

SPECIAL MESSAGE

OF THE

GOVERNOR OF IOWA

TO THE

TWENTIETH GENERAL ASSEMBLY,

COMMUNICATING REPORT OF

PARDONS AND REMISSIONS.

JANUARY 29, 1884.

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DES MOINES:  
GEO. E. ROBERTS, STATE PRINTER.  
1884.

THE STATE OF IOWA, }  
EXECUTIVE DEPARTMENT, DES MOINES, Jan. 20, 1884. }

*Gentlemen of the General Assembly:*

I herewith transmit to the two Houses the report required by the Constitution, of each case of commutation, pardon or reprieve granted, and the reason therefor, together with the names of all persons in whose favor fines or forfeitures have been remitted, and the several amounts so remitted, the whole covering a period beginning January 13, 1883, and terminating this day.

BUREN R. SHERMAN,  
*Governor of Iowa.*

REPORT OF PARDONS, COMMUTATIONS AND REMIS  
SIONS.

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PARDONS.

CHARLES MURPHY. Conditional. January 28, 1882. Sentenced at the December term, 1881, of the District Court of Polk county, to six months imprisonment in the Penitentiary of the State for the forgery of an order for fifteen dollars.

It appears there is doubt whether the forgery was committed with intent to defraud. Before complaint was made, he confessed the act and arranged to work out the amount of the order, which he afterward did. Murphy was drinking at the time of committing the act, and afterward, and before indictment, did all in his power to repair the wrong. He has already suffered seven weeks imprisonment in the county jail, and, under the circumstances, I consider this a sufficient punishment. Pardon is recommended by Judge McHenry, before whom the case was tried, by J. W. Collins whose name was forged, President Carpenter of Drake University, D. R. Lucas, J. A. Harvey, Senator Boling, and others. Pardoned on condition that he does not use intoxicating liquors, or become a frequenter of saloons.

GEORGE WALTERS. Conditional. March 23, 1882. Committed to the Penitentiary of the State on the 19th day of May, 1881, under a sentence of the district court of the county of Polk, for the term of one year, for the crime of larceny.

His sentence will expire in a few days, and a pardon which has the effect of shortening it three days is granted on the recommendation of ex-Governor Gear. Conditioned on temperate habits.

This pardon was canceled on account of refusal of prisoner to accept conditions.

FRANK RILEY. April 1, 1882. Committed to the Penitentiary of the State March 16, 1880, under a sentence of the district court of

the county of Jefferson, for the term of four years, for the crime of robbery.

He was but seventeen years of age when sentenced, and he has now served over two years. Dr. Hoffmeister, physician of the penitentiary, represents that he is in a dying condition, and can live but a short time. Senator Schrader, of Johnson county, unites in this opinion, and urges that the prisoner be released, that he may return to his home and family to die. Pardoned on these representations.

GEORGE BENNETT. April 22, 1882. Committed to the Penitentiary of the State April 18, 1881, under a sentence of the district court of the county of Montgomery, for the term of three years, for the crime of obtaining money by false pretenses.

Developments since the conviction show beyond reasonable doubt the case was one of mistaken identity. One Hill has since confessed that he committed the crime. The circumstances show that he had no accomplice or assistant. The grand jury which has investigated since the discovery of the evidence against Hill, is of the opinion that "a great and terrible wrong has been done Bennett," who has now been imprisoned for over one year. His immediate pardon is advised by the district judge, the attorney-general (who acted as prosecuting attorney in this case), and by the county officers of Montgomery county, all of whom are convinced that Bennett is wholly innocent. Granted unconditional pardon.

LENA STANTON. Conditional. May 19, 1882. Committed to the Penitentiary of the State December 2, 1881, under a sentence of the district court of the county of Linn, for the term of three years, for the crime of grand larceny.

She was a young girl (not yet seventeen years of age) when the crime was committed, and during her incarceration in the county jail was delivered of a child. The pardon is a conditional one, and is granted upon the strong solicitation of the district judge and other respectable citizens of Linn county, and the chaplain of the penitentiary, who says that a suitable home has been provided for her, where herself and child will be well cared for, and where all influences will be for her good.

ARSENE GERARD. May 24, 1882. Committed to the Penitentiary of the State April 9, 1881, under sentence of the District Court of the county of Adams, for the term of two years for the crime of assault with intent to commit murder.

It appears from an agreed statement of facts, that the act was committed in a sudden passion, under circumstances of great aggravation. The injury inflicted was comparatively slight, and Gerard did all in his power to make reparation. Gerard has lived in the county twenty-six years, and was a well known farmer, and up to the time of this assault was universally regarded as a temperate, upright and orderly citizen. In no sense did he belong to the criminal class. Pardon asked by eleven of jurors who convicted him, and by hundreds of the leading citizens of Adams county. He served more than half his sentence, and it is believed he has been sufficiently punished to answer the demands of justice.

FRANK HENRY. Conditional. June 29, 1882. Committed to the Penitentiary of the State January 5, 1882, under a sentence of the district court of the county of Washington for the term of two years, for the crime of assault with intent to kill.

Pardon asked by members of the bar of Jefferson county, and by many citizens. I am satisfied from the statement of ex-Attorney-General McJunkin, that this man was promised a pardon by Governor Gear. Pardoned on condition that he abstain from the use of intoxicating liquors as a beverage.

JAMES GREEN. Conditional. July 3, 1882. Committed to the Penitentiary of the State March 11, 1876, under a sentence of the district court of the county of Appanoose, for the term of eight years for the crime of assault with intent to commit murder.

By reason of good behavior this man's term is nearly out. I have shortened it a few weeks more, and granted a pardon with restoration to citizenship on the petition of many citizens of Wapello county. Pardon condition on good behavior.

HOWARD REED. Conditional. July 15, 1882. Committed to the Penitentiary of the State April 18, 1879, under a sentence of the district court of the county of Lucas, for the term of five years, for the crime of larceny and burglary.

This man was an accomplice of one Van Schaack who was also convicted but pardoned by Governor Gear. Judge Burton and Attorney-General McPherson state that they regard Van Schaack as the principal offender, and Reed as an accomplice. Reed is a young man of intelligence, previous good character, and gives every indication of reformation. Pardon asked by eleven of the jurors, all the county officers, and many prominent citizens.

Pardon revoked January 5, 1884, and prisoner ordered remanded to the Penitentiary for violation of conditions of pardon.

S. E. HOULETTE. Conditional. July 17, 1882. Committed to the Penitentiary of the State September 28, 1881, under a sentence of the district court of the county of Madison, for the term of one year, for the crime of larceny.

Pardon recommended by the district judge who passed sentence. This man's time is nearly out and I believe that shortening it a few weeks by pardon will greatly strengthen his resolution to lead a better life. Pardon made conditional on good behavior.

JOHN SULLIVAN. Conditional. July 31, 1882. Committed to the Penitentiary of the State June 14, 1878, under a sentence of the district court of the county of Des Moines, for the term of seven years, for the crime of robbery.

