

REPORT

BY THE

GOVERNOR OF IOWA,

OF

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

FROM FEBRUARY 27, 1890, TO JANUARY 20, 1892.

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1892.

STATE OF IOWA. }  
EXECUTIVE OFFICE. }  
DES MOINES, February 5, 1892. }

*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 20, 1892.

HORACE BOIES.



## PARDONS.

FRANK HAMILTON. Pardoned March 19, 1890, to take effect March 31, 1890. Sentenced to the penitentiary from Des Moines county, January 31, 1881, two terms of eight and six years for robbery and burglary. District Attorney Brennan asked for pardon on the ground that there is a question of Hamilton's guilt. Senator Dodge, Ex-Representative Culbertson, and Judge Stutsman, who tried defendant, favored a pardon, which after investigation of the facts was granted because of doubt as to defendant's guilt.

GEORGE L. MOORE. Pardoned April 24, 1890. Convicted in Winneshiek county of the crime of seduction and sentenced February 6, 1889, to the penitentiary for two years. The sentence was suspended by my predecessor sixty days. Affidavits tend to show that defendant was not guilty. The trial Judge and nine of the jurors recommend clemency and Judge L. O. Hatch, after examining the record says, "The jury should have been directed to return a verdict of not guilty." Pardoned because of doubt as to defendant's guilt.

WILLIAM CLARK. Pardoned May 3, 1890, to take effect May 5, 1890. Sentenced from Boone county for keeping house of ill-fame and committed November 8, 1889, to the penitentiary for one year. Evidence showed that defendant and his wife, old people, kept a small hotel which it was alleged has been resorted to for the purposes of prostitution. In my judgment the verdict was not supported by the evidence. The trial Judge recommended a pardon.

A. W. SEYMOUR. Pardoned May 15, to take effect May 17, 1890. Committed to the penitentiary for two years from Buena Vista county for forgery. Having earned all his good time and been an exemplary prisoner, the date of the expiration of his term would fall on Sunday, May 18, 1890. The prisoner desired to be released the day preceding so as to reach his family on Sunday, which request I granted.



AUGUST BORCHERT. Pardoned May 22, 1890. Committed to the penitentiary December 3, 1888, for two years on sentence from Scott county for forgery. The Warden stated his record was good. The Chaplain recommended a pardon. The sum forged was \$12.75. The prisoner's term was within three months of expiration. Pardoned because I thought his punishment sufficient.

HONORAH CURTIN. Pardoned May 23, 1890. Committed to the penitentiary for life May 23, 1883, from Allamakee county, for murder in the first degree. Granted on recommendation of the Twenty-third General Assembly, to which the case was referred.

MAGGIE STROUP. Pardoned May 24, 1890. Sentenced to the penitentiary May 28, 1889, for nine months from Polk county, for keeping a house of ill-fame. The defendant was tried jointly with Maggie Matrat, who was sentenced for two years. The trial Judge states that he had grave doubts at the trial as to Maggie Stroup's guilt. The latter has since married, has had a child born to her and is living a worthy life. The trial Judge recommended a pardon, which was granted on the facts above stated.

JOHN S. CRAIG. Pardoned May 29, 1890. Convicted in Henry county on nine out of thirteen counts in an indictment for selling beer and sentenced to pay a fine of \$2,700, and to be imprisoned in jail nine months. Prisoner had laid in jail five months. Pardoned and fine remitted because I believed sentence excessive and punishment sufficient.

RALPH TRUCKENMILLER. Pardoned May 29, 1890, to take effect May 31. Convicted in Black Hawk county for larceny and committed September 25, 1888, to penitentiary for two years. Having earned his good time the prisoner's term would expire June 4, 1890. He was a young man whose character before this offense and record in prison were good. His pardon reduced his sentence three days only.

MAGGIE MATRAT. Pardoned June 2, 1890. Convicted in Polk county of keeping a house of ill-fame and committed to the penitentiary May 30, 1889, for two years. Her pardon was asked by eighty-five citizens of Polk county, among them being the three District Judges, the County Attorney, and the Sheriff of said county. Her time in prison was reduced to one year which seemed to me sufficient under the circumstances in her case.

JEROME BARTLETT. Pardoned June 5, 1890. Convicted with two others in Winneshiek county of assault with intent to commit

rape, and committed to the penitentiary November 1, 1883, for ten years. I am thoroughly satisfied from a most patient examination of the facts in this case that neither of these defendants are guilty of the crime of which they were convicted and they were for that reason pardoned.

ARTHUR MCINTIRE. Pardoned June 5, 1890. Convicted in Winneshiek county of the crime of assault with intent to commit rape, and committed to the penitentiary April 4, 1884, for ten years. See Bartlett's case for reasons.

CHARLES WEDGEWOOD. Pardoned June 5, 1890. Convicted in Winneshiek county of the crime of assault with intent to commit rape, and committed to the penitentiary November 1, 1883, for eight years. See Bartlett's case for reasons.

JAMES A. OLIVER. Pardoned June 24, 1890, to take effect July 1, 1890. Convicted in the District Court of Linn county of manslaughter, and sentenced to the penitentiary November 22, 1887, for eight years. A petition from four hundred and fifty of his neighbors asking for his pardon, states that: "The killing by him, we honestly believe, was not intended; as he was a quiet, peaceable man." The Warden of the penitentiary states that the prisoner's conduct has been good and that he believes that Oliver is not a willful criminal. The Chaplain of the penitentiary states: "He is no criminal, and I can see no good reason why he should be kept here any longer." The killing complained of occurred in a controversy over the possession of a team, and I am satisfied was not intended. He was pardoned because I believed his punishment sufficient.

WILLIS (Mike) McDOWELL. Pardoned July 1, 1890, to take effect July 3, 1890. Convicted in Polk county of the crime of assault with intent to commit rape, and committed to the penitentiary January 2, 1886, for seven years. All of the trial jurors, the Prosecuting Attorney, and trial Judge unite in saying his sentence was too severe, and because of facts that have come to their knowledge since the trial some of them advise a pardon. The showing in this case convinces me that the least that can be said in the prisoner's behalf is that he should not be further punished.

JOHN CLARK. Pardoned July 7, 1890. Sentenced February 13, 1884, from Story county for twelve years for the crime of burglary. One Murphy, his co-defendant, was sentenced for the same offense and pardoned by my predecessor December 22, 1888.



Prisoner's pardon was recommended by city and county officials in Story county; by the trial Judge, Senator and Representative from his district, and was granted because I believe his sentence excessive.

**MORRIS MCCOY.** Pardoned July 11, 1890. Convicted in Wapello county of assault with intent to commit rape and committed to the penitentiary September 19, 1887, for five years. His pardon was asked for by eighty-five of his neighbors, who certify to his good character, by the mother and step-father of the girl on whom the assault is alleged to have been committed, by eight of the trial jurors and one of the Judges of the Court in which he was convicted. His punishment under the facts in this case seemed to me amply sufficient.

**PHILO J. COWAN.** Pardoned August 2, 1890, to take effect September 1, 1890. Convicted in Franklin county of embezzlement and committed March 13, 1888, to the penitentiary for four years, and sentenced to pay a fine of \$6,154.38. Cowan was Treasurer of Hardin county, and charged with embezzlement of its funds. He had been confined two and a half years. The prosecuting Attorney, trial Judge and seven of the trial jurors unite in the statement that his punishment has been sufficient. His defalcation had been in substance made good to the County by his bondsmen, who also asked for his pardon, which was granted because I believed he had been sufficiently punished. The fine was remitted September 23, 1890.

**LESLIE E. VANSANT.** Pardoned September 6, 1890, to take effect September 9, 1890. Sentenced from Webster county for embezzlement and committed to the penitentiary May 20, 1890, for four months. Allowing for good time earned his term would have expired September 10, 1890. His application for clemency was recommended by Pension Agent S. A. Marine, Chief Justice Jas. H. Rothrock, County Attorney Chas. H. Moore, Judge S. M. Weaver, the trial Judge, M. D. O'Connell and Rev. J. W. Paige, and was granted in the hope that it would aid the young man in recovering his lost standing among his neighbors due to this one mistake of his life.

**FRANK STERRETT.** Pardoned November 24, 1890. Convicted in Washington county, October, 1887, of manslaughter and sentenced to the penitentiary for two years, which judgment was on October 29, 1890, modified by the Supreme Court of the State and

the sentence reduced to three months imprisonment. Defendant was a young school boy and in an altercation with an older and stronger boy of the same school who assailed him and was endeavoring to chastise him, he drew a small toy pistol that he had in his pocket, which in the melee was discharged inflicting a fatal wound upon his assailant. Although technically guilty perhaps his act was more a mistake than a crime. His pardon was requested by many leading citizens, including several of the Judges of the Supreme Court before whom his case was heard on appeal, and was granted because I did not believe he deserved punishment.

**CHARLES RICHARDS.** Pardoned November 24, 1890. Convicted in Greene county of burglary and committed to the penitentiary May 3, 1890, for three years. Pardoned because of certificate of prison Physician that prisoner was suffering from lung disease which was being aggravated by confinement and would likely prove fatal, and on recommendation of Warden of prison.

**ISAAC D. PETERS.** Pardoned February 20, 1891. Convicted in Guthrie county of violating an injunction and sentenced to jail for three months. The facts are that defendant, a German seventy-three years of age, manufactured wine from fruits of his own raising, and sold the same after having been enjoined from selling intoxicating liquor. The trial Judge wrote that he did not believe defendant's act was a willful violation of the injunction but that it was done through ignorance. For this reason I granted the pardon asked for.

**ERNEST LACORE.** Pardoned April 18, 1891. Convicted in Story county of the crime of assault with intent to commit rape, and committed to the penitentiary March 8, 1890, for five years. This pardon is granted because it is established to my satisfaction by affidavits of the girl assaulted and her mother that the defendant was guilty of an assault and battery only.

**JULIUS VATTER.** Pardoned April 24, 1891. Convicted in Cedar county of arson and committed to the penitentiary for eighteen years on December 8, 1885. A long and patient investigation of the facts in this case satisfied my own mind beyond doubt of the entire innocence of defendant. He was for that reason pardoned after being confined more than six years.

**BENJAMIN STUEHMER.** Pardoned May 26, 1891. Convicted in Scott county of robbery and sentenced to the penitentiary January 12, 1891, for two years. This sentence was commuted January 28,



1891, to six months in jail. Granted on recommendation of the County Attorney who prosecuted the case and who now expresses a doubt of defendant's guilt.

**SAMUEL WILLIAMS.** Pardoned July 13, 1891. Convicted in Buchanan county of adultery and sentenced to the penitentiary October 21, 1889, for one year, which was stayed by the court. Granted on recommendation of the trial Judge before whom the defendant plead guilty, of the County Attorney who conducted the prosecution, and Sheriff and Clerk of the District Court of Buchanan county, supplemented by the earnest appeal of defendant's wife who was the prosecuting witness in the case.

