

REPORT

BY THE

GOVERNOR OF IOWA,

OF

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

FROM JANUARY 20, 1892, TO JANUARY 11, 1894.

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1894.

STATE OF IOWA. }  
EXECUTIVE OFFICE. }  
DES MOINES, January 11, 1894 }

*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 11, 1894.

HORACE BOIES,

## PARDONS.

F. E. WILLIS. Pardoned February 13, 1892, to take effect February 15, 1892. Committed to the penitentiary at Anamosa from Linn county, November 11, 1891, for eighteen months, for the crime of breaking and entering. Pardon was granted because a careful reading of the record in the case, together with affidavits made by some of the witnesses since the trial, convince me that defendant was not proven guilty of the offense of which he was convicted. Pardon was recommended by many citizens of Linn county, including five county officers and the assistant county attorney.

W. H. CULLEN. Pardoned March 10, 1892, to take effect March 15, 1892. Committed to the penitentiary at Ft. Madison March 1, 1890, from Palo Alto county, for a term of twenty years, for the crime of rape. Pardon was granted upon the recommendation of the trial judge, the members of the grand jury who returned the indictment, the county attorney who prosecuted the case, the present county attorney, the officers of the county, township and city in which the crime was alleged to have been committed, and 429 citizens of Palo Alto county. It was granted upon condition that said Cullen shall hereafter refrain from the use of intoxicating liquors and demean himself in all respects as a law-abiding citizen.

JOHN S. LITTLE. Pardoned March 9, 1892. Committed to the penitentiary at Ft. Madison from Jasper county, October 4, 1875, for the term of his life for the crime of murder. Pardoned upon recommendation of the Twenty-fourth General Assembly, to which the case was referred.

FRED. M. HULL. Pardoned March 19, 1892, to take effect March 25, 1892. Committed to the penitentiary at Anamosa from Lyon county, June 3, 1891, for a term of three years for the crime of

arson. Pardoned for the reason that Hull was injured in an accident which occurred at the prison December 12, 1891, in which three were killed and he was so maimed that he will be a cripple for life.

CHARLES COOK. Pardoned March 24, 1892. Committed to the penitentiary at Ft. Madison from Lee county, May 19, 1892, for life, for the crime of murder. Pardon was granted upon the recommendation of the Twenty-fourth General Assembly, to which the case was referred.

JOHN WALLEIN. Pardoned April 14, 1892. Committed to the penitentiary at Ft. Madison from Des Moines county, January 23, 1883, for life, for the crime of murder in the second degree. Pardon was granted because the evidence upon which Wallein was convicted was purely circumstantial, and in my judgment, leaves a reasonable doubt of his guilt, and because of his uniformly good conduct in prison and the recommendation of the prison officials. It was granted upon condition that Wallein return immediately to his family in Sweden, and remain with them.

FRANK W. BROOKS. Pardoned April 16, 1892. Ordered by the district court of Monona county on April 29, 1890, to be committed to the penitentiary at Ft. Madison for a term of two years for the crime of embezzlement. Pardon was granted upon the recommendation of the trial judge, the county attorney who prosecuted the case, the prosecuting witness and a number of the prominent citizens of Monona and Woodbury counties, and is to remain in force so long as Brooks shall demean himself in all respects as a law-abiding citizen. Brooks was a loan agent and as such negotiated a loan for a resident of Monona county. He received a draft from the company, but before turning it over to the borrower, a question of law arose as to some apparent encumbrances upon the property covered by the mortgage to be given. He refused to deliver the money until the question was settled, desiring to fully protect himself. His previous reputation had been good, and complete restoration was made when he was satisfied the money could be safely paid. It seems his errors, if any, were of judgment rather than criminal intent.

WILLIAM RIDDLE. Pardoned April 27, 1892, to take effect April 29, 1892. Committed to the penitentiary at Anamosa, May 11,

1885, from Cedar county, for life, for the crime of murder. Pardoned upon the recommendation of the Twenty-fourth General Assembly, to which the case was referred.

OLIVER SILVERTHORN. Pardoned May 18, 1892. Ordered by the district court of Adair county on September 14, 1891, to be committed to the penitentiary at Ft. Madison for a term of six months for the crime of forcible defilement. Pardoned upon the recommendation of the trial judge, ten of the trial jurors, and several of the officials and citizens of the county where the defendant resides, and because it is shown that aside from the charge in question he has always borne an irreproachable character.

JOHN MORROW. Pardoned July 1, 1892. Ordered by the district court of Ringgold county at the February term, 1892, to be committed to the penitentiary at Ft. Madison for two and one-half years for the crime of seduction. Pardon was granted upon the recommendation of the prosecuting witness, the trial judge and county attorney, and because it was shown that the defendant had made all the reparation within his power to make for the wrong done.

R. JEROME. Pardoned December 28, 1892. Committed to the penitentiary at Anamosa from Polk county, June 19, 1890, for a term of ten years for the crime of assault with intent to commit rape. Pardoned upon the recommendation of the trial judge and the county attorney who prosecuted the case, because of their expressed doubt as to Jerome's guilt, and because a careful reading of the whole record has convinced me that the main offense of which he was convicted was not in fact committed. The alleged assault was committed upon the person of a child too young to be placed upon the witness stand, and the evidence introduced was wholly circumstantial. Judge Kavanaugh writes that "In the light of all I have learned since the trial, if I were called upon now to sentence the defendant I think I should hesitate before doing so, fearing that the evidence had not proven him guilty beyond a reasonable doubt. \* \* \* In other words, considering the evidence upon the trial, the conduct of the man since his imprisonment, I could not say now that I think he is guilty." In this the county attorney concurs.

WILLIAM PIERCE. Pardoned January 10, 1892. Committed to the penitentiary at Ft. Madison from Guthrie county, December



7, 1892, for a term of six months for the crime of forcible defilement. Pardon granted upon the recommendation of the county attorney who prosecuted the case, a number of the trial jurors and a large number of the neighbors and acquaintances of the defendant, and prosecuting witness, and because a careful study of the testimony of both of the interested parties has convinced me that defendant is not guilty of the crime of which he was convicted.

**JAMES T. MCINTOSH.** Pardoned March 11, 1892. Ordered by the district court of Pottawattamie county on October 31, 1889, to be committed to the penitentiary at Ft. Madison for one year for the crime of cheating by false pretenses by disposing of mortgaged property. Pardon was granted upon the recommendation of the trial judge and a number of prominent citizens of Pottawattamie county, and on account of the advanced age and feeble health of McIntosh. It is to remain in force so long as he shall conduct himself in every respect as a law-abiding citizen. In this case a temporary suspension for thirty days was granted on February 9, 1893, to enable me to examine the case.

**WESLEY TAYLOR.** Pardoned and fine remitted April 7, 1893. Ordered by the district court of Adair county at the January term, 1892, to be committed to the jail of Adair county for four months and to pay a fine of \$500 for the crime of fraudulent banking. The defendant was president of the Farmers' bank at Fontanelle. The bank assigned December 12, 1890, with assets amounting to \$90,000, and liabilities \$73,000. Much of the paper was in long time notes, however, not readily convertible into money, and \$12,000 to \$14,000 in paper proved to be worthless, though the parties giving the notes were considered perfectly good when the paper was taken. Fifty of the depositors unite in a petition which states that "we are well and fully satisfied that Wesley Taylor never accepted a dollar from us or from any depositor of said bank with the knowledge that said bank was insolvent, or that a dollar of the money received by him from his customers was taken with the intent of cheating or defrauding them in any way." Judge Henderson, who imposed the sentence, says, "at the time the sentence was imposed I did not believe, upon the showing made, that there was a criminal intent to defraud, but the bank was insolvent at the time deposits were received, and hence a violation of law." Every dollar's worth of property he owned on the day of assignment was turned over to the assignee, and his health has entirely

failed. Pardon and remission were granted because I am satisfied there was no fraudulent intent on the part of Taylor, and because of his advanced age and physical condition, which reputable physicians certified was such that confinement in jail would endanger his life.