Pardon recommended by Judge L. W. Newman, who sentenced him. The prison officials say his conduct has been very good while in the prison, and they believe if released he will lead an upright life. Pardon conditioned on good behavior.

WILLIAM J. BURNS. Conditional. August 9, 1882. Committed to the Additional Penitentiary June 6, 1882, under a sentence of the district court of the county of Johnson, for the term of three months, for the crime of larceny.

This man's offense was not of an aggravated character, and I think he has been sufficiently punished.

Pardoned on recommendation of district attorney, the county officers of Johnson county and a large number of citizens, and on condition that he conduct himself as an orderly, law-abiding citizen hereafter.

WILLIAM E. WERT. Conditional. August 9, 1882. Committed to the Penitentiary of the State, June 21, 1880, under sentence of the district court of the county of Jasper, for the term of three years, for the crime of burglary.

His pardon is asked by a large number of citizens of Jasper county. It appears that he gave great assistance in prosecuting and breaking up the band of burglars with which he was connected in one offense. Judge Cook explains that his sentence was made severe for special reasons which do not now exist, and he therefore favors a pardon. I think this man has been sufficiently punished.

Pardoned, on condition that he conduct himself as an orderly, law-abiding citizen.

HENRY COMSTOCK. Conditional. August 16, 1882. Committed to the Additional Penitentiary, June 1, 1876, under sentence of the district court of Jones county, for the term of ten years, for the crime of rape.

It appears that Comstock was an accomplice of one Hawkins in the commission of the crime, and that the latter was pardoned by Governor Gear, who writes that he intended to pardon Comstock also, but had overlooked it. The mitigating circumstances, it seems to me, are stronger in favor of Comstock than Hawkins. It seems clear that the two were concerned in a burglary, but as to the rape there is considerable doubt, and the guilt of Comstock in the latter offence is open to doubt. At any rate, he has now served a severe sentence, and has, I think, been sufficiently punished. His pardon is recommended by Judge Shane, who sentenced him, by ten of the jurors, and by one hundred and eighteen citizens. Pardoned on condition that he lead a sober, law-abiding life hereafter.

GEORGE E. TAYLOR. Conditional. September 6, 1882. Committed to the Penitentiary of the State February 22, 1876, under sentence of the district court of Poweshiek county, for the term of eight years, for the crime of assault with intent to murder.

This pardon shortens the term about three months, and is granted under a belief that he will thereby be encouraged to conduct himself in the future as a peaceable and law-abiding citizen, and is so conditioned.

DENNIS HESSIONS. Conditional. September 9, 1882. Sentenced to the Additional Penitentiary by the district court of Kossuth county, October 9, 1880, for the term of six months, for the crime of larceny.

Case was appealed, and, being affirmed, pardon is now asked by eighty prominent citizens of Humboldt county, for the reason that Hessions was guilty only of aiding in concealing the crime of his brother, who was the real criminal; that he is a young man who is striving earnestly and against many difficulties to lead a respectable and upright life, as against the evil influences of many of his relations; that they believe imprisonment in the Penitentiary would entirely discourage him and result in his ruin. Pardon is also recommended by the judge who sentenced him, and by the district attorney.

ney. I am satisfied these representations are true, and have accordingly granted a pardon, conditioned on good behavior.

DAVID R. BARTON. Conditional. September 13, 1882. Committed to the Penitentiary of the State September 14, 1872, under sentence of the district court of Monona county, for the term of twelve years, for the crime of murder in the second degree.

During this man's long term of imprisonment his conduct has been very good, and the good time he has earned will entitle him to a discharge in three months from this time. I have decided to shorten his term this much as he is very anxious to obtain employment before winter sets in, and for the reason that I believe all the ends of punishment have been attained in this case. This consideration shown him will, I believe, have a great influence on his future life. Pardon granted on condition that he will conduct himself in all respects as an orderly, law-abiding citizen.

GERTIE WALKER. September 25, 1882. Committed to the Additional Penitentiary July 3, 1880, under sentence of the District Court of Johnson county, for the term of three years, for the crime of burglary. The warden and physician ask this woman's discharge, and I am convinced that further punishment can accomplish no good with her.

WILLIAM FOSTER. September 25, 1882. Committed to the Penitentiary of the State October 27, 1881, under sentence of the District Court of Adams county, for the term of two years, for the crime of seduction. Representative T. L. Maxwell, and a large number of the most prominent citizens of the county, urge that this is a case of great hardship, and that the accused was convicted on the uncorroborated testimony of the prosecuting witness. I am convinced that this statement is true, and in view of the doubt as to guilt, think the prisoner should be released.

JAY HADDOX. October 3, 1882. Committed to the Additional Penitentiary December 12, 1881, under sentence of the District Court of Cedar county, for the term of one year, for the crime of seduction.

The pardon now granted has the effect of shortening his term two weeks. I think this small consideration shown him will have great effect in encouraging him for the future.

LEWIS PRATT. Conditional. October 7, 1882. Committed to the Penitentiary of the State September 17, 1881, under sentence of the

District Court of Wapello county, for the term of two and one half years, for the crime of larceny.

In view of the doubt whether the defendant intended to commit a larceny, I have decided to release him under strong conditions for his good behavior in the future.

CHARLES BARCUS. Conditional. October 14, 1882. Committed to the Penitentiary of the State January 2, 1882, under sentence of the District Court of Polk county, for the term of eighteen months, for the crime of larceny.

Evidence coming to me that Barcus was violating the conditions under which he was released, on the second day of August, 1883, I revoked the above pardon, and ordered the return of the prisoner to the penitentiary, there to complete the full term of his sentence.

JAMES CHENEWORTH. Conditional. October 14, 1882. Committed to the Penitentiary of the State December 1, 1881, under sentence of the District Court of Polk county, for the term of nine years, for larceny. The prison physician certifies that Cheneworth's health is very poor, and if kept in confinement much longer his case will develop into incurable consumption.

[NOTE.—I am informed the prisoner died not long after his release.]

ERICK HANSON. Conditional. October 14, 1882. Committed to the Additional Penitentiary October 4, 1880, under sentence of the District Court of Fayette county, for the term of three years, for the crime of forgery.

I am convinced that all the ends of punishment have been reached in this case, and there is no need of further punishment. Hanson was confined in jail six months before his conviction.

LIMERICK B. BALL. Conditional. October 1882. Committed to the Penitentiary of the State October 4, 1875, under sentence of the District Court of Jasper county, for fifteen years, for the crime of murder in the second degree.

This man has already suffered a severe punishment, and in view of his depressed physical condition and constant suffering, I agree with Senator Meyer and Representatives Tool and Dotson, that for humane reasons he should be released.

WILLIAM B. HUGHES. Conditional. November 3, 1882. Sentenced to the Additional Penitentiary by the district court of Scott

county for the term of eighteen months, for the crime of assault with intent to rob.

It was represented to me that at the time of this man's sentence his health was in such a condition that confinement in prison would endanger his life. Since his release he has received the best of care and medical attendance, but his health has remained poor; and he is now in a very dangerous condition. I do not think he could have long survived imprisonment.