**JOHN KLINGLER.** Pardoned August 13, 1891. Convicted in Johnson county of larceny, and committed to the penitentiary January 28, 1891, for two years. Granted on the recommendation of the trial Judge, and all of the jurors before whom he was tried, a number of whom now entertain a doubt as to the justice of his conviction.

**LOU FOLEY.** Pardoned November 23, 1891. Convicted in Polk county of embezzlement and sentenced to the penitentiary December 15, 1889, for one year. Granted on recommendation of the trial Judge and the Sheriff and because of newly discovered evidence which is sufficient to raise a reasonable doubt, at least, of defendant's guilt.

## COMMUTATIONS.

**WILLIAM D. HIGH.** Sentence commuted July 12, 1890. Sentenced February 13, 1890, for nine months to the county jail of Clinton county for assault with intent to commit great bodily injury. Commuted to imprisonment for five months on recommendation of County Attorney, Judge Hayes and other leading citizens.

**GEORGE MONTGOMERY.** Sentence commuted July 14, 1890. Convicted September 12, 1889, in Cedar county of forcible defilement and sentenced to the penitentiary for three years. Clemency was invoked by two hundred and forty-four citizens of Cedar, Clinton and Scott counties, including the father and mother of the girl whom it was claimed was defiled. Defendant was intoxicated when the alleged offense was committed. Trial Judge, County Attorney, Representatives in the Legislature and other leading citizens asked clemency. Sentence commuted to one year for these reasons.

**EDWARD McDONALD.** Sentence commuted July 14, 1890. Sentenced to the penitentiary February 20, 1890, from Guthrie county for assault with intent to commit rape, for two and one-half years. Defendant, who was a minor, was led into the crime committed by older persons. The County Attorney, all of the jurors and the trial Judge unite in a request for clemency, and the facts in the case, it seems to me, demand it. Sentence commuted to six months imprisonment in the penitentiary for these reasons.

**THOMAS HARSH.** Sentence commuted July 15, 1890. Sentenced October 10, 1889, from Dallas county, to the penitentiary for three years for robbery. Trial Judge, County Attorney, nine of the jurors, Representative from his district with others unite in asking clemency for defendant. Sentence commuted to imprisonment in the penitentiary for one year for these reasons.

**ALBERT GIBSON.** Sentence commuted July 15, 1890. Sentenced from Dallas county for robbery, October 17, 1889, for three years.



The Judge, County Attorney, and nine of the jurors recommend that his sentence be commuted to one year's imprisonment in the penitentiary, which it seems to me from the facts disclosed is a reasonable request and it is therefore granted.

**CHARLES E. HAYES.** Sentence commuted July 16, 1890. Convicted in Iowa county of forcible defilement, and committed to the penitentiary November 11, 1889, for two years. Clemency is asked by trial Judge, County Attorney, and a large number of citizens. The facts in this case, if they do not disprove the charge of force, are of a character to reduce the offense to the lowest grade of a crime of this character. For these reasons I commuted the sentence to one year in the penitentiary.

**FRED MUNCHRATH.** Sentence commuted July 18, 1890. Convicted in Woodbury county on September 30, 1887, of manslaughter, and sentenced to the penitentiary for four years. Defendant, with nine others, was indicted for the murder of Rev. Mr. Haddock, at Sioux City. He was the first one tried, was convicted of manslaughter and sentenced to the penitentiary for four years. His co-defendant, whom it was charged fired the shot that killed Mr. Haddock, was next tried and acquitted. Thereupon the Prosecuting Attorney dismissed the indictment against each of the other defendants. Munchrath was held responsible solely on the ground that he had entered into a conspiracy with his co-defendants to commit an assault and battery on deceased, and that in carrying this purpose into effect one of his co-conspirators had killed the deceased. It was not claimed that this was any part of the purpose of Munchrath, nor was he present when the murder was committed. The evidence clearly discloses that he was the least guilty of all who entered into the conspiracy, if one was in fact formed, and inasmuch as the case against his co-defendants was not strong enough to justify a trial, even after the principal defendant was acquitted, I could not believe that defendant deserved the severe sentence inflicted, and for this reason, as well as because of recommendations of great numbers of the most influential citizens of Sioux City, including the trial Judge, eleven of the jurors, the Sheriff of the county, Representative and Senator from his district, and many other officials of the State, I commuted his sentence to three months in the penitentiary. In this case a temporary suspension was granted March 15, 1890, until June 1, 1890, and a further suspension June 10, 1890, until July 16, 1890, to enable me to examine into the facts.

**HENRY NEWTON.** Sentence commuted July 28, 1890. Convicted in Fayette county of burglary and committed to the penitentiary November 23, 1889, for two and one-half years. Defendant was a boy 18 years of age who was led into the offense complained of by an older person. The presiding Judge recommended a commutation of his sentence which I think the facts justified. I therefore reduced the same to one year in the penitentiary.

**ANDREW BROWN.** Sentence commuted August 5, 1890. Convicted in Poweshiek county of murder in the second degree and committed to the penitentiary March 22, 1887, for the term of ten years. The crime in this case was the severe whipping of a boy from the effects of which he died. It was shown that one Cloe Robinson was chiefly responsible for the death. She was tried separately, convicted of manslaughter, and sentenced for three years in May, 1887. She was pardoned by my predecessor July 3, 1889. The trial Judge recommended a commutation of the sentence to five years which was granted.

**G. WOLMOTH.** Sentence commuted August 25, 1890. Convicted in Keokuk county on two indictments for burglary and larceny, and committed to the penitentiary December 20, 1881, for two terms of ten and five years. The defendant with two or three others, all young men or boys, broke into a bachelor's cabin in the day time while he was absent therefrom, and stole about \$24.00, and soon after into the cellar of a country store and stole six or seven dollars worth of goods. For these offenses he was tried, convicted on each indictment and sentenced as above. He had, including good time earned, served out his ten years sentence. I commuted the other to three months believing his punishment had been ample.

**JOHN C. BECK.** Sentence commuted October 3, 1890. Convicted in Madison county of seduction and committed to the penitentiary April 22, 1890, for fifteen months. All of the trial jurors recommend clemency on account of the youth of defendant and his previous good character. In this recommendation the trial Judge, Senator and Representative from his district and other prominent citizens unite. I commuted the sentence to six months in the penitentiary.

**EDWARD GILL.** Sentence commuted October 14, 1890. Convicted in Des Moines county on two indictments for assault with intent to commit murder, and committed to the penitentiary



November 22, 1887, for five and three years. Defendant, a young man of irreproachable character, was paying his addresses to a young lady. He found her at a public gathering in the company of another young man. Asked her to leave her escort and accompany him which she refused. He drew a revolver and wounded both her and her companion, but neither seriously. Was indicted, convicted and sentenced as above. The young lady in question was the most earnest of his friends in her appeals for clemency. She was joined in these by the trial Judge, city and county officials of the county from which he was sent, and Senator and Representative from his district, all of whom attribute his act to a fit of insane jealousy that partially at least rendered him irresponsible for his act. I commuted his sentence to three years for these reasons.

M. S. ISH. Sentence commuted October 17, 1890. Convicted in Sac county of manslaughter and committed to the penitentiary June 12, 1890, for eighteen months. In petitions signed by all the trial jurors, Senator Rich, Representative Horton, County Attorney Tait, county officers and many leading citizens, it was represented that at the time of the offense complained of defendant was laboring under great fear of bodily injury on account of threats by deceased. That he was a victim of fright and mistake. For these reasons I commuted his sentence to six months in the penitentiary.

PETER CONNELLY. Sentence commuted October 21, 1890. Convicted in Dubuque county of assault with intent to commit rape, and committed to the penitentiary October 9, 1886, for six years. The trial Judge, District Attorney, Senator from his district, and leading citizens ask for a commutation of defendant's sentence, on the ground that it was too severe. I commuted same to five years in the penitentiary.

SAMUEL SMITH. Sentence commuted October 23, 1890. Convicted in Poweshiek county of manslaughter, and committed to the penitentiary October 18, 1887, for five years. Six of the trial jurors and a large number of citizens petitioned for clemency. The facts show very strong mitigating circumstances in defendant's favor, and as I believed justified a commutation of his sentence to three years, which was done.

VICTOR NORDENSON. Sentence commuted October 29, 1890. Convicted in Polk county of robbery, and committed to the penitentiary December 9, 1889, for four years. Defendant was a mere

boy. His offense, the foolish act of a wholly inexperienced criminal, resulted in no harm to another, beyond that of fright, and in no gain to himself. Facts that came to the knowledge of the trial Judge, after sentence, convinced him that the punishment was too severe. At his request, and that of many citizens, I commuted his sentence to one year.

JOHN A. TIPTON. Sentence commuted November 7, 1890. Convicted in Marshall county of larceny, and committed to the penitentiary February 6, 1889, for three years. Defendant, a young man of previous good character, on his own plea of guilty, was convicted of larceny in taking money from the money drawer of an uncle, to which he had access. This uncle, with many others, including the Prosecuting Attorney, recommended clemency. I commuted his sentence to two years and one month.

FRANK P. TOLL. Sentence commuted November 8, 1890. Convicted in Clinton county of embezzlement, and committed to the penitentiary December 9, 1889, for eighteen months. This was the first offense of a young man of previous good character. County officials and many prominent citizens recommend clemency, believing such action will improve defendant's chances to become a good citizen. I commuted his sentence to one year and twenty-four days.

ROGER HOGAN. Sentence commuted November 14, 1890. Convicted in Muscatine county of assault with intent to commit great bodily injury, and committed to jail October 4, 1890, for five months. The County Attorney says the assault was attended with many aggravating circumstances, that his physical condition is poor, and that humanity as well as justice demands his release. Eleven of the jurors, all the county officers, Senator and Representative from his district, and many citizens, ask for his pardon. I commuted the sentence to imprisonment for forty-five days.

JOSEPH BOUER. Sentence commuted November 19, 1890. Convicted in Cedar county of larceny, and committed to the penitentiary February 20, 1889, for three years. The trial Judge, County Attorney, eleven of the jurors, and many citizens recommend clemency. I commuted his sentence to two years and ten days.

MARTIN F. KIRBY. Sentence commuted December 4, 1890. Convicted in Boone county of bigamy and committed to the penitentiary April 20, 1889, for two and one-half years. It is stated by petitioners that the defendant's mental condition at the time of



the offense was such that he was not wholly accountable for his actions. Members of the bar say this was his only offense and otherwise he was never accused of crime. The facts raise a reasonable doubt in my own mind as to whether defendant did not honestly believe he had a legal right to marry when the offense complained of was committed. His application was endorsed by the Representative from his district, Mayor of his city and leading citizens. I commuted his sentence to one year and ten months.

**JOHN BUTLER.** Sentence commuted December 15, 1890. Convicted in Lyon county of assault with intent to commit rape and committed to the penitentiary December 26, 1889, for three years. The defendant was induced by a young boy to go to the room of two servant girls in a hotel, being told the latter expected them. He was under the influence of liquor and when he entered the room tried to catch one of the girls who screamed and escaped. No farther force was used by him. The County Attorney and all the jurors recommend clemency. I commuted his sentence to one year.