**A. E. JACKSON.** Pardoned and fine remitted April 7, 1893. Ordered by the district court of Adair county, at the January term, 1892, to be confined in the county jail for four months and pay a fine of \$500 for the crime of fraudulent banking. Jackson was for several years cashier of the Farmer's Bank at Fontanelle, of which Taylor was president, but for a year prior to October 1, 1890, had devoted his time to other business and given very little personal attention to the bank, and on or about that date he sold to Taylor all his interest in the said bank. The assignment was not made until December 12, 1890. The bank was said to have been insolvent, however, before he severed his connection therewith. Pardon and remission were granted because Jackson's offense was purely technical, he having had no direct connection with the management of the bank for some months previous to the commission of the crime for which he was sentenced.

**C. W. SMITH.** Pardoned June 8, 1893. Ordered by the district court of Boone county, at the September term, 1890, to be committed to the penitentiary at Ft. Madison for six months, for the crime of receiving stolen goods. The offense of which the defendant was convicted on the second trial, the jury on the first trial having disagreed, was the receiving of several pairs of stolen trousers. Pardon was recommended by the judges who presided at the trials, the county attorney who conducted the prosecution, and many prominent citizens, and because defendant, who was a confirmed inebriate at the time of the commission of the crime, has since entirely reformed, and is conducting himself as a good citizen.

**STEPHEN EDSON.** Pardoned July 1, 1893. Committed to the penitentiary at Ft. Madison from Guthrie county, May 11, 1893, for one year for the crime of seduction. Pardon was granted because the prosecuting witness, on whose evidence mainly defendant was convicted, made a sworn statement that her uncorroborated testimony upon a material point was absolutely false, that she was not of previously chaste character and that defendant was not in fact guilty of the crime of which he was convicted.

HOMER BEDFORD. Pardoned January 4, 1894. Convicted in the district court of Cherokee county, on May 5, 1893, and ordered to be imprisoned in the Anamosa penitentiary for a term of two and one-half years. Pardon was recommended by the trial judge, county attorney, the members of the trial jury, officers and citizens of the county. Granted because of these recommendations and because Bedford has since married the girl for whose seduction he was convicted, and is living with her in good faith.

### COMMUTATIONS.

H. W. J. RUST. Sentence commuted January 22, 1892. Committed to the Lyon county jail for a term of ninety days, December 17, 1891, for the crime of obtaining property under false pretenses. Release of the defendant was recommended by the trial judge, county attorney, and many citizens of Lyon county, where defendant's crime was committed, and of O'Brien county, where he had resided, who represented to me that his family were in destitute circumstances, and would be compelled to suffer if longer deprived of defendant's care and assistance. Because of these representations his sentence was commuted to thirty-five days imprisonment in jail.

WILLIAM H. STEVENS. Sentence commuted February 2, 1892. Committed to the penitentiary at Anamosa, from Linn county, April 16, 1890, for two and one-half years for the crime of larceny. Release of Stevens was recommended by the trial judge, county attorney, prosecuting witness and many prominent citizens of Cedar Rapids, who were thoroughly conversant with the facts in the case, and who represented to me that the defendant had always before borne a good reputation, that his wife and family of five small children were in destitute circumstances, his wife being confined to her bed by sickness and dependent upon charity for her own and her children's support. Upon these recommendations sentence was commuted to two years and twenty-four days.

ARTHUR MILLER. Sentence commuted February 2, 1892. Committed to the penitentiary at Ft. Madison from Page county, April 12, 1891, for two and one-half years, for the crime of burglary.

Defendant, with two others, were charged with burglary and the larceny of \$18.00 worth of wheat and oats. The evidence was entirely circumstantial. Miller's reputation had always been good. His release was recommended by the trial judge, the assistant county attorney in the prosecution of the case, the prosecuting witness, six trial jurors and many prominent citizens of Page county. Sentence was commuted to ten months and twenty days, already served, because upon the facts disclosed by the papers filed in the case I had grave doubt of his guilt.

WILLIAM PORTER. Sentence commuted February 5, 1892. Ordered by the district court of Hancock county at the February term, 1891, to be committed to the penitentiary at Anamosa for one year and to pay costs of the case for the crime of burglary. The defendant was accused of breaking into a building in which some tools were stored and removing a portion of them. The tools were found near the building and were recovered by their owner. The defendant denies his guilt, though admitting that on the evening the alleged offense was committed he was intoxicated. His previous reputation had been good. Commutation was asked by five officers and 221 citizens of Hancock county, and was urged by Senator Brower. Sentence commuted to a fine of one dollar and costs of the case.

THEODORE KORTMEYER. Sentence commuted February 3, 1892. Committed to the penitentiary at Anamosa from Dubuque county, October 18, 1889, for six years for the crime of incest. A sister of defendant was indicted with him but was never tried. From the representations made by many of the neighbors of defendant it appears that the crime was the result of entire lack of moral training and ignorance rather than of willful violation of law. His previous reputation had been excellent and his prison conduct was perfect. Immediate release was recommended by the trial judge, the county attorney who prosecuted the case, and many citizens of Dubuque county. Sentence commuted to three years.

GEO. BEDFORD. Sentence commuted February 5, 1892. Committed to the penitentiary at Anamosa from Marshall county, January 28, 1885, for twenty-two years for the crimes of larceny, burglary and assault with attempt to commit murder. The warden, physician and matron of the penitentiary requested a commutation of Bedford's sentence, stating that during the seven years of his confinement he had been the hospital nurse and had conducted



himself in the most exemplary manner, and that they were convinced if he were released he would be an honest and law-abiding citizen. Sentence commuted to ten years.

**AUGUST PREUL.** Sentence commuted February 29, 1892. Committed to the penitentiary at Ft. Madison from Crawford county, January 27, 1889, for six years for the crime of arson. Judge Connor, who imposed the sentence, recommended pardon and stated that he feels that the sentence imposed by him was too severe. Release was recommended by most of the officers of Crawford county and many citizens. Because I was convinced by the showing made before me and the evidence in the case that defendant had been sufficiently punished for the crime I commuted his sentence to four years imprisonment.

**HENRY WINTER.** Sentence commuted February 29, 1892. Committed to the penitentiary at Anamosa from Plymouth county, October 28, 1887, for seven years for manslaughter. The crime for which Winter was convicted was the result of a dispute and was committed in the heat of passion. His previous reputation had been excellent. Before sentence had been imposed he had been confined in jail nine months. His wife and children were, on account of sickness and pecuniary want, in great need of his assistance. His release was recommended by the trial judge, the district attorney who prosecuted the case, five of the trial jurors, the senator in the General Assembly from the district and a large number of prominent citizens of Plymouth county. Sentence commuted to six years.