CHARLES O'NEIL. Conditional. November 20, 1882. Committed to the Penitentiary of the State January 24, 1867, under sentence of the district court of Linn county, for life, for the crime of murder in the second degree.

This man has been confined nearly fifteen years, and his health is so worn away that he is kept almost constantly in the hospital, and, as the physician says, is an object of pity. In my judgment further punishment can accomplish no good in his case.

WILLIAM DAILEY. Conditional. November 21, 1882. Committed to the Penitentiary of the State July 2, 1879, under sentence of the district court of Poweshiek county, for the term of six years, for the crime of burglary.

The prisoner was but sixteen years of age at the time of his sentence. He was the dupe of others; and I think three years of punishment sufficient in his case. Pardon asked by a large number of citizens.

R. H. GIFFORD. Conditional. November 23, 1882. Committed to the Penitentiary of the State November 4, 1880, under sentence of the district court of Des Moines county, for the term of five years, for the crime of burglary.

At the time this man was sentenced his health was very poor, and he has since been gradually failing. The warden and physician both state that he now appears to be in the last stages of confirmed consumption, with no hope of recovery. Judge Stutsman, who sentenced him, who is conversant with the facts as they now exist, strongly recommends an unconditional pardon. Earnest appeals are made in his behalf by Hon. Jno. N. Irwin, Hon. S. M. Clark and Hon. H. W. Rothert.

WILLIAM NOEL. Conditional. November 28, 1882. Committed to the Penitentiary of the State February 14, 1882, under sentence of

the district court of Cass county, for the term of one year, for the crime of forgery.

This man's term will expire in January, 1883. He was in jail four months previous to incarceration in the Penitentiary. He has a large family entirely dependent upon him for support; he promises thorough reformation, and bitterly repents his crime, which was done in order to procure necessaries for his family. I am induced to release him through consideration for those dependent upon him, that he may devote himself to their protection.

JAMES BRADY. Conditional. December 19, 1882. Committed to the Penitentiary of the State February 25, 1873, under sentence of the district court of Lee county, for the term of fifteen years, for the crime of murder in the second degree.

This man has served ten years for a crime committed in a drunken quarrel. I believe he has been sufficiently punished. In this, as in many other cases, the greater suffering has fallen upon the convict's wife and children.

HORRY WILLIAMS. Conditional. December 20, 1882. Committed to the Penitentiary of the State May 15, 1877, under sentence of the district court of Marion county, for the term of twenty-five years, for the crimes of murder in the second degree and burglary.

I believe that the killing in this case is shown by the evidence to be justifiable homicide. Pardon asked for by five hundred citizens of Marion county, and is granted on condition of future good behavior. The term of sentence imposed for the burglary has expired. There were mitigating circumstances in this case also, but perhaps none that would justify pardon.

JOHN BOWERS. Conditional. December 28, 1882. Committed to the Penitentiary of the State December 10, 1877, under sentence of the district court of Polk county for the term of fifteen years, for the crime of assault with intent to rape.

Since the conviction the prosecuting witness, in another case charging another person with another offense of the same character, has contradicted the testimony given in this case in a surprising manner. I can see no way to reconcile the discrepancies. The prisoner protested his innocence, and at the time of his sentence the prosecuting witness had not contradicted her testimony as she did afterward. Bowers has served five years, and in view of the doubts now

raised as to his guilt I think further punishment would be unjustifiable.

GEORGE WALKER. Conditional. December 28, 1882. Committed to the Additional Penitentiary July 3, 1880, under sentence of the district court of Johnson county for the term of three years for the crime of burglary.

In view of mitigating circumstances in this case I think the prisoner has been sufficiently punished, and that his release now will be a great encouragement to him to lead an upright life in the future, and will do no harm to society. This pardon shortens the prisoner's term less than three weeks.

ELLEN DAVENPORT. Conditional. January 3, 1883. Committed to the Additional Penitentiary June 1, 1881, under sentence of the district court of Dubuque county for the term of two years, for the crime of larceny.

Pardon granted on the recommendation of prison officials. I agree with them that no good can be gained by further punishment. The prisoner was less than eighteen years of age, and in view of her youth and promises of reformation I thought it best to remit the remainder of the punishment.

FRANK WOOD. Conditional. January 2, 1883. Committed to the Additional Penitentiary September 6, 1879, under sentence of the district court of Mitchell county for the term of four years, for the crime of larceny.

This man's time would have expired yesterday but for the fact that he lost twenty days by minor infractions of prison rules. There was much to mitigate these acts, and the warden recommends that he be released at once. Since the violations of the rules as charged against him his conduct has been exceptionally good. His mother is in very low health. Under these circumstances I have granted a conditional pardon, which has the effect of restoring nineteen days of good time.

E. S. CLAPPER. January 22, 1883. Sentenced to the Penitentiary of the State January 2, 1880, by the district court of Polk county, for the term of thirty days, under section 3915 of the Code.

Pardon asked by District Attorney Conner, D. O. Finch, Galusha Parsons, Josiah Given, J. S. Runnells, T. S. Wright, and many others. After investigation I agree with the statement of Seward Smith, Esq., that there is no evidence of criminal intent in this case and

that the defendant was convicted upon a naked technicality, and the existence of the technicality as a fact of the case is in doubt.

SAMUEL O. KING. Conditional. January 25, 1883. Committed to the Additional Penitentiary October 11, 1875, under sentence of the district court of Benton county, for the term of ten years, for the crime of assault with intent to commit murder.

During the last four years this man has done extra work to the amount of four hours per day, and his conduct has been in all respects exemplary. He has been in prison nearly nine years (including diminution) and I am satisfied all the ends of the law have been attained in his case. His aged mother is in poor circumstances and urgently needs his assistance for her support.

GEORGE WATSON. Conditional. January 25, 1883. Committed to the Penitentiary of the State January 22, 1879, under sentence of the district court of Des Moines county, for the term of six years, for the crime of burglary.

Judge Stutsman, who sentenced this man, recommended his release, thinking he has been sufficiently punished. The prison physician certifies that Watson's health is very poor, being afflicted with Bright's disease, and that as he cannot be properly treated in the prison it will endanger his life to keep him there longer.

HARVEY D. NEWMAN. Conditional. February 8, 1883. Sentenced to the Penitentiary of the State by the district court of Wapello county February 3, 1883, for the term of six months, for the crime of forgery.

The guilt of this case was largely that of ignorance, and while the sentence was entirely proper, I think it was made so by the technical requirements of the law, and that in this case the trial and conviction are sufficient punishment.

WILLIAM HENNESSY. Conditional. March 5, 1883. Committed to the Additional Penitentiary May 28, 1880, under sentence of the district court of Allamakee county, for the term of twenty years, for the crime of arson.

This pardon is granted on the earnest solicitation and recommendation of Hon. E. E. Cooley, trial judge, who, from information obtained by him since the trial and conviction, expresses great doubt of the guilt of the prisoner. Also the memorial of the city council of Decorah urging executive clemency, also the recommendation of indi-



vidual members of the jury before whom the case was tried, and numerous signed petitions from the citizens of Allamakee county expressing a belief in the innocence of the prisoner, and that the conviction was based upon testimony which after trial was found to be unreliable.