**JOHN BOTTOMLY.** Sentence commuted January 10, 1891. Convicted in Monroe county of larceny and receiving stolen goods knowing them to be stolen and committed to the penitentiary May 9, 1889, for three years. Clemency was recommended by the County Attorney, several of the other county officers, the Senator from his district and citizens. Commuted to two years.

**THOMAS F. WINDOM.** Sentence commuted January 10, 1891. Convicted in Pottawattamie county of robbery and committed to the penitentiary January 1, 1890, for two years. Granted on recommendation of Judge H. E. Deemer, who tried the case, and of County Attorney J. P. Organ, who state that Windom pleaded guilty with the understanding that his term of sentence would be two years, and said term would have a credit of one year for the time he was confined in the county jail previous to the trial. I commuted the sentence to one year and fifteen days.

**WALTER E. TOWNE.** Sentence commuted January 24, 1891. Convicted in Adams County of burglary and committed to the penitentiary January 19, 1889, for four years. County Attorney John W. Bixby states that confederates convicted at the same time were sentenced to but two years, and recommends a reduction of the sentence to two and one-half years, as does Judge R. C. Henry, who tried the case. I commuted the sentence to two and one-half years.

**BENJAMIN STUEHMER.** Sentence commuted January 28, 1891. Convicted in Scott county of robbery and sentenced to the penitentiary January 12, 1891, for two years. Judge C. M. Waterman, who tried the case, thinks the defendant was only the tool of co-defendants and recommends that the sentence be reduced to six months in the county jail, and this is endorsed by County Attorney J. M. Stewart. The foreman of the grand jury also makes the same recommendation. I commuted the sentence to six months in jail.

**CHARLES S. JAYNE.** Sentence commuted February 11, 1891. Convicted in Iowa county of forcible defilement and committed to the penitentiary November 11, 1889, for eight years. The trial Judge, Prosecuting Attorney and Representative from his district unite in a request for clemency. Defendant was a young boy. The sentence was excessive. I commuted it to one and one-half years.

**SCOTT BRUTSCHE.** Sentence commuted February 19, 1891. Convicted in Guthrie county of assault with intent to commit rape and committed to the penitentiary February 20, 1890, for four years. The trial Judge, County Attorney and all the jurors recommend clemency, some of them expressing doubt at this time as to defendant's guilt. Sentence commuted to one year.

**HENRY HAYES.** Sentence commuted March 3, 1891. Convicted in Iowa county of perjury and committed to the penitentiary November 11, 1889, for four years. Trial Judge, Prosecuting Attorney and Representative from his district all unite in asking clemency. Sentence commuted to one year and eight months.

**JOEL BROOKS.** Sentence commuted March 14, 1891. Convicted in Van Buren county of burglary and committed on February 25, 1891, to jail for three months. The trial Judge, County Attorney and county officers of the county where the offense was committed all ask clemency for defendant. Sentence commuted to twenty days in jail.

**CORNELIUS O'BRIEN.** Sentence commuted March 24, 1891. Convicted in Mitchell county of manslaughter and committed to the penitentiary on February 1, 1891, for two years. Defendant, a school boy, engaged in an altercation with another boy of the same school who was afflicted with heart disease and who died from the effects of the excitement. The trial Judge recommends a reduction of the sentence. The County Attorney, county officers and



many citizens ask for pardon. Sentence commuted to three months.

IRA. W. ABERNATHY. Sentence commuted March 25, 1891. Convicted in Ringgold county of incest and committed to the penitentiary on December 6, 1891, for four years. The offense was committed with a step-daughter. Defendant is of weak mind. The trial Judge and Prosecuting Attorney and a large number of citizens recommend clemency. The facts indicate that defendant was not the only one to blame. Sentence commuted to one and one-half years.

NATHAN LENTZ. Sentence commuted April 2, 1891. To take effect April 13, 1891. Convicted in Keokuk county of murder in the second degree and committed to the penitentiary on December 16, 1884, for ten years. The facts in this case convince me defendant's crime was manslaughter the maximum punishment by imprisonment for which is eight years. The trial Judge, eleven of the jurors, the Senator and Representative from defendant's district all ask clemency for him. Sentence commuted to eight years.

MORRIS POLASKY. Sentence commuted April 28, 1891. Convicted in Dubuque county of obtaining money by false pretenses, and committed to the penitentiary on December 20, 1890, for six months. The defendant had been in jail since July 2, 1890; for this reason pardon was recommended by the trial Judge, who believed his punishment sufficient. I commuted his sentence to four months and twenty days.

N. H. MILLER. Sentence commuted May 6, 1891. Convicted in Cherokee county of adultery, and committed to the penitentiary on May 10, 1890, for two and one-half years. Defendant and his wife, both of whom were highly respectable and from good families, did not live happily together. Defendant obtained a divorce in Colorado, while living in Iowa, and married another woman. His divorce was afterwards held void. He was indicted and convicted of adultery. I am satisfied from a letter received from his wife that no reconciliation between them is possible, and it seemed to me imprisonment for one year in his case was sufficient. I commuted his sentence accordingly.

GEORGE J. ILIFF. Sentence commuted May 14, 1891. Convicted in Page county of assault with intent to do great bodily injury,

and committed to jail for a term of eight months. Certificates of three physicians state that further confinement in jail would prove injurious to the already enfeebled health of the defendant. The trial Judge, Sheriff and County Attorney all unite in asking clemency for defendant. Sentence commuted to four months in jail.

WILLIAM C. CADWELL. Sentence commuted May 15, 1881. Committed to the penitentiary February 18, 1890, from Harrison county for one and one-half years for the crime of fraudulent banking. Under the operation of the Good Time Law in force at the time of his commitment defendant would have been released June 2, 1891. The new law which took effect July 4, 1890, deprived him of twenty days. In order to give him advantage of the time lost through the operation of the law I commuted his sentence to one year, three months and eleven days.

STEPHEN FRANK. Sentence commuted June 12, 1891. Committed to the penitentiary November 26, 1888, for four years from Page county for assault with intent to commit murder. The crime of which defendant was convicted was committed while he was laboring under the greatest excitement. The County Attorney, Sheriff, Auditor, Treasurer, and Recorder of his county and a large number of citizens petitioned for his pardon. Commuted to three years and two months imprisonment.

ALBERT MOORE. Sentence commuted June 12, 1891. Convicted of larceny in Marion county and committed to the penitentiary May 31, 1890, for eighteen months. The crime was committed in the selling of mortgaged goods. Complainants write "he has settled the claim in full," and ask for his pardon in which request the trial Judge and County Attorney unite. Sentence commuted to one year and three months.

BENJAMIN KITE. Sentence commuted June 19, 1891. Convicted in Warren county of grand larceny and committed to the penitentiary January 21, 1889, for three and one-half years. Warden McMillan and August W. Hoffmeister, Prison Physician, jointly represented that the prisoner was affected with consumption, was failing rapidly on account of his confinement and could not long survive. They recommended that he be allowed to go home. Commuted to two years, eleven months and thirteen days.

CHARLES H. MURRAY. Sentence commuted August 16, 1891. Convicted in Clinton county of breaking and entering a railway



car with intent to steal, and committed to the penitentiary September 30, 1890, for two and one-half years. Pardon was recommended by trial Judge and County Attorney, who express the opinion that there is a reasonable doubt as to defendant's guilt. Sentence commuted to imprisonment for one year.

JOSEPH McNEIL. Sentence commuted August 18, 1891. Convicted in Clinton county of burglary and committed to the penitentiary November 13, 1890, for four years. Pardon was recommended by the County Attorney, prosecuting witness, State Senator and 56 citizens of Clinton, including several county officers, who express their belief that defendant was not guilty of the crime charged. Commuted to imprisonment for ten months.

SILAS MOODY. Sentence commuted September 1, 1891. Convicted of burglary in Clayton county and committed to the penitentiary September 24, 1889, for ten years. Hon. L. O. Hatch, presiding Judge, recommended pardon, feeling that the punishment was too severe. Because of this recommendation and the exceptionally good conduct record made by said Moody during his imprisonment I commuted sentence to imprisonment for nine years.

EDWARD TRAVIS. Sentence commuted September 22, 1891. Convicted of burglary in Fayette county and committed to the penitentiary June 20, 1890, for two and one-half years. Hon. Walt. H. Butler, Senator L. B. Mattoon, Hon. D. E. Baker, Mayor of Clermont, in which city the crime was committed, and other prominent citizens of Fayette county join in asking pardon. Commuted to imprisonment for one year and five months.

FRANK DELONG. Sentence commuted September 23, 1891. Convicted in Polk county of larceny and committed to the penitentiary February 19, 1891, for eighteen months. The trial Judge, County Attorney, and five of the trial jurors recommend pardon upon conditions imposed. The sentence was commuted to imprisonment for eight months, and is upon condition that he shall hereafter refrain from the use of intoxicating liquors, with other conditions.

CHARLES K. SCHREVES. Sentence commuted November 18, 1891. Convicted of manslaughter in Adair county and committed to the penitentiary January 28, 1891, for a term of three years. The trial Judge, all the trial jurors, the attorneys for the prosecution including present County Attorney, ask for defendant's pardon. The

facts disclose strong mitigating circumstances in defendant's favor. Sentence commuted to eleven months in the penitentiary.

WILLIAM E. GRAVES. Grundy county. Sentence of six months in the penitentiary for grand larceny. Commuted December 10, 1891, to two and one-half months on recommendation of trial Judge, County Attorney, officers of the Court and bar of Grundy county. Killed by accident in penitentiary the day papers reached there.

SYD BUTT. Ringgold county. Committed to the penitentiary May 1, 1890, for two years for forgery. Commuted December 14, 1891, to one year, ten months and fifteen days on recommendation of County Attorney, county officers and prosecuting witnesses.

#### REMISSIONS.

SAMUEL THOMPSON. May 13, 1890. Jasper county. Remitted judgment for \$100 and costs for forfeiture of bail bond for non-appearance of principal charged with larceny.

W. H. ROGAN. May 15, 1890. Guthrie county. Remitted fine of \$300 for liquor nuisance. Rogan was a druggist. Judgment suspended by my predecessor. Remitted by me to free property from lien. Recommended by trial Judge, County Attorney, other county officers, and Auditor of State. Costs paid.

CHARLES ZIMMERMAN. May 28, 1890. Marshall county. Remitted fine of \$450 and costs or imprisonment one hundred and twenty days for liquor nuisance. Recommended to relieve sureties on bond by County Attorney, Senator, Supervisor of county and others. Sales were original packages of beer.

JOHN McCUE. June 4, 1890. Montgomery county. Remitted fine of \$300 or imprisonment for one hundred days for liquor nuisance. Committed to jail March 14, 1890. Remission recommended by County Attorney, Sheriff, Clerk and other citizens of the county.