**GEORGE FITZGERALD.** Sentence commuted March 2, 1892. Committed to the penitentiary at Ft. Madison from Lee county, May 19, 1882, for a term of eighteen years for the crime of murder in the second degree. Defendant was one of three convicts who in an effort to escape from the Ft. Madison penitentiary administered chloroform to one Elder, a guard, from the effect of which he died. He was but nineteen years of age, his co-defendants men of mature years. Eight of the jurors united in a request for his pardon, and said: "At the time it was the unanimous opinion of the jury that the defendant, George Fitzgerald, had been led into the affair by the agency of one of his co-defendants, and was ignorant of the effects of his acts, and that he had no thought or intention of injuring the said Elder. \* \* \* He has now served nearly nine

years, and we feel that in his case the law has been fully vindicated." Nearly all the officers of Lee county also requested his release. Sentence commuted to nine years and ten months imprisonment.

**ELIZABETH SHAMBERG.** Sentence commuted March 8, 1892. Committed to the penitentiary at Anamosa from Lucas county, January 30, 1891, for eighteen months for the crime of keeping a house of ill-fame. Release of defendant was recommended by the trial judge, the county attorney, who conducted the prosecution, the mayor, and a large number of citizens of Chariton, where the crime was committed. These represented to me that defendant was weak-minded and hardly responsible for her acts, and the prison officials that she was in a very feeble condition, both mentally and physically. For these reasons sentence was commuted to fifteen months' imprisonment.

**EDWARD SMITH.** Sentence commuted March 16, 1892. Committed to the penitentiary at Ft. Madison from Guthrie county, February 20, 1890, for five years for crime of assault with intent to commit rape. Release of defendant was recommended by the trial judge, county attorney who prosecuted the case, the twelve trial jurors, the officers of the court and of Guthrie county, and many citizens. Sentence commuted to two years and six months imprisonment.

**JAMES WILSON** *alias* **JOHN E. WILSON.** Sentence commuted March 16, 1892. Committed to Ft. Madison penitentiary April 12, 1891, from Page county, for one and one-half years, for the crime of burglary. The defendant with one Arthur Miller, was convicted of the stealing of a small quantity of grain from a farmer's storehouse. Miller's sentence was commuted February 2, 1892, because upon the facts disclosed by the papers on file in his case, I had grave doubts of his guilt. For the same reason defendant's sentence was commuted to one year's imprisonment already served.

**JOHN E. PORTER.** Sentence commuted March 18, 1892. Committed to the penitentiary at Anamosa from Tama county, October 6, 1884, for twenty years for the crime of murder in the second degree. The defendant was under fifteen years of age at the time of the commission of the crime for which he was convicted. His release was recommended by the trial judge, prosecuting attorney, and many citizens of Story county, where the crime was committed.

Because of these recommendations, the defendant's extreme youth at the time of the commission of the crime, and his uniform good conduct in prison during his long confinement, his sentence was commuted to ten years and two months imprisonment.

O. P. FARRELL. Sentence commuted March 29, 1892. Committed to the penitentiary at Ft. Madison from Hardin county, May 31, 1891, for two years for the crime of uttering forged papers. The crime for which defendant was convicted was the giving of a promissory note alleged to have been signed by his wife as surety, when in fact the name of his daughter, who was a minor and financially irresponsible, appeared upon the note as surety. He was sixty years of age and during a residence of twenty-six years in Hardin county had borne an irreproachable character. His own and his wife's health were represented to me to be rapidly failing. The county attorney who conducted the prosecution of the case, most of the officers and more than two hundred citizens of Hardin county requested his release. Sentence commuted to eleven months imprisonment.

JOHN KING *alias* SAM KING. Sentence commuted April 15, 1892. Committed to the penitentiary at Ft. Madison from Polk county, December 9, 1890, to serve a term of three years for the crime of larceny. The crime for which defendant was convicted was the larceny of a caddy of tobacco. The commutation was recommended by the judge who tried the case, the Judge who imposed the sentence and the county attorney who prosecuted the case. It was granted upon condition that he refrain from the use of intoxicating liquor and demean himself in all respects as an orderly and law-abiding citizen. Sentence commuted to one year, six months and ten days.

OSCAR H. JOHNSON. Sentence commuted April 15, 1892. Ordered to be committed to the jail of Davis county to serve a term of ninety days and to pay a fine of two hundred and fifty dollars for the crime of assault with intent to commit manslaughter. The crime for which defendant was sentenced was committed when intoxicated and while resisting arrest. Pardon from the part of his sentence requiring imprisonment was asked by the district attorney who prosecuted the case, the prosecuting witness and a number of prominent citizens and officials of Davis county, who represented that Johnson had removed to another state and had completely reformed. Sentence was commuted to a fine of two

hundred and fifty dollars and costs of the case, and upon the condition that the said Johnson shall hereafter refrain from the use of intoxicating liquors and shall demean himself as an orderly and law-abiding citizen.

PETER C. KING. Sentence commuted April 26, 1892. Committed to the penitentiary at Ft. Madison from Taylor county May 23, 1891, to serve a term of three years for the crime of embezzlement. King was treasurer of Taylor county. Following a custom that had obtained in that county, he loaned the county funds to private individuals and made out tax receipts at the request of tax payers just before the penalty attached and carried them until they were actually paid, thus becoming personally responsible. He was indicted in 1884, after a service of six and one-half years and after three trials in which the jury disagreed, was convicted in a fourth. His pardon was recommended by several hundred citizens of Taylor county, including the district attorney, who drew the indictment and prosecuted the case during the first two trials, both the senator and representative from that county and several county officials, all of whom certify to his previous good character and to their belief that he did not intentionally commit a crime. Judge R. C. Henry, in whose court King was convicted, writes as follows: "That he was guilty of the charge there can be no question, but it is equally true that there are many mitigating circumstances in his favor. \* \* \* I have known King for many years, and up to the time of his unfortunate defalcation regarded him as an honorable and upright man. That King finally became a defaulter and thus committed the crime of which he was convicted is, in my opinion, largely due to the fact that his friends asked too many favors of him and he did not have the moral courage to resist." Many citizens prominent in State and Nation joined in the request for pardon. I commuted his sentence to imprisonment in the penitentiary for one year, because I am satisfied the defendant's offense was the result of negligent methods in the performance of his official duties and not a willful violation of the law for the purpose of personal gain.

JOHN SHRODER *alias* JOHN ASH. Sentence commuted April 29, 1892. Committed to the penitentiary at Ft. Madison from Mahaska county, June 11, 1885, to serve a term of fifteen years for the crime of murder in the second degree. The crime for which Ash was convicted was the killing of a man who had won all his money



from him in a game of cards. He asked the return of part of it, was refused and a quarrel ensued. Ash was but seventeen years of age. His release was asked by the district attorney who prosecuted the case, eleven of the trial jurors, many of the officials and prominent citizens of Mahaska county, who were familiar with the case. The sentence was commuted to nine years, six months and ten days, because I am satisfied from the facts that defendant was only guilty of manslaughter for which he has already served the maximum penalty.

CHARLES CUDNEY. Sentence commuted April 30, 1892. Committed to the penitentiary at Anamosa from Chickasaw county, March 16, 1891, to serve a term of three years for the crime of assault with intent to commit manslaughter. The assault for which Cudney was convicted was committed when both he and the person upon whom the assault was made, were intoxicated. The latter asked Cudney's release, believing that he had already received more punishment than he deserved. The trial judge, the county attorney who prosecuted the case, the clerk of court and sheriff asked his release. Sentence was commuted to one year and three months on the condition that Cudney shall hereafter refrain from the use of intoxicating liquors as a beverage.