**SAMUEL WELLS.** Conditional. March 20, 1883. Committed to the Additional Penitentiary October 7, 1881, under sentence of the district court of Fayette county, for the term of two years for the crime of burglary.

I have shortened this man's time a few months believing that he will then gain his freedom under conditions that will insure good conduct hereafter. His wife and children are in urgent need of his help.

**WILLIAM YARTON.** Conditional. March 20, 1883. Committed to the Additional Penitentiary May 1, 1879, from Linn county, for the term of five years, for the crime of larceny.

Counting this man's good time his term will expire in a few months. This is one of the cases where I think it better for the prisoner and for society that he be released under a conditional pardon than by an absolute discharge.

**H. L. BOTTUM.** Conditional. March 28, 1883. Committed to the Additional Penitentiary July 3, 1882, from Jackson county, for the term of two years, for the crime of perjury.

On account of the distress of this man's family, and on the recommendation of Judge Walter I. Hayes and District Attorney Benson, the sentence has been commuted.

**D. C. WHEELER.** Conditional. April 2, 1883. Committed to the Additional Penitentiary October 9, 1882, from Cherokee county, for the term of one year for the crime of forgery.

The crime was caused more by unfortunate circumstances than real criminal intent. Pardon favored by Judge Lewis and nearly all the grand and petit jurors.

**A. J. BRIGHAM.** Conditional. April 9, 1883. Committed to the Additional Penitentiary May 13, 1880, from Cedar county, for the term of two and one-half years for the crime of burglary and larceny.

This man's term reduced by allowance of good time will expire in a little over two months. Pardon is allowed him because of previous

good reputation, the needs of his family, and the advantage of releasing him under conditions to insure future good conduct.

**DAVID McCURDY.** Conditional. April 14, 1883. Committed to the Penitentiary of the State November 7, 1879, from Marshall county, for the term of five years, for the crime of burglary.

I think this man has been sufficiently punished and that it is best to grant him conditional release.

**J. F. MILLER.** Conditional. April 14, 1883. Committed to the Penitentiary of the State April 21, 1882, from Poweshiek county, for the term of two years, for the crime of perjury.

The conviction of this man was the result of a neighborhood quarrel. It is represented by many prominent citizens of Poweshiek county that while he may have been technically guilty of the crime charged, the act was committed through ignorance, and was not a willful violation of law. In view of the extreme destitution of his wife and large family of small children, who depend entirely upon him for their support, and upon the earnest solicitation of many of the prominent citizens of Poweshiek county, this pardon is granted upon condition that his conduct hereafter shall be such as becomes an honest and law-abiding citizen.

**JAMES CONNERS.** Conditional. April 16, 1883. Committed to the Penitentiary of the State December 17, 1881, from Union county, for the term of two years, for the crime of breaking and entering.

In this case four parties, including Connors, were indicted for car breaking, and one of the number broke jail and escaped. In order to convict Connors the State had to rely upon testimony of the two other accomplices. As I understand it the leader of the party was one Castelle, who escaped as above mentioned. Connors has now served, including his good time, nearly three-fourths of his full term of imprisonment. It is shown me that if discharged he can immediately procure employment by the railway company at Creston. His discharge is asked for by a large number of citizens, and believing that justice has been fully satisfied in his case and that his discharge now will result in his betterment I have ordered his discharge.

**WILLIAM MILLER.** Conditional. April 18, 1883. Committed to the Penitentiary of the State April 17, 1882, from Montgomery county, for the term of two years, for the crime of breaking and entering.

This man was guilty of entering a sleeping room in the day time and carrying away a coat. It is represented to me that previous to this offense he had always maintained an excellent character and is most respectably connected. Having now served over one-half of his term I am convinced that justice has been fully satisfied in his case.

ALBERT LANG. Conditional. April 18, 1883. Committed to the Penitentiary of the State October 2, 1881, from Davis county, for the term of three years, for the crime of burglary.

This boy with another lad of about his age, was detected in breaking into a store and stealing some small articles, such as pocket-knives. Because thereof was convicted and sent to the penitentiary. The other lad was never prosecuted for his offense, although there is no question he was equally guilty with Lang. His pardon is asked for by large numbers of business men of the city of Bloomfield, where the offense was committed, who are thoroughly conversant with the boy's history, who insist to me that his widowed mother who is possessed of very limited means indeed, really needs his assistance. He has already served one-half his term in the penitentiary, and I am convinced from what I know of the case that his discharge would result in his own betterment and give his aged mother the assistance which she so much needs.

T. LAWRENCE BRICE. Conditional. April 18, 1883. Committed to the Penitentiary of the State March 21, 1876, from Clinton county for the term of twenty years for the crime of rape.

A very thorough examination into the facts of this case developed since the conviction of the defendant, satisfies me that the sentence was of unusual severity. It is indeed a matter of gravest doubt as to the commission of the offense at all. This view is sustained by the trial judge, Hon. Walter I. Hayes, who strongly urged the pardon of the defendant, and by the district attorney, who recommended the exercise of this power. Large numbers of the best citizens of Clinton county also unite therein. The offense charged is of so grave a character that only the strongest extenuating circumstances and doubts would or ought to induce any interference, but after a rigid examination into the case I am convinced the defendant has been sufficiently punished.

E. J. MCGOWAN. Conditional. April 23, 1883. Sentenced by the district court of Carroll county, at the November term, 1881, to

the Penitentiary of the State for the term of one year, for the crime of seduction.

Defendant appealed the case, and no actual commitment has been made. The pardon is granted on the recommendation of the trial judge, who observes that evidence discovered since the conviction and not attainable theretofore, raises most serious doubts of the previous chastity of the prosecutrix, without which conviction would be impossible. Under our statute, singularly enough, while newly-discovered evidence is good ground for a new trial in a civil action, it is not allowable in a criminal proceeding, and therefore the judge was powerless to grant a new trial. The pardon is also recommended by nearly all of the trial jurors and by a large number of the most respectable people of the immediate vicinity where the alleged offense was committed. On the whole case I think the defendant ought not to be committed.

OLE O. RUSSELL. Conditional. April 27, 1883. Committed to the Penitentiary of the State February 7, 1882, from Story county, for the term of three and one half years, for the crime of forgery.

This pardon is granted upon the very urgent recommendation of the warden, supported by that of the prison physician and chaplain. He is a Norwegian and a married man, and this was his first offense. Great mental depression took possession of him immediately upon his incarceration fourteen months ago, which has resulted in total prostration and which the physician insists may prove fatal in a very short time. Believing that his punishment has been already severe, I have consented to his discharge.

GENERAL HOUSTAN. Conditional. May 1, 1883. Committed to the Penitentiary of the State September 11, 1876, from Muscatine county, for the term of twenty-five years, for the crime of murder in the second degree.

On the 24th day of October, 1881, Governor Gear commuted the sentence to eight years, and thereunder his term would expire on the 26th of the present month. He has behaved well since incarceration and in view of his good record I deem it wise to discharge him.