CHARLES W. HENRY. June 5, 1890. Harrison county. Remitted fine of \$500 and costs for liquor nuisance. Defendant was held responsible as landlord for the acts of a lessee. Recommended by eight of the jurors, who stated the offense was more technical



than real, by county officers, by Senator L. R. Bolter and Representative J. K. McGavren.

MRS. KATE KUHNER. June 6, 1890. Polk county. Remitted fine of \$400 and costs or imprisonment for one hundred and thirty-seven days for keeping a liquor nuisance. Defendant served her full sentence in jail, for which reason I remitted her fine.

MATHIAS KEASLING. June 6, 1890. Keokuk county. Remitted fine of \$300 and costs for assault with intent to inflict great bodily injury, on condition that defendant pay the costs and one-half the fine, which was recommended by the County Attorney.

LORENZ ILL. June 7, 1890. Remitted two fines of \$500 and costs each, imposed on two indictments for liquor nuisances. These fines were suspended by my predecessor on conditions that defendant fully complied with. They were remitted by me to enable defendant to dispose of some real estate.

GEORGE GAMM. June 7, 1890. Hancock county. Remitted fine of \$500 and costs for keeping a liquor nuisance. Defendant was a clerk in a hotel and with the proprietor was indicted for keeping a liquor nuisance in the hotel. Under the advice of others he plead guilty. The proprietor was tried and acquitted. Defendant's offense, if any, was that of selling liquor instead of maintaining a nuisance.

JOHN (Tole) KRULL. June 11, 1890. Hardin county. Remitted fine of \$150 and costs for keeping a liquor nuisance. Defendant paid \$86.90 of his fine and afterwards died. County Attorney and Board of Supervisors advised remission of remainder on payment of costs, which was done.

W. E. HILLIKER. June 11, 1890. Montgomery county. Remitted fine of \$300 for keeping a liquor nuisance. Hilliker kept a blacksmith shop and to oblige some young men took their money and with it purchased some beer for them which they drank in his shop. Under the advice of others for this act he plead guilty to keeping a liquor nuisance. In my opinion he was not guilty of that offense. In this case June 3, 1890, a temporary suspension until June 13, 1890, was granted to enable me to examine the facts.

HENRY BRANCH. June 11, 1890. Plymouth county. Remitted two fines of \$500 and costs each for keeping a liquor nuisance and violation of an injunction. This remission was granted on the recommendation of the trial Judge, County Attorney and other county officers and upon condition that the costs be paid.

EUGENE EILENBECKER. June 12, 1890. Plymouth county. Remitted two fines of \$500 and costs each for two violations of injunctions under the prohibitory law. It was stated that these offenses consisted of the selling of a very small quantity of beer. Recommended by Judges S. M. Ladd and C. H. Lewis, County Attorney P. Farrell, county officers, and many leading citizens. Granted on condition that the costs be first paid.

PETER MOLONEY. June 12, 1890. Wapello county. Remitted in part a fine of \$1,000 and costs for keeping a liquor nuisance. Recommended by Senator Ballingall, Representative J. J. Smith, county officers and many leading citizens. On the ground that the sentence was excessive I remitted \$700 on condition that the remainder and the costs be first paid. In this case March 15, 1890, a temporary suspension until June 18, 1890, was granted to enable me to examine the facts.

JOHN WRIGHT. June 13, 1890. Dallas county. Remitted fine of \$300 and costs for keeping a liquor nuisance. Wright kept a small candy store where he sold cider which after standing for a time became hard. For this he was indicted and tried. Sentence was suspended by my predecessor on conditions fully complied with and I remitted same on the recommendation of the County Attorney and citizens.

A. SIMPSON. June 13, 1890. Polk county. Remitted fine of \$50 and costs for selling intoxicating liquor. Simpson had removed from the state leaving no property. Granted on application of his sureties on condition that the costs be first paid.

JOHN MANDERSHIED. June 20, 1890. Plymouth county. Remitted two fines of \$500 and costs each for violation of two injunctions issued under the prohibitory law. It was stated that he was convicted on the testimony of two personal enemies for the alleged sale of three glasses of beer. Recommended by Judges S. M. Ladd and C. H. Lewis, County Attorney P. Farrell, Representative Wm. H. Dent and ex-Representative A. M. Duus, county officers and many citizens. Granted upon condition that the costs be paid. Also on December 11, 1890, remitted unpaid balance of fine of \$500 and costs for keeping a liquor nuisance. Defendant paid \$50 and costs on this judgment under an arrangement that the balance should be suspended if he quit the business. He afterward removed to Nebraska. Recommended by trial Judge, county officers and others.



WILLIAM DUNN AND HARRY SCHOFIELD, sureties on the bond of Joseph Quinn. Marshall county. Judgment for \$500 for non-appearance of principal, which was compromised for \$200 by Schofield. Remitted to clear the title of property of Dunn abandoned to mortgagee and since acquired by innocent holder.

JOHN A. AND GEORGE BOWMAN. July 8, 1890. Marshall county. Fines of \$3,000 and costs for the crimes of nuisance and violation of injunction under the prohibitory law. The facts of the case, as stated by W. W. Miller, County Attorney, are: After the decision of the United States Supreme Court, in the case of Bowman vs. C. & N. W. Ry. Co., the defendants commenced selling liquors, beer, etc., in original packages as imported from other states. They were indicted, tried and judgment entered against them therefor, as above. Afterwards it was held by the Supreme Court of the United States that such sales were legal, for which reason I remitted these fines.

FRANK ARENS. July 25, 1890. Sioux county. Remitted fine of \$300 and costs for keeping a liquor nuisance. Defendant paid \$100 and the costs, left the county and sold his property. County Attorney and county officers recommend remission of unpaid balance.

C. C. CHAPMAN. August 4, 1890. Ringgold county. Remitted fine of \$300 and costs for liquor nuisance. Recommended by trial Judge. Chapman has removed from the state and has no property. His bondsmen desired release. Granted upon condition that the costs be first paid.

HENRY WILLMERING. September 12, 1890. Louisa county. Remitted fine of \$75 and costs for violation of the prohibitory law. Defendant's wife was sick (afterwards became insane) and under medical treatment. He was advised to procure beer for her use. Ordered a case, but not needing all of it he let a neighbor have part. This was his offense. I remitted his fine on payment of costs.

R. R. ARNOLD. October 16, 1890. Wayne county. Remitted fine of \$300 and costs for violation of an injunction under the prohibitory law. Recommended by the trial Judge and County Attorney, who say the offense was technical only.

FRITZ RENTSCHLER. November 18, 1890. Woodbury county. Remitted fine of \$500 for violation of an injunction under the prohibitory law. Recommended by Representative Clarke, Senator

Lawrence, and several county officers, and granted upon condition that it may be revoked if defendant hereafter violates the prohibitory law. In this case fine was suspended during obedience to the prohibitory law, July 12, 1890, and afterwards remitted to perfect title to land.

WIEBE HARMS. November 24, 1890. Grundy county. Remitted fines of \$326 and costs for maintaining a liquor nuisance. Recommended by County Attorney and other county officers. Defendant has removed from the county and has no property. Granted on payment of costs.

JOHN MACHULA. November 26, 1890. Tama county. Remitted fine of \$400 and costs for keeping a liquor nuisance. Defendant was the agent of a brewer sent to collect pay for a quantity of beer shipped to a picnic. He had no interest in the beer nor the money paid therefor. Recommended by Speaker Hamilton, Mayor Snouffer of Cedar Rapids and many citizens. Granted on payment of costs.

A. HELLENGA. December 2, 1890. Sioux county. Remitted fine of \$400 and costs for keeping a liquor nuisance. Hellinga had died leaving minor children, the fine being a lien on their small property. Recommended by trial Judge, County Attorney and Representative from Sioux county. On this fine \$200 and the costs had been paid.

HENRY REESE. December 10, 1890. Cass county. Remitted fine of \$300 and costs for keeping a liquor nuisance. Reese and a number of friends, all German-Americans, had an orderly picnic on the former's farm. Beer was furnished by Reese as part of the refreshments and for which each participant in the picnic paid his share, Reese neither receiving nor expecting any profit. He alone of the participants was prosecuted. Recommended by county officers.

J. H. WILLIAMS. January 6, 1891. Black Hawk county. Remitted fines of \$350 for the crime of selling intoxicating liquor in violation of law and of keeping a nuisance. These judgments had been suspended by my predecessor on conditions complied with. Recommended by trial Judge and County Attorney.

N. BAKER. January 7, 1891. Wapello county. Remitted fine of \$300 and costs for keeping a liquor nuisance. On this judgment \$12.25 and the costs were paid. The balance was remitted



on condition that it might be revoked if defendant should there-after violate the prohibitory law.

NICK BRUCK. January 7, 1891. Buchanan county. Remitted fines of \$200 and costs each for four violations of the prohibitory law. Recommended by the trial Judge and County Attorney. The costs had been paid. Granted on condition that it may be revoked if defendant again violate the prohibitory law.

JOHN C. HENRY. January 9, 1891. Harrison county. Remitted fines of \$1 and costs for the crime of selling intoxicating liquors in violation of the law. Also six fines of \$500 each and costs and one of \$1,000 all imposed for keeping a liquor nuisance. Defendant was without means to pay any of these fines. Had laid in jail a long time. One had been suspended by my predecessor. Remission of all was recommended by the Senator and Representative from defendant's district, by county officers including County Attorney and Supervisors, and was granted for that reason and because the punishment seemed to me excessive.

A. H. EVANS. January 12, 1891. Marshall county. Remitted fine of \$300 for the crime of keeping a liquor nuisance. The defendant's employer was indicted with him but on separate trial acquitted. Evans afterwards died. Recommended by county officers and many leading citizens. Granted on condition that the cost be first paid.

CHARLES ARLEN. February 12, 1891. Clinton county. Remitted fine of \$500 for the crime of violating an injunction issued under the prohibitory law. Recommended by County Attorney A. R. McCoy, county officers and leading citizens, because since the fine was imposed Arlen had died leaving a family with little means for their support.

PETER HOMAN. February 13, 1891. Plymouth county. Remitted fine of \$500 and costs for the crime of keeping a liquor nuisance. Recommended by Judges F. R. Gaynor and C. H. Lewis, District Attorney S. M. Marsh and prominent citizens. On the judgment \$50 and the costs had been paid. This is one of a number of cases in which the defendants plead guilty under an arrangement with the District Attorney to which the trial Judge assented, that upon payment of \$50 and costs the balance of the judgment should be suspended if defendant quit the business of selling intoxicating liquors in violation of law, it being shown that defendant had complied with these conditions.

JOHN HARTY AND EDWARD ENTWISTLE, surety. February 27, 1891. Polk county. Remitted fine of \$300 and costs against Hartly and forfeiture of appeal bond against Entwistle. Hartly served his full term in jail. Recommended by county officers and others.