E. H. SEYMOUR. Sentence commuted May 4, 1892. Committed to the penitentiary at Ft. Madison from Henry county, March 12, 1891, to serve a term of three years for the crime of obtaining money by false pretenses. The offense for which Seymour was convicted consisted of false representations by which he obtained a promissory note for an amount fifteen dollars greater than the maker of the note intended. The trial judge, prosecuting attorney, ten of the trial jurors and many prominent citizens of Henry county and of Des Moines county, where Seymour lived, asked his release on the ground that his sentence was excessive. For this reason the sentence was commuted to one year, three months and ten days, on condition that Seymour shall hereafter refrain from the use of intoxicating liquors as a beverage.

FRED HALL. Sentence commuted May 7, 1892. Committed to the penitentiary at Ft. Madison (afterward transferred to Anamosa) from Polk county, May 5, 1890, to serve a term of five years for the crime of larceny. Hall's release was asked for by the judge before whom he was convicted, by eight of the trial jurors, by the clerk of court and sheriff at time of trial, and by other citizens of

Polk county. Sentence was commuted to two years, four months and ten days upon the condition that Hall shall, during her lifetime, support and care for his aged mother and demean himself in all respects as an orderly and law-abiding citizen.

W. S. F. MURDY. Sentence commuted May 21, 1892. Committed to the penitentiary at Ft. Madison, February 18, 1890, from Appanoose county, to serve a term of ten years for the crime of murder in the second degree. The crime for which Murdy was convicted was the shooting of one Tipton during an altercation over an account. The evidence was conflicting. Murdy's pardon was asked by many State and county officials and prominent citizens of southeastern Iowa and by more than 1,000 citizens of Appanoose and surrounding counties including several members of the jury who tried the case. I also gave a hearing in the case at which a large number of the prominent citizens of Appanoose county were present and orally presented reasons for Murdy's pardon. After a most careful review of the entire record of the case I was convinced that under all the circumstances attending the commission of the crime of which Murdy was convicted, the punishment to be inflicted might rightfully be tempered with mercy, and because I believed that no further practical good could result to society at large or to the defendant by his further confinement in the penitentiary, I commuted his sentence to two years and eight months imprisonment.

LUKE ROWAN. Sentence commuted June 8, 1892. Committed to the penitentiary at Anamosa from Clinton county, December 7, 1891, to serve a term of three years for the crime of larceny from the person. Upon the recommendation of the trial judge, the county attorney who conducted the prosecution, nearly all the officers of the county and the mayor of the city in which the crime was committed, and many of the neighbors and acquaintances of Rowan, and because the condition of his family was such as to require his release that he might aid in caring for them, I commuted his sentence to six months and eighteen days, the order being granted upon condition that he demean himself hereafter in all respects as an orderly and law-abiding citizen.

C. R. HITCHCOCK. Sentence commuted June 15, 1892. Committed to the Ft. Madison penitentiary from Fremont county, December 16, 1891, to serve a term of six years for the crimes of larceny and arson. The warden, prison physician and hospital

steward of the penitentiary certified to me that the physical condition of Hitchcock was such that the only possible chance to save his life was a change of climate and condition, and recommended his immediate release. Upon this showing I commuted his sentence to six months.

HENRY GILLESPIE. Sentence commuted June 23, 1892. Committed to Ft. Madison penitentiary from Woodbury county, January 29, 1889, to serve a term of seven and one-half years for the crime of assault with intent to commit murder. The crime for which the defendant was convicted was assaulting a woman who was attempting to throw vitriol in his eyes. His release was recommended by the trial judge, the county attorney who prosecuted the case and the warden of the penitentiary, and was asked by the woman who was injured by him. Because of these recommendations and his unusual good prison conduct, I commuted the sentence to four and one-half years.

WILKIE A. SMITH. Sentence commuted July 8, 1892. Committed to Anamosa penitentiary October 13, 1890, from Butler county, to serve a term of eight years for the crime of forgery. The release of Smith was asked by the trial judge, the county attorney who prosecuted the case, the county attorney at the time the application was made, the officials and a large number of citizens of the county in which the offense was committed, and all the officials of the prison. Because of these recommendations and because I was satisfied that the punishment already inflicted had accomplished all the good that could possibly result from his imprisonment, I commuted the sentence to two years.

JOHN E. MONTGOMERY. Sentence commuted July 29, 1892. Committed to the penitentiary at Anamosa from Johnson county, January 23, 1891, to serve a term of five years for the crime of forgery, five indictments. The crime of Montgomery consisted in the forgery of the name of a surety upon notes given for money borrowed by him, expecting to take them up before maturity, and without intent to defraud. His release was asked by the trial judge, the county attorney who prosecuted the cases, the officers of the township in which Montgomery resided and many citizens of the county. Because of these recommendations, his uniform good character prior to the commission of the offense and the condition of his family I commuted his sentence to one year and nine months

and granted a pardon from a sentence of the district court of Johnson county whereby he was on March 4, 1892, ordered to be committed to the penitentiary for eighteen months for the same offense under two subsequent indictments.

WM. HENDERSON. Sentence commuted September 3, 1892. Committed to the Ft. Madison penitentiary from Polk county, October 19, 1891, to serve a term of three years for the crime of assault to murder. The county attorney who prosecuted the case says the shooting was done under great provocation and recommended pardon. The prison physician certified that Henderson was dangerously ill and the chances of saving his life were greatly reduced by his confinement. A large number of citizens of Polk county also asked his release. Sentence commuted to eleven and one-half months.

WM. B. MARSH. Sentence commuted September 7, 1892. Committed to the penitentiary at Anamosa from Howard county, November 24, 1885, to serve a term of fifteen years for the crime of murder in the second degree. The crime for which Marsh was sentenced was committed during a quarrel and under great provocation. His release was asked by the trial judge, the prosecuting attorney, ten of the trial jurors and many citizens of Howard county. By the statement of the facts in the case made by the prosecuting attorney, I am convinced the defendant was guilty of no higher crime than manslaughter, the extreme penalty for which is imprisonment for eight years. Because of this belief and the recommendations filed in support of the application for Marsh's release I commuted the sentence to ten years already served with good time served.

SYLVESTER WOMBACHER. Sentence commuted September 13, 1892. Committed to the penitentiary at Ft. Madison from Washington county, March 1, 1889, to serve a term of five years for the crime of forgery, three indictments. The release of Wombacher was asked by the trial judge, nearly all the officials of Washington county, including the county attorney and the senator and representative in the General Assembly at the time the application was made, and many citizens familiar with the facts in the case. Upon these recommendations, and because of Wombacher's unusually good prison conduct, the sentence was commuted to four years, eight months and ten days.



**GEORGE HAIKES.** Sentence commuted September 13, 1892. Committed to the penitentiary at Anamosa from Scott county, January 6, 1892, to serve a term of five years for the crime of rape. The act of Haikes became a crime only because the girl with whom the crime was committed lacked three months of the legal age of consent. His release was asked by the trial judge, six of the trial jurors, and a number of officials and citizens of Scott county, and because, from the statement of the facts in the case, I believed the punishment already inflicted was sufficient, I commuted the sentence to nine months. The order was granted to remain in force during such time as Haikes shall demean himself as a good and law-abiding citizen.

**G. F. STRUBLE.** Sentence commuted September 28, 1892. Committed to the penitentiary at Anamosa from Monona county, September 30, 1885, to serve a term of twelve years for the crime of burglary. Upon the recommendation of a large number of citizens of Monona county, where the offense was committed, and because I believe the law had been fully vindicated by the penalty already inflicted, and that no further good could be accomplished by his longer confinement, and on account of his exceptionally good prison record, I commuted Struble's sentence to ten years.