SYLVESTER BOWDER. Conditional. June 27, 1883. Committed to the Additional Penitentiary December 2, 1882, from Buchanan county, for the term of eight months, for the crime of larceny.

This pardon is granted on the earnest solicitation of Hon. John S.

Stacy, of Anamosa, Iowa, who insists, on an examination of the whole record that the prisoner has been sufficiently punished for this first offense. His conduct since incarceration has been excellent, as certified by the warden, and as but twenty days more would complete his term of imprisonment I am of opinion he ought to be discharged.

DAYTON LEWIS. Conditional. June 20, 1883. Committed to the Penitentiary of the State December 3, 1881, from Polk county, for the term of two and one half years, for the crime of uttering a forged bank check.

This pardon is granted upon the petition of a large number of the most prominent citizens of Polk county, including county officers and members of the General Assembly. Also the earnest recommendation of Hon. Wm. Connor, who was district attorney at the time of conviction. He has served nearly his full term, and this action reduces his term of imprisonment but six months. From information I have received from persons familiar with the facts in the case, I believe he has been sufficiently punished.

CHARLES AHRENS. Conditional. July 3, 1883. Committed to the Penitentiary of the State January 15, 1877, from Clinton county for the term of ten years for the crime of larceny.

This boy was convicted when sixteen years of age, and has now served over six years. The prison officials think him thoroughly reformed. His health is poor, and he will suffer greatly by any longer confinement. A clergyman has arranged to take him into his family, and adopt him as a son after his discharge. All the ends of punishment seem to be reached in this case, and he is granted a conditional release.

JAMES P. HOWLAND. Conditional. July 9, 1883. Committed to the Additional Penitentiary May 20, 1878, from Scott county, for the term of ten years for the crime of burglary. January 11, 1879, he was transferred to the Penitentiary of the State, at Ft. Madison.

The prison physician certifies that the prisoner has heart disease in a bad form, and it is constantly growing worse. He is released for humane reasons.

TED O. LACY. Conditional. July 10, 1883. Committed to the Additional Penitentiary May 1, 1879, from Linn county, for the term of seven years, for the crime of burglary.

The prisoner's conduct in the penitentiary has been very good, and he gives every indication of reformation. A conditional pardon will test his sincerity, and give him a full release from punishment only by reason of future good conduct.

HENRY DURSTON. Conditional. July 27, 1883. Committed to the Additional Penitentiary March 21, 1879, from Buchanan county, for the term of ten years for the crime of forgery.

On the 20th day of December, 1880, the sentence of the court was commuted by Governor Gear to the term of six years.

In jail and in the penitentiary this man has served five and one half years. Sufficient punishment to justify his conditional release.

THOMAS HOOD. Conditional. July 28, 1883. Committed to the Additional Penitentiary May 19, 1882, from Jones county, for the term of one and one half years for the crime of adultery.

The defendant and the woman Woodyard were indicted for adultery. They plead guilty and were sentenced—the defendant to eighteen months in the penitentiary, and the woman to ten days in the county jail. The woman was married, but had separated from her husband, and sometime in 1882, was married to defendant Hood. She claimed she did not know she was doing wrong, and, from evidence submitted to me, I am satisfied that defendant Hood did not know of the fact that she was a married woman. The petition for his discharge is signed by a large portion of the most respectable citizens of Jones county, and by nearly all the county officers and practicing attorneys. The sentence, I think, in his case was too severe upon the facts shown. The more guilty one escaped with but ten days in the county jail.

ALEX. McMANUS. Conditional. August 14, 1883. Committed to the Additional Penitentiary December 24, 1881, from Jones county, for the term of five years, for the crime of larceny.

This man was convicted of the larceny of an overcoat. His conduct theretofore, so far as I have been able to learn, was exemplary, and he has always had the reputation of being an honest man. He has a family dependent upon him, and they are in destitute circumstances. Under all the circumstances of the case, I think the sentence was too severe. His conduct in prison has been the very best, and I believe he has thoroughly repented of the offense committed, and in the future will lead an industrious and blameless life.

HATTIE DILLON. Conditional. August 21, 1883. Committed to the Additional Penitentiary July 3, 1882, from Marshall county, for the term of two years, for the crime of stealing from the person.

Discharged on condition that she return to her parents, and lead an upright life hereafter.

EUGENE BALDWIN. Conditional. August 21, 1883. Committed to the Additional Penitentiary February 17, 1883, from Cherokee county, for the term of one year, for the crime of larceny by selling mortgaged property.

I think the sale of the mortgaged property in this case was largely the result of the prisoner's youth and ignorance of business. At any rate he has been punished enough, and the condition of his family demands a release.

CHARLES REILLEY. Conditional. October 2, 1883. Committed to the Additional Penitentiary May 19, 1882, from Jones county, for the term of two years, for the crime of burglary.

This is a case where a young man of previous good reputation fell into bad company, and as the result of a drunken spree found himself convicted of crime. I agree with Representative Lathrop that the prisoner has been sufficiently punished and there is no call for further punishment.

WILLIAM G. MARLEY. Conditional. November 13, 1883. Committed to the Additional Penitentiary April 3, 1882, from Woodbury county, for the term of two years, for the crime of horse stealing.

Term shortened a few weeks as an encouragement to the prisoner, and in order to put him under conditions for future good conduct.

WILLIAM ARNOLD. Conditional. December 3, 1883. Committed to the Additional Penitentiary December, 1882, from Woodbury county, for the term of fifteen months, for the crime of grand larceny.

I agree with the petitioners in this case that the prisoner has been sufficiently punished and the condition of his family demands his release.

MARTIN MESHEK. Conditional. December 27, 1883. Committed to the Additional Penitentiary Oct. 27, 1879, from Benton county, for the term of ten years, for the crime of murder in the second degree.

The testimony shows the crime was committed under great provocation, and I think the prisoner has been sufficiently punished. Pardon conditioned on good behavior.

JOHN FOSTER. Conditional. January 2, 1884. Committed to the Additional Penitentiary May 1, 1879, from Linn county, for the term of seven years, for the crime of burglary.

Foster was the dupe of others in this crime. He has been pretty severely punished for the small part he took in the crime. Pardon recommended by the district attorney.

THOMAS TRAVIS. Conditional. January 3, 1884. Committed to the Penitentiary of the State September 29, 1881, from Wapello county, for the term of four years, for the crime of manslaughter.

This man's pardon is asked by nearly all the jurors who convicted him, by the county officers and a number of prominent citizens. Travis was a young man of excellent character, industrious, law-abiding and temperate. He committed this crime when in a state of intoxication for perhaps the first time in his life and when excited to frenzy by intoxicating liquor. I believe the ends of punishment have been reached in this case.

JOHN GREGG. Conditional. January 8, 1884. Committed to the Penitentiary of the State March 17, 1879, from Jefferson county, for the term of six and one half years, for the crime of larceny and abduction.

Term of sentence is reduced on account of poor health, and in the belief that if now released under conditions it will be found that he has been punished sufficiently to answer all the ends of justice.