J. B. SCHUSTER AND WM. AULMANN. March 10, 1891. Polk county. Remitted fines of \$1,000 and costs against each for the offense of keeping a liquor nuisance. The offense consisted in operating a brewery worth \$60,000 before the prohibitory law was enacted and \$7,000 afterward. These fines were suspended by my predecessor on March 22, 1889, on condition that each should pay \$300 and costs. It appearing that these amounts have been paid, and on recommendation of Hon. Josiah Given, who, as District Judge, imposed the fines, I remitted the unpaid balances.

N. ENGELDINGER. March 11, 1891. Plymouth county. Remitted fine of \$500 for the offense of keeping a liquor nuisance. Of this fine \$50 had been paid. Granted because of an agreement as heretofore stated that upon payment of such sum the balance should be suspended during obedience to the law.

S. A. DELMATER. March 26, 1891. Linn county. Remitted fine of \$300 and costs for keeping a liquor nuisance. The defendant had paid \$50 on the fine and also the costs. Granted because of agreement as above stated.

JOHN A. LEKIN. April 1, 1891. Iowa county. Remitted fine of \$150 for violation of prohibitory law. Granted on recommendation of County Attorney, county officers and others, and because defendant was confined in jail fifty days under this judgment. Fine remitted on payment of costs.

ANDERSON LYONS. April 10, 1891. Clarke county. Remitted in part judgment of \$300 on forfeiture of bail bond of Mark McCants. Granted on recommendation of C. C. McIntire, who was County Attorney at the time, County Attorney John Chaney, and many of the county officers. Defendant had paid \$221.25 to apply on judgment. Remainder only remitted.

ANDREW JOHNSON. April 9, 1891. Cass county. Remitted fine of \$600 and costs for the offense of violating an injunction. Conviction, it is stated, was had for the sale of ginger ale which defendant claims he did not know contained any intoxicant. Granted on recommendation of the trial Judge, County Attorney, Senator from defendant's district, and of county officers including Supervisors,



and upon condition that the costs of the case including the costs of the injunction proceedings be paid.

CLARA GEIGER and FRANK GEIGER. April 10, 1891. Johnson county. Remitted fines of \$500 and costs each for the offense of violating an injunction. Also the unpaid balance of a judgment of \$1,000, and costs against Barbara Hotz, Clara Geiger *et al.* for violating the conditions of a permit bond. Defendants were the owners and had operated an extensive brewery at Iowa City which was enjoined by the Courts. Afterwards one of the defendants as lessee of the others violated the injunction. All were held responsible for his acts and a fine of \$500 imposed upon each. The party in fact guilty of the violations complained of paid his fine. On the recommendation of ex-Governor Kirkwood, Judges Hedges and Fairall, Senator Bloom and others I remitted the fines and judgment as above.

BARBARA HOTZ, CLARA GEIGER, HERMANN A. STRUB, GUSTAV STRUB, JOSEPHINE VOLKRINGER and ADAM UNRATH. April 17, 1891. Johnson county. Remitted in part fine of \$1,097.34. (See preceeding case.) Granted on condition that the costs of the case and \$648.75 of the judgment be first paid.

N. C. BLOCKER. April 25, 1891. Clinton county. Remitted fine of \$100 and costs for violation of prohibitory law. Granted on recommendation of the trial Judge, ex-District Attorney, County Attorney and many prominent citizens of Clinton county, and upon condition that the costs be first paid.

PETER BEREND. May 13, 1891. Black Hawk county. Remitted fine of \$75 for violation of prohibitory law. The judgment was suspended by Governor Larrabee on January 9, 1889, upon condition that defendant refrain from the sale of intoxicating liquors. Having fully complied with these conditions I remitted the fine to enable him to dispose of some real estate.

BARBARA PHILLIPS and NICK KEMP. Black Hawk county. Remitted fines of \$300 each, upon recommendation of trial Judge, County Attorney and Clerk of Court of Black Hawk county, and upon a showing that defendants have wholly abandoned the business of selling liquor and are now engaged in legitimate business.

HUDSON CRISS. June 19, 1891. Madison county. Remitted fine of \$100 for offense of selling intoxicating liquors. By a petition signed by many citizens of Winterset it is shown that at the

same term of court at which the indictment in this case was found, defendant was indicted for keeping a nuisance on substantially the same evidence, plead guilty thereto, paid the fine and costs and quit the business.

GEORGE FLITSCH. June 24, 1891. Linn county. Remitted \$200 of a fine of \$300 for the offense of selling intoxicating liquors contrary to law. It is shown that an agreement was entered into by the County Attorney and defendant by which it was stipulated that if a plea of guilty was entered and the costs and \$100 of the fine paid the collection of the balance of the fine should not be enforced; and that defendant complied with the terms of said agreement.

LOUISA DAMY. July 2, 1891. Plymouth county. Remitted a fine of \$300 for offense of keeping a nuisance. It is made to appear that by an agreement between the parties, including the court, the defendant was to be released from the judgment upon condition that \$25 of the fine and the costs of the case be paid, and that she refrain from keeping a nuisance; and that said conditions have been complied with. Recommended by trial Judge, County Attorney, and other county officers.

JOHN LUCE. July 3, 1891. Montgomery county. Convicted of contempt of court in violating an injunction and fined \$500. Owing to sickness of himself and family, defendant desired to mortgage property to meet pressing claims. It was ordered that the lien of said fine be canceled so far as it has attached or might attach to any lands owned by the defendant and by him disposed of before a revocation of this order, if such should hereafter occur, but the remission is granted upon the express condition that it may be revoked if the said Luce shall violate any of the prohibitory liquor laws of the State. In this case fine was suspended during obedience to prohibitory law June 12, 1891, and afterwards remitted to perfect title to land.

A. P. LANGMADE, surety on appeal bond of Alonzo Bassett. July 7, 1891. Harrison county. Remitted judgment for \$300 entered for default on an appeal bond in the case of the State of Iowa vs. Alonzo Bassett, wherein the said Bassett was fined for the offense of keeping a liquor nuisance. The remission was granted upon the condition that all the costs in this case as well as those incurred in the criminal case against Bassett be first paid; but it is expressly provided that the remission in no manner releases said



Bassett from further liability on account of the judgment rendered against him.

L. KIRSCHT & Co., sureties on appeal bond of Jacob Howarth. July 7, 1891. Harrison county. Remitted judgment of \$300 entered for default on appeal bond in the case of the State of Iowa vs. Jacob Howarth, wherein the said Howarth was fined for the offense of keeping a liquor nuisance. Granted upon the same conditions and to some extent as in above case.

W. E. EDMONDSON. July 10, 1891. Audubon county. Remitted in part fine of \$150 for the offense of assault with intent to do great bodily injury. Upon recommendation of a number of the county officers and several hundred citizens of Audubon county \$100 of the fine was remitted, upon condition that the balance be first paid.

E. W. AND THOS. PECK. July 14, 1891. Carroll county. Remitted conditionally a fine of \$600 for the offense of contempt of court in violating a liquor injunction. Defendants desired to renew a loan upon property against which this judgment was a lien. It is provided by the order that the lien of the judgment is canceled so far as it has attached or might attach to any land owned by said E. W. and Thomas Peck, but the remission is granted upon the express conditions that it may be revoked if the said defendants violate any of the prohibitory liquor laws of the State. In this case fine was suspended during obedience to prohibitory law, March 5, 1891, and afterwards remitted to perfect title to land.

WM. COULTHARD, surety on appearance bond. August 11, 1891. Harrison county. Remitted judgment of \$100, and costs recovered against defendant as surety on appearance bond for John C. Henry, on the recommendation of Hon. L. R. Bolter, Hon. J. K. McGavern and other citizens of Harrison county.

JOHN LAX. September 12, 1891. Plymouth county. Remitted the unpaid balance of two fines of \$500 each for the offense of keeping a liquor nuisance. It was made to appear that by agreement between the officers of the Court and the said Lax it was stipulated that if \$200 of the fine and the costs of the first case and \$100 and the costs, including attorney's fees, of the second case were paid, collection of the balance of the fines should not be enforced; and that the defendant had performed his part of the agreement. To carry out this agreement, and upon the recommen-

dation of the trial Judge, County Attorney, and many of the officers of Plymouth county, I remitted the unpaid balance of these fines.

R. W. BEEBEE, surety on appearance bond of Frank Snowden. September 16, 1891. Harrison county. Remitted judgment for \$500 entered against Beebee. The remission was granted because it was established by affidavits that the defendant for whose appearance Beebee was responsible was present in the court for several days of the term at which he was required to appear, and left to answer to a criminal charge in the federal court in session at Council Bluffs at the same time, and while so temporarily absent his bond was forfeited.

JOHN KOHLES. September 23, 1891. Shelby county. Remitted fine of \$400 for offense of selling intoxicating liquors contrary to law. Defendant was confined in jail for one hundred and twenty days under this judgment. Remission was recommended by W. F. Cleveland, State Senator, nearly all the officers of Shelby county, including all the members of the Board of Supervisors and many citizens.

JAMES RIMER. January 5, 1892. Clinton county. Sentenced to pay a fine of \$500 with costs for bigamy. Remitted interest and costs upon condition that fine be paid. Granted upon recommendation of the Judges of the District Court, County Attorney and Board of Supervisors of Clinton county.

## SUSPENSIONS.

SAMUEL STEWART. March 18, 1890. Appanoose county. Convicted on eighteen separate complaints before a Justice of the Peace and fined in the aggregate \$1,300. Appealed to the District Court, his daughters signing his appearance bond. These bonds were forfeited, suits brought thereon, judgments in excess of the fines recovered which were paid by the family. I thereupon suspended the fines during such time as defendant obeys the law. January 5, 1891, revoked the suspension for violation of the condition and defendant was imprisoned as provided by law.

J. W. BENADOM. April 12, 1890. Jones county. Suspended a fine of \$300 and costs for maintaining a liquor nuisance. Defend-



ant is a practicing physician and as such furnished and compounded liquor in a prescription for two patients which was held a crime under the prohibitory law.

**WALLACE REDDING.** April 22, 1890. Cass county. Suspended during good behavior a fine of \$200 for obtaining property by false pretenses. Defendant was sentenced to jail for six months, and to pay a fine of \$200 and stand committed until paid. He served his six months' sentence. On recommendation of County Attorney and other county officers I suspended fine as aforesaid.

**JOSEPH GERMAN.** April 26, 1890. Hancock county. Suspended during such time as defendant obeys the prohibitory law a fine of \$500 for maintaining a liquor nuisance. Recommended by Sheriff, Clerk of the District Court, County Recorder, Senator from defendant's district and large number of citizens.

**DANIEL TOOMBS.** May 16, 1890. Benton county. Suspended sentence to the penitentiary for six months for keeping house of ill-fame; to be in force so long as defendant shall refrain from keeping or allowing to be kept on the premises over which he has any control a house of ill-fame. Recommended by County Attorney, most of the county officers, and Representative from defendant's district, and many prominent citizens, on the ground that defendant was not the real party guilty of the offense charged.

**CHARLES RHOADS.** May 26, 1890. Wapello county. Suspended during time defendant obeys prohibitory law a fine of \$300 for liquor nuisance. Defendant, a man sixty years of age, in feeble health, had been confined in jail nearly ninety days. Recommended by Sheriff and prison Physician, who certify to necessity for his release.