**JOHN HORTIS.** Sentence commuted October 10, 1892. Committed to the penitentiary at Anamosa from Clayton county, September 15, 1885, to serve a term of fifteen years for the crimes of burglary and assault with intent to commit rape. Sentence was commuted to ten years and two months upon the recommendation of the warden of the penitentiary, who certified that Hortis had an unusually good prison record, having never been reported for a violation of the prison rules, and because I believe the law had been fully vindicated by the penalty already inflicted and that no further good could be accomplished by his longer confinement.

**THOMAS MITCHELL.** Sentence commuted November 23, 1892. Committed to the penitentiary at Anamosa from Clinton county, October 22, 1891, to serve a term of four years for the crimes of forgery and larceny. It was represented to me that Mitchell's physical condition was such that further confinement would endanger his life, and that his family was in absolute want. His release was recommended by the trial judge. Sentence commuted to one year, two months and fifteen days.

**FRED WARD.** Sentence commuted November 26, 1892. Committed to the penitentiary at Ft. Madison from Woodbury county, November 24, 1885, to serve a term of twenty years for the crime of rape. A large number of citizens of Woodbury county asked Ward's release because of his youth at the time the offense was committed and his previous good reputation. The trial judge, prosecuting attorney, nine of the trial jurors and the members of the General Assembly from the county recommended his release. Because of these recommendations and because I believed the punishment already inflicted had accomplished every good that could be accomplished by such means, the sentence was commuted to ten years.

**CHARLES BARNHILL.** Sentence commuted November 28, 1892. Committed to the Ft. Madison penitentiary from Des Moines county, January 25, 1891, to serve a term of two years for the crime of receiving and aiding in concealing stolen property. Upon the recommendation of the trial judge, who said that from information he has received since the trial he is convinced the penalty imposed was too severe, and the request of a number of the prominent citizens of Burlington, who certified to the previous good reputation of Barnhill, the sentence was commuted to one year.

**CARR M. THOMPSON.** Sentence commuted November 29, 1892. Committed to the penitentiary at Ft. Madison from Taylor county, October 21, 1889, to serve a term of fifteen years for the crime of rape. The evidence in the case showed conclusively that Thompson was under the influence of liquor at the time the crime was committed and that he had previously borne a good reputation. His release was recommended by the trial judge, the county attorney who prosecuted the case, the prosecuting attorney, nine of the trial jurors and a large number of officials and citizens of Taylor county, who were familiar with all the facts in the case. Under all the circumstances shown by the statement of the county attorney I believed that Thompson had been sufficiently punished for the offense and commuted the sentence to four years upon the condition that he should thereafter refrain from the use of intoxicating liquors.

**GEORGE MASURY.** Sentence commuted December 5, 1892. Ordered by the district court of Scott county on December 2, 1892, to be committed to the penitentiary at Anamosa to serve a term of six months for the crime of grand larceny. At the



request of Hon. C. M. Waterman, the trial judge, who stated that Masny was a boy only seventeen years of age, of previous good reputation, who was led into the crime by a man of mature years, I commuted the sentence to imprisonment in the jail of Scott county for six months.

**L. HARRISON.** Sentence commuted December 15, 1892. Committed to the penitentiary at Ft. Madison from Pottawattamie county, December 26, 1891, to serve a term of two years for the crime of burglary. The crime of Harrison was not an aggravated one. His release was recommended by the trial judge, the county attorney who prosecuted the case, a number of prominent citizens of Pottawattamie county, including officials of the county and the city of Council Bluffs and the senator and representative in the General Assembly. Sentence commuted to one year.

**HORACE MEDDAUGH.** Sentence commuted January 29, 1893. Committed to the penitentiary at Ft. Madison from Montgomery county, November 27, 1889, to serve a term of ten years for the crime of rape. A commutation was asked by the trial judge, the county attorney who prosecuted the case and many citizens, including county officials who were familiar with the facts. Because of these recommendations, and for the reason that from a careful examination of the record I was satisfied that Meddaugh had been sufficiently punished for his offense, the sentence was commuted to four years.

**HARRY WOOD.** Sentence commuted January 21, 1893. Committed to the penitentiary at Ft. Madison from Taylor county, October 18, 1890, to serve a term of three years for the crime of manslaughter. The crime for which Wood was sentenced was the killing of his brother-in-law who had assaulted him at his own home without provocation. There were many mitigating circumstances surrounding the commission of the crime. Wood's release was asked by the county attorney who prosecuted the case, the twelve trial jurors and many citizens of Taylor county who were familiar with the facts of the case and certified to the previous good reputation of the prisoner. Sentence commuted to two years and ten months.

**GEORGE GINN.** Sentence commuted February 8, 1893. Committed to the penitentiary at Ft. Madison from Polk county, March 8, 1892, to serve a term of eighteen months for the crime of larceny from the person. The release of Ginn was asked by the trial

judge and the county attorney who conducted the prosecution of the case. Sentence was commuted to one year, and the order was granted upon the conditions that he refrain from the use and sale of intoxicating liquors and demean himself as an orderly and law-abiding citizen.

**P. A. BROWNSCOMB.** Sentence commuted February 25, 1893. Committed to the penitentiary at Ft. Madison from Montgomery county, September 23, 1889, to serve a term of five and one-half years for the crimes of seduction and abortion. The release of the defendant was recommended by the judge who pronounced the sentence, the attorney who assisted in his prosecution and many citizens of Red Oak, where the offense was committed, and was requested by the warden of the penitentiary, who certified to Brownscomb's unusually good record. Sentence commuted to four years and eight months.

**PETER ZAHN.** Sentence commuted March 2, 1892. Committed to the penitentiary at Anamosa from Clayton county, November 6, 1891, to serve a term of three years for the crime of seduction. Zahn was not arrested upon the charge until more than a year after the alleged commission of the crime and not until more than eight months had elapsed since his marriage to another woman than the one making the complaint. The trial judge, county attorney who prosecuted the case, nine of the trial jurors, the senator and representative in the General Assembly from Clayton county, and many citizens recommended his release. Because of the recommendations and because a reading of the evidence convinced me that Zahn had been sufficiently punished, the sentence was commuted to one year and six months.

**ALBERT S. HUGHES.** Sentence commuted March 28, 1893. Committed to the penitentiary at Ft. Madison from Union county, March 22, 1887, to serve a term of thirteen years for the crime of murder in the second degree. The crime was committed immediately after Hughes had been assaulted by the deceased and struck with a heavy cane, and was done in the heat of passion. His previous reputation had been good. The county attorney who prosecuted the case expresses the opinion that a verdict for manslaughter would have been sufficient. The trial judge, county attorney, eleven of the trial jurors and a large number of citizens of Union county recommended his pardon. Sentence commuted to nine years upon the condition that he refrain from the use of intoxicating liquors.

WM. URIE. Sentence commuted April 1, 1893. Committed to the penitentiary at Ft. Madison from Adams county, March 28, 1892, to serve a term of two years for the crime of assault with intent to commit murder. The offense was committed while Urie was very much intoxicated. His conditional release was recommended by the trial judge, the county attorney who prosecuted the case, seven of the trial jurors, the prosecuting witness upon whom the assault was made, and many citizens of Adams county familiar with the circumstances and with the character of Urie. Sentence commuted to one year and four days upon condition that he shall refrain from the use of intoxicating liquors and demean himself in all respects as a law-abiding citizen.