#### SUSPENSIONS OF SENTENCE.

MICHAEL MADIGAN. Suspension. July 24, 1882. Under sentence from Polk county for ten years, for assault with intent to murder.

Sentence suspended for six months.

[NOTE.—The prisoner died soon after his return home.]

JOHN BRODERICK. Suspension. March 22, 1883. Committed to the Additional Penitentiary November 20, 1882, from Woodbury county, for the term of two and one-half years, for the crimes of burglary and larceny. Sentence suspended six months. Reasons ill health.

EDWARD KIMMELL. Suspension. April 19, 1883. Committed to the county jail of Polk county, under sentence of the Police court of Des Moines, for the term of thirty days, for intoxication.

Upon the recommendation of Judge Hillis before whom the case was tried, the execution of the sentence is suspended for six months from this date.

MARY A. RICKARD. Suspension. July 2, 1883. Committed to the county jail of Polk county, under sentence of the Police court of Des Moines June 30, 1883, for the term of sixty days, for the crime of disturbing the public quiet and using bad language.

It appearing from a statement of C. H. Rawson, M. D., after making a careful examination of the case that the prisoner was in very poor health and the execution of the sentence would be injurious to her health, and also a statement signed by many prominent citizens of Des Moines that they believed a full execution of the sentence would result in the insanity of the prisoner, I have ordered a suspension of the sentence for a period of three months.

SAMUEL HUGHES. Suspension. July 17, 1883. Committed to the Additional Penitentiary for the term of one year from Webster county on the 23d of November, 1881, for the crime of bigamy.

It appearing from a statement of Hon. J. A. O. Yeomans and others interested that an important civil action was pending in the court of Pocahontas county, in which the evidence of Hughes was necessary in insure justice to the parties interested, and his presence was wanted for that purpose, I have ordered a suspension of sentence for a period of thirty days.

THOMAS SCOTT. Suspension. August 2, 1883. Committed to the Penitentiary of the State, under sentence of the District court of Page county.

Granted because of the dangerous illness of the prisoner.

THOMAS FLAHERTY. Suspension. November 12, 1883. Committed to the Penitentiary of the State.

The Warden and physician represent that this man is in a dying condition. He expresses a strong desire to die outside of the prison walls. His brother, who lives near the prison, asks permission to take care of him. The prison officials urge a suspension of his sentence for ninety days which I have decided best to do.

SOPHIA GRAHAM. Suspension. December 4, 1882. Committed to the Additional Penitentiary July 3, 1882, from Marshall county, for the term of six years, for the crime of larceny.

This woman's husband was committed at the same time for same

offense, leaving two small children without any one to care for them. Sentence suspended for six months to enable her to care for her children through the winter.

#### COMMUTATIONS OF SENTENCE.

MICHAEL FLYNN. Commutation. March 3, 1883. Committed to the Penitentiary of the State February 17, 1877, from Lee county, for the term of twelve years, for the crime of murder in the second degree.

At the request of T. W. Newman by whom sentence was passed, Hon. D. N. Sprague then district-attorney, and many prominent citizens of Lee county, the sentence is commuted to seven and one-half years upon condition that said Michael Flynn shall hereafter entirely abstain from the use of intoxicating liquors of every kind and conduct himself as a peaceable and law-abiding citizen.

#### PARDONS FROM JAILS.

JONATHAN CORBAN. Feb. 11, 1882. Committed to the Wapello county jail August, 1881, for the term of six months for the crime of larceny of less than twenty dollars.

Term will expire in less than one month, and altogether he has been in jail nearly one year. This I consider sufficient punishment for the larceny of less than twenty dollars. Considering his good conduct and poor health I have granted a pardon which has the effect of shortening his imprisonment a little over three weeks. Pardon recommended by Judge Burton, who sentenced him, and by District Attorney Townsend.

HENRY KIME. February 25, 1882. Committed to the county jail of Polk county under sentence of the Police Judge of Des Moines City on the 20th of February, 1882, for the term of twenty days, for crime of assault and battery.

Pardoned after five days imprisonment, on the recommendation of Police Judge Hillis, who sentenced [him, to enable him to see his father, who is reported to be dying at Keokuk, the conditions being that Kime will go to visit his father at once, and also that he will hereafter refrain from intoxicating liquors.

**WILLIAM FROAH.** March 7, 1882. Committed to the county jail of Polk county February 16, 1882, by order of Police Judge Hillis, of Des Moines City, for the term of thirty days, for the crime of petit larceny.

Two-thirds of the sentence has expired, and as his mother is in circumstances of great destitution, he is pardoned on condition of future good behavior. Pardon recommended by Police Judge Hillis.

**GEORGE SYLVESTER.** May 20, 1882. Committed to the Keokuk county jail under sentence of the District Court of the county of Keokuk April 13, 1882, for the term of three months, for the crime of bribery.

Pardon strongly recommended by Special District Attorney Geo. D. Woodin (who prosecuted the case), who now believes he was only technically guilty, and meant no wrong. He has a large family who need his labor; and many of the prominent citizens of Sigourney ask his pardon. Pardon also recommended by the jury by whom he was convicted, who commended the defendant to the mercy of the court. Pardon granted on these representations, conditioned on future good behavior.

**R. O. SIMMONS.** August 5, 1882. Committed to the Polk county jail by Police Judge Hillis, of Des Moines City, for the term of three days for intoxication.

Since being imprisoned Simmons has been injured, and his physician, Dr. R. A. Patchen, states that there is great danger of erysipelas if he is kept in the jail. Pardoned for this reason.

**EVA S. LLOYD.** Conditional. August 21, 1882. Committed to the Polk county jail August 7, 1882, by the police court of Des Moines, for the term of thirty days for intoxication.

This young woman has served half her sentence, and in my judgment has been sufficiently punished. There are strong assurances that if released she will endeavor to lead an upright life hereafter. Pardoned on condition of good behavior.

**MILLARD TRACY, ANDREW LEE and WILLIAM BRUMWELL.** October 9, 1882. Defendants jointly indicted, tried, and on the fifth day of April, 1879, sentenced for assault to commit murder, by the District Court of Benton county, as follows: Tracy one year, Lee six months, and Brumwell three months.

Governor Gear suspended sentence in these cases for one year. It

appears that the defendants were men of previous good character; that the prosecuting witnesses barely escaped impeachment; that there is doubt as to the identity of the defendants as the persons guilty of the crime; and that in any event the assault was committed under circumstances of great provocation.

**CHARLES BABO.** October 11, 1882. Committed to the county jail of Polk county October 5, 1882, by the police court of the City of Des Moines, for the term of fifteen days for vagrancy.

Babo is a boy about sixteen years of age, and lives in Story county. His father died a few weeks ago, and the boy came to Des Moines, where he was unacquainted, without any express purpose in view. He was found wandering about the city in an aimless way, but was not in bad company, nor engaged in any questionable conduct. At the time of his arrest as a vagrant he had money in his possession. I can see no justification for his imprisonment, and have accordingly ordered his discharge.

