of his conviction is sufficient punishment. Granted upon the condition that the costs of the case be first paid.

MILTON PICKEREL. Lucas county. Pardoned May 24, 1895. Committed to the state penitentiary at Fort Madison on September 1, 1892, for a period of five years, for the crime of assault with intent to commit rape. Granted upon the recommendation of the trial judge, prosecuting attorney and many prominent citizens of Lucas county, and because in my opinion the defendant has now been sufficiently punished.

JOSIE LONG. Lucas county. Pardoned May 24, 1895. Committed to the penitentiary at Anamosa on April 12, 1895, for a period of one year, for the crime of forgery. Granted because I am of the opinion that defendant, on account of her youth and inexperience, should never have been committed to the penitentiary.

A. E. KIDD. Clay county. June 27, 1895. Sentenced at the February, 1892, term of the district court to be imprisoned in the state penitentiary for a period of three months, for the crime of forgery. Pardon was granted upon the recommendation of a large number of prominent citizens of Clay and adjoining counties, and because certain evidence which was not produced at the trial of said case, but which has since been made known, is sufficient to justify a reasonable doubt as to the defendant's guilt.

MYRA LONG. Hamilton county. Pardoned August 5, 1895. Committed to the state industrial school at Mitchellville on June 1, 1895, for the offense of incorrigibility. Pardoned upon the recommendation of the presiding judge, who imposed said sentence, and the county attorney of Hamilton county, and because, after a thorough investigation of said case, I am convinced that said girl should never have been sent to said institution.

J. W. PHILLIPS. Butler county. Pardoned November 26, 1895. Committed to the state penitentiary at Anamosa January 10, 1895, for a period of one year, for the crime of fraudulent banking. Pardoned upon the recommendation of the county

attorney and a large number of the prominent citizens of Butler county. The defendant has served all but two weeks of his term of sentence, and this order is made for the purpose of restoring to him the rights of citizenship.

ANNA BOESEN. Sioux county. Pardoned November 27, 1895. Committed to the state penitentiary at Anamosa on September 15, 1890, for a period of twenty years, for the crime of murder in the second degree. Granted because the defendant, who is over 60 years of age and, in consequence of the five years of imprisonment already suffered by her, is now broken in health, strength and spirits, and would probably not survive a much longer term of imprisonment. In my opinion no further good to the state can be subserved by her longer confinement.

## COMMUTATIONS.

SAMUEL MONTGOMERY. Lee county. May 23, 1894. Committed to the state penitentiary at Fort Madison, April 21, 1891 (transferred to penitentiary at Anamosa), for a period of five years, for the crime of assault with intent to commit murder. Commuted to imprisonment for three years and eleven months. Montgomery at the time of the commission of the crime in question was laboring under great mental excitement caused by a misunderstanding with his wife. The trial judge, the prosecuting attorney, and a large number of prominent citizens of Keokuk, and also the victim of Montgomery's assault, recommend that clemency be extended to said defendant. Under all the circumstances I am of the opinion that no further good can be subserved by Montgomery's longer confinement.

H. PYBURN. Pottawattamie county. May 25, 1894. Committed to the state penitentiary at Fort Madison January 4, 1893, for a period of three years, for the crime of cheating by false pretenses. Commuted to imprisonment for one year and seven months. Commuted upon the recommendation of Hon. W. I. Smith, the presiding judge who imposed said sentence, and who stated that while there was no doubt of defendant's guilt he was satisfied that Pyburn was simply acting as a tool and under the direction of other designing persons who, only, received the benefits of said wrongful transactions. Pyburn had previously borne a good reputation for honesty and integrity. His family, consisting of a wife and four children, were in very indigent circumstances and were dependent upon the charity of their friends for support. In my opinion this is a case in which executive clemency could very properly be extended and was conditioned upon defendant's future good behavior. To remain in force during defendant's good behavior.

W. H. COOPER JR. Scott county. May 25, 1894. Committed to the state penitentiary at Anamosa October 8, 1892,

for a period of five years, for the crime of breaking and entering. Commuted to imprisonment for two years. This commutation was granted upon the recommendation of a number of citizens of Pittsburg, Pa., who testified to defendant's former good character, and of Hon. P. B. Wolfe, the presiding judge who imposed said sentence, who stated that at the time of sentence he had no information concerning the defendant except the minutes of the testimony on which the indictment was based, and which tended to show that he was an habitual criminal. He further stated that if the evidence as to the defendant's former good character, now in his possession, had been before him at the time of sentence he would not have made the sentence to imprisonment for more than two years. Upon this showing I commuted the sentence, conditioned, however, upon Cooper's refraining from the use of intoxicating liquors as a beverage and upon his future good behavior.

CLARENCE RAMSEY. Boone county. July 12, 1894. Committed to state penitentiary at Fort Madison November 24, 1893, for a period of fifteen months, for the crime of larceny. Commuted to imprisonment for eight months and ten days. It was made to appear that while in the employ of a farmer the boy found about \$1,000 which had been hidden in the granary on the premises of his employer. He reported the fact of his discovery to another employe who advised him to keep the money. He retained it for a few days and then tried to replace it where he found it, but the building then being locked he was unable to do so. He then gave the money to his uncle and accounted to him for the manner in which it had come into his possession. The uncle gave the money to the sheriff of Boone county, who in turn placed it in the hands of its rightful owner. Soon thereafter defendant was indicted and convicted of the crime of larceny and sent to the penitentiary. The commutation was requested by the trial judge, the county attorney who conducted the prosecution of the case, seven of the trial jurors and a number of the prominent citizens of Boone county. After considering the fact of the defendant's youth, the circumstances under which he found the money, and his voluntary surrender of the same to its owner, showing conclusively that his natural sense of right and honesty had dominated in his struggle to withstand the unusual temptation to which he had been subjected, I am inclined to think the case one calling for executive interference.



GEORGE DUNHAM. Keokuk county. September 28, 1894. Committed to the state penitentiary at Fort Madison, November 21, 1887, for a period of twelve years, for the crime of burglary. Commuted to imprisonment for eleven years, two months and twenty days. This commutation, by which defendant will be released four and one-half months only in advance of the expiration of his original term of sentence, is granted because it is made to appear that said Dunham was confined in the jail of Keokuk county for a period of five months in order that certain evidence, which he was willing to admit, could be produced at the trial. In my opinion it is no more than right that Dunham should be credited on his term of sentence with the time he was confined in jail while the authorities were searching for the above mentioned evidence.

S. DREYFUS. Cherokee county. September 28, 1894. Committed to the state penitentiary at Anamosa, December 5, 1893, for a period of fifteen months, for the crime of obtaining signature by false pretenses. Commuted to imprisonment for one year. Granted upon the recommendation of the county attorney of Cherokee county and because, in my opinion, the defendant's imprisonment in the penitentiary for one year is sufficient punishment for said offense. Conditioned upon his refraining from the use of intoxicating liquors, and upon his future good behavior.

WILLIAM WALKER. Story county. November 24, 1894. Committed to the state penitentiary at Fort Madison October 8, 1889, for a period of ten years, for the crime of burglary. Commuted to imprisonment for seven years, ten months and eight days. Defendant with three others was convicted of burglarizing a store in Colo. He had none of the stolen goods in his possession when arrested, the only circumstances tending to prove his connection with said crime being the company in which he was found. Commutation was granted upon the recommendation of Judge Stevens and County Attorney Dyer, who state that in their opinion defendant has now been sufficiently punished.

WILLIAM TIPPETT. Mahaska county. August 17, 1895. Sentenced at the January, 1894, term of the district court to imprisonment for a period of six months in the state penitentiary at Fort Madison, for the crime of manslaughter. Commuted to

imprisonment for six months in the jail of Mahaska county and ordered that the time which defendant had been confined in jail since the date of his sentence should be applied on said sentence. The defendant, together with his alleged victim, and a number of others who had for some time previous been friends and companions, were drinking in a saloon and all became more or less intoxicated. While there a revolver, which they had been using to shoot at a target during the afternoon, was discharged, resulting in the death of a member of the party. It does not appear that Tippet had any trouble or misunderstanding with the person killed, nor was there ascribed any motive for such an act on his part. This commutation was granted upon the request of Judge Dewey who imposed said sentence; also of Judges McCoy and Ryan, County Attorney Carroll, nine jurors of the panel of said term of court, the members of the board of supervisors, and a large number of the leading citizens of Mahaska county, and because in my opinion the ends of justice will be fully subserved by the defendant's confinement for six months in the jail of Mahaska county.

ISAIAH PHILLIPS. Appanoose county. August 24, 1895. Committed to the state penitentiary at Fort Madison October 2, 1891, for a period of fourteen years for the crime of incest. Commuted to imprisonment for five years and four months. Commuted upon the recommendation of Hon. W. I. Babb, the presiding judge who sentenced said defendant, and who states that had certain information now in his possession been placed before him when sentence was pronounced, he would have imposed a much less severe penalty. Said commutation was also recommended by the county attorney and a large number of prominent citizens of Appanoose county, who urge that said defendant has now been sufficiently punished. To remain in force during the period of defendant's good behavior.

A. J. CONOVER, alias Charles Mott. Tama county. December 11, 1895. Committed to the state penitentiary at Anamosa on October 15, 1891, for a period of nine years, for the crime of forgery. Commuted to imprisonment for six years. Granted upon the recommendation of a large number of prominent citizens of Tama county, including the county attorney who prosecuted said case, and the firm of Brooks & Moore, the

prosecuting witnesses, who urge that said defendant has now been sufficiently punished. To remain in force during defendant's good behavior.

JOHN W. SCHAEFFER. Polk county. December 30, 1895. Sentenced at the November, 1893, term of the district court to imprisonment in the state penitentiary for a period of six months, for the crime of unlawfully disinterring a dead body. Commuted to imprisonment in the jail of Polk county for a period of six months, and to the payment of a fine of \$500; Also ordered in the event that said John W. Schaeffer shall on or before the first day of February, 1896, pay in full said fine of \$500, that said sentence as commuted shall be suspended so far as the order of imprisonment is concerned during such time as he shall hereafter demean himself in every respect as an orderly and law-abiding citizen. Granted because in my opinion the payment of \$500 will be sufficient punishment for said crime.

CORNELIUS TOOM AND HENRY VAN DER WERF. Marion county. December 31, 1895. Committed to the state penitentiary at Fort Madison, August 23, 1885, for a period of thirty-five years, for the crimes of arson, burglary and assault with intent to commit murder. Commuted to imprisonment for twenty years. Granted upon the recommendation of a large number of the prominent citizens of Marion county, including the attorney who assisted in the prosecution of said defendants, and because it is my opinion that at the expiration of a twenty years' sentence said defendants will have been sufficiently punished for said offenses. Conditioned upon the defendants refraining from the use of intoxicating liquors as a beverage and upon their future good behavior.

PETER VAN DER WERF. Marion county. December 31, 1895. Committed to the state penitentiary at Fort Madison August 23, 1885 (on January 31, 1889, transferred to the penitentiary at Anamosa), for a period of thirty-five years, for the crimes of arson, burglary and assault with intent to commit murder. Commuted to imprisonment for twenty years. Granted upon the same recommendations, for the same reasons, and on the same conditions as those designated in the preceding case of Cornelius Toom and Henry Van Der Werf.

# REMISSION OF FINES.

JOSHUA BURKE. Davis county. May 4, 1894. Remitted fine of \$100, imposed at October, 1892, term of district court for the offense of peddling without a license. It is made to appear that defendant was prosecuted for the sole purpose of testing the validity of said law; his employers, being the interested parties, appealed said case to the supreme court, where it was affirmed. They thereupon procured licenses for all of their agents, and will be compelled to pay the fine in question if its collection is enforced. Granted upon the recommendation of the trial judge and prosecuting attorney.

PRENTISS RANSON. Hardin county. May 23, 1894. Remitted \$200 of the amount of a fine of \$300, imposed at the April, 1889, term of the district court, for the offense of maintaining a nuisance. Granted upon the recommendation of the trial judge and prosecuting attorney, and because it is made to appear that an agreement was had between the officers of the court and said defendant at the time of sentence, to the effect that upon the payment of \$100 of said fine and the costs of the case, the collection of the balance of said fine should not be enforced during such time as he should thereafter refrain from any further violation of said law. Defendant has complied with the provisions of said agreement, and this remission is granted in order to release his property from the lien occasioned by said judgment.

R. G. BRENNEMAN. Wayne county. June 16, 1894. Remitted fine of \$25 and the costs of the case taxed at \$28.78, imposed at the May, 1894, term of the district court, for the offense of maintaining a nuisance. Granted upon the recommendation of a large number of prominent citizens of Wayne county, including the county attorney who prosecuted said case, and because it is made to appear that one A. H. Keller, who became surety on an appeal bond when the defendant



appealed to said district court from the judgment of a lower court, has since died, and said Brenneman, now being unable to pay said fine and costs, they must be paid, if collected, by the family of said Keller, who are now in straitened circumstances and wholly unable to pay said fine and costs. The sole purpose of this order is to release the family of said Keller from the lien occasioned by said judgment.

MIKE MONNER. Plymouth county. July 9, 1894. Remitted fine of \$50, and costs of the case taxed at \$90.95, imposed at the October, 1886, term of the district court, for the offense of keeping a nuisance, also fine of \$50, and costs of the case taxed at \$50.42, imposed at the March, 1887, term of the district court, for the offense of keeping a nuisance. Granted upon the request of a large number of prominent citizens of Plymouth county, and because it is made to appear that defendant is now deceased, and that his widow will be reduced to very straitened circumstances if she is compelled to pay said fines and costs.

WILLIAM QUINN. Allamakee county. July 12, 1894. Remitted fines amounting to \$900, imposed on April 14, 1894, by the justice's court of C. S. Stillwell, justice of the peace in and for Makee township, Allamakee county, for offenses of violating the prohibitory liquor law. Remitted upon the recommendation of a large number of prominent citizens of Allamakee county, who state that in default of the payment of said fines defendant has been confined for a period of three months in the jail of Allamakee county. To remain in force during such time as said Quinn shall refrain from any further violation of said laws.

CHARLES FENNER. Cass county. August 29, 1894. Remitted fine of \$400, imposed at August, 1893, term of the district court for offense of keeping a nuisance. Defendant is now over seventy-eight years of age and in very feeble health; his wife is over seventy-five years of age. They are wholly unable to pay said fine and if its collection is enforced they will lose their homestead. Granted upon the recommendation of several officials and a large number of prominent citizens of Cass county, including the mayor of Griswold, where said offense was committed and because I am convinced that defendant will never again violate said law.