ADOLPH VOSS. Sentence commuted May 4, 1893. Committed to the penitentiary at Anamosa from Benton county, April 25, 1890, to serve a term of five years for the crime of forgery. The release of Voss was asked by the prosecuting witness in the case and recommended by the county attorney who conducted the prosecution, and many citizens of Benton county familiar with the circumstances surrounding the commission of the crime, and who certified to the previous good reputation of the prisoner. Because of the uniform good prison conduct of Voss, and because I was satisfied the punishment already inflicted had been sufficient to meet all the requirements of justice, the sentence was commuted to three years, nine months and fifteen days.

O. W. MECHLING. Sentence commuted June 8, 1893. Committed to the penitentiary at Ft. Madison from Sac county, September 26, 1891, to serve a term of term of two and one-half years for the crime of forgery. Because of the uniform good prison conduct of Mechling, his good reputation previous to the commission of this offense, which reputable citizens of Sac county certify to, and because I believed the punishment already inflicted had accomplished every desirable purpose possible to accomplish by such means, the sentence was commuted one year, eleven months and ten days.

JOHN SAAL. Sentence commuted August 25, 1893. Committed to the penitentiary at Ft. Madison from Decatur county, August 21, 1877, to serve the term of his natural life for the crime of murder in the second degree. The crime for which Saal was sentenced was committed during a quarrel. A careful reading of the entire record of his trial convinces me that the sentence was excessive.

His release was recommended by the prosecuting attorney who conducted the prosecution of the case and many neighbors and acquaintances of the prisoner. His uniform good conduct during his long confinement also, in my judgment, fairly commended him to executive clemency. Sentence commuted to twenty-one years and three months.

A. S. HAWKES. Sentence commuted September 5, 1893. Committed to the penitentiary at Ft. Madison from Kossuth county, January 22, 1893, to serve a term of four years for the crime of forgery. Hawkes had just served a six years sentence for arson prior to entering on the sentence upon this charge and which offense was considered in connection with the forgery case. He had conducted himself during his imprisonment in every way as an orderly and obedient prisoner. His release was recommended by a number of prominent citizens, including many officials of Kossuth county and the senator and representative in the General Assembly from that district. Because of these facts and for the reason that I believed he had been punished sufficiently for said offense, sentence was commuted to one year and three months on condition that he demean himself thereafter in all respects as an orderly and law-abiding citizen.

RICHARD WOOLHISER.\* Sentence commuted September 12, 1893. Committed to the penitentiary at Anamosa from Marshall county February 18, 1887, to serve a term of fourteen years for the crime of burglary and larceny. The pardon of Woolhiser was recommended by the county attorney who prosecuted the case and many prominent citizens of Marshall county, including the senator and representative in the General Assembly, and all the officers of the court at the time of the trial who now reside in the county, all of whom express the opinion that the sentence imposed was excessive when the character of the offense was considered, and that his punishment had already been sufficient. Sentence commuted to ten years and one month on condition that he shall hereafter demean himself in all respects as an orderly and law-abiding citizen.

WM. BROWN. Sentence commuted September 16, 1893. Committed to the penitentiary at Ft. Madison from Lee county, February 22, 1893, to serve a term of twenty-five years for the crime of murder in the second degree. Brown was but seventeen years of age when the crime was committed and during his long confinement he had been a model prisoner. His pardon was recommended



by the trial judge and the district attorney who conducted the prosecution. Because, in my opinion, he had been sufficiently punished, in view of his youth and the circumstances surrounding the commission of the crime, and because I was satisfied no further good could be accomplished by his longer confinement, the sentence was commuted to fifteen years.

**GEORGE W. POTTS.** Sentence commuted November 23, 1893. Warren county. Committed to the penitentiary at Ft. Madison February 5, 1892, to serve a term of three years for the crime of perjury. The trial judge and a large number of prominent citizens of Des Moines, where Potts resided, recommended his release. The offense of which he was convicted was committed while he was testifying in a criminal case that involved his liberty. Under similar circumstances many, if not most, men would have yielded to the same temptation and it seemed to me that if any case of perjury deserved the minimum sentence provided by law, viz: imprisonment for two years, this was one. Sentence commuted to two years and one month upon the express condition that Potts shall never again in this State engage in the business commonly known as that of a searcher and shall demean himself in every respect as an honorable and law-abiding citizen.

**JOSEPH ROW.** Sentence commuted November 23, 1893. Boone county. Committed to the penitentiary at Ft. Madison, October 25, 1890, to serve a term of five years for the crime of manslaughter. Granted because a careful reading of the record in the case convinced me that Row, in committing the act for which he was convicted, honestly believed he was acting in justifiable self-defense. He was ordered under arrest by a constable who refused to produce a warrant therefor. He refused to submit to arrest unless the constable would produce a warrant. Thereupon he was assaulted by the officer with a drawn revolver, in a manner from which he would rightfully believe his own life in imminent peril, and acting upon his opinion that he could rightfully defend his own life he used his revolver with fatal results. In the penitentiary he had been a most exemplary prisoner. Sentence commuted to three years, ten months and twenty days, upon condition that Row shall hereafter demean himself in every respect as an orderly and law-abiding citizen.

**ADAM DIETZ.** Sentence commuted December 19, 1893. Committed to the penitentiary at Anamosa from Benton county, March

33, 1893, to serve a term of twenty years for the crime of murder in the second degree. Granted because it was represented to me that Dietz, who was over sixty years of age, was in very feeble health and in all probability would not survive in prison the term for which he was sentenced. His conduct record had been good, and I am satisfied no farther good could have been accomplished by his longer confinement. Sentence commuted to imprisonment for fifteen years, four months and twenty-four days.

**ANNA L. HOWER.** Sentence commuted December 19, 1893. Committed to the penitentiary at Anamosa, from Benton county, December 2, 1881, to serve a term of eighteen years for the crime of murder in the second degree. Mrs. Hower had but six months more to serve to complete her term of imprisonment. Her release was ordered that she might be permitted to go to the home of her parents, who were in indigent circumstances, and greatly in need of her assistance, and because I was fully convinced that further imprisonment could prove of no avail either to the State or the prisoner. Sentence commuted to seventeen years.

**B. F. SURLS.** Sentence commuted December 23, 1893. Ordered by the district court of Polk county on the 18th day of November, 1893, to pay a fine of \$200 and to be committed to jail for a period of sixty days in default of payment, for the crime of making malicious threats with intent to extort. It was represented that Surls' family were in destitute circumstances and greatly in need of his assistance. He had already been confined in jail thirty-five days. The county attorney and others recommended his release. Sentence commuted to thirty-five days imprisonment already served.

**JAMES CUMMINGS.** Sentence commuted December 23, 1893. Committed to the penitentiary at Ft. Madison October 7, 1889, from Polk county to serve a term of ten years for highway robbery. Prominent citizens and officials of New York city certified to Cummings' previous good character and requested his release. He had been a model prisoner. Sentence commuted to six years on condition that Cummings return to his home and hereafter remain without the State of Iowa.

**JOSEPH G. STIEL.** Sentence commuted December 27, 1893. Committed to the penitentiary at Ft. Madison, March 1, 1890, from Palo Alto county, to serve a term of twenty-one years for the crime of rape. The county attorney who prosecuted the case recommended release and expressed a doubt as to Stiel's guilt. A



large number of officials and citizens of Palo Alto county joined in the request for pardon. Sentence commuted to five years and two months, already served, upon condition that Stiel shall hereafter demean himself as a law-abiding citizen.