**JOHN A. JOHNSON.** June 13, 1890. Polk county. Suspended during such time as defendant obeys the prohibitory law a fine of \$300 for liquor nuisance. Recommended by Isaac Brandt and other citizens.

**CHARLES MOLEN.** June 19, 1890. Woodbury county. Suspended during such time as defendant obeys the prohibitory law a fine of \$500 for violation of an injunction. Recommended by trial Judge, Senator and Representative from defendant's district, county officers and others.

**C. E. MOUSSEAU.** June 19, 1890. Suspended during obedience to the prohibitory law fine of \$500 for violation of an injunction.

Recommended by trial Judge, Senator and Representative from defendant's district and several county officers.

**RICHARD SMALL.** June 19, 1890. Woodbury county. Suspended during obedience to the prohibitory law fine of \$500 for violation of an injunction. Recommended by Mayor of Sioux City, Chief of Police, Sheriff of county, and other county officers, and granted because trial Judge writes that defendant was not, as he is informed, aware that injunction had been issued when he violated the same.

**THOMAS FROUD, JR.,** June 19, 1890. Appanoose county. Suspended further sentence of imprisonment on two fines of \$500 each for violation of prohibitory law. Defendant had been imprisoned sixty days. He was the only support of parents one of whom was blind and the other a cripple. Recommended by many citizens.

**FRED KARSTNER.** June 19, 1890. Floyd county. Suspended further execution of sentence of thirty days in jail for intoxication on recommendation of Justice imposing sentence after defendant had been confined twelve days.

**JOHN T. MADIGAN AND FRANK SCHWARTZ.** June 20, 1890. Wapello county. Suspended fines of \$700 each for violation of injunction during obedience to prohibitory law. Recommended by Senator and Representative from defendants' district, and county officers and citizens, and granted on showing that defendants had in good faith quit the business of selling liquor.

**HENRY WEGENER.** June 21, 1890. Pottawattamie county. Suspended during obedience to prohibitory law fine of \$800 for violation of injunction in a liquor case. Recommended by Senator and Representative from defendant's district, by County Attorney, Auditor, Recorder, and Treasurer of county, and Clerk of District Court, with many citizens.

**DAVID GRAY.** June 28, 1890. Pottawattamie county. Suspended fine of \$500 for violation of a liquor injunction. Defendant was the owner of a building that had been enjoined. A tenant violated the injunction for which defendant was held technically responsible. Recommended by Senator and Representative from defendant's district, and many citizens. Granted on condition that defendant pay costs and prevent further use of the building for unlawful purposes.



**RICHARD GRAHAM.** July 3, 1890. Polk county. Suspended during obedience to prohibitory law fine of \$50 for violation of such law. Defendant is fifty-five years old, in feeble health, and without means to pay his fine, has quit the business and is trying to earn an honest living.

**EDWARD CONERY.** July 7, 1890. Clinton county. Suspended during obedience to the prohibitory law fine of \$500 for violating liquor injunction. Before his conviction defendant had entirely quit the liquor business and the presiding Judge for this reason ordered a stay of proceedings on the fine. The Supreme Court set this aside as not within the power of the Court to make.

**THEIS BOE.** July 7, 1890. Clinton county.

**GEORGE TANNA.** July 7, 1890. Clinton county.

**HENRY KAHLE.** July 7, 1890. Clinton county.

**CLAUSS VOSS.** July 7, 1890. Clinton county.

These were all cases in which the facts were similar to those in the case of Conery. Defendants had in good faith abandoned the liquor business and the Court had for this reason suspended the enforcement of their fines which orders were set aside by the Supreme Court for want of power in the Court making them.

**JAMES FITZGERALD.** July 21, 1890. Union county. Sentenced to jail thirty days for drunkenness. Suspended until otherwise ordered by the Governor on recommendation of Judge S. R. Davis.

**J. B. SUTTON.** August 2, 1890. Wapello county. Suspended until otherwise ordered by the Governor fine of \$500 for liquor nuisance. Recommended by physicians who certify that the condition of defendant's health is such as to make it improper that he should be confined in jail.

**LOUIS TILL.** August 9, 1890. Hancock county. Suspended during obedience to prohibitory law balance of a fine of \$500 for liquor nuisance, upon condition that he pay \$300 and costs. Recommended by Senator and others.

**FRANK McGRUDER.** August 9, 1890. Fine of \$500 for liquor nuisance. Same order as in last case.

**JOHN BRUMM.** August 27, 1890. Jackson county. Suspended during obedience to prohibitory law fine of \$300 for liquor nuisance. Defendant is 70 years of age, in feeble health, had been confined four weeks, and physician certifies that longer confine-

ment was dangerous. In this case March 26, 1890, a temporary suspension until July 26, 1890, was granted to enable me to examine the facts.

**ANDREW WEIMER.** September 15, 1890. Wayne county. Suspended during obedience to the law a fine of \$50 for keeping a house resorted to for gambling. Defendant keeps a restaurant and permitted parties to throw dice therein when the loser would buy cigars or oranges for both. His offense was purely technical and committed without knowledge that it was a violation of law.

**JOHN FOX.** September 22, 1890. Mitchell county. Suspended during obedience to the prohibitory law and upon payment of costs fine of \$600 for a liquor nuisance. Defendant sold cider not knowing as he claims that its sale was prohibited. He has quit the business and removed to his farm in the country. Recommended by County Attorney and many citizens.

**W. J. LANEY.** September 30, 1890. Decatur county. Suspended two fines of \$75 each for illegally selling intoxicating liquor. Defendant is a physician and kept a small drug store. He filled his own prescriptions and in doing so in the cases complained of used intoxicating liquor to fill prescriptions for two of his patients.

**GEORGE SILVERS.** October 8, 1890. Wapello county. Suspended fine of \$500 and jail sentence of thirty days for violation of a liquor injunction. I have carefully read the evidence on which conviction in this case was based and cannot think it fairly sustains the judgment of the Court. In this case September 11, 1890, a temporary suspension until October 11, 1890, was granted to enable me to examine the facts.

**WILLIAM MULLEN.** October 18, 1890. Lucas county. Suspended during obedience to prohibitory law fines aggregating \$660 for selling liquors contrary to law. Defendant, under an agreement with the Supervisors of his county paid costs in these cases amounting to \$200 with the understanding that payment of the fines would not be enforced. He is without property except a homestead heavily encumbered and has a large and greatly dependent family.

**E. R. BAGLEY.** October 20, 1890. Wapello county. Suspended until further ordered by the Governor fine of \$500 for liquor nuisance. Granted on certificate of physicians that defendant's age and physical condition are such that confinement in jail would be dangerous.



H. C. SHANK. Montgomery county. Suspension for thirty days of fine of \$350 for liquor nuisance was granted October 24, 1890, and further suspensions were granted November 18, 1890, December 19, 1890, January 16, 1891 and February 16, 1891, to enable me to ascertain the facts. Application for permanent suspension refused.

E. ALLGUYER. October 27, 1890. Madison county. Suspended during obedience to prohibitory law fine of \$300 for liquor nuisance. Defendant had quit the business and gone to farming. Recommended by nine of the jurors, many of the county officers and a large number of citizens.

GORDON WHITE. October 27, 1890. Madison county. Suspended during obedience to prohibitory law fine of \$300 for liquor nuisance. Defendant had quit the business and gone to work at his trade as a carpenter. Recommended by county officers and citizens.

H. J. ILLSLEY. November 18, 1890. Polk county. Suspended on payment of costs during obedience to prohibitory law fine of \$300 for liquor nuisance. Recommended by trial Judge, Supervisors of the county and other county officers.

REASIN PENN. November 21, 1890. Poweshiek county. Suspended during obedience to prohibitory law fine of \$400 for liquor nuisance. Defendant is a cripple having lost a leg and an eye. Was unable to pay his fine. Had been confined in jail several days. Recommended by leading citizens.

E. E. SPICKLER. November 25, 1890. Carroll county. Suspended during obedience to prohibitory law fine of \$700 for violation of a liquor injunction. Defendant had been confined over forty days. His release from jail was advised by the Sheriff and others on account of his impaired health.

J. B. SUTTON. December 2, 1890. Wapello county. Suspended during obedience to prohibitory law fine of \$500 for liquor nuisance, on certificate of three physicians that defendant's physical condition was such as confinement in jail would be extremely injurious, it being shown that defendant could not pay said fine.

GEORGE DOLL. December 2, 1890. Woodbury county. Suspended during obedience to prohibitory law fine of \$500 for violation of a liquor injunction. Recommended by County Attorney,

Senator, and Representative from defendant's district, and county officers.

WILLIAM MCKINNE. December 6, 1890. Sac county. Suspended during obedience to prohibitory law fine of \$500 for liquor nuisance. Defendant had nearly completed a confinement of one hundred and forty-five days in jail, being unable to pay his fine.

ELLEN SHEA. December 19, 1890. Polk county. Suspended during obedience to prohibitory law fine of \$300 for liquor nuisance. Defendant, a woman forty-five years of age with a large family dependent on her for support, had been confined in jail several days unable to pay her fine. Her release was recommended by the trial Judge, County Attorney, Sheriff, and many prominent citizens.

GEORGE MUGGE. December 19, 1890. Polk county. Temporary suspension until January 20, 1891, of fine of \$300 for liquor nuisance, and a further temporary suspension until April 30, 1892, were granted, to enable me to inquire into the facts.

FRED LERCH. January 7, 1891. Woodbury county. Suspended during obedience to prohibitory law fine of \$500 for violation of a liquor injunction. Defendant's offense consisted in sales of original packages imported from other states before the passage of the Wilson bill. His offense, if one, was technical rather than real.

JOHN HARTY. January 7, 1891. Polk county. Suspended during obedience to prohibitory law fine of \$500 for violation of liquor injunction. Defendant had just completed a term of five months in jail for a like offense. Recommended by trial Judge, County Attorney and others. Revoked January 26, 1891, for violation of the conditions imposed.

PHILIP LAMBI. January 13, 1891. Adair county. Suspended during obedience to prohibitory law fine of \$600 for liquor nuisance, to take effect when defendant had served sixty days of his sentence. Granted on account of the severe illness of members of his family.

JOHN SALDRIDGE. January 24, 1891. Jasper county. Suspended during obedience to prohibitory law fine of \$300 for liquor nuisance. Defendant, a news dealer, sold cider at his stand not knowing its sale was prohibited. Recommended by trial Judge, County Attorney and others.



**PATRICK MULLEN.** January 27, 1891. Clayton county. Suspended during obedience to prohibitory law and on payment of costs, fine of \$500 for liquor nuisance. Recommended by trial Judge, County Attorney, Senator and Board of Supervisors.

**ALBERT J. MARTINECK.** January 27, 1891. Winneshiek county. Suspended during obedience to prohibitory law fine \$500 for the offense of violating a liquor injunction. Recommended by trial Judge, County Attorney, Representative and nearly all county officers.