FREDERIKE KARP, HENRY HAAKE AND FREDERIKE HAAKE. Mitchell county. September 12, 1894. Remitted fine of \$300, imposed upon Frederike Karp at April, 1890, term of district court; also fine of \$400, imposed upon Henry Haake at May, 1892, term of district court; also fine of \$300, imposed upon Frederike Haake at May, 1892, term of district court, all for the offenses of violating the prohibitory liquor law. It is made to appear that in default of the payment of said fine the defendants were committed to the jail of Mitchell county and served for the full period provided by law; that they are wholly unable to pay said fines, and that the property on which said judgments are now liens was previously mortgaged for nearly its full value, the mortgagee being finally compelled to take possession of the same, which is now in the hands of an innocent purchaser upon whom a great hardship will be worked if said judgments are enforced. Granted upon the condition that all the costs in said cases be first paid.

ROBERT D. ROYSTON. Boone county. October 1, 1894. Remitted fine of \$50, imposed at January, 1894, term of district court, for offense of unlawful assault. Granted upon the recommendation of the presiding judge, who states that he imposed said sentence on the defendant's plea of guilty without any knowledge as to the circumstances of the case. Since then he has investigated the matter and now declares that defendant was not guilty of any willful offense, the act in question growing out of his position as constable. The judge further stated that were all the facts before him at the time of sentence he would not have entered said judgment.

HANS AND ANNA PLOEN. Clinton county. October 6, 1894. Remitted fine of \$500, imposed at May, 1889, term of district court, for the offense of violating an injunction. Defendants, both of whom are in very feeble health, are wholly unable to pay said fine, and its collection, if enforced, would work a great hardship on them and leave them in an almost destitute condition. Granted upon the request of the county attorney who prosecuted said case and a number of prominent citizens of Clinton county; and upon the condition that all the costs of said case be first paid.

A. FERNBACH. Black Hawk county. October 6, 1894. Remitted fine of \$300, imposed at February, 1888, term of district court, for the offense of violating the prohibitory liquor

laws. Granted upon the recommendation of the presiding judge, the prosecuting attorney and a number of the officials and prominent citizens of Black Hawk county; and because it is made to appear that said defendant is now deceased and that the enforcement of said judgment would work a great hardship upon his widow and upon innocent creditors, whose only security is the property on which said judgment is a lien; and also upon the condition that the costs of said case be first paid.

PETER ZEIN. Chickasaw county. October 12, 1894. Remitted \$400 of the amount of a fine of \$500, imposed at the October, 1892, term of district court, for the offense of violating an injunction. Remission is recommended by the county attorney who prosecuted said case and many other officials and prominent citizens of Chickasaw county, who state that since said fine was imposed the defendant has in no manner been guilty of a further violation of said prohibitory liquor laws; that he has a large family to support and the enforcement of said judgment would work a great hardship upon them. Granted upon the condition that \$100 of said fine and the costs in said case be first paid; and that said Zein shall hereafter refrain from any further violation of said laws.

CHARLES REICHELT. Jasper county. November 16, 1894. Remitted \$150 of the amount of a fine of \$300, imposed at the September, 1891, term of the district court, for the offense of violating the prohibitory liquor laws. It is made to appear that defendant, since the date of said judgment, has in no manner been guilty of a further violation of said laws; he is now 75 years of age and in very poor circumstances financially; and the property on which said judgment is a lien is now owned by innocent parties, upon whom a great hardship will be worked if the collection of said judgment is enforced. Granted upon the recommendation of the trial judge, prosecuting attorney and a number of prominent citizens of Jasper county; and is to take effect when the remaining \$150 of said fine and all the costs in said case are paid.

CHARLES WILSON. Johnson county. December 5, 1894. Remitted fine of \$15, imposed in July, 1894, by justice's court of D. S. Barber, justice of the peace in and for Lucas township, Johnson county, for offense of larceny. Granted because it is

made to appear by the affidavit of one Albert Lease Thompson that he alone was the guilty person and that said Wilson was entirely innocent of said offense.

HENRY SCHROEDER. Boone county. December 8, 1894. Remitted fine of \$400, imposed at the February, 1894, term of the district court for the offense of violating the prohibitory liquor law. Granted upon the recommendation of the presiding judge, who imposed said sentence. Prior to this offense he appears to have been a law-abiding citizen, and since his conviction has wholly refrained from any participation in the unlawful traffic, being now engaged at his trade as a butcher. Granted on condition that all the costs of said case be first paid.

HENRY GLIDER. Washington county. December 11, 1894. Remitted the unpaid balance of the amount of a fine of \$150, imposed at the April, 1884, term of the district court; also the unpaid balance of the amount of a fine of \$25, imposed at the April, 1884, term of the district court; also the unpaid balance of the amount of a fine of \$150, imposed at the April, 1884, term of the district court; also the unpaid balance of the amount of a fine of \$50, imposed at the November, 1885, term of the district court; also the unpaid balance of the amount of a fine of \$100, imposed at the November, 1885, term of the district court; also the unpaid balance of the amount of a fine of \$100, imposed at the December, 1886, term of the district court; also the unpaid balance of the amount of a fine of \$800, imposed at the May, 1887, term of the district court; also the unpaid balance of the amount of a fine of \$600, imposed at the February, 1893, term of the district court, all for the offenses of nuisance. It is made to appear that in default of the payment of a number of the above mentioned fines the defendant was committed to the county jail and there kept in confinement for the several periods as by law required. He has entirely abandoned said illegal business and is now unable to pay the amount of said judgments without entailing a great hardship upon himself and his family. Granted upon the recommendation of Judges Ryan and Dewey of the Sixth Judicial district, and Senator Palmer of said county, and upon the condition that all the costs of said cases be first paid.

WILLIAM CAULK. Henry county. December 12, 1894. Remitted fine of \$50, imposed at the March, 1887, term of the



district court, for the offense of nuisance. Granted upon the request of the county attorney and members of the board of supervisors of Henry county who state that defendant in default of the payment of said fine was confined in the jail of Henry county for a period of forty-three days; and upon the condition that the costs of said case, taxed at \$84.06, be first paid.

JOHN TURPIN. Guthrie county. December 13, 1894. Remitted fine of \$250, imposed at the February, 1893, term of the district court, for the offense of assault with intent to commit great bodily injury. Granted upon the recommendation of the trial judge, prosecuting attorney, ten of the trial jurors, a number of the officials and many prominent citizens of Guthrie county, who testify to defendant's former good reputation, as well as to his good character since the commission of said offense. Defendant is unable to pay said fine and will lose his homestead if the collection of said judgment is enforced.

BARNEY MATTIMORE. Johnson county. December 14, 1894. Remitted fine of \$100, imposed at September, 1875, term of circuit court, for the offense of violating the prohibitory liquor laws. Granted upon the recommendation of the county attorney and a large number of officials and prominent citizens of Johnson county, who state that said Mattimore entirely abandoned said business about the time said fine was imposed and has since demeaned himself as a good and law-abiding citizen. The collection of said fine at this time would work a great hardship on him and his family. Said remission is to take effect upon the payment of all the costs of said case.

JAMES W. DVORSKY, JOSEPH SLEZAK, PETER COLE AND JOHN M. COLDREN. Johnson county. December 15, 1894. On August 4, 1884, James W. Dvorsky, as principal, and Joseph Slezak, Peter Cole, and John M. Coldren, as sureties, gave a bond to the state of Iowa in the penal sum of \$3,000, condition that said Dvorsky, who had applied for a permit to sell intoxicating liquors, should refrain from the violation of any of the conditions on which said permit was granted. Thereafter said Dvorsky was convicted of the offense of violating the conditions aforesaid and fined in the sum of \$700, his sureties being co-defendants in said action. At the time said sentence was imposed an agreement was made by the officers of the court and defendants to the effect that if all the costs of

the case and \$350 of said fine should be paid at once the collection of the balance should be stayed for a period of one year, provided said Dvorsky should abandon said illegal business. It is now represented to me that it was the understanding of all concerned in said transaction that if said Dvorsky should remain out of said business the collection of the balance of said fine should never be enforced. Over seven years have now elapsed since said sentence was rendered. I am informed no effort has been made to collect said fine, and that Dvorsky has lived up to his agreement and is now engaged in a legitimate occupation. This order is made for the purpose of canceling the liens occasioned by said judgment.

D. D. LINTON. Hamilton county. December 29, 1894. Remitted the unpaid balance of the amount of a fine of \$300, imposed at the April, 1894, term of the district court, for the offense of keeping a nuisance. It is made to appear that the only property which defendant owned at the time of said judgment was a livery barn and the lots on which it stood, which were mortgaged to one Jerry Richardson in the sum of about \$1,200; the State bank of Williams also had a judgment lien thereon for about \$200, which was also prior to the lien of the state's judgment. The value of said property would not exceed the amount of the two liens aforesaid. Defendant Linton desires to assign his interest in said property for a nominal sum in order to save the costs of foreclosure proceedings. All the costs of said case and the further sum of \$80 of the amount of said fine have been paid. Granted so far only as to release said property above mentioned from the lien occasioned by said judgment, it being expressly understood that said order in no manner releases said Linton from the consequences of said judgment.

C. B. GRUWELL. Poweshiek county. January 8, 1895. Remitted fine of \$300, imposed at November, 1892, term of the district court, for the offense of nuisance. Granted upon the request of the trial judge and a number of prominent citizens of Poweshiek county, who testify to defendant's good character and high standing in the community in which he lives, and who state that in their opinion the payment of all the costs incurred in said case is sufficient penalty for said offense.

HENRY SCHNECKLOTH. Tama county. January 9, 1895. Remitted \$450 of the amount of a fine of \$500, imposed at



the October, 1893, term of district court, for the offense of violating an injunction. Recommended by the trial judge, county attorney and a large number of prominent citizens of Tama county, who state that defendant is wholly unable to pay the full amount of said fine and that he has entirely abandoned said business and is now engaged in a legitimate occupation. Granted on condition that said defendant shall first pay the costs of said case and the further sum of \$50 to apply on said fine.

JOHN TIEDGE. Tama county. January 9, 1895. Remitted \$450 of the amount of a fine of \$500, imposed at the October, 1893, term of the district court, for the offense of violating an injunction. Granted on the same recommendations, for the same reasons and on the same conditions as those assigned in the case of Henry Schneekloth.

AUGUST ABRAHAMSON. Hamilton County. January 16, 1895. Remitted \$300 of the amount of a fine of \$400, imposed at the November, 1893, term of the district court, for the offense of nuisance. It is made to appear that defendant while acting in the capacity of clerk in a drug store made the sales of liquor which constituted the offense charged. He is a young man scarcely of age and was entirely ignorant of the fact that he was violating the laws of this state. He had no interest in said store and received none of the profits arising therefrom except the salary which he received for his labor as said clerk. In view of all the facts of said case I am constrained to believe that the payment of \$100 of said fine and all the costs of said case will be sufficient punishment for said offense.

NELLIE DAHL. Winneshiek county. January 26, 1895. Remitted fine of \$500, imposed at the April, 1887, term of the district court, for the offense of violating an injunction. Recommended by a number of prominent citizens of Winneshiek county, who state that since said judgment was rendered defendant has in no manner been guilty of a violation of said prohibitory liquor laws; that she is unable to pay said fine, and that if its collection is enforced she will lose her homestead and will be left in a destitute condition. Granted upon the condition that all the costs in said case be first paid.

C. E. DAYTON. Washington county. February 5, 1895. Remitted \$450 of the amount of a fine of \$500, imposed at the

July, 1892, term of the district court for the offense of violating an injunction. Granted upon the recommendation of the trial judge, county attorney and a large number of prominent citizens of Washington county, and because it is made to appear that in said judgment it was provided that upon the payment of all the costs of said case and the further sum of \$50 to apply on the fine, the collection of the balance of said fine should not be enforced during such time as he should thereafter obey the laws of this state. Defendant has long since entirely abandoned said illegal business and is now engaged in a legitimate occupation, and this remission is made in order to release certain real estate from the lien occasioned by said judgment.

DANIEL NELSON. Polk county. February 14, 1895. It is made to appear that on the 24th day of September, 1887, defendant was convicted in the district court; of the offense of violating the prohibitory liquor laws, and sentenced to pay a fine of \$300; and that at the time of the rendering of said judgment he had an undivided interest (valued at not to exceed \$60) in a certain piece of property which has since been transferred to another. On account of said judgment, which is a lien on said property, the purchasers, who were in no manner connected with the offense aforesaid, are unable to secure a perfect title, and this remission is granted so far only as to cancel the lien on said property occasioned by said judgment. It is expressly provided that this order in no manner releases said Daniel Nelson from any of the consequences of said judgment.

DANIEL FLANNERY. Polk county. March 29, 1895. Remitted fine of \$75, imposed at the November, 1892, term of the district court, for the offense of violating the prohibitory liquor laws. Granted upon the recommendation of the trial judge and county attorney who prosecuted said case, and because it is represented that said Flannery has abandoned said illegal business and is now engaged in a legitimate occupation; and upon the condition that defendant shall hereafter refrain from any further violation of said laws and shall first pay all the costs in said case.

J. M. LISHER. Fayette county. April 8, 1895. Remitted fine of \$300 imposed at December, 1894, term of the district court for the offense of nuisance. Granted upon the request of

Judges Hoyt and Hobson, County Attorney Clements, Representative Pattison and a large number of prominent citizens of Fayette county, who testify to defendant's good character and high standing in his community, and to the fact that he had entirely abandoned said illegal business some time prior to the finding of this indictment and has not since engaged therein, and upon the condition that all the costs of said case be first paid.

CHARLES ANDERSON. Cherokee county. April 8, 1895. Remitted \$150 of the amount of a fine of \$300, imposed at October, 1892, term of the district court, for the offense of nuisance. Granted upon the recommendation of the county attorney who prosecuted said case, and a large number of officials and other prominent citizens of Cherokee county; and because in my opinion the payment of \$150 of said fine and all the costs of said case, which have been paid by defendant, will be sufficient punishment for said offense.

GEORGE BROWN. Calhoun county. April 8, 1895. Remitted \$200 of the amount of a fine of \$300, imposed at February, 1894, term of the district court, for the offense of nuisance; also remitted \$250 of the amount of a fine of \$300, imposed at December, 1894, term of district court, for the offense of nuisance. It is made to appear that an arrangement was entered into at the times of sentence, by the officers of the court and said Brown, to the effect that upon his paying the sum of \$100, in addition to the attorney's fee and costs in the first mentioned case, and the sum of \$50, in addition to the attorney's fee and costs in the last mentioned case, the collection of the balance of said fines should not be enforced during such time as he should thereafter obey the liquor laws of this state. Defendant has fully complied with the terms of said agreement and has entirely abandoned said illegal business. In my opinion defendant has been sufficiently punished for said offenses.

ECK COLBERT. Guthrie county. May 15, 1895. Remitted fine of \$75, imposed at February, 1895, term of district court, for the offense of keeping a gambling house. Granted upon the recommendation of a large number of citizens of Menlo, the home of defendant, who certify to his good character before and since the commission of said offense; and that he is wholly

unable to pay said judgment without sacrificing his homestead and, together with his wife and children, be left destitute. To take effect upon the payment of all costs.