JOHN NEIERS, JR. Sentence commuted December 27, 1893. Convicted of nuisance in the district court of Jones county on October 30, 1893, fined \$400 and committed to jail in default of payment to serve a term of 120 days. Neiers' offense was the sale of liquors in the town of Cascade, Dubuque county, which is located within 500 yards of the Jones county line. Repeated arrests were made by Jones county officers for sales of liquor in Cascade. The defendant had already served sixty days in jail. Considering the circumstances, I believed the punishment already inflicted was sufficient, and commuted the sentence to sixty days' imprisonment in jail, already served.

JOHN F. SKERY.

THOMAS A. DUCKIN.

JOHN SMITH.

CHARLES MILLER.

The above named parties were convicted in the district court of Jones county on the date of the conviction of Neiers, for the same offense, committed under similar circumstances, were fined in the same amount, were committed to jail on the same day, and their sentences were commuted to the same extent and for the same reasons.

H. M. BELVEL. Sentence commuted December 27, 1893. Convicted of the crime of libel in the district court of Taylor county, at the April term, 1892, and sentenced to pay a fine of \$500 and the costs of the case and to be committed to jail in default of payment. It was represented to me by a reputable physician that Belvel's physical condition was such that confinement in jail would be dangerous, and by many citizens that he had always borne a good reputation and was in destitute financial circumstances. Because of these representations and because of certain facts established by affidavits filed in support of his application for pardon sentence was commuted to the payment of the fine of \$500 and the costs and cancelled and remitted in so far as it directs imprisonment. In this case a suspension until December 9, 1893, was issued on November 9, 1893, and a further suspension until December 30, 1893, was issued December 2, 1893, to enable me to examine the application.

O. E. SHANNON. January 10, 1894. Polk county. Commuted to imprisonment in the county jail for six months, sentence imposed at the January term, 1893, by which Shannon was ordered to be committed to the penitentiary at Ft. Madison, to serve a term of one year for the crime of conspiracy, and suspended the execution of this sentence during good behavior. Granted upon the recommendation of the trial judge, county attorney and many citizens. In this case a temporary suspension for sixty days was issued January 6, 1894.

### REMISSION OF FINES.

BENJAMIN E. BAILEY. January 21, 1892. Webster county. Remitted in full two fines amounting to \$700, and also the costs of the cases imposed for selling liquors in violation of law. Judgment entered February term, 1886. The sentence, so far as it provided for the imprisonment, was suspended by Governor Larrabee on June 26, 1886. Affidavits presented show that defendant has not been engaged in the sale of liquors since conviction. Remission was recommended by most of the county officers and many prominent citizens of Webster county, including the senator and representative in the General Assembly.

GEORGE J. JOHNSON AND JAMES KAVANAUGH. January 30, 1892. Polk county. Remitted fine of \$500 each, imposed at the November term, 1889, for nuisance, upon condition that \$250 each and all costs of the case, including attorney's fees be first paid. Date of judgment November term, 1889. Remission recommended by the trial judge, the county attorney who prosecuted the case, and all the members of the board of supervisors of Polk county. In this case a temporary suspension was issued January 23, 1892, suspending further execution of the judgment against Kavanaugh until January 21, 1892.

JACOB HOWARTH. February 19, 1892. Harrison county. Remitted fine of \$300, imposed at September term, 1885, for keeping a nuisance, upon the condition that \$150 be first paid. Remission granted upon the request of three members of the board of supervisors of Harrison county.

GEORGE PEGARIC. February 26, 1892. Jones county. Remitted unpaid balance of fine of \$400, imposed at October term, 1888, for keeping nuisance. Remitted because, in my judgment, defendant had been sufficiently punished, he having paid \$125 to apply on said fine and costs, and been confined in the jail of Jones county seventy-nine days on account of said judgment.

MATT KIRSCH. March 10, 1892. Black Hawk county. Remitted fine of \$300, imposed at October term, 1887, for keeping a nuisance, upon condition that the costs be paid. Remitted upon recommendation of trial judge and representation of the county attorney, clerk of court, and other citizens of Black Hawk county, that since date of conviction defendant has not been engaged in the violation of the prohibitory liquor laws of the State.

ARTHUR WILLIAMSON. March 9, 1892. Iowa county. Remitted fine of \$100, imposed at February term, 1892, for the offense of throwing coal at a train of cars, upon condition that costs be paid. Recommended by county attorney and many citizens. The facts convinced me that the act was that of a thoughtless boy, done without criminal or malicious intent.

NICHOLAS KIRSCH. March 10, 1892. Black Hawk county. Remitted fines amounting to \$950 imposed for nuisance and selling intoxicating liquors, upon condition that the costs be first paid. Remitted to remove from an estate in which defendant had an interest, liens created by the judgments and upon the recommendation of the trial judges and because it was made to appear that Kirsch had not for some time been engaged in the violation of the prohibitory liquor law.

LAWRENCE KENNEDY. March 10, 1892. Webster county. Remitted fines amounting to \$700, imposed at the March, 1871, and March, 1877, terms for the violation of the liquor laws of the State, upon the condition that all the costs be first paid. Remitted upon recommendation of many prominent citizens and most of the officials of Webster county, and because it was made to appear that Kennedy had not been engaged in the liquor business for fourteen years past.

MRS. E. E. SIMMONS. April 8, 1892. Wapello county. Remitted fine of \$300 and costs, imposed at October term, 1889, for violations of the prohibitory liquor laws. Court suspended collection of the fine when it was imposed and defendant had since obeyed the law. Remission recommended by county attorney and

citizens and granted to release lien upon the homestead of Mrs. SIMMONS.

GOTTFRIED HARTMAN. April 29, 1892. Black Hawk county. Remitted fine of \$300 imposed at January term, 1888, for nuisance. Remission recommended by trial judge and county attorney. It was shown that defendant had quit the business of selling intoxicating liquors and paid all the costs of the case.

JOSEPH HASSLER, JR. May 14, 1892. Van Buren county. Remitted two fines of \$50.00 and \$100.00 respectively, and costs of the cases imposed at the December term, 1888, for nuisance. Remitted at the request of the board of supervisors and county officers of Van Buren county, and because it was shown that the defendant was dead and the fines were liens upon real estate formerly owned by him and if collected must have been paid by innocent parties.

ANDREW LAIRD. May 19, 1892. Appanoose county. Remitted fine of \$300 imposed at March term, 1891, for selling intoxicating liquors. The county attorney recommended remission, and stated that Laird pleaded guilty to the charge for which fine was imposed under agreement between himself and the court officials that if the costs were paid and the business of selling liquors abandoned by him the sentence should not be further executed. Laird had fully complied with the conditions.

MATT PENNI. June 11, 1892. O'Brien county. Remitted unpaid balance of fine of \$400 imposed at May term, 1891, for nuisance. Remission recommended by trial judge and county attorney, who show that at time of sentence an agreement was made between the officers of the court and the defendant to the effect that if \$150 of fine and costs of the case was paid, the collection of the balance should not be enforced. Penni has fulfilled his part of the agreement. The remission is upon the express condition that it may be revoked if Penni shall violate the prohibitory laws of the State, but the lien of the judgment is cancelled from lands owned by him and disposed of before the order of revocation, if such shall hereafter be made.

FREDERICK JAGGOTT. July 7, 1892. Guthrie county. Remitted fine of \$300, imposed at February term, 1891, for liquor nuisance. Jaggott had been confined in jail for ninety days on account of said judgment and had paid all the costs of the case. Remission



recommended by trial judge, county attorney, clerk of court and sheriff of Guthrie county and citizens.