**LEOPOLD SCHOEPE.** February 7, 1891. Carroll county. Suspended during obedience to prohibitory law a sentence of sixty days in jail for violation of a liquor injunction. Granted on application of trial Judge, County Attorney, many of the county officers and citizens of Carroll county.

**PETER C. KING.** February 20, 1891. Taylor county. Temporary suspension until March 23, 1891, of sentence of three years in penitentiary and fine of \$23,547.75 for embezzlement, and further suspension until May 23, 1891, were granted to enable me to examine the facts. Pardon refused.

**JACOB C. HUNSICKER.** February 20, 1891. Louisa county. Suspended during obedience to prohibitory law fine of \$600 for liquor nuisance. Granted on recommendation of the trial Judge and most of the county officers.

**CORA SMITH.** March 19, 1891. Decatur county. Suspended further execution of a sentence to the penitentiary for four months for burglary because prisoner was about to be confined and prison officials advised sending her home.

**HANS LARSON.** April 4, 1891. Winnebago county. Suspended during obedience to prohibitory law fine of \$300 for liquor nuisance. On recommendation of County Attorney, defendant having been confined in jail thirty days.

**ROBERT BALDWIN.** April 10, 1891. Calhoun county. Suspended during obedience to prohibitory law further imprisonment on fine of \$400 for liquor nuisance. Defendant was without means to pay his fine. Had been confined in jail about sixty days. Suspension granted on the recommendation of a large number of his neighbors. In this case a temporary suspension for thirty days was granted March 6, 1891, to enable me to examine the facts.

**F. SCOUGALL.** April 10, 1891. Wright county. Suspended during obedience to prohibitory law fine of \$400 for liquor nuisance. Granted on statement of physician that defendant's wife was about to be confined and without care or the means of procuring it.

**LEMANUEL M. KINSEY.** April 13, 1891. Louisa county. Suspended farther imprisonment on fine of \$600 for liquor nuisance during obedience to prohibitory law. Defendant had been confined one hundred days in consequence of which his health was impaired and his family in want.

**GEORGE W. HARDWICK.** April 30, 1891. Montgomery county. Suspended further imprisonment on fine of \$350 for liquor nuisance during defendant's obedience to prohibitory law. Granted on certificate of physician that defendant's family was in a condition that demanded his personal attention. Revoked January 26, 1892, for violation of conditions imposed. In this case November 22, 1890, a temporary suspension for thirty days was granted and further like suspensions were granted December 19, 1890, January 16, 1891, and February 16, 1891, to enable me to examine the facts in the case.

**JAMES FITZGERALD.** May 1, 1891. Fayette county. Suspended further enforcement of a sentence to one year's imprisonment in county jail and fine of \$100 for burglary. His offense consisted in entering the cellar of a drug store and stealing a small quantity of intoxicating liquors which he and others drank. He has served six months of his sentence. Suspension recommended by trial Judge and many citizens.

**LYDIA A. WEBER.** May 13, 1891. Cass county. Suspended during obedience to prohibitory law fine of \$500 for violation of liquor injunction. Recommended by trial Judge and County Attorney.

**JOHN McCUNE.** May 28, 1891. Polk county. Suspended during good behavior. Sentence of nine months in county jail for attempt to break and enter a railroad car, etc., with intent to commit a public offense. Defendant, a boy seventeen years of age, had been confined nearly six months. His release was recommended by the County Attorney and prominent citizens.

**LEWIS BRISSON.** June 1, 1891. Polk county. Suspended further imprisonment of defendant on fine of \$50 for selling intoxicating liquor, and \$500 for violation of a liquor injunction. Granted



on certificate of physician that further confinement will endanger the life of defendant.

THOMAS DAVIS. June 3, 1891. Wapello county. Fine of \$500 for violation of liquor injunction suspended during pending of appeal to Supreme Court in this case.

HENRY KREDER. June 6, 1891. Harrison county. Fine of \$500 for liquor nuisance. Temporary suspension to August 6, 1891, to enable me to ascertain the facts.

J. C. WINEBRENNER. June 20, 1891. Suspended during obedience to prohibitory law fine of \$600 for liquor nuisance. Granted on recommendation of a large number of prominent citizens, and because it is shown that defendant plead guilty to such offense with the understanding between himself and the Prosecuting Attorney and Court that the same should not be enforced so long as he obeyed the law.

CHET COLE. June 20, 1891. Mahaska county. Suspended during the pendency of an appeal to the Supreme Court. Fine of \$400 for liquor nuisance. Defendant was indicted and by proper proceedings obtained an order removing his case to the Federal Court. A motion in that Court to remand his case to the Supreme Court was sustained, but at the same time the Court allowed an appeal to the Supreme Court of the United States from the order remanding said case, which appeal was duly perfected. After this the State Courts took cognizance of the original case and imposed the fine in question. Whether this was permissible while the case was pending on appeal to the Supreme Court of the United States is a legal question that defendant is entitled to have determined before being subjected to the penalty inflicted.

AL. MENDENHAL. June 20, 1891. Mahaska county. \$800 for liquor nuisance.

ED. SLOAN. June 20, 1891. Mahaska county. \$800 for liquor nuisance.

ROBERT MIDDLESWATH. June 20, 1891. Mahaska county. \$500 for liquor nuisance.

WILLIAM STOMMEL. June 20, 1891. Mahaska county. \$500 for liquor nuisance.

JOHN YOUNG. June 20, 1891. Mahaska county. \$400 for liquor nuisance.

J. E. PARKS. June 20, 1891. Mahaska county. \$300 for liquor nuisance.

HARRY TEMPLETON. June 20, 1891. Mahaska county. \$350 for liquor nuisance.

ROBERT MILNA. June 20, 1891. Mahaska county. \$400 for liquor nuisance.

JOHN HARRISON. June 20, 1891. Mahaska county. \$300 for liquor nuisance.

ANDREW HREHA. June 20, 1891. Mahaska county. \$300 for liquor nuisance.

The facts in the last ten cases are the same as those in the case of Chet Cole, and the same order for the same reasons was made in each.

J. E. VILLIERS. June 23, 1891. Madison county. Suspended during obedience to prohibitory law, fine of \$300 for liquor nuisance. Defendant at same term pleaded guilty to the charge of maintaining a nuisance and selling intoxicating liquors in violation of law, and was fined for each offense, both being based on the same acts. One of these fines he paid. The other was suspended on the recommendation of the County Attorney and citizens.

WILLIAM STILL. June 24, 1891. Fayette county. Suspended during good behavior, fine of \$100 and imprisonment in county jail for one year for burglary. Defendant had been confined nine months. Suspension of remainder of sentence was recommended by trial Judge, County Attorney and many prominent citizens.

GEORGE STAHL. July 15, 1891. Mills county. Suspended during obedience to prohibitory law, a fine of \$300 for liquor nuisance. Granted on recommendation of trial Judge, County Attorney and many citizens.

WILLIAM LINGELBACH. July 16. Butler county. Suspended during obedience to prohibitory law, fine of \$1,000 for violation of a liquor injunction. Granted on recommendation of County Attorney and ex-County Attorney with other county officers of Butler county and because of the physical condition of defendant.

ED. SLOAN. July 22, 1891. Suspended during the pending of appeal to Supreme Court, fine of \$500 for violation of liquor injunction.



EDWARD SWEENEY. August 5, 1891. Wapello county. Suspended during obedience to prohibitory law fine of \$500 for violation of liquor injunction. Granted on recommendation of trial Judge, County officers and others, and because it is made to appear that the violation complained of was technical only and not intentional.

J. B. ASH. August 18, 1891. Cass county. Suspended during obedience to prohibitory law fine of \$500 for violation of liquor injunction. Granted on recommendation of County Attorney and citizens and because it is established that defendant at the time of the acts complained of was ignorant of the fact that he had been enjoined.

M. BRENNAN. August 25, 1891. Suspended during obedience to prohibitory law fine of \$500 for violation of liquor injunction. Granted, because it is established that defendant at the time of the acts complained of was ignorant of the fact that he had been enjoined.

S. F. BACKUS. August 21, 1891. Montgomery county. Suspended during such time as defendant remains a resident of other States a fine of \$300 for a liquor nuisance. Defendant is a citizen of Nebraska without means to pay his fine. Was indicted eighteen months since and while on a business trip to Iowa, was arrested and convicted as above.

GEORGE BASKINS. November 13, 1891. Montgomery county. Suspended during obedience to prohibitory law fine of \$400 for liquor nuisance upon the recommendation of County Attorney and others. Defendant had served four months in jail.

JOSEPH McCABE. November 28, 1891, Jones county. Suspended during obedience to prohibitory law fine of \$300 for nuisance upon recommendation of the county officers and citizens of Dubuque county, and because defendant has abandoned the business and has a family dependent solely upon his labor for support. In this case a temporary suspension for thirty days was granted June 9, 1891, a further suspension until September 1, 1891, and a further suspension until December 1, 1891, to enable me to examine into the facts.

GEORGE J. JOHNSON AND JAMES KAVANAGH. December 4, 1891. Polk county. Temporary suspension until December 31, 1891, of fines of \$500 each for offense of nuisance, and a further temporary

suspension until January 15, 1892, to enable me to ascertain the facts.

HERMAN SAUL. December 4, 1891. Linn county. Suspended during obedience to prohibitory law fine of \$400 for liquor nuisance. Granted on recommendation of County Attorney. Defendant had served twenty days in jail and it was shown that his assistance was needed in the care of his two children who were dangerously sick with scarlet fever.

IRA BENTON AND JAMES VIBBARD. December 31, 1891. Hamilton county. Temporary suspension until March 31, 1892, of fines of \$300, each for selling intoxicating liquors, to enable me to ascertain the facts.

ADALAIDE HENDERSON. December 31, 1891. Polk county. Suspended during good behavior sentence of six months in the penitentiary for keeping house of ill-fame, upon recommendation of trial Judge, County Attorney, Sheriff of county, Mayor, Police Judge and Marshal of city of Des Moines, where offense was committed, and because defendant is a colored woman, was born a slave and many mitigating circumstances are shown in her behalf.

WILLIAM STURDEVANT. January 6, 1892. Polk county. Suspended during good behavior sentence of six months in jail for larceny upon the statement of the County Attorney that further confinement in defendant's condition of health would be improper.

W. MENDLEKOW. January 6, 1892. Cass county. Suspended during obedience to prohibitory law fine of \$500 for violation of liquor injunction. Granted at the request of city and county officers and citizens of the city where she resides and because, from a careful reading of the evidence upon which she was convicted, I believe defendant's offense was technical, and not an intentional violation of the injunction.

CATHERINE WEINCH. January 18, 1892. Wapello county. Suspended until April 10, 1892, fine of \$300 for liquor nuisance to enable me to ascertain the facts.



## REVOCATIONS.

KINSEY JORDAN. Wapello county. On January 2, 1889, Governor Larrabee suspended fines for violations of prohibitory liquor law, upon the condition, among others, that defendant should thereafter refrain from the sale of intoxicating liquor. It being made to appear to me that this condition was being violated, July 21, 1891, I revoked the suspension.