JOHN HURD. Adair county. May 16, 1895. Remitted fine of \$300, imposed at April, 1894, term of district court, for the offense of nuisance. Granted upon the recommendation of the presiding judge, county attorney and many prominent citizens of Adair county, and because it is made to appear that since the commission of said offense defendant has in no manner violated any of said prohibitory liquor laws, and that he has demeaned himself in every respect as an orderly and law-abiding citizen; and that the enforcement of said judgment would work a great hardship upon the defendant and those dependent upon him for support.

SAMUEL FLINT. Polk county. May 18, 1895. Remitted fine of \$100, imposed at October, 1892, term of district court, for the offense of assault with intent to inflict great bodily injury. Granted upon the recommendation of the trial judge and a number of prominent citizens of Polk county, and because it is made to appear that the enforcement of said judgment would work a great hardship upon defendant and his family, who are now in indigent circumstances, and that since the commission of said offense defendant has been an orderly and law-abiding citizen. To take effect upon the payment of all the costs of said case.

BELMOND KOONTZ. Hardin county. May 24, 1895. Remitted \$250 of the amount of a fine of \$300, imposed at May, 1891, term of district court, for the offense of nuisance. Granted upon the recommendation of the trial judge, county attorney and a number of prominent citizens of Hardin county, by whom it is made to appear that since the time of the defendant's conviction of said offense he has in no manner been guilty of a further violation of said laws, and has in every respect demeaned himself as an orderly and law-abiding citizen. To take effect upon the payment of all the costs of the case and \$50 of said fine.

B. F. ERE. Story county. May 27, 1895. Remitted fine of \$300, imposed at November, 1894, term of district court, for the offense of nuisance. Remitted upon the recommendation of the presiding judge and the county attorney of Story county,



and because it is made to appear that defendant did not intentionally violate said laws and that the sales in question were made by him under the belief that he had a legal right so to do by virtue of his being a registered pharmacist. To take effect upon the payment of all the costs of the case.

JAMES W. BLIZZARD. Wapello county. July 11, 1895. Remitted fine of \$300, imposed at April, 1893, term of district court, for the offense of violating the prohibitory liquor laws. It is made to appear that since said judgment was rendered defendant has in no manner been guilty of a further violation of said laws; that he is now in straitened circumstances, and that the enforcement of said judgment would work a great hardship upon him. Remitted upon the recommendation of the trial judge and a large number of the prominent citizens of Wapello county, and upon the condition that the costs of the case be first paid.

JEREMIAH SULLIVAN. Linn county. July 13, 1895. Remitted \$100 of the amount of a fine of \$300, imposed at July, 1893, term of district court, for the offense of maintaining a nuisance. Remitted upon the recommendation of the county attorney who prosecuted said case and the board of supervisors of Linn county, and because in my opinion the payment of \$200 of the amount of said fine will be sufficient punishment for said offense. Granted upon the condition that \$200 of said fine and all the costs of the case be first paid, and that defendant shall hereafter refrain from any further violation of the prohibitory liquor laws of the state.

W. F. YATES. Butler county. July 22, 1895. Remitted the unpaid balance of the amount of two fines, one of \$300, imposed at the February, 1891, term of the district court, for the offense of nuisance, and one of \$450, imposed at the April, 1893, term of said court, for a similar offense. Remitted upon the recommendation of the trial judge, the county attorney, and a number of prominent citizens of Butler county, who state that defendant has abandoned said illegal business and is now engaged in a legitimate occupation, and that he has paid the costs of both cases and the further sum of \$300 to apply on the payment of said fines, which, in my opinion, is sufficient punishment for said offenses. Granted upon the condition that defendant shall hereafter refrain from any further violation of the prohibitory liquor laws of this state.

DANIEL CAMPBELL. Monroe county. August 23, 1895. Remitted two fines of \$50 each, one imposed at the December, 1895, term of the district court, and one imposed at the December, 1896, term of said court for the offenses of violating the prohibitory liquor laws. Remitted upon the recommendation of the county attorney and other prominent citizens of Monroe county, and because it is made to appear that said Campbell is now deceased, and that if said fines are collected they must be paid by his widow and minor children, who are now in greatly reduced circumstances, and who would thus be subjected to a hardship to an extent hardly warranted by the ends of justice.

SAMUEL PALMER. Dallas county. September 18, 1895. Remitted fine of \$300, imposed at the May, 1889, term of the district court, for the offense of keeping a nuisance. Granted because it is made to appear that said defendant, Palmer, is now deceased, and that he was not possessed of any property out of which said fine could be collected, but that said judgment is a lien on certain property owned by one Joe Ramsey, who was in no manner connected with said illegal sales, but who was induced to sign the defendant's bond simply on the grounds of charity and in order that said Palmer, who was then in the last stages of consumption, should not be taken to jail, where he would in all probability have died.

FRANK S. MOOSE. Marion county. September 25, 1895. Remitted fine of \$100, imposed by the district court in 1889, for the offense of nuisance. Granted upon the recommendation of the county attorney and a large number of the prominent citizens of Marion county, and because it is made to appear that since the time of said conviction the defendant has demeaned himself as an industrious and law-abiding citizen. The collection of said fine would work a great hardship on him, and in view of the fact that he was confined in the jail of Marion county for a period of thirty days on account of said judgment, I am of the opinion that he has now been sufficiently punished. To take effect upon the payment of the costs of said case.

AL. SEXAUER. Polk county. October 9, 1895. Remitted \$200 of the amount of a fine of \$300, imposed at the April, 1892, term of the district court, for the offense of nuisance. Granted upon the recommendation of the presiding judge who imposed said sentence, and of Judge Conrad, who stated that defendant



had entirely abandoned said illegal business and was engaged in a legitimate occupation. To take effect upon the payment of \$100 of said fine and all the costs of the case.

M. B. COLTRANE. Union county. November 16, 1895. Remitted fine of \$300, imposed at September, 1893, term of the district court, for the offense of nuisance. Remitted upon the recommendation of a large number of the officials and other prominent citizens of Union county, and because it is made to appear that defendant has wholly abandoned said illegal business and is now demeaning himself as a good and law-abiding citizen. To take effect upon the payment of all the costs of the case.

T. F. WILHELM. Butler county. November 25, 1895. Remitted \$300 of the amount of a fine of \$400 imposed at the December, 1894, term of the district court, for the offense of nuisance. Remitted upon the recommendation of the county attorney who prosecuted said case and a large number of the prominent citizens of Butler county, and because it is represented to me that said defendant has entirely abandoned said illegal business and is now engaged in a legitimate occupation. It is made to appear that the collection of the full amount of said judgment would work a great hardship upon the defendant and would punish him to an extent not demanded by the ends of justice. Granted upon the condition that \$100 of said fine and all costs of this case and other cases of similar character against him be first paid.

GEORGE D. THOMAS AND JAMES CORMAC. Polk county. December 17, 1895. Remitted fine of \$100, imposed upon each of said defendants on the 28th day of January, 1895, by E. L. Blake, justice of the peace in and for Des Moines township, Polk county, Iowa, for a violation of the law governing the registration of voters. Granted because I am convinced that said defendants were not guilty of any intentional wrong, but that their offense was the result of a failure to properly interpret said law.

FRANK SHELTON AND FRANK BRADLEY. Polk county. December 17, 1895. Remitted fine of \$100, imposed upon each of said defendants on the 5th day of January, 1895, by Frank W. Dodson, justice of the peace in and for Des Moines township, Polk county, Iowa, for a violation of the law governing

the registration of voters. Granted because I am convinced that said defendants were not guilty of any intentional wrong, but that their offense was the result of a failure to properly interpret said law.

B. ARIE. Boone county. January 14, 1896. Remitted \$300 of the amount of a fine of \$900 imposed at January, 1894, term of the district court, for the offense of nuisance. Said remission, which is granted upon the recommendation of a large number of the prominent citizens of Boone county, is to take effect upon the payment of \$300 of said fine and all the costs of the case, which in my opinion will be sufficient punishment for said offense.

## REMISSION OF FORFEITURES.

GEORGE JORDAN, MRS. NANCY JORDAN, CHARLES WRIGHT AND JOHN ROTHEN. Scott county. May 24, 1894. Canceled and set aside the forfeiture of a certain appeal bond made by the persons above named as sureties that one Clyde Jordan would abide the judgment of the supreme court on appeal from the judgment of the district court of Iowa in and for Scott county, if affirmed, wherein said Clyde Jordan was charged with the crime of burglary, which forfeiture was declared in the sum of \$2,500 and the costs of said case. It is expressly understood that said order in no manner releases said Clyde Jordan from further liability on account of said judgment. Granted upon the request of a large number of the officials and other prominent citizens of Linn county, who testify to the high standing of the father and grandmother of said Clyde Jordan, who would be compelled to pay the amount of said forfeiture were its collection enforced, and which would leave them in a dependent condition; and is also granted because in my opinion the payment of all the costs in this case, which amount to nearly \$1,000, is all that should be required of these sureties. On June 7, 1894, ordered that the remission of the forfeiture above named be modified in so far as it pertains to the remission of the full amount of said forfeiture; and further ordered that, upon the payment of \$1,000 by the said George Jordan, Mrs. Nancy Jordan, Charles Wright and John Rothen, so much of which amount as is necessary to be applied in the payment of all the costs in the case, the said George Jordan, Mrs. Nancy Jordan, Charles Wright and John Rothen shall be released from the payment of the remainder of the amount of said forfeiture, and shall be discharged and forever set free from further liability for said forfeiture.

WILLIAM MOFFIT. Keokuk county. July 11, 1894. Canceled and set aside the forfeiture of a certain bail bond and the judgment for damages rendered thereon, together with the

costs of the case, which bail bond was made by William Moffit as surety for the appearance of one Joel Stewart in a certain action then pending in the justice's court of L. S. Hinshaw, a justice of the peace in and for Richland township, Keokuk county, wherein the said Joel Stewart was charged with the offense of having threatened to commit a public offense, which forfeiture was declared by the district court of Iowa in and for Keokuk county in said action and judgment rendered thereon at the February, 1894, term thereof, for the sum of \$100 and the costs of said case, taxed at \$59.50. Granted upon the request of a large number of prominent citizens of Keokuk county, who state that said Moffit is in very limited financial circumstances and unable to pay said judgment, and because it is made to appear that said Stewart was insane at the time set for his appearance aforesaid and had left the state, but has since returned and is now an inmate of one of our state hospitals for the insane.

G. A. BENTLEY. Boone county. November 12, 1894. Canceled and set aside the forfeiture of a certain bail bond and the judgment for damages rendered thereon, which bail bond was made by one G. A. Bentley as surety for the appearance of one J. King in a certain action then pending in the justice's court of George W. Crooks, a justice of the peace in and for Des Moines township, Boone county, wherein the said J. King was charged with the crime of swindling, which forfeiture was declared by the district court of Iowa in and for Boone county, in said action and judgment rendered thereon at the September, 1893, term thereof, for the sum of \$500 and the costs of said case. Remission is recommended by a large number of prominent citizens of Boone county, who represent that said Bentley is in very moderate financial circumstances, and that the enforcement of said judgment would entail a great hardship upon him. Granted upon the condition that said Bentley shall first pay all the costs of the case and the further sum of \$50 to apply on said judgment, which, in my opinion, will be a sufficient and reasonable indemnity for said transaction.

JOHN H. SPARKS. Iowa county. February 9, 1895. Canceled and set aside \$200 of the amount of the forfeiture of a certain appeal bond made by John H. Sparks as surety that one Arthur Gilbert would abide the judgment of the supreme



court on appeal from the judgment of the district court of Iowa in and for Jasper county, if affirmed, wherein said Gilbert was charged with the crime of larceny, which forfeiture was declared by said court in said action at the February, 1895, term for the sum of \$600. It is made to appear that in order to induce said Sparks to become surety on said bond Mrs. M. E. Burton agreed to indemnify him against any loss, and consequently she will be compelled to pay said judgment if its collection is enforced. She is a widow over 60 years of age and in very moderate circumstances, and the payment of the full amount of said judgment would entail a great hardship on her and her family. Granted upon the recommendation of judges, Dewey and Ryan, and upon the condition that \$400 of said judgment and all the costs of said case be first paid. It is expressly understood that this order in no manner releases said Gilbert from any further liability on account of said judgment.

V. QUINNETTE, MATILDA QUINNETTE, HENRY S. WILCOX AND B. M. HENDERSON. Polk county. June 11, 1895. Remitted, canceled and set aside the forfeiture of a certain bail bond made by the above named defendants as sureties for the appearance of one George Quinnette to abide the judgment of the supreme court on appeal from the judgment of the district court of Iowa in and for Polk county, if affirmed, wherein said George Quinnette was charged with the crime of burglary, which forfeiture was declared by said court in said action at the April, 1895, term thereof, for the sum of \$600. Granted upon the recommendation of Judges Conrad and Holmes, and because it is made to appear that if the collection of said judgment is enforced it must be paid by said V. Quinnette and Matilda Quinnette, who will thereby lose their homestead and be reduced to a destitute condition and left without any means for their support. It is expressly understood that this order in no manner releases said George Quinnette from further liability on account of said judgment.

L. A. ELLIS AND L. A. STONE. Clinton county. July 20, 1895. Remitted, canceled and set aside the forfeiture of a certain bail bond made by the above named defendants as sureties for the appearance of one William Nelson to abide the judgment of the district court of Iowa in and for Clinton county, wherein the said Nelson was charged with the crime of larceny,

which forfeiture was declared by said court in said action at the October, 1893, term, for the sum of \$500. I am satisfied that said bond was given in good faith by said sureties, and this remission is granted because the enforcement of said judgment would work a great hardship upon innocent parties. It is expressly understood that this order in no manner releases said William Nelson from further liability on account of said judgment.



## SUSPENSIONS.

A. L. STRUBLE. Jasper county. April 10, 1894. Sentenced at February, 1894, term of district court to pay a fine of \$300 and to be committed to the jail of Jasper county for a period of nine months, for the crime of cheating by false pretenses. Suspended said sentence so far only as the order of imprisonment is concerned. Granted upon the recommendation of the trial judge, prosecuting attorney, senator in the general assembly from said district, and a large number of prominent citizens of Jasper county, who state that defendant, who has already been confined for over five months in jail, is now in an advanced stage of consumption and in all probability would not survive the term of his sentence if compelled to serve it out in jail.

JOHN ROSS. Jefferson county. April 24, 1894. Sentenced at September, 1893, term of district court to one year's imprisonment in the state penitentiary, for the crime of burglary. Suspended upon the request of the sheriff and county attorney of Jefferson county, where said offense was committed, and because it is made to appear that defendant, who was but 17 years of age, had run away from school and was led into committing said crime by his older companions. His father, who is a worthy and respectable citizen of California, has just learned of his son's misfortune and has come to Iowa for the purpose of taking the boy home, and this suspension is granted for the purpose of permitting said defendant to accompany his father home.