**H. LAYTON.** Conditional. March 25, 1883. Committed to the Mahaska county jail under sentence of the District Court of Mahaska county, December 16, 1882, for the term of four months, for the crime of resisting an officer.

Owing to the mitigating circumstances in this case, and the previous good character of the prisoner, I think his punishment should be shortened.

**JOSEPH MORFORD.** Conditional. June 5, 1883. Committed to the county jail of Adair county, under sentence of the district court of said county, March 21, 1883, for the term of six months, for the crime of assault with intent to commit great bodily injury.

This pardon is granted on petition of a large number of the best citizens of Adair county, who believe the prisoner has been sufficiently punished, the circumstances which induced the offense being considered, and upon the affidavits of the sheriff and a reputable physician of the county that the prisoner is in a very critical state of health, and suffering greatly because of his incarceration, and further imprisonment would result in serious permanent injury.

**CHARLES RICKARD.** Conditional. July 20, 1883. Committed to the county jail of Polk county June 29, 1883, under sentence of the police court of Des Moines, for the term of thirty days, for the crime of intoxication. Released on recommendation of police judge.

MARY SUNSHAW. Conditional. July 28, 1883. Committed to the Polk county jail July 25, 1883, by the police court of the city of Des Moines, for the term of one year, for the crime of vagrancy.

A conditional pardon in this case will answer all the purposes of a bond for good behavior.

ELLEN MURPHY. Conditional. August 4, 1883. Committed to the county jail of Polk county July 21, 1883, under sentence of the police court of Des Moines, for the term of one year, for the crime of vagrancy, in default of giving bond in amount of \$200 for good behavior.

Pardon recommended by Judge Hillis, police judge, and the prisoner's mother, who asks her release that she may take her to her home in Missouri. And pardon is granted upon the following conditions, which were agreed to by the prisoner, viz: that she shall absolutely abstain from the use of all kinds of intoxicating liquors; that she shall demean herself as an honest law-abiding person; and immediately upon her release shall remove from the State.

AMANDA PALMER. Conditional. August 13, 1883. Committed to the county jail of Polk county under sentence of the police court of the city of Des Moines, July 20, 1883, for the crime of vagrancy, for the term of one year, in default of bond for good behavior.

Discharged on condition that she will return to her parents and lead an upright life hereafter.

BESSIE RIVERS. Conditional. August 13, 1883. Committed to the Polk county jail July 20, 1883, under sentence of the police court of the city of Des Moines, for the crime of vagrancy, for the term of one year, in default of bond for good behavior.

Discharged on condition that she will return to her parents and lead an upright life hereafter.

NELLIE MARTIN. Conditional. August 13, 1883. Committed to the Polk county jail July 20, 1883, under sentence of the police court of the city of Des Moines, for the crime of vagrancy, for the term of one year, in default of bond for good behavior.

Discharged on condition that she will return to her parents and lead an upright life hereafter.

WILLIAM SMITH. Conditional. August 20, 1883. Committed to the city jail of Des Moines city, by order of the police court, for the

term of seven days, August 14, 1883, for disturbing the public quiet and intoxication.

Released by request of Judge Hillis, police judge, by whom he was sentenced.

WALTER B. COX. Conditional. December 3, 1883. Committed to the county jail of Polk county, November 26, 1883, by the police court of the city of Des Moines for the term of twenty days, for the crime of assault and battery.

In relation to this case police judge W. C. Hillis, before whom the case was tried, says: "Since his conviction I am of the opinion that his is a case where executive clemency can properly be extended; therefore recommend his pardon." Chief Police Hafner and City Solicitor Kavanagh concurring. Also a large number of his neighbors petition for his pardon. I have, therefore, this day ordered his release.

JOHN and MARVIN ROMYOUS and W. P. HENRY. Conditional. December 5, 1883. Committed to the county jail of Tama county March 1, 1883, under sentence of the district court of Tama county, for the term of one year, for the crime of burglary.

It seems to be the general sentiment in Tama county that these young men have been punished enough, and I agree with that opinion.

ALFRED MESERVEY. Conditional. December 17, 1883. Committed to the county jail of Iowa county, September 8, 1882, under sentence of the district court of Iowa county, for the term of six months, for the crime of resisting an officer.

There were mitigating circumstances in this case, but the ground of release is that the prisoner's mother is very ill, and the attending physician certifies that her grief over the imprisonment of her son is endangering her life.

#### PARDONS FROM REFORM SCHOOLS.

DAVID WORMAN. June 20, 1882. Sent to the reform school by the district court of Union county, under a conviction for larceny.

His parents are about to remove from the State, and wish to take the boy with them. Released on recommendation of the district judge, district attorney and a number of citizens.

**BURTON McDUFFIE.** August 8, 1882. Sent to reform school May 15, 1882, by order of the district court of Adams county, for the larceny of two dollars and a half.

Pardoned for the reason that the boy's parents are about to remove from the State, and wish to take him with them.

**MICHAEL McNAMARA.** August 10, 1882. Committed to the Reform School from Lee county February 24, 1880, for house-breaking.

Judge Stutsman, who passed sentence on this boy now recommends his release. I think the boy has been sufficiently punished. It appears also that his mother is in great need of his help in supporting the family. Pardoned on condition of good behavior hereafter.

**WILLIAM M. CURTIS.** September 3, 1882. Committed to the Reform School from Jones county October 14, 1878, for forgery and incorrigible behavior.

His conduct in the school has been good, and his release is recommended by the superintendent and by Hon. John McKean, the judge who sentenced him. The boy's father is about to remove from the State, and wishes to take his son with him.

**WILLIAM FLECKEY.** Conditional. December 21, 1882. Sentenced to the Reform School April 8, 1882, by the district court of Keokuk county, for being disorderly.

He has conducted himself exceedingly well, and his discharge being urged by his parents who need his services, and being strongly recommended by the principal citizens of his former home, and also the Secretary of State who knows the parties, I have ordered his release.

**JETTIE FINNESY.** January 3, 1883. Committed to the Reform School from Iowa county July 18, 1877, for larceny.

This boy's father is dead, his mother unable to support him; but his sister is anxious to take him with her to Colorado, where he will be given a new home. His conduct has been good in the Reform School, and the Superintendent favors his discharge.

**LEWIS DAHL.** January 3, 1883. Committed to the Reform School from Winneshiek county, April 19, 1880, for larceny.

This boy was virtually driven from home by his step-father and was forced to beg or steal. His mother has succeeded in finding a good home for him with a distant relative, and I think it best he should go there.

**FRANK DIETZ.** Conditional. March 23, 1883. Committed to Reform School August 29, 1882, by order of the circuit court of the county of Polk, for larceny.

This boy is in poor health, and constantly pining for his home. His parents are eager for his return, and I think it best he should be released.

**WILLIAM LAMBERT.** Conditional. April 2, 1883. Committed to the Reform School by order of the circuit court of Polk county for the crime of larceny.

This boy's father is a good citizen, and now is so situated that he can take better care of his son than formerly. I think the boy would be better off at home hereafter than in the Reform School.