I also revoked seven suspensions granted by me for violation of conditions. They are noted with their respective cases.

## SUSPENSION FROM INDUSTRIAL SCHOOL.

The following is a list of suspensions from the Industrial Schools of the State issued from this office during my official term which closed January 20, 1892.

In each of these cases the suspension contained the condition that the conduct of the child in whose favor it was granted should thereafter be orderly and obedient and the same were granted after an investigation in each case which fully satisfied me that the best interests of the applicant, as well as of the State, would be promoted by the suspension.

In each of these cases the application for release has come from parents or guardians upon whose complaint that the child was incorrigible in many instances it had been sentenced.

In such cases when I have become satisfied that parents are respectable and able and willing to provide for their children I have been disposed to grant their applications believing their right to the custody of their children superior to that of the State, and this has been my chief reason for suspensions in cases of that character.

WESLEY HOPPERS. Polk county. Sentenced July term, 1889. Suspended April 9, 1890.

JAMES DALTON. Polk county. Sentenced May term, 1889. Suspended April 24, 1890.

HARRY JOHNS. Hardin county. Sentenced — term, 1884. Suspended May 16, 1890.

CHARLES JOHNS. Hardin county. Sentenced — term, 1884. Suspended May 16, 1890.

LEONORE HANSEN. Woodbury county. Sentenced June term, 1889. Suspended May 15, 1890.

LEO PETERSON. Des Moines county. Sentenced June term, 1888. Suspended May 29, 1890.

MARTIN MALONE. Henry county. Sentenced October 8, 1889. Suspended June 19, 1890.

CHARLES D. ANDERSON. Des Moines county. Sentenced February, 1889. Suspended June 20, 1890.

ALEXANDER SANDERSON. Mahaska county. Sentenced May term, 1886. Suspended June 24, 1890.

ARTHUR DRAKE. Jasper county. Sentenced November term, 1887. Suspended June 27, 1890. Suspension revoked May 2, 1891.

ALBERT LOEFFLER. Lee county. Sentenced June term 1888. Suspended June 28, 1890. Suspension revoked February 2, 1891.

WILLIE P. ISHMAEL. Carroll county. Sentenced — term, 1882. Suspended July 2, 1890.

EMMA BUTLER. Polk county. Sentenced September term, 1887. Suspended July 15, 1890.

MELISSA CHRISTIAN FOOR. Wapello county. Sentenced June term, 1882. Suspended July 18, 1890.

ALLIE MANNING. Hardin county. Sentenced February term, 1889. Suspended August 2, 1890.

SANDERS NILSON. Des Moines county. Sentenced July term, 1887. Suspended August 9, 1890.

WILLIE E. BERKHOLTZ. Lyon county. Sentenced December term, 1889. Suspended August 22, 1890.

MORTIMER MOORE. Jasper county. Sentenced —. Suspended September 6, 1890.

MARTIN SHULTZ. Des Moines county. Sentenced June 10, 1889. Suspended September 9, 1890.



FRANK L. ROCHEFORT. Page county. Sentenced April term, 1889. Suspended September 20, 1890.

JOHN WILLIAM EDWARD WHITE. Lee county. Sentenced March 1, 1888. Suspended October 1, 1890.

CHARLES O'CONNOR. Henry county. Sentenced September term, 1890. Suspended October 7, 1890.

GEORGE LEWELLEN. Jasper county. Sentenced — term 1887. Suspended October 8, 1890. Suspension revoked July 2, 1891.

BERTIE SHAMP. Jefferson county. Sentenced January term, 1886. Suspended October 15, 1890.

VICTOR DUNBAR. Union county. Sentenced October term, 1889. Suspended October 22, 1890.

LOULIA E. HEARN. Woodbury county. Sentenced June term, 1887. Suspended October 29, 1890.

CLARK THORNTON. Union county. Sentenced May term, 1886. Suspended November 11, 1890.

CLYDE BAKER. Guthrie county. Sentenced May term, 1890. Suspended November 13, 1890. Suspension revoked January 5, 1891.

MARTIN MURRAY. Clinton county. Sentenced March term, 1889. Suspended November 18, 1890.

CHARLES MALONE. Lucas county. Sentenced ———. Suspended December 28, 1890.

BENJAMIN W. PIXLEY. Henry county. Sentenced August term, 1890. Suspended December 30, 1890.

NEWTON MATHERS. Henry county. Sentenced August term, 1889. Suspended January 5, 1891.

FRED PETRIE. Hardin county. Sentenced —. Suspended January 29, 1891.

SARAH JANE GILMORE. Certo Gordo county. Sentenced July 24, 1882. Suspended February 21, 1891.

WILLIAM HOHL. WARREN county. Sentenced August term, 1884. Suspended February 26, 1891.

ROBERT BRIGGS. Black Hawk county. Sentenced May term, 1887. Suspended February 28, 1891.

AUGUST TIMM. Scott county. Sentenced March term, 1887. Suspended March 10, 1891.

CLYDE W. CUPP. Davis county. Sentenced April term, 1890. Suspended March 12, 1891.

GEORGE WOLFREY. Fremont county. Sentenced February term, 1890. Suspended March 12, 1891.

ANDREW FORD. Pottawattamie county. Sentenced December term, 1882. Suspended March 28, 1891.

GEORGE H. NEWTON. Monroe county. Sentenced ———. Suspended April 16, 1891.

CARL K. CORNELL. Jasper county. Sentenced November term, 1888. Suspended April 17, 1891.

CLAUD VANDERVERT. Lucas county. Sentenced November term, 1889. Suspended May 6, 1891.

HARRY S. FAIRCHILD. Plymouth county. Sentenced May term, 1890. Suspended May 23, 1891.

ANDREW V. GOLDEN. Polk county. Sentenced August term, 1888. Suspended June 1, 1891.

MAUD UPHAM. Polk county. Sentenced January term, 1891. Suspended June 23, 1891.

JOHN O. ARCHER AND FRANKLIN B. ARCHER. Pottawattamie county. Sentenced April term, 1891. Suspended June 27, 1891.

MARY J. KENSLE. Washington county. Sentenced June term, 1890. Suspended July 3, 1891.

JOHN F. SHAW. Louisa county. Sentenced ———. Suspended August 6, 1891.

JAMES POKOSTA. Marshall county. Sentenced ———. Suspended September 11, 1891.

MADGE JOHNSON. Cass county. Sentenced ——— term, 1891. Suspended September 11, 1891.

ALPHONSO DES LAURIERS. Wapello county. Sentenced November term, 1889. Suspended September 16, 1891.

JOHN N. TYLER. Muscatine county. Sentenced December term, 1890. Suspended November 13, 1891.

AUGUST SEMON. Wapello county. Sentenced June term, 1889. Suspended December 5, 1891.

THEODORE S. CLEGHORN. Polk county. Sentenced January term, 1890. Suspended December 31, 1891.

JOSEPH RAGLOW. Polk county. Sentence suspended for ten days December 13, 1890, on account of the fatal illness of boy's mother.



# APPLICATIONS FOR PARDON SUBMITTED TO THE GENERAL ASSEMBLY.

STATE OF IOWA,  
EXECUTIVE OFFICE,  
DES MOINES, February 5, 1892. }

## To the General Assembly:

William Riddle, William Slowey, Charles Cook, and J. S. Little, 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 of 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.

HORACE BOIES.

NOVEMBER 10, 1891.

## To whom it may concern:

Notice is hereby given that application has been made for the pardon of William Riddle, who was at the April term, A. D., 1885, of the District Court of the county of Cedar, convicted of the crime of murder in the first degree and sentenced to the penitentiary for the term of his natural life.

Said application is based on the following grounds:

*First*—That prior to the offense for which he was sentenced to imprisonment for life, said Riddle was an honest, industrious man, and when not under the influence of liquor, a quiet, inoffensive, law-abiding citizen.

*Second*—That at the time of the murder he was under the influence of liquor and had just been engaged in a fight with the deceased, brought about by outside parties, and was still in a state of uncontrollable passion.

*Third*—That he has now served more than six years of his sentence at hard labor, during all of which time he has conducted himself in the most exemplary manner.

*Fourth*—That his prior history and conduct since his imprisonment give assurance that if he shall be pardoned he will not be a dangerous member of society, but will be a useful and law-abiding citizen.

The said application will be referred to the next General Assembly for action, in accordance with Section 4712 of the Code of Iowa.  
[Signed.] HORACE BOIES.

November 17, 1891.

## 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 term, A. D., 1880, of the District Court of the county of Clinton, Iowa, convicted of the crime of murder and sentenced to the penitentiary for the term of his natural life.

Said application is based upon the ground that the said Slowey is not guilty of the crime of which he was convicted.

The said petition will be referred to the next General Assembly for action, in accordance with section 4712 of the Code of Iowa.  
[Signed] HORACE BOIES.

NOVEMBER 23, 1891.

## To whom it may concern:

Notice is hereby given that application has been made for the pardon of Charles Cook, who was at the April term, A. D., 1882, of the District Court of the County of Lee, convicted of the crime of murder and sentenced to the penitentiary for the term of his natural life.

Said application is based on the following grounds:

1. That the crime for which he was sentenced to imprisonment for life was committed without malice or knowledge that the act would produce death.

2. That he was tried at a time of great public excitement, and did not have an impartial trial.

3. That the offense was not committed by him, but by his two companions, with whom he was trying to escape from the penitentiary, where he was confined at the time; and that his connection with the two persons who actually committed the deed was very prejudicial to him at the time of his trial.



The 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.

[Signed]

HORACE BOIES.

November 27, 1891.

*To whom it may concern:*

Notice is hereby given that application has been made for the pardon of J. S. Little who was at the September term, A. D., 1875, of the District Court of the County of Jasper, convicted of the crime of murder and sentenced to the penitentiary for the term of his natural life.

Said application is based on the following grounds:

1. That at the time of said murder the defendant was in a state of uncontrollable passion produced by the knowledge that his wife had been seduced by and was at the time living in open and notorious adultery with the deceased; and that the deceased, a colored man, took advantage of his every opportunity to taunt and exasperate said defendant with his wife's faithlessness until in a fit of desperation and desire for revenge he committed the crime for which he was sentenced.

2. That he had previous to this offense borne the reputation of a good and law-abiding citizen.

3. That he is now in failing health (64 years of age); and

4. That the ends of justice have been fully satisfied by his sixteen years' confinement in the penitentiary.

The said application will be referred to the next General Assembly for action, in accordance with the provisions of Section 4712 of the Code.

[Signed]

HORACE BOIES.

# REPORT

OF THE

## SECRETARY OF STATE

RELATING TO

# Criminal Convictions

FOR THE YEARS 1890 AND 1891.

W. M. McFARLAND, Secretary of State.

PRINTED BY ORDER OF THE GENERAL ASSEMBLY.

DES MOINES,  
GEO. H. RAGSDALE, STATE PRINTER.  
1891.