MIKE MURNANE. Jasper county. May 5, 1894. Sentenced at February, 1894, term of district court to pay a fine of \$400 and to be committed to jail in default of payment, for the offense of violating the prohibitory liquor laws. Granted upon the request of the trial judge and prosecuting attorney, who state that a brother of defendant, a paralytic, is at home perfectly helpless, and has been without any one to minister to his

wants since defendant's confinement in jail. This order is made for the sole purpose of permitting defendant to go home to care for his afflicted brother, and is to remain in force during such time as he shall hereafter obey said laws.

MYRTLE BRATTON. Polk county. May 9, 1894. Sentenced at April, 1894, term of district court to six months' imprisonment in the state penitentiary, for the crime of forgery. Granted upon the request of the trial judge, prosecuting attorney, and a large number of prominent citizens of Des Moines, and because it is made to appear that the only offense of defendant, who is but 14 years of age, consisted of raising an order given on a grocer by the overseer of the poor of Des Moines from \$1.50 to \$2.50, the proceeds of said order being expended for the necessities of life for the benefit of her parents, who were both ill and unable to care for themselves. Said suspension is to remain in force during the period of defendant's good behavior.

JOHN HARTY. Polk county. May 24, 1894. Sentenced at April, 1892, term of district court to pay a fine of \$300, for the offense of violating an injunction. Granted upon the recommendation of the presiding judge who imposed said sentence, and is to remain in force during such time as said Harty shall hereafter obey said laws and shall refrain from the use of intoxicating liquors as a beverage.

WILLIAM BOYDSTON. Scott county. May 25, 1894. Committed to the state penitentiary at Anamosa on November 15, 1893, for a period of one year, for the crime of sodomy. Granted upon the recommendation of the trial judge, trial jurors, and a number of prominent citizens of Scott county, and because it seems to me that defendant, who was but 16 years of age at the time of said offense, and who has been confined in the jail of Scott county and the state penitentiary for more than one year, has now been sufficiently punished; and is to remain in force during such time as he shall hereafter demean himself in every respect as an orderly and law-abiding citizen.

FRANK HARKAWAY. Marshall county. June 9, 1894. Committed to state penitentiary at Fort Madison on September 20, 1892, for a period of twelve years, for the crime of burglary and assault with intent to commit murder. Granted upon the recommendation of the trial judge, prosecuting attorney, and

a large number of the prominent citizens of Marshall county, including the victim of his assault, and because of his exceptionally good conduct since his imprisonment. The judge says he imposed said sentence on the supposition that defendant was a hardened criminal, but that he is now convinced that it was his first offense. To remain in force during the period of his good behavior.

OLIVER L. BLAIR. Polk county. June 20, 1894. Committed to state penitentiary at Anamosa on October 18, 1892, for a period of three years, for the crime of assault with intent to commit murder. Granted upon the recommendation of the trial judge and county attorney who prosecuted said case and because it is made to appear that the defendant's invalid wife and infant child have been without any means of support since his incarceration; and upon the condition that defendant shall refrain from the use of intoxicating liquors as a beverage and from frequenting places where said liquors are sold, and that he demean himself as a good and law-abiding citizen. Revoked said order on August 23, 1894.

ELIAS COOK. Black Hawk county. June 28, 1894. Committed to state penitentiary at Anamosa on September 29, 1893, for a period of three years, for the crime of breaking and entering. Granted upon the recommendation of the trial judge, prosecuting attorney and a number of the prominent citizens of Black Hawk county, and upon the condition that said Cook shall hereafter refrain from the use of intoxicating liquors as a beverage, and from frequenting places where said liquors are sold, and that he shall demean himself as a good and law-abiding citizen.

GEORGE NORRIS. Polk county. July 17, 1894. Committed to the state penitentiary at Fort Madison on January 1, 1894, for a period of eighteen months, for the crime of burglary. Granted upon the recommendation of the trial judge and the prosecuting witness, and because it is made to appear that at the time said offense was committed Norris and his family were in destitute circumstances and wholly without the means of procuring the necessities of life; in his desperation he broke into a granary and stole a few bushels of rye. Defendant had always borne a good reputation for sobriety, honesty and industry. To remain in force during such time as he shall demean himself as an orderly and law-abiding citizen.

FRANK HOWARD. Taylor county. August 9, 1894. Committed to the state penitentiary at Fort Madison on May 10, 1892, for a period of ten years, for the crime of perjury. Granted upon the recommendation of a large number of prominent citizens of Polk county who were old neighbors of defendant and certify to his former good character, and because it is made to appear that said Howard is now in an advanced stage of consumption and will probably not live but a short time. I am satisfied that he had no intention of testifying falsely at the time said alleged crime was committed. To remain in force during such time as said Howard shall demean himself as an orderly and law-abiding citizen.

PATRICK J. ENRIGHT. Howard county. August 18, 1894. Sentenced at May, 1893, term of district court to imprisonment in the state penitentiary for a period of two years, for the crime of assault with intent to commit rape. Granted upon the recommendation of the trial judge, the county attorney who prosecuted said case, the prosecuting witness and her family, members of the trial jury and a large number of the officials and prominent citizens of Howard county. To remain in force during such time as said defendant shall hereafter demean himself as an orderly and law-abiding citizen.

M. B. COLTRANE. Union county. August 29, 1894. Sentenced at September, 1893, term of district court to pay a fine of \$300 and the costs of the case and to be committed to jail for a period of three months in default of payment, for the offense of nuisance. It is made to appear that defendant has lost all of his property by fire and is now wholly unable to pay said fine, and that if said judgment is enforced he will be committed to jail. Granted upon the recommendation of the county attorney and other officials, and a large number of prominent citizens of Union county, including many of the leading business men of Afton, where said offense was committed. To remain in force during such time as defendant shall hereafter obey said laws.

JOHN DENEEN AND JOHN LEONARD. Lucas county. September 1, 1894. Sentenced at March, 1894, term of district court to pay a fine of \$750 each and to be committed to jail in default of payment, for the offense of violating an injunction.



It is made to appear that both defendants, in default of the payment of said fines, have been confined in jail for more than five months, in consequence of which they are both now in very poor health and are liable to be dangerously ill if confined longer. Granted upon the request of a large number of prominent citizens of Lucas county, including the county attorney, who prosecuted said cases, and the mayor of Chariton, where said offenses were committed. To remain in force during such period as defendants shall hereafter obey said laws.

REUBEN ANDERSON. Henry county. September 10, 1894. Committed to state penitentiary at Fort Madison on January 25, 1892, for a period of four years, for the crime of larceny. Granted upon the recommendation of the trial judge, the trial jurors and a large number of the prominent citizens of Henry county, and because, in my opinion, defendant has now been sufficiently punished for the offense of which he was convicted. To remain in force during such time as said Anderson shall refrain from the use of intoxicating liquors as a beverage and shall hereafter demean himself in every respect as an orderly and law-abiding citizen.

LEVI ROGERS. Henry county. September 10, 1894. Committed to state penitentiary at Fort Madison on January 25, 1892, for a period of four years, for the crime of larceny. Granted upon the same recommendations and conditions and for same reasons as those stated in case of Reuben Anderson. Revoked August 24, 1895.

ANDREW MCCOY. Madison county. September 10, 1894. Committed to state penitentiary at Fort Madison on December 20, 1892, for a period of three years, for the crime of burglary. Granted upon the recommendation of the trial judge and the county attorney, who prosecuted said case, and because of the sworn statement of one James Quinn, who is now imprisoned upon conviction of the identical crime for which defendant is now paying the penalty, grave doubt has arisen as to the guilt of said McCoy. To remain in force during such time as said McCoy shall refrain from the use of intoxicating liquors as a beverage, and conditioned also upon his future good behavior.

JOHN HARRISON. Madison county. September 10, 1894. Committed to the state penitentiary at Fort Madison for a period of three years, for the crime of burglary. Granted on the

same recommendations and conditions, and for the same reasons as those stated in the case of Andrew McCoy.

DAVID GREGORY. Mahaska county. September 10, 1894. Committed to the state penitentiary at Fort Madison on June 5, 1894, for a period of two and one-half years, for the crime of larceny. Granted upon the request of a large number of prominent citizens of Mahaska county, and because it is made to appear that said defendant, prior to the commission of said crime, had borne a good reputation as an honest and industrious citizen; and that the family of said Gregory and his aged parents are in destitute circumstances, and greatly in need of his services for their support. In my opinion he has now been sufficiently punished. To remain in force during period of defendant's good behavior and during such time as he shall refrain from the use of intoxicating liquor as a beverage.

CYRUS VERMILLION. Mahaska county. September 10, 1894. Committed to the state penitentiary at Fort Madison on June 5, 1894, for a period of two and one-half years, for the crime of larceny. Granted upon the same recommendations and conditions, and for the same reasons as those stated in the case of David Gregory.

CHARLES HARDING. Polk county. September 10, 1894. Committed to the state penitentiary at Fort Madison on January 29, 1894, for a period of one year, for the crime of uttering a forged instrument. Granted upon the recommendation of the trial judge and a number of the prominent citizens of Polk county, and because I am convinced that defendant, who is now but twenty-one years of age, is fully repentant and has resolved to lead the life of a good citizen hereafter. To remain in force during defendant's good behavior.

GEORGE REDMON. Lucas county. September 10, 1894. Committed to the state penitentiary at Fort Madison on September 14, 1891, for a period of five years, for the crime of larceny. Granted upon the request of a large number of officials and other prominent citizens of Clinton county, Indiana, the former home of defendant, who testify to his previous good character, and because of the destitute condition of his family who are now greatly in need of his assistance and support. In



my opinion said Redmon has now been sufficiently punished for said crime. To remain in force during defendant's good behavior.

**JAMES BROWN.** Mahaska county. September 13, 1894. Sentenced at the June, 1894, term of district court to five months' imprisonment in the jail of Mahaska county, for the offense of violating an injunction. Granted upon the recommendation of the county attorney who prosecuted said case, who states that defendant has already served four months of said sentence; and also because at a time when certain other prisoners made their escape from the county jail, said Brown not only refused to accompany them, but notified the sheriff of their flight and then of his own volition returned to jail. To remain in force during such time as defendant hereafter obeys said laws.

**HENRY BERNJUS.** Linn county. September 28, 1894. Sentenced at March, 1894, term of district court, to one year's imprisonment in the jail of Linn county, for the crime of assault with intent to inflict great bodily injury. Granted upon the request of many prominent citizens of Linn county, and because it is made to appear by the statement of reputable physicians that said defendant is suffering from an affection of the lungs and that further confinement might seriously impair his health. To remain in force during defendant's good behavior and during such time as he shall refrain from the use of intoxicating liquors as a beverage.

**CHARLES TIMM.** Scott county. September 28, 1894. Committed to state penitentiary at Anamosa on October 21, 1893, for a period of fifteen months, for the crime of sodomy. Granted upon the recommendation of the trial judge and prosecuting attorney, and because in my opinion said defendant, who was but 16 years of age at the time said offense was committed and has already served over eleven months in said prison, has now been sufficiently punished. To remain in force during the period of his good behavior.

**JOHN SMITH.** Montgomery county. October 8, 1894. Committed to state penitentiary at Fort Madison on September 17, 1894, for a period of three years, for the crime of burglary. Granted because it is made to appear that said Smith is an

escaped lunatic from the Illinois hospital for the insane, located at Kankakee, and that he was undoubtedly insane at the time of the commission of said offense; and in order that said defendant may be returned to the insane hospital at Kankakee.

**ALFRED BOONE.** Johnson county. November 10, 1894. Committed to the state penitentiary at Anamosa on May 11, 1894, for a period of eighteen months, for the crime of malicious mischief. Granted upon the request of the trial judge, the prosecuting attorney, as well as the present county attorney, and a large number of prominent citizens of Johnson county, and because it is made to appear that the wife and children of defendant are in destitute circumstances and greatly in need of his support; also, because in my opinion said Boone has now been sufficiently punished for said crime. To remain in force during the period of his good behavior.

**JOHN KORMAN.** Dubuque county. November 14, 1894. Committed to the state penitentiary at Anamosa on April 24, 1890, for a period of two years, for the crime of assault with intent to commit manslaughter. Granted upon the recommendation of the trial judge, the prosecuting attorney, and a number of prominent citizens of Dubuque county, who certify to the defendant's former good character; and also because the wife and mother of said Korman are now in indigent circumstances and greatly need his support. To remain in force during defendant's good behavior and during such time as he shall refrain from the use of intoxicating liquors as a beverage.

**GEORGE SIGG.** Clayton county. November 14, 1894. Committed to the state penitentiary at Anamosa on January 27, 1892, for a period of four years, for the crime of rape. Granted upon the recommendation of the trial judge, the prosecuting attorney, and a large number of prominent citizens of Clayton county, and because in my opinion defendant has now been sufficiently punished. To remain in force during the period of defendant's good behavior.

**ERWIN MCINTIRE.** Monroe county. November 14, 1894. Committed to the state penitentiary at Ft. Madison on October 16, 1893, for a period of eighteen months, for the crime of seduction. Granted upon the recommendation of many prominent citizens of Monroe county, and in order that said defendant may be permitted to go home to care for his father, who is

now dangerously ill with but little hope of recovery. To remain in force during the period of defendant's good behavior.

WILLIAM KIRKMAN. Mahaska county. November 23, 1894. Sentenced at December, 1892, term of the district court, to one year's imprisonment in the jail of Mahaska county, for the offense of assault with intent to inflict great bodily injury. Granted upon the recommendation of the county attorney who prosecuted said case and a large number of the prominent citizens of Mahaska county, who state that the family of said defendant is now in destitute circumstances and greatly in need of his support, and because in my opinion the four months' confinement now served by defendant is ample punishment for said offense.

J. A. JONES. Johnson county. November 26, 1894. Committed to the state penitentiary at Anamosa on June 23, 1893, for a period of three years, for the crime of malicious mischief. Granted because, in my opinion, said defendant has now been sufficiently punished, and is to remain in force during the period of his good behavior.

A. F. McENTURFF. Shelby county. November 27, 1894. Sentenced at September, 1894, term of the district court, to pay a fine of \$400, and to be committed to jail in default of payment, for the offense of keeping a nuisance. Granted upon the recommendation of the trial judge, the prosecuting attorney and a number of prominent citizens of Shelby county, who state that in default of the payment of said fine defendant has now been imprisoned more than two and one-half months, and that his wife is now dangerously ill and greatly in need of his care and attention. To remain in force during the period of his good behavior, and during such time as he shall refrain from the use of intoxicating liquors as a beverage.