**MARTIN LALLY.** Conditional. April 5, 1883. Committed to the Reform School from Lee county, by order of the circuit court, for the crime of larceny.

In my opinion this boy has been punished enough, and it is best to grant the petition of his parents for his return home.

**GEORGE CRICK.** Conditional. April 23, 1883. Committed to the Reform School by order of the circuit court of Iowa county April 18, 1878, for the crime of being disorderly and incorrigible.

This boy has been in the Reform School for five years. He is now seventeen years of age, has conducted himself properly during his stay there, and I believe is thoroughly reformed. He has now an opportunity to learn a good trade, and on the recommendation of Senator Ruple, Circuit Judge Hedge, and other prominent citizens of Marengo, I have directed his discharge.

**PETER JOHNSON.** Conditional. June 29, 1883. Committed to the Reform School April, 1878, by order of the circuit court of Marshall county, for the crime of larceny.

His release from the Reform School is ordered because it appears that the boy has really determined to do better, and his conduct at the school is unexceptionable, as evidenced by the report to me of Superintendent Miles, who says the boy would soon be discharged because of good behavior.

It is also shown that his parents are able to care for him in a proper and respectable manner and, believing it to be for the best interest of the boy, I have directed his discharge on the second day of July next.



REMISSIONS OF FINES AND FORFEITURES FOR BIENNIAL TERM ENDING JANUARY 15, 1884.

FINES.

March 20, 1882. SAMUEL CARROLL. Shelby county, 1880. Obstruction public highway. Amount of fine, \$10. Amount remitted \$10 on payment of costs.

April 27, 1882. CHARLES MERTON. Keokuk county 1879. Nuisance. Amount of fine, \$75. Amount remitted \$75, on payment of costs.

April 27, 1882. CHARLES MARTIN. Keokuk county, 1875. Nuisance. Amount of fine, \$50. Amount remitted \$50, on payment of costs.

June 30, 1882. CHARLES BRUNSDON. Polk county, 1877. Resisting an officer. Amount of fine, \$50. Amount remitted \$50, on payment of costs.

July 27, 1882. PROPERTY BELONGING TO MEDLEY, KOHL & KIEL, FRANK WALLACE AND R. N. SEYDEL. Jasper county, 1879. Judgment on appearance bond and lien on real estate. Payment of costs.

September 18, 1882. J. C. COWLES. Cerro Gordo county, 1874. Nuisance. Amount of fine, \$50. Amount remitted \$50, on payment of costs.

December 4, 1882. MARK EGAN. Polk county, 1882. Nuisance—keeping and selling liquor. Amount of fine, \$200. Amount remitted \$200, on payment of all costs.

December 28, 1882. ROBERT RUTHVEN. Clay county, 1881. Compounding a felony. Amount of fine, \$250. Amount remitted \$250, on payment of costs.

February 15, 1883. WILLIAM PROBASCO. Union county, 1877. Keeping a nuisance. Amount of fine, \$250. Amount remitted \$200, payment of costs and district attorney's fees.

March 14, 1883. JOHN STAHL. Poweshiek county, 1883. Keeping a gambling house. Amount of fine, \$50. Amount remitted \$50, on payment of costs.

March 22, 1883. A. S. HUGHES. Union county, 1882. Assault. Amount of \$150. Amount remitted \$150, on payment of costs.

April 17, 1883. HUGH BOGGS. Appanoose county, 1875. Nuisance. Amount of fine, \$120. Amount remitted \$120, on payment of costs.

April 17, 1883. JOHN BOGGS. Appanoose county, 1875. Nuisance. Amount of fine, \$25. Amount remitted \$25, on payment of all costs.

April 28, 1883. D. F. GIFFORD. Sac county, 1883. Illegal sale of intoxicating liquors. Amount of fine, \$25. Amount remitted \$25, on payment of costs.

April 28, 1883. S. O. BUMPUS. Dallas county, 1880. Uttering a forged note. Amount of fine \$100. Amount remitted \$100 on payment of costs. This fine was imposed in addition to a sentence to the Penitentiary for the term of eighteen months which has been fully served.

May 10, 1883. GEORGE OSBURN. Polk county, 1883. Assault and battery. Amount of fine \$100. Part of fine paid. Balance remitted on payment of costs.

June 5, 1883. J. W. KENNEDY. Davis county, 1882. Keeping a gambling-house. Amount of fine \$50. Amount remitted \$50. Conditioned on payment of all costs and that he shall not engage again in the business of keeping a saloon or a place for gambling. Remission strongly recommended by many prominent citizens of Bloomfield.

June 18, 1883. C. T. HORTON. Benton county, 1883. Violation of game law. Amount of fine \$50. Amount remitted \$50. Conditioned on payment of all costs. Recommended by all the board of supervisors and many citizens of Benton county.

July 18, 1883. GEORGE HENDERSON. Polk county, 1883. Assault and battery. Amount of fine \$100. Part of fine paid. Unsatisfied

part remitted. Conditioned on payment of costs. Abstainance from the use of intoxicating liquors and good conduct.

On account of violation of conditions, the remission of this fine was revoked on the 31st day of July, 1883, and the sheriff was ordered to arrest and return Henderson to jail until the completion of the sentence.

July 24, 1883. W. S. GLASE and JOHN ELLIS. Warren county, 1876. Running a threshing machine without boxing the tumbling rods. Amount of fine \$160. Amount remitted \$71. Conditioned on the payment of costs. Recommended by the entire board of supervisors.

October 16, 1883. GEORGE JOHNSON alias Young Patterson. City of Des Moines, 1883. Keeping a disorderly house. Amount of fine \$50. Amount remitted \$50. Conditioned on payment of all costs. Recommended by Judge W. C. Hillis who imposed the fine.

December 11, 1883. THOMAS MELROY, Polk county, 1882. Assault and battery. Amount of fine \$100. Amount remitted \$100. Conditioned on payment of all costs. Remission recommended by District Attorney Wilkinson and a large number of prominent citizens of Madison and Polk counties.

#### FORFEITURES.

December 4, 1882. MARY WELSH and WILLIAM LAMMIE, Mills county, 1881. Sureties on appearance bond of Charles Welch. Amount of forfeiture \$500. Amount remitted \$500. On payment of costs in full, including district attorney's fees.

December 5, 1882. JOHN HARLING and FRANK HUGHES, Johnson county, 1875. Sureties on appeal bond by Thomas Abrams. Amount of forfeiture \$100. Amount remitted \$100. On payment of costs in obtaining judgment.

March 6, 1883. JANE M. DAY and WILLIAM WOODARD, Clarke county, 1878. Forfeited bail bond. Amount of forfeiture \$500. Amount remitted \$500.

# REPORT

OF THE

# SECRETARY OF STATE

IN RELATION TO THE

CRIMINAL RETURNS OF THE STATE OF IOWA,

FOR THE YEARS 1882 AND 1883.

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J. A. T. HULL, Secretary of State.

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PRINTED BY ORDER OF THE GENERAL ASSEMBLY.

DES MOINES:  
GEO. E. ROBERTS, STATE PRINTER.  
1884.