GEORGE A. FRENCH. Dallas county. December 3, 1894. Sentenced at the November, 1894, term of the district court, to imprisonment in the state penitentiary for a period of one year, for the crime of assault with intent to commit murder. Suspended said sentence so far as the order of imprisonment is concerned, until said cause is finally determined by the supreme court, to which it has been appealed. Defendant had filed his notice of appeal to the supreme court from the judgment of said district court and had furnished the bond required. This action would necessarily stay all further proceedings until

said case had been acted upon by the supreme court. His mother, however, who had undergone a great mental strain during the trial of said case, was almost on the verge of insanity through fear of her son's imprisonment pending the court's decision in said matter. While the suspension was entirely unnecessary, I was urged to make said order for the sole purpose of relieving the mother of said defendant from her anxiety.

H. A. BIGELOW. Polk county. December 7, 1894. Sentenced at November, 1894, term of the district court, to six months' imprisonment in the jail of Polk county, for the crime of larceny. Granted upon the recommendation of the trial judge and a number of prominent citizens of Polk county, who state that the wife of said defendant is seriously ill and that his family is in destitute circumstances and greatly in need of his support. To remain in force during the period of his good behavior.

FRED WILLIAMS. Polk county. December 10, 1894. Committed to the state penitentiary at Fort Madison on May 21, 1894, for a period of one year, for the crime of burglary. Granted because it is made to appear by the certificate of the prison physician that said Williams, who is but 16 years of age, is in a very critical condition both mentally and physically, and that he would probably lose his reason if kept in confinement during the remainder of his term of sentence. To remain in force during the period of his good behavior.

WILLIAM EUSTLER AND HENRY HARTMAN. Muscatine county. December 17, 1894. Committed to the state penitentiary at Fort Madison on November 22, 1893, for a period of ten years each, for the crime of robbery. Granted upon the recommendation of the trial judge, prosecuting attorney and a large number of the prominent citizens of Muscatine county, who testify to the former good character of defendants; and because in my opinion they have now been sufficiently punished for said crime. To remain in force during the period of their good behavior and during such time as they shall refrain from the use of intoxicating liquors as a beverage.

WILLIAM WEBER. Taylor county. December 23, 1894. Committed to the state penitentiary at Fort Madison on May



11, 1894, for a period of three years, for the crime of burglary. Granted upon the request of the prosecuting attorney, ten of the trial jurors, and a number of the prominent citizens of Taylor county, and because it is made to appear that prior to the commission of this offense defendant, who is but 18 years of age, had borne a good reputation for honesty and industry, and that his mother is greatly in need of his support.

CHARLES HEDLIND AND JOHN SMITH. Polk county. December 24, 1894. Sentenced at December, 1894, term of the district court, to imprisonment for three years each in the state penitentiary, for the crime of burglary. Granted upon the request of a large number of the prominent citizens of Des Moines, who state that defendants, who are scarcely 17 years of age, had always borne good reputations for honesty and integrity prior to the commission of this offense. To remain in force during the period of their good behavior.

WILLIAM PICKETT. Polk county. December 24, 1894. Sentenced at November, 1894, term of the district court, to imprisonment in the jail of Polk county for a period of six months, for the crime of larceny. Granted upon the recommendation of the trial judge and prosecuting attorney, who state that defendant has now served over fifty days of his sentence, and upon the condition that he shall hereafter refrain from the use of intoxicating liquors as a beverage, that he shall not frequent saloons, but shall in every respect demean himself as an orderly and law-abiding citizen.

JOHN NEWMAN. Polk county. January 3, 1895. Sentenced at October, 1892, term of the district court, to pay a fine of \$300, for the offense of keeping a nuisance. Granted because it is made to appear by the sworn statement of a leading physician of Des Moines that said defendant is now and for the past five years has been suffering with articular rheumatism, which has reduced him almost to a helpless condition, and that his incarceration in jail at this time would result in his permanent injury or death. To remain in force during the period of defendant's refraining from any further violation of said laws.

J. M. ALLEN. Cass county. January 5, 1895. Committed to the state penitentiary at Fort Madison on October 14, 1893, for a period of two and one-half years, for the crime of uttering

forged paper. Granted upon the recommendation of eleven of the trial jurors and of a number of the officials and prominent citizens of Cass and Audubon counties; and because it is made to appear that the wife and seven children of said defendant are in destitute circumstances and greatly in need of his support; and also because I am of the opinion that defendant has now been sufficiently punished for said offense. To remain in force during the period of his good behavior.

LEVI HILLISON. Polk county. January 7, 1895. Sentenced at November, 1892, term of the district court to pay a fine of \$50, for the offense of violating the prohibitory liquor law. Granted upon the recommendation of the trial judge, county attorney and a large number of prominent citizens of Polk county, and because it is made to appear that defendant has wholly abandoned said illegal business. To remain in force during such time as he shall obey the laws of the state.

ROBERT BELL. Mahaska county. January 22, 1895. Sentenced December, 1894, in justice of the peace court in and for Mahaska county, to imprisonment in the jail of Mahaska county for a period of thirty days, for the crime of intoxication. Granted upon the recommendation of the sheriff and other prominent citizens of Mahaska county, who state that the widowed mother of defendant, and her children are in destitute circumstances and greatly in need of his support, and because I believe that defendant has now been sufficiently punished for said offense. To remain in force during such time as he refrains from the use of intoxicating liquors and demeans himself as an orderly and law-abiding citizen.

C. E. HUNT. Polk county. January 28, 1895. Sentenced at January, 1893, term of the district court, to pay a fine of \$300 for the offense of keeping a nuisance, and also to pay a fine of \$500, for the offense of violating an injunction. Granted because it is made to appear that defendant has entirely abandoned said illegal business and is now engaged in a legitimate occupation, that he is wholly unable to pay said fines, and if he is committed to jail in default of their payment his family will be deprived of their only means of support and must rely on the charity of their neighbors or become county charges. To remain in force during such netime as shall refrain from any further violation of the laws of the state.

**WILLIAM MONARCH.** Humboldt county. February 2, 1895. Sentenced at November, 1894, term of the district court, to pay a fine of \$300, for the offense of nuisance. Granted upon the recommendation of a large number of prominent citizens of Humboldt county and because it is made to appear that the wife and five children of defendant are now dependent upon charity and greatly in need of his support, and that said Monarch, who had been engaged in said business for one month only, has now been imprisoned for more than two months, which in my opinion is sufficient punishment for said offense. To remain in force during such time as he shall hereafter obey the laws of the state.

**HARRY W. PRICE.** Buchanan county. February 2, 1895. Sentenced at January, 1894, term of district court, to imprisonment in the state penitentiary at Anamosa for a period of three years, for the crime of assault with intent to commit rape. Granted upon the recommendation of the trial judge, who now says that in his opinion defendant has been sufficiently punished for said offense, and because it is made to appear that defendant is heir to certain property in Alaska and that his presence there is necessary in order to protect the interests of his estate, and that the enforcement of said judgment would work a great hardship upon him. To remain in force during such time as said Price shall hereafter obey the laws of the state.

**ED. MARKLEY.** Jefferson county. March 7, 1895. Sentenced at the November, 1893, term of the district court, to imprisonment in the state penitentiary at Fort Madison for a period of three years, for the crime of larceny. Granted upon the recommendation of the trial judge and prosecuting attorney, the trial jurors and a large number of prominent citizens of Jefferson and Van Buren counties, and because the prison physician informs me that defendant's health is very much impaired and that his further confinement might endanger his life. In my opinion defendant has now been sufficiently punished for said offense. To remain in force during the period of his good behavior.

**WILLIAM ROTHFUS.** Polk county. March 8, 1895. Committed to the state penitentiary at Fort Madison on June 4, 1894, for a period of twenty months, for the crime of assault

with intent to commit manslaughter. Granted upon the recommendation of the trial judge and a large number of the prominent citizens of Polk county, and because it is made to appear that prior to the commission of the offense in question, defendant had always demeaned himself as a good and law-abiding citizen; and that by reason of sickness and failing strength the defendant's aged father is incapacitated for work and is greatly in need of his son's support. To remain in force during the period of defendant's good behavior.

**WILLIAM JOHN AND LEROY JOHN.** Lee county. March 8, 1895. Committed to the state penitentiary at Fort Madison on September 30, 1893, for a period of three years, for the crime of breaking and entering. Granted upon the recommendation of the trial judge, county attorney, and a large number of the prominent citizens of Monona county, the home of defendants, who testify to their former good character. Defendants were aged 20 years and 17 years, respectively, when said offense was committed, and I am of the opinion that they have now been sufficiently punished. To remain in force during the period of their good behavior.

**THOMAS TOWNSEND.** Fremont county. March 20, 1895. Sentenced at the February, 1895, term of the district court, to pay a fine of \$300, for the offense of nuisance. It is made to appear that defendant, who had been in said illegal business for a short time only, plead guilty with the understanding that the penalty should not be enforced during such time as he refrained from the further violation of said laws. Granted upon the recommendation of the county attorney and many other prominent citizens of Fremont county, who state that defendant has lived up to his agreement and has entirely abandoned said illegal business. To remain in force during the period of his good behavior.

**BIRD BARNES.** Fremont county. March 20, 1895. Sentenced at February, 1895, term of the district court, to pay a fine of \$300, for the offense of keeping a nuisance. Granted on the same recommendations and for the same reasons as those stated in case of Thomas Townsend.

**ALLEN BAKER.** Hardin county. March 22, 1895. Committed to the state penitentiary at Anamosa on October 27, 1894 for a period of one year, for the crime of larceny from



the person. Granted upon the recommendation of the county attorney and a number of the prominent citizens of Hardin county, including five of the trial jurors; and because in my opinion defendant has now been sufficiently punished for said offense. To remain in force during the period of defendant's good behavior.

WILLIAM EDMUNDSON. Mahaska county. March 30, 1895. Sentenced at the December, 1894, term of the district court, to imprisonment in the jail of Mahaska county for a period of six months, for the crime of assault with intent to commit murder. It is made to appear that defendant was confined in the jail of Mahaska county for over three months prior to his trial, and has already served more than three months of his sentence. Granted upon the recommendation of the county attorney and a number of the officials and prominent citizens of Mahaska county, and because in my opinion said defendant has now been sufficiently punished for said crime. To remain in force during the period of his good behavior.

MACY B. HARBOUR. Guthrie county. April 2, 1895. Committed to the state penitentiary at Fort Madison on October 16, 1894, for a period of eighteen months, for the crime of forgery. Granted upon the recommendation of the county attorney and a number of the prominent citizens of Guthrie county, including the prosecuting witness in said case, and because it is made to appear that prior to the commission of this, his first offense, the defendant had always demeaned himself as a good citizen. In my opinion he has now been sufficiently punished. To remain in force during such time as he shall hereafter refrain from the use of intoxicating liquors, or frequenting places where it is sold, and during the period of his good behavior.

ALEXANDER ANDERSON. Poweshiek county. April 3, 1895. Committed to the state penitentiary at Fort Madison on April 9, 1894, for a period of two years, for the crime of perjury. Granted upon the recommendation of the trial judge and county attorney of Poweshiek county, and because it is represented to me that the defendant, who was but 17 years of age, was under the control of an older and unscrupulous person at the time said offense was committed, that this is his first offense and that his record as a prisoner has been good, and because in my opinion he has now been sufficiently punished. To remain in force during the period of his good behavior.

WILLIAM GILLASPIE. Monroe county. April 8, 1895. Committed to the state penitentiary at Fort Madison on March 11, 1894, for a period of eighteen months, for the crime of conspiracy. This suspension, under which defendant will be released three months only in advance of the expiration of his term of sentence, is granted upon the recommendation of a large number of the officials and prominent citizens of Monroe county, who represent that in their opinion defendant has now been sufficiently punished. To remain in force during the period of his good behavior.

THOMAS J. KENNEDY. Sioux county. April 15, 1895. Sentenced at the November, 1892, term of the district court to be imprisoned in the state penitentiary at Anamosa for a period of eighteen months, for the crime of seduction. Granted upon the recommendation of the trial judge, prosecuting attorney, eleven of the trial jurors and a large number of officials and other prominent citizens of Sioux county, who state that defendant since the date of his conviction has demeaned himself as an honorable and upright man; and because I am convinced he has now been sufficiently punished for said offense. To take effect upon the payment of all the costs of said case, and to remain in force during the period of his good behavior.

JAMES L. BAKER. Crawford county. April 16, 1895. Committed to the state penitentiary at Fort Madison, on October 21, 1893, for a period of eight years, for the crime of robbery. Granted upon the recommendation of the trial judge, prosecuting attorney, the foreman of the grand jury which returned the indictment in said case, and a large number of the officials and other prominent citizens of Crawford county; and also because, from the confession of one Patrick Crowe, a serious doubt has arisen as to the defendant's guilt. To remain in force during the period of his good behavior.

CHARLES JONES. Polk county. April 17, 1895. Committed to the state penitentiary at Fort Madison on October 9, 1894, for a period of six years, for the crime of larceny from the person. Granted upon the request of the trial judge, who states that at the time of imposing said sentence he was of the opinion that said defendant was a hardened criminal, but that facts which have since come to his knowledge show that this was defendant's first offense, and that he had a previous record

of good character; and that if these facts had been known at the time of the trial the sentence would have been materially modified. In my opinion the defendant has now been sufficiently punished. To remain in force during the period of defendant's good behavior.

ALLEN GRAVES. Muscatine county. April 20, 1895. Committed to the state penitentiary at Fort Madison on September 30, 1893, for a period of two years and three months, for the crime of perjury. Granted because it was made to appear that the mother of said defendant, who is now lying at the point of death, is greatly desirous of seeing her son before she dies; and upon the recommendation of the trial judge, who states that there were many extenuating circumstances in this case and that in his opinion the defendant has now been sufficiently punished. To remain in force during the period of his good behavior.

JOHN HILLERY. Dubuque county. April 22, 1895. Committed to the jail of Dubuque county in November, 1894, for a period of nine months, for the crime of larceny from a building in the night time. Granted upon the recommendation of the trial judge and a large number of the officials and other prominent citizens of Dubuque county, and because it is made to appear that the health of said defendant is being seriously affected by his confinement in jail; and also because I am satisfied that he has now been sufficiently punished. To remain in force during the period of his good behavior.

CHARLES C. PERDUE. Page county. April 23, 1895. Committed to the jail of Page county in January, 1895, for a period of 105 days in default of the payment of a fine of \$350, for the offense of nuisance. Granted upon the recommendation of the prosecuting attorney and a large number of officials and other prominent citizens of Page county, who state that several members of the defendant's family are now seriously ill, and are greatly in need of his care and assistance. To remain in force during the period of his good behavior.

E. R. LITTLE. Hardin county. April 25, 1895. Committed to the state penitentiary at Anamosa on October 27, 1894, for a period of one year, for the crime of forgery. Granted upon the recommendation of many of the officials and other prominent citizens of O'Brien and Chickasaw counties who certify to the

defendant's former good character and who urge that he is greatly needed at home to assist in caring for his family. In view of the defendant's excellent reputation for honesty and industry for so many years, I am now of the opinion that no further good can be accomplished by his longer confinement. To remain in force during the period of his good behavior.

PERRY BELL. Tama county. April 25, 1895. Committed to the state penitentiary at Anamosa, on October 19, 1894, for a period of one year, for the crime of burglary. Granted upon the recommendation of a number of the clergymen and many other prominent citizens of Tama county, who state that this was defendant's first offense and that prior to the time of its commission he had always borne a good reputation as a peaceable and industrious citizen, and urge that he has now been sufficiently punished. To remain in force during such time as defendant refrains from the use of intoxicating liquors as a beverage, and also during the period of his good behavior.

BERT SPENCER. Tama county. April 25, 1895. Committed to the state penitentiary at Anamosa on October 19, 1894, for a period of eight months, for the crime of burglary. Granted because it is made to appear that defendant, at the time of the commission of this his first offense, was but seventeen years of age, and had always borne a good reputation as an honest, industrious and law-abiding citizen. Same conditions as those mentioned in case of Perry Bell.

WAYNE S. MCKEE. Humboldt county. May 6, 1895. Committed to the jail of Humboldt county in November, 1894, for a period of six months, for the crime of burglary. Granted upon the recommendation of many of the officials and other prominent citizens of Humboldt county, and because it is made to appear that defendant is now seriously ill, and that further confinement would greatly impair his health. To remain in force during the period of his good behavior.

FRANK DUKE. Wapello county. May 13, 1895. Sentenced at the January, 1895, term of the district court to imprisonment for one year, for the crime of seduction. Granted upon the recommendation of the trial judge and a large number of prominent citizens of Wapello county, and because it is my opinion that had certain evidence which has been discovered



since the trial been produced at that time it would have materially affected the verdict in said case. To remain in force during the period of defendant's good behavior.

D. W. PORTER. Muscatine county. May 16, 1895. Committed to the state penitentiary at Fort Madison on December 2, 1894, for a period of thirteen years, for the crimes of burglary and larceny. Granted upon the recommendation of the trial judge, prosecuting attorney and many other prominent citizens of Muscatine county, who urge that defendant has now been sufficiently punished. To remain in force during the period of his good behavior.

EDWARD MILLER. Clayton county. May 17, 1895. Committed to the state penitentiary at Anamosa on October 30, 1894, for a period of three years, for the crime of robbery. Granted upon the recommendation of the trial judge, prosecuting attorney and a number of the prominent citizens of Clayton and Allamakee counties, and because it is made to appear that prior to the commission of this offense defendant had borne a good reputation as an orderly and industrious citizen; that he was not the principal participant in said offense, but that he was influenced by others who were older than himself. To remain in force during the period of defendant's good behavior.

SARAH E. BURGOR. Scott county. May 18, 1895. Sentenced at the May, 1894, term of the district court to imprisonment in the state penitentiary at Anamosa, for a period of nine months, for the offense of arson. Granted upon the recommendation of the trial judge, the prosecuting attorney, the members of the trial jury and a large number of other prominent citizens of Scott county, and because it is made to appear that the defendant's husband is afflicted with malignant cancer and is greatly in need of his wife's care and attention. The defendant is nearly sixty years of age, and in my opinion has now been sufficiently punished for said offense. To remain in force during the period of her good behavior.

SAMUEL FLINT. Polk county. May 21, 1895. Sentenced at the October, 1892, term of the district court to pay a fine of \$100 and to be committed to jail in default of payment, for the offense of assault with intent to commit great bodily injury. Granted upon the recommendation of the trial judge and a number of the prominent citizens of Polk county, who state

that the family of said defendant is now in indigent circumstances and is greatly in need of his care and assistance; and because it is made to appear that since the commission of said offense said defendant has conducted himself as an orderly and industrious citizen. To remain in force during the period of his good behavior.

HENRY PREY. Hardin county. May 23, 1895. Sentenced at the December, 1894, term of the district court to pay a fine of \$900, and to be committed to jail in default of payment, for the offense of nuisance. Granted upon the recommendation of the county attorney and a large number of the prominent citizens of Hardin county, and because it is made to appear that said defendant is now seriously ill, and that his further confinement in jail at this time might endanger his life. To remain in force during the period of defendant's good behavior, and during such time as he shall refrain from any further violation of said law.

EDWARD OVERSTREET. Dallas county. May 24, 1895. Committed to the state penitentiary at Fort Madison on April 4, 1895, for a period of nine months, for the crime of burglary. Granted upon the recommendation of the trial judge, the prosecuting attorney and a number of the officials and other prominent citizens of Dallas county, and because it is made to appear that prior to the commission of this offense defendant had always conducted himself as a good and law-abiding citizen. It is also urged that the health of the mother of said defendant is becoming seriously impaired through her worry and anxiety on account of her son's imprisonment. To take effect June 4, 1895, and to remain in force during the period of his good behavior.

ARTHUR MYERS, GEORGE BENTZ and ROWLAND BARRIETT. Pocahontas county. May 23, 1895. Sentenced at the March, 1895, term of the district court to be imprisoned in the state penitentiary at Anamosa for a period of six months, for the crime of burglary. Granted upon the recommendation of a large number of the prominent citizens of Pocahontas and Hardin counties, who represent that with the exception of this offense the defendants have always demeaned themselves as reputable and industrious citizens; that their respective families are greatly in need of their support, and also because I am convinced that

they have now been sufficiently punished. To remain in force during the period of their good behavior.

ALBERT L. CUSHMAN. Shelby county. May 28, 1895. Committed to the state penitentiary at Fort Madison on April 14, 1894, for a period of eighteen months, for the crime of bigamy. Granted upon the request of the trial judge and because it is made to appear that said defendant in the performance of his duty at the penitentiary met with an accident which proved almost fatal. He has less than three months of his sentence yet to serve, during all of which time he would necessarily be kept in the prison hospital, and I am of the opinion that the ends of mercy require that he be given his liberty now in the hope that his freedom and the care and attention of his friends may hasten his recovery.

FRED RODY. Story county. May 31, 1895. Committed to the state penitentiary at Fort Madison on October 8, 1889, for a period of ten years, for the crime of burglary. Granted upon the recommendation of the trial judge and because it is made to appear that prior to the commission of this offense the defendant had always demeaned himself as a good citizen, and because in my opinion the punishment already inflicted is sufficient for said offense. To remain in force during the period of his good behavior.

CHARLES HARRIS. Butler county. June 11, 1895. Committed to the state penitentiary at Anamosa on May 4, 1895, for a period of six months, for the crime of breaking and entering. Granted because in my opinion the defendant, who is but 15 years of age, and in view of the many extenuating circumstances attending the commission of said offense, has now been sufficiently punished. To remain in force during the period of his good behavior.

J. A. CAMPBELL. Polk county. June 11, 1895. Sentenced at the January, 1894, term of the district court to be imprisoned in the state penitentiary at Fort Madison for a period of two years, for the crime of seduction. Granted upon the recommendation of the trial judge, prosecuting attorney, and many of the officials and other prominent citizens of Polk county, who urge that the execution of said judgment would work a great hardship upon the defendant's family, who are dependent upon him for support. To remain in force during the period of defendant's good behavior.

F. D. HUNTER. Jones county. June 17, 1895. Sentenced at the June, 1895, term of the district court to be imprisoned in the jail of Jones county for a period of nine months, for the crime of adultery. Granted because it is made to appear that since said sentence was imposed upon the defendant he has lost his reason, and that further confinement in said jail would endanger his life. It is further ordered that said F. D. Hunter be conveyed by the sheriff of Jones county to the hospital for the insane at Independence, and there kept until his reason is restored. On June 19, 1895, the above order was modified in so far as it directed that the defendant be conveyed to the hospital for the insane.

B. F. FLEMING. Lucas county. July 12, 1895. Sentenced at the January, 1895, term of the district court to pay a fine of \$500 and to be committed to jail in default of payment, for the offense of adultery. Granted upon the recommendation of the county attorney and a large number of the officials and other prominent citizens of Lucas county, and because it is made to appear that defendant has now been confined in the jail of Lucas county for the period of six months under the judgment aforesaid, and that he is unable at this time to pay said fine. To remain in force during the period of defendant's good behavior.

HARRY HOUGHTON. Benton county. July 23, 1895. Sentenced at the April, 1894, term of the district court to pay a fine of \$300 and to be committed to jail in default of payment, for the offense of nuisance. Suspended only so far as the order of imprisonment is concerned. Granted upon the recommendation of a large number of the prominent citizens of What Cheer, Iowa, the former home of defendant, who state that he was engaged in said business for a period of four months only, and that he had abandoned said illegal business and has returned to What Cheer where he is now engaged in a legitimate occupation. To remain in force during such time as he shall refrain from any further violation of said law.

MARTIN LEVERTON. Polk county. August 2, 1895. Committed to the state penitentiary at Fort Madison on January 29, 1894, for a period of three years, for the crime of burglary. Granted upon the recommendation of the trial judge, prosecuting attorney and a number of the officials and other prominent citizens of Polk county, and because in consideration of



the youth of said defendant and his previous good reputation, it is my opinion that he has now been sufficiently punished. To remain in force during the period of his good behavior. Revoked said suspension December 27, 1895.

**JEROME KIPP.** Madison county. August 5, 1895. Sentenced at the February, 1895, term of the district court to pay a fine of \$300 and to be committed to jail in default of payment, for the offense of nuisance. Granted upon the recommendation of the trial judge, prosecuting attorney and a number of other prominent citizens of Madison county, who state that the defendant is now in ill health, and in order that he may be permitted to attend the funeral of his father. To remain in force during the period of his good behavior, and during such time he shall refrain from any further violation of the liquor laws of this state.

**W. E. RALLS.** Marshall county. August 2, 1895. Sentenced at the October, 1893, term of the district court to be imprisoned in the jail of Marshall county for a period of eight months, for the offense of assault with intent to commit great bodily injury. Granted upon the recommendation of the prosecuting attorney, a number of the trial jurors, and many of the prominent citizens of Marshall county, and because in my opinion, in consideration of the extenuating circumstances under which defendant committed said offense, he has now been sufficiently punished. To take effect upon the payment of \$300 to be applied on the payment of the costs of said case, and to remain in force during the period of his good behavior.

**CHARLES WILLIS.** Linn County. August 10, 1895. Committed to the state penitentiary at Anamosa on November 17, 1892, for a period of five years, for the crime of larceny from the person. Granted upon the request of the trial judge, prosecuting attorney, prosecuting witness, and a number of the former neighbors of defendant, who urge that he has now been sufficiently punished. This order, under which the defendant will be released one year only in advance of the expiration of his term of sentence, is to remain in force during the period of his good behavior.

**MICHAEL MASTERSON.** Iowa county. August 14, 1895. Committed to the state penitentiary at Fort Madison on May 12, 1894, (November 18, 1894 transferred to Anamosa), for a period

of five years, for the crime of rape. Granted upon the request of a large number of the prominent citizens of Parnell, Iowa, former neighbors of defendant, who testify that from his infancy said Masterson has always been regarded as a person of very weak intellect and not responsible for his acts. It appears that he is rapidly falling in health, both mental and physical, and this suspension is granted in order that he may be taken to the state institution for feeble minded children for treatment.

**ALBERT C. HARTMAN.** Des Moines county. September 16, 1895. Committed to the state penitentiary at Fort Madison, on September 27, 1893, for a period of three years, for the crime of uttering a forged instrument. Granted upon the recommendation of the trial judge, prosecuting attorney, the prosecuting witnesses, and a number of the officials of Des Moines county, who urge that defendant has now been sufficiently punished. To remain in force during the period of his good behavior, and during such time as he shall refrain from the use of intoxicating liquors as a beverage.

**WILLIAM TIPPETT.** Mahaska county. September 17, 1895. Sentenced at the January, 1894, term of the district court to imprisonment in the state penitentiary for a period of six months, for the crime of manslaughter and which sentence was on the 17th day of August, 1895, commuted to imprisonment in the county jail of Mahaska county for a period six months. Granted because it is made to appear that the family of said Tippet is now in a very precarious condition and is greatly in need of his care and support. To remain in force during the period of his good behavior.

**JOHN CRAWFORD.** Taylor county. September 20, 1895. Committed to the state penitentiary at Fort Madison, on October 14, 1893, for a period of four and one-half years, for the crime of seduction. Granted upon the recommendation of the trial judge, county attorney, many of the officials and a large number of the prominent citizens of Taylor county, who state that the wife and children of said defendant are now in destitute circumstances and are greatly in need of his support; and who also urge that the two years' imprisonment which said defendant has now suffered is sufficient punishment for said offense. To remain in force during the period of defendant's good behavior.

and during such time as he shall support and care for his family.

**TOM KELLEY.** Story county. September 24, 1895. Committed to the state penitentiary at Fort Madison on October 8, 1889, for a period of ten years, for the crime of burglary. Granted upon the recommendation of the prosecuting attorney and of a large number of the prominent citizens of Stillwater, Minnesota, by whom it is made to appear that the mother of said defendant is now in feeble health and is greatly in need of his support and assistance, and because in my opinion he has now been sufficiently punished. To remain in force during the period of the defendant's good behavior.

**ALBERT WALLACE.** Warren county. September 25, 1895. Committed to the state penitentiary at Fort Madison on January 31, 1895, for a period of nine months, for the crime of larceny. Granted upon the recommendation of the trial judge, the prosecuting attorney and a number of the prominent citizens of Warren county, who urge that defendant has now been sufficiently punished. To take effect October 1, 1895, and to remain in force during the period of his good behavior.

**FRANK D. SHANKLAND.** Polk county. October 9, 1895. Committed to the state penitentiary at Anamosa on June 30, 1894, for a period of eighteen months, for the crime of larceny. This order, under which defendant will be released twenty days only in advance of the expiration of his term of imprisonment, is granted upon the recommendation of the trial judge, prosecuting attorney, the clerk of court and the sheriff of Polk county, who urge that defendant has now been sufficiently punished for said crime. To remain in force during defendant's good behavior and during such time as he shall refrain from the use of intoxicating liquors as a beverage.

**G. M. WILSON.** Wayne county. October 9, 1895. Committed to the state penitentiary at Fort Madison on October 22, 1894, for a period of three years, for the crime of forgery. Granted upon the recommendation of the prosecuting attorney and a large number of the officials and other prominent citizens of Wayne county, who testify to the defendant's former good character as an honest and hard-working man, and who urge that the imprisonment for one year, which Wilson has already suffered, is sufficient punishment for said crime. To remain in force during defendant's good behavior.

**J. A. GILLISPIE.** Delaware county. October 9, 1895. Committed to the state penitentiary at Anamosa on October 26, 1894, for a period of twenty-one months, for the crime of larceny. Granted upon the recommendation of the trial judge, prosecuting attorney, and a large number of the officials and other prominent citizens of Delaware county. In view of the circumstances under which defendant committed said crime and of his exceptionally good character prior thereto, I am of the opinion that the one year's imprisonment which he has now served is sufficient punishment for said offense. To remain in force during defendant's good behavior.

**H. V. R. THOMPSON.** Polk county. October 11, 1895. Committed to the state penitentiary at Fort Madison on October 12, 1892 (March 13, 1894, transferred to Anamosa), for a period of five years, for the crime of robbery. Granted upon the request of the trial judge and prosecuting attorney, who state that in their opinion the imprisonment for three years in the penitentiary, which defendant has now suffered, is sufficient punishment for said crime. To remain in force during defendant's good behavior and during such time as he shall refrain from the use of intoxicating liquors as a beverage. Revoked said suspension December 17, 1895.

**CHARLES WARD.** Marshall county. November 6, 1895. Sentenced at the August, 1895, term of the district court to be imprisoned in the jail of Marshall county for a period of six months, for the crime of assault with intent to commit great bodily injury. Granted upon the recommendation of the prosecuting attorney, the prosecuting witness, several of the officials and a large number of other prominent citizens of Marshall county, and because it is made to appear that the wife of said defendant is now in destitute circumstances and greatly in need of his support, and also because in my opinion the defendant has now been sufficiently punished. To remain in force during the period of his good behavior.

**ROBERT LIMERICK.** Pottawattamie county. November 8, 1895. Committed to the state penitentiary at Fort Madison on October 27, 1894, for a period of two years, for the crime of burglary. Granted upon the recommendation of the prosecuting attorney and the sheriff of Pottawattamie county, who urge that said defendant has now been sufficiently punished for said



offense. To remain in force during the period of defendant's good behavior.

JOHN NELSON. Taylor county. November 13, 1895. Committed to the state penitentiary at Fort Madison on May 19, 1895, for a period of two years, for the crime of perjury. Granted upon the recommendation of the trial judge and prosecuting attorney and a large number of prominent citizens of Taylor county, by whom it is made to appear that defendant was unduly influenced in the commission of said offense, and that his wife and child are now greatly in need of his support; and who urge that he has now been sufficiently punished. To remain in force during his good behavior and during such time as he shall refrain from the use of intoxicating liquors.

WILLIAM C. ZIRTZMAN. Delaware county. November 18, 1895. Committed to the state penitentiary at Anamosa, on October 26, 1894, for a period of two years and nine months, for the crime of larceny. Granted upon the recommendation of the prosecuting attorney and a large number of the prominent citizens of Delaware county, and because of the circumstances attending the defendant's commission of said crime and of his good character prior thereto I am of the opinion that he has now been sufficiently punished. To remain in force during defendant's good behavior.

HARRY ENWALL. Wayne county. November 18, 1895. Committed to the state penitentiary at Fort Madison October 22, 1894, for a period of two years, for the crime of burglary. Granted upon the recommendation of the trial judge, the county attorney and members of the trial jury, and a number of prominent citizens of Wayne county. In view of the circumstances attending the defendant's commission of said crime, I am convinced that he has now been sufficiently punished. To remain in force during defendant's good behavior, and during such time as he shall refrain from the use of intoxicating liquors as a beverage.

FRANK REVELL. Guthrie county. December 10, 1895. Sentenced at the November, 1894, term of the district court to be imprisoned in the state penitentiary at Fort Madison for a period of two years, for the crime of forgery. Granted upon the recommendation of the trial judge, the county attorney and a large number of other prominent citizens of Guthrie county,

by whom it is made to appear that said defendant, who is a young man, was unduly influenced by others to the commission of said offense, and because in my opinion he has in many ways been sufficiently punished therefor. To remain in force during defendant's good behavior and during such time as he shall refrain from the use of intoxicating liquors as a beverage.

H. L. MECUM. Greene county. December 10, 1895. Sentenced at the September, 1893, term of the district court to imprisonment in the state penitentiary for a period of two years, for the crime of entering a dwelling house in the night time with intent to commit a public offense. Granted upon the recommendation of the trial jurors, a number of the officials, including the county attorney, and a very large number of other prominent citizens of Greene county, by whom it is made to appear that prior to the commission of said offense the defendant had always borne a good reputation as an honorable and upright citizen, and because after a most thorough investigation of all the circumstances of said case I am of the opinion that defendant has now been sufficiently punished. To remain in force during his good behavior.

DANIEL HENDRIE. Fremont county. December 13, 1895. Committed to the state penitentiary at Fort Madison on April 19, 1895, for a period of one year, for the crime of burglary. Granted upon the recommendation of the trial judge and of a large number of prominent citizens of Fremont county, and because in consideration of the youth of said defendant he has in my opinion now been sufficiently punished for said offense. To remain in force during his good behavior and during such time as he shall refrain from the use of intoxicating liquors as a beverage.

WILLIAM S. WOODS. Fremont county. December 13, 1895. Committed to the state penitentiary at Fort Madison, on April 19, 1895, for a period of one year, for the crime of burglary. Granted upon the same recommendation, for the same reasons, and on the same conditions as was the case of Daniel Hendrie.

R. A. SHERMAN. Lee county. December 26, 1895. Committed to the state penitentiary at Fort Madison, on November 22, 1893 (November 18, 1894, transferred to Anamosa), for a period of three years, for the crime of larceny. Granted

because the defendant who is now over fifty-six years of age and has already served more than two years in said penitentiary has now been sufficiently punished for said offense. To remain in force during such time as said Sherman shall hereafter refrain from the use of intoxicating liquors as a beverage and during the period of his good behavior.

# SUSPENSIONS FROM STATE INDUSTRIAL SCHOOLS.

FRED ROLAND. Polk county. Committed in February, 1894. Suspended August 9, 1894.

THOMAS L. HAYDEN. Wapello county. Committed in April, 1893. Suspended September 13, 1894.

JOHN BARTELSMEIER. Pottawattamie county. Committed in October, 1892. Suspended October 4, 1894.

ALICE EDWARDS. Winnebago county. Committed in September, 1892. Suspended November 22, 1894.

GEORGE C. BRAGG. Polk county. Committed in September, 1893. Suspended December 8, 1894.

LAURA MABEL CHARTER. Union county. Committed in —, 1893. Suspended March 11, 1895.

GERTIE HUFF. Polk county. Committed in April, 1893. Suspended March 25, 1895.

ALTA POLAND. Polk county. Committed in March, 1893. Suspended March 26, 1895.

EDGAR EDGINGTON. Marshall county. Committed in July, 1893. Suspended April 8, 1895.

ALBERT JOHNSON. Union county. Suspended May 15, 1895. Revoked August 13, 1895.

JOHN HOPPERS. Polk county. Committed in April, 1895. Suspended August 12, 1895.

CHARLES BOATMAN. Mahaska county. Committed in April, 1894. Suspended August 15, 1895.

DANIEL HOLLERN. Polk county. Committed in September, 1893. Suspended October 8, 1895.

DAVID WEST. Polk county. Committed in January, 1894. Suspended November 29, 1895.



## TEMPORARY SUSPENSIONS.

JACK CARTEK. Mahaska county. February 2, 1894. Suspended until May 1, 1894, the sentence to pay a fine of \$300, imposed at the December, 1893, term of the district court, for the offense of keeping a nuisance. Granted in order that sufficient time may be given for a proper consideration of defendant's application for remission of fine.

ALFRED BOONE. Johnson county. February, 5, 1894. Suspended until May 5, 1894, the sentence of imprisonment for eighteen months in the state penitentiary, imposed at the April, 1893, term of the district court, for the crime of malicious mischief. Granted with the understanding and upon the express condition that said Boone shall first furnish bonds running to the state of Iowa in an amount equal to that furnished by him and on which his present release is secured, conditioned that at the expiration of the period designated in this order he will surrender himself to the proper authorities at Johnson county to abide the order of the court aforesaid.

J. L. LEWIS. Plymouth county. February 6, 1894. Suspended until March 6, 1894, the sentence of one year's imprisonment in the state penitentiary, imposed at the June, 1893, term of the district court, for the crime of extortion. Granted because it is made to appear that the wife of said Lewis is now seriously ill, and that his presence will prove to be the only means of prolonging her life. Revoked on February 27, 1894.

A. E. KIDD. Clay county. March 29, 1894. Suspended until June 29, 1894, the sentence of three months' imprisonment in the state penitentiary, imposed at the February, 1892, term of the district court for the crime of forgery. On September 28, 1894, granted a further suspension of said sentence until December 1, 1894. On December 3, 1894, granted a further suspension of said sentence until July 1, 1895. Granted in order that sufficient time may be given for a proper consideration of the application for pardon in said case.

PATRICK J. ENRIGHT. Howard county. May 21, 1894. Suspended until June 20, 1894, the sentence of two years' imprisonment in the state penitentiary, imposed at the May, 1893, term of the district court for the crime of assault with intent to commit rape. On June 20, 1894, granted a further suspension of sentence in said case until August 20, 1894. Granted in order that sufficient time may be given for a proper consideration of defendant's application for pardon.

JOHN BOYLE. Polk county. October 23, 1894. Suspended until November 23, 1894, sentence of imprisonment in the state penitentiary for a period of six months, imposed at the September, 1894, term of the district court, for the crime of larceny. On November 23, 1894, granted a further suspension in said case until April 1, 1895. Granted upon the recommendation of a number of prominent citizens of Des Moines, neighbors of defendant, who testify to his former good character; and is conditioned upon his refraining from the use of intoxicating liquors as a beverage and upon his good behavior.

ALBERT SMITH. Chickasaw county. October 23, 1894. Suspended until December 23, 1894, the sentence to pay a fine of \$500, imposed at the September, 1894, term of the district court, for the offense of violating an injunction. Granted in order that sufficient time may be given for a proper consideration of defendant's application for remission of fine.

W. R. SAGE. Poweshiek county. December 6, 1894. Suspended until February 6, 1895, the sentence to pay a fine of \$300, imposed at the November, 1894, term of the district court, for the offense of nuisance. Granted in order that sufficient time may be given for a proper consideration of defendant's application for remission of fine.

JOHN BEVINS. Johnson county. December 15, 1894. Suspended until January 22, 1895, sentence of two years' imprisonment in the state penitentiary, imposed at the May, 1894, term of the district court, for the crime of manslaughter. Granted in order that sufficient time may be given for a proper consideration of defendant's application for pardon.

FRED SATTLER. Boone county. January 2, 1895. Suspended until February 2, 1895, the sentence to pay a fine of \$300, imposed at the December, 1893, term of the district court,

for the offense of nuisance. Granted in order that sufficient time may be given for a proper consideration of defendant's application for remission of said fine.

H. L. MECUM. Greene county. October 8, 1895. Suspended until December 10, 1895. Sentenced at the September, 1893, term of the district court, to imprisonment in the state penitentiary for a period of two years, for the crime of entering a dwelling house, in the night time, with intent to commit a public offense. Granted in order that sufficient time may be given for a proper consideration of defendant's application for pardon.

A. J. WINDAHL. Mahaska county. October 8, 1895. Suspended until December 10, 1895. Sentenced at the February, 1894, term of the district court, to imprisonment in the state penitentiary for a period of one year, for the crime of manslaughter. Granted in order that sufficient time may be given for a proper consideration of Windahl's application for pardon. On December 7, 1895, granted a further suspension in this case until December 30, 1895, for the reason assigned in this order.

WILLIAM PHIPPS. Boone county. October 9, 1895. Suspended until December 10, 1895. Sentenced at the November, 1892, term of the district court, to imprisonment in the state penitentiary for a period of sixteen months, for the crime of burglary. Granted in order that sufficient time may be given for a proper consideration of Phipps' application for pardon.

C. E. WHITTEN. Polk county. November 7, 1895. Suspended until December 7, 1895. Sentenced at the January, 1894, term of the district court, to imprisonment in the state penitentiary at Fort Madison for a period of two years, for the crime of abortion. Granted in order that sufficient time may be given for a proper consideration of Whitten's application for pardon.

A. W. BROWN. Washington county. November 7, 1895. Suspended until December 7, 1895. Sentenced at the March, 1893, term of the district court, to imprisonment in the state penitentiary at Fort Madison for a period of three years, for the crime of conspiracy. Granted in order that sufficient time may be given for a proper consideration of defendant's application for pardon.

JOHN W. SCHAEFFER. Polk county. November 11, 1895. Suspended until December 11, 1895. Sentenced at the November, 1893, term of the district court, to imprisonment in the state penitentiary at Fort Madison for a period of six months, for the crime of unlawfully disintering a dead body. Granted in order that sufficient time may be given for a proper consideration of defendant's application for pardon.

ATLEE HART. Plymouth county. December 13, 1895. Suspended until March 13, 1896. Sentenced at May, 1893, term of district court to imprisonment in the state penitentiary for a period of one year for the crime of extortion. Granted in order that sufficient time may be given for a proper consideration of defendant's application for pardon.



## REVOCATIONS.

J. L. LEWIS. Plymouth county. Committed to the penitentiary at Anamosa on July 8, 1893, to serve a term of one year, for the crime of extortion. Sentence suspended February 6, 1894, for a period of thirty days, in order that said Lewis could be permitted to attend at the bedside of his wife who was then seriously ill. Defendant voluntarily surrendered himself to the warden of the penitentiary at Anamosa on February 24, 1894, for the purpose of completing his term of sentence, and requested that the order of suspension issued as aforesaid be revoked. Order of revocation was issued February 26, 1894.

OLIVER L. BLAIR. Polk county. Committed to the penitentiary at Anamosa on October 18, 1893, to serve a term of three years, for the crime of assault with intent to commit murder. Sentence suspended June 25, 1894, on certain conditions, for a violation of which suspension was revoked on August 23, 1894, and Blair returned to the penitentiary.

GEORGE FERTIG. Floyd county. On March 17, 1892, an executive order was issued suspending the further execution of certain sentences imposed by the district court upon George Fertig, for violations of the prohibitory liquor laws. On October 1, 1894, upon satisfactory proof that said Fertig had again been guilty of violating said prohibitory liquor laws, said suspension was revoked.

FRED HALL. Polk county. Committed to the state penitentiary at Fort Madison on May 5, 1890 (transferred to Anamosa April 20, 1891), to serve a term of five years, for the crime of larceny. Released from said penitentiary May 11, 1892, on an executive order of commutation, granted upon certain conditions, for a violation of which said order of commutation was revoked July 16, 1895, and Hall returned to the penitentiary.

LEVI ROGERS. Henry county. Committed to the state penitentiary at Fort Madison on January 25, 1892, to serve a term of four years, for the crime of larceny. Released from said penitentiary September 12, 1894, by an executive order of suspension granted upon certain conditions, for a violation of which said order of suspension was revoked on August 24, 1895, and said Rogers returned to the penitentiary.

H. V. B. THOMPSON. Polk county. Committed to the state penitentiary at Fort Madison on October 12, 1892 (transferred to Anamosa on March 13, 1894), to serve a term of five years, for the crime of robbery. Released from said penitentiary on October 12, 1892, by an executive order of suspension granted upon certain conditions, for a violation of which said order of suspension was revoked on December 17, 1895, and said Thompson returned to the penitentiary.

MARTIN LEVERTON. Polk county. Committed to the state penitentiary at Fort Madison on January 29, 1894, to serve a term of three years, for the crime of burglary. Released from said penitentiary on August 4, 1895, by an executive order of suspension granted upon certain conditions, for a violation of which said order of suspension was revoked on December 27, 1895, and said Leverton returned to the penitentiary.

# REVOCATIONS OF SUSPENSIONS FROM INDUSTRIAL SCHOOLS.

March 17, 1894, revoked order of suspension in the case of H. P. Baker. Polk county. Suspended May 21, 1892.

April 9, 1894, revoked order of suspension in case of Andrew E. Logsden. Polk county. Suspended May 21, 1893.

November 13, 1894, revoked order of suspension in case of Lizzie Jackson. Des Moines county. Suspended March 22, 1893.

August 23, 1895, revoked order of suspension in case of Albert Johnson. Iowa county. Suspended May 15, 1895.

# APPLICATIONS FOR PARDON SUBMITTED TO THE GENERAL ASSEMBLY.

STATE OF IOWA,  
EXECUTIVE OFFICE,  
DES MOINES, January 10, 1896. }

## To the General Assembly:

Theodore Bushick, Thomas W. Watson, Jasper Mason, Frank P. Watkins, George Stanley, George A. Trout, Charles P. Wells, James Johnson, A. F. Hockett, William Dilley, John W. Elkins and William Slowey, convicted of the crime of murder in the first degree, and sentenced to imprisonment in the penitentiary for the term of their natural lives, have made application for pardon. The statute requires that for this crime no pardon shall be granted by the governor until he shall have presented the matter to, and obtained the advice of the general assembly thereon. It likewise requires a publication of the notice of application for pardon, containing the grounds upon which it is asked. I append hereto copies of the notices required, which have been duly published as required by the statute. The original applications, with accompanying papers, are on file in the executive office, for the inspection of any member of the general assembly.

FRANK D. JACKSON.

STATE OF IOWA,  
EXECUTIVE DEPARTMENT,  
DES MOINES, November 9, 1895. }

## To whom it may concern:

Notice is hereby given that application has been made for the pardon of Theodore Bushick, who was, at the October, A. D. 1879, term of the district court of Iowa in and for Mills county, convicted of the crime of murder in the first degree and sentenced to imprisonment in the state penitentiary for the term of his natural life.



Said application is based on the ground that:

*First.*—Defendant was insane at the time sentence was imposed, and during all the period of his imprisonment, until within the past two years, was not restored to reason, and was not in a condition to realize that he was undergoing punishment for a crime.

*Second.*—Defendant has no recollection of committing the crime in question, has no knowledge of any motive therefor, and that if he committed said crime it was at a time when he was wholly irrational and not responsible for his acts, his reason having been entirely dethroned.

*Third.*—Defendant urges that the ends of justice have been fully subverted by his long period of confinement. He is now fully restored to reason and is confident he will, in the event of his restoration to liberty, hereafter demean himself in every respect as a good and law-abiding citizen.

Said application will be presented to the next general assembly for action in accordance with the provisions of section 4712 of the Code of Iowa.

FRANK D. JACKSON,  
Governor of Iowa.

STATE OF IOWA, }  
EXECUTIVE DEPARTMENT, }  
DES MOINES, November 9, 1895. }

*To whom it may concern:*

Notice is hereby given that application has been made for the pardon of Thomas W. Watson, who was at the March, A. D. 1884, term of the district court of Iowa, in and for Mills county, convicted of the crime of murder in the first degree, and sentenced to imprisonment in the state penitentiary for the term of his natural life.

Said application is based on the grounds that:

*First.*—The evidence produced at defendant's trial for said crime was not sufficient to warrant the verdict and judgment rendered.

*Second.*—He has now been sufficiently punished for said offense.

*Third.*—He has an unusually good record as a prisoner, no violation of the prison rules having been recorded against him.

Said application will be presented to the next general assembly for action in accordance with the provisions of section 4712 of the Code of Iowa.

FRANK D. JACKSON,  
Governor of Iowa.

STATE OF IOWA, }  
EXECUTIVE DEPARTMENT, }  
DES MOINES, November 9, 1895. }

*To whom it may concern:*

Notice is hereby given that application has been made for the pardon of Jasper Mason, who was, at the October, A. D. 1876, term of the district court of Iowa, in and for Dallas county, convicted of the crime of murder in the first degree, and sentenced to imprisonment in the state penitentiary for the term of his natural life.

Said application is based on the grounds that:

*First.*—The act for which defendant is now incarcerated was committed in self-defense.

*Second.*—Defendant was convicted solely on circumstantial evidence, which could have been satisfactorily explained had he been permitted to testify in his own behalf at the trial of his case.

*Third.*—He has now been sufficiently punished for said offense. Said application will be presented to the next general assembly for action in accordance with the provisions of section 4712 of the Code of Iowa.

FRANK D. JACKSON,  
Governor of Iowa.

STATE OF IOWA, }  
EXECUTIVE DEPARTMENT, }  
DES MOINES, November 12, 1895. }

*To whom it may concern:*

Notice is hereby given that application has been made for the pardon of Frank P. Watkins, who was at the September, A. D. 1877, term of the district court of Iowa, in and for Monona county, convicted of the crime of murder in the first degree and sentenced to imprisonment in the state penitentiary for the term of his natural life.

Said application is based on the following grounds:

*First.*—That said act was committed by defendant in self-defense.

*Second.*—That his conviction was secured wholly on circumstantial evidence.

*Third.*—That during the eighteen years which defendant has been confined in the state penitentiary, he has demeaned himself in every respect as a model prisoner; during all of said period he has been employed on the prison contracts and has been under the charge and supervision of more than fifty different guards and foremen, no one of whom has ever reported

him to the warden in charge for any act of misconduct, or for any violation of the prison rules.

*Fourth.*—That defendant has now been sufficiently punished, and that no further good to the state at large will be subserved by his longer confinement in said penitentiary.

Said application will be presented to the next general assembly for action in accordance with the provisions of section 4712 of the Code of Iowa.

FRANK D. JACKSON,  
*Governor of Iowa.*

STATE OF IOWA. }  
EXECUTIVE DEPARTMENT,  
DES MOINES, November 15, 1895. }

*To whom it may concern:*

Notice is hereby given that application has been made for the pardon of George Stanley, who was at the April, A. D. 1871, term of the district court of Iowa, in and for Story county, convicted of the crime of murder in the first degree and sentenced to imprisonment in the state penitentiary for the term of his natural life.

Said application is based on the grounds:

*First.*—That said conviction was the result of a failure to bring all of the facts in the case to the knowledge of the court and jury, and that said failure was not due to any fault on the part of defendant, but was due in part to the fact that the law did not at that time permit a defendant to testify in his own behalf.

*Second.*—That had all the facts been adduced upon said trial, defendant could not have been legally convicted of any crime higher than manslaughter.

*Third.*—That defendant has now been imprisoned for nearly twenty-six years, and that he is broken in health and falling in mind and body.

*Fourth.*—That prior to his conviction defendant had always born a good character, and that he has now been sufficiently punished for said crime.

Said application will be presented to the next general assembly for action in accordance with the provisions of section 4712, of the Code of Iowa.

FRANK D. JACKSON,  
*Governor of Iowa.*

STATE OF IOWA, }  
EXECUTIVE DEPARTMENT,  
DES MOINES, November 16, 1895. }

*To whom it may concern:*

Notice is hereby given that application has been made for the pardon of George A. Trout, who was at the January, A. D. 1887, term of the district court of Iowa, in and for the county of Woodbury, convicted of the crime of murder in the first degree, and sentenced to imprisonment in the state penitentiary for the term of his natural life.

Said application is based on the grounds that:

*First.*—That defendant is now suffering from consumption, and that he cannot live long if he remains in confinement.

*Second.*—That the aged mother of said defendant is in an infirm mental condition, and almost wholly dependent upon him for her support.

*Third.*—That the conduct of defendant during the period of his confinement in the state penitentiary has been exemplary.

*Fourth.*—That he has now been sufficiently punished for said offense, and that no further good to the state at large will be subserved by his longer confinement in said penitentiary.

Said application will be presented to the next general assembly for action, in accordance with the provisions of section 4712 of the Code of Iowa.

FRANK D. JACKSON,  
*Governor of Iowa.*

STATE OF IOWA, }  
EXECUTIVE DEPARTMENT,  
DES MOINES, November 19, 1895. }

*To whom it may concern:*

Notice is hereby given that application has been made for the pardon of Charles P. Wells, who was, at the May, A. D. 1882, term of the district court of Iowa, in and for Lee county, convicted of the crime of murder in the first degree, and sentenced to imprisonment in the state penitentiary for the period of his natural life.

Said application is based on the grounds, that:

*First.*—The man for whose death defendant was convicted of murder, died from an overdose of chloroform, which was administered to him while defendant and two fellow convicts were endeavoring to escape from the penitentiary at Fort Madison; that the chloroform was not administered by defendant but by one of his companions.



*Second.*—That the two other men, who were accomplices in the commission of said crime, have already been pardoned, and that, of the three men indicted at the same time for the same crime, said defendant alone remains in prison.

*Third.*—That the chloroform which occasioned the death was not administered with the intent to kill, but for the sole purpose of rendering the guard unconscious, so that defendant and his companions could effect their escape; that said chloroform was administered by a convict who, at the time, was hospital steward, and who claimed to understand the use of chloroform and to be able to administer it properly, and that said defendant believed that the chloroform could be administered without injury to said guard.

*Fourth.*—That since his conviction said defendant has been an exemplary convict and has never been reported for any infraction of the rules.

*Fifth.*—That the health of said defendant has failed by reason of his fourteen years' confinement and by reason of wounds received before his conviction, and that he is now greatly broken in health and strength; and that he has now been sufficiently punished for said offense.

Said application will be presented to the next general assembly for action in accordance with the provisions of section 4712 of the Code of Iowa.

FRANK D. JACKSON,  
*Governor of Iowa.*

STATE OF IOWA,  
EXECUTIVE DEPARTMENT,  
DES MOINES, November 20, 1895. }

*To whom it may concern:*

Notice is hereby given that application has been made for the pardon of James Johnson, who was at the January, A. D. 1885, term of the district court of Iowa in and for Pottawattamie county convicted of the crime of murder in the first degree and sentenced to imprisonment in the state penitentiary for the term of his natural life.

Said application is based on the grounds that:

*First.*—Defendant has during his imprisonment conducted himself in a most manly, exemplary and christian manner, and that his record as a prisoner has been exceptionally good.

*Second.*—That defendant has now served nearly eleven years of solid time and that he has now been sufficiently punished for said offense.

*Third.*—That the ends of justice have been fully subserved by his long period of confinement, and that, in event of his restoration to liberty, he will hereafter demean himself in every respect as a good and law-abiding citizen.

Said application will be presented to the next general assembly for action, in accordance with the provisions of section 4712 of the Code of Iowa.

FRANK D. JACKSON,  
*Governor of Iowa.*

STATE OF IOWA,  
EXECUTIVE DEPARTMENT,  
DES MOINES, November 20, 1895. }

*To whom it may concern:*

Notice is hereby given that application has been made for the pardon of A. P. Hockett, who was at the February, A. D. 1885, term of the district court of Iowa, in and for Mahaska county, convicted of the crime of murder in the first degree, and sentenced to imprisonment in the state penitentiary for the term of his natural life.

Said application is based on the following grounds:

*First.*—That previous to the offense for which he was sentenced, said defendant was a young man of good character and was regarded as a quiet, orderly and law-abiding citizen.

*Second.*—That at the time of said murder the defendant was in a mental state bordering on insanity, produced by the knowledge that the victim of his crime had alienated the affections of his sister, a young woman only 17 years of age, from her husband and had ruined her under circumstances very exasperating to said defendant.

*Third.*—That from the facts and circumstances attending the commission of said crime, it is claimed that said defendant should not have been convicted of a crime in a degree higher than manslaughter, the maximum penalty for which is imprisonment in the penitentiary for a period of eight years.

*Fourth.*—That he has now been confined in said penitentiary for a period of ten and one-half years of solid time.

*Fifth.*—That he was tried at a time of great public excitement and did not have an impartial trial.

Said application will be referred to the next general assembly for action in accordance with the provisions of section 4712 of the Code of Iowa.

FRANK D. JACKSON,  
*Governor of Iowa.*

STATE OF IOWA,  
EXECUTIVE DEPARTMENT,  
DES MOINES, November 26, 1895.

*To whom it may concern:*

Notice is hereby given that application has been made for the pardon of William Dilley, who was, at the January, A. D. 1877, term of the district court of Iowa, in and for Johnson county, convicted of the crime of murder in the first degree, and sentenced to imprisonment in the state penitentiary for the period of his natural life.

Said application is based on the following grounds:

*First.*—That his conviction of murder in the first degree was not warranted by the evidence disclosed at the trial.

*Second.*—That during his nineteen years of confinement in the penitentiary his conduct record has been unexcelled; and

*Third.*—That he is now in feeble health and cannot survive much longer if not soon released from said penitentiary.

Said application will be presented to the next general assembly for action in accordance with the provisions of section 4712 of the Code of Iowa.

FRANK D. JACKSON,  
*Governor of Iowa.*

STATE OF IOWA,  
EXECUTIVE DEPARTMENT,  
DES MOINES, November 26, 1895.

*To whom it may concern:*

Notice is hereby given that application has been made for the pardon of John W. Elkins, who was, at the January, A. D. 1890, term of the district court of Iowa, in and for Clayton county, convicted of the crime of murder in the first degree, and sentenced to imprisonment in the state penitentiary for the period of his natural life.

Said application is based on the following grounds:

*First.*—That said defendant was but 11 years of age at the time of the commission of said offense.

*Second.*—That he has now been imprisoned for the period of nearly six years, and that he has now been sufficiently punished for said crime.

Said application will be presented to the next general assembly for action in accordance with the provisions of section 4712 of the Code of Iowa.

FRANK D. JACKSON,  
*Governor of Iowa.*

STATE OF IOWA,  
EXECUTIVE DEPARTMENT,  
DES MOINES, November 26, 1895.

*To whom it may concern:*

Notice is hereby given that application has been made for the pardon of William Slowey, who was at the March, A. D. 1880, term of the district court of Iowa, in and for Clinton county, convicted of the crime of murder in the first degree, and sentenced to imprisonment in the state penitentiary for the period of his natural life.

Said application is based on the following grounds:

*First.*—That said Slowey is not guilty of the crime of which he was convicted.

*Second.*—That under the evidence disclosed at the trial, said defendant should not have been found guilty of an offense greater than that of manslaughter.

*Third.*—That he has now been imprisoned for a period of nearly sixteen years, and that he has now been sufficiently punished for said crime.

Said application will be presented to the next general assembly for action, in accordance with the provisions of section 4712 of the Code of Iowa.

FRANK D. JACKSON,  
*Governor of Iowa.*