**FRED RHEA.** July 7, 1892. Clarke county. Remitted, upon condition that costs be first paid, fine of \$300, imposed at September term, 1887, for the crime of breaking and entering. Remission granted because at the time the sentence was imposed the trial judge ordered that execution be suspended during good behavior, and because it was recommended by said judge and a large number of officials and prominent citizens of Clarke county who state that since the commission of this offense Rhea has been an orderly and law-abiding citizen.

**P. HESTER.** July 8, 1892. Palo Alto county. Remitted upon condition that \$300 of fine and all the costs of the case be first paid, fine of \$800 imposed at September term, 1891, for nuisance. Remitted upon recommendation of most of the officials and a large number of prominent citizens of Palo Alto county, and because, in my opinion, the fine imposed was excessive. In this case a suspension until July 7, 1892, was granted June 7, 1892, in order that time might be given for an examination of the case.

**MARY BEATTY.** July 9, 1892. Lucas county. Cancelled the judgment and remitted, upon payment of \$100 to apply upon fines and all the costs of the cases, several fines amounting to \$900 imposed for violations of the prohibitory liquor laws. Remitted upon recommendation of many of the officials of Lucas county, including the board of supervisors and a large number of prominent citizens and upon the express condition that it may be revoked if defendant shall violate any of the prohibitory liquor laws of the State, but the lien of the judgments is cancelled from lands owned by her and disposed of before an order of revocation, if such shall hereafter be made.

**JOHN J. ENGLETT.** July 22, 1892. Johnson county. Remitted, upon condition that costs be first paid, fine of \$500, imposed at December term, 1888, for violating an injunction. Remission recommended by Judge Fairall, and the county attorney and many prominent citizens of Johnson county.

**C. B. HOLLEMS.** August 10, 1892. Jasper county. Remitted upon condition that \$100 of fine and all the costs be first paid, fine of \$500, imposed at March term, 1892, for violating an injunction. It was established that offense consisted of a sale of liquors during

a brief period upon premises that had been enjoined in proceedings against other parties and that defendant had no knowledge of the existence of an injunction. Remission granted upon express condition that it may be revoked if Hollems shall be guilty of a violation of the prohibitory liquor laws, but the lien of the judgment is cancelled from any lands owned by Hollems and by him disposed of before an order of revocation, if such shall hereafter be made. Also on September 29, 1892, remitted fine of \$300 and costs imposed at the August term, 1892, for nuisance, the acts charged being the identical ones that procured his former conviction.

**THOMAS FOULDS.** August 11, 1892. Wapello county. Remitted fine of \$300.00 and the costs of the case, imposed at November term, 1891, for nuisance. It was shown that Foulds had entirely abandoned the liquor business. Remission granted upon condition that it may be revoked if defendant shall violate the prohibitory laws of the State, but the lien of the judgment is cancelled from lands owned by him and disposed of before the order of revocation, if such order shall hereafter be made.

**FRITZ BOCK.** August 12, 1892. Shelby county. Remitted fine of \$375 and costs of the case, imposed at May term, 1887, for nuisance. Remission recommended by the county attorney, who prosecuted the case, and many officials and prominent citizens of Shelby county. One Fritz Huber, who became surety on a stay bond for the payment of the fine had died; his widow and child were in close financial circumstances. The collection of the fine would, in my judgment, have compelled them to suffer to an extent not demanded by the ends of justice.

**FRED HASSLER.** August 27, 1892. Van Buren county. Remitted upon payment of all costs, fine of \$50 imposed at September term, 1883, for keeping a gambling house. Remission recommended by county attorney and clerk of court of Van Buren county.

**ED. L. CUNDY.** September 7, 1892. Adams county. Remitted fine of \$200, imposed at March term, 1887, for keeping a gambling house. Remission recommended by the trial judge, the county attorney who prosecuted the case, the county attorney and most of the county officials at the time of the remission and many citizens of Adams county.



**E. A. SWEENEY.** September 20, 1892. Wapello county. Remitted fine of \$500 and costs of the case, imposed at the January term, 1890, for violating an injunction. Sweeney was confined in jail one hundred and two days on account of said fine, had removed from the State and the judgment was a lien upon a piece of real estate formerly owned by him and since transferred to another. Fine remitted to remove this lien.

**CHARLES ROBOTHAM.** October 1, 1892. Johnson county. Remitted, upon payment of costs, fine \$50, imposed at August term, 1888, for contempt of court by willfully absenting himself from attendance as witness. Robotham had since died and the fine was a lien upon property his widow desired to sell. Remission recommended by Judge Fairall and most of the officials, including the county attorney, and a number of prominent citizens of Johnson county.

**HENRY FRANCE.** November 19, 1892. Montgomery county. Remitted, upon payment of costs, a fine of \$300.00 imposed at March term, 1892, for nuisance. France had already served forty-five days in jail on account of said fine. It was made to appear that his offense was merely a technical violation of the law.

**PHILLIP YOUNG.** November 22, 1892. Cass county. Remitted fine of \$100, imposed at June term, 1888, for keeping a gambling house. Remission recommended by the officers of Cass county, including the board of supervisors, members of the trial jury, officers of the city of Atlantic and other citizens of Cass county.

**LEWIS HALVERSON.** December 6, 1892. Palo Alto county. Remitted fine of \$300, imposed at November term, 1892, for nuisance. Remission recommended by Judges Carr and Thomas, County Attorney Kelley and a large number of prominent citizens of Palo Alto county, who represented to me that defendant committed the offense under the direction of his employer, a druggist, and was entirely ignorant of the fact that he was violating the laws of the State.

**WILLIAM BALDWIN.** December 13, 1892. Hamilton county. Remitted upon payment of costs, fine of \$300, imposed at February term, 1892, for nuisance. Remission recommended by the trial judge, who stated that Baldwin had entirely abandoned said unlawful business, that he was in ill health and the enforcement of the judgment would cause him and his family an undue amount of

suffering. Upon condition that Baldwin shall refrain from any further violation of the prohibitory liquor laws of the State.

**CALDWELL DE FRANCE.** December 28, 1892. Wapello county. Remitted fine of \$500.00, imposed at February term, for nuisance; also remitted fine of \$500.00 each imposed at September term, 1890, upon Caldwell De France, Thomas Jones and Thomas Davis, for violating an injunction. Remission recommended by the county attorney and other officials of Wapello county, the mayor and prominent citizens of the city of Ottumwa, who represented that defendant Caldwell De France, upon whose property the fines were liens had not been engaged in the unlawful sale of liquors for several years, and was engaged in legitimate business. The judgment of September term, 1890, against Caldwell De France was suspended on May 17, 1892, and those against Jones and Davis were suspended July 14, 1892, in order to protect the property of De France.

**M. B. WIGGINS.** January 8, 1893. Floyd county. Remitted upon condition that \$100 of fine and the costs of the case be first paid, two fines of \$300 and \$500 respectively, imposed at the November term, 1891, for nuisance and violating an injunction. Wiggins had been imprisoned for the full length of time provided by law. Remission granted on the joint request of the defendant and the county attorney who prosecuted the cases and with the approval of the board of supervisors of Floyd county.

**WILLIAM TAYLOR.** January 5, 1893. Appanoose county. Remitted the unpaid balance of a fine of \$300, imposed at the January term, 1891, for nuisance. Recommended by the county attorney, who stated that at the time sentence was imposed an agreement was entered into between the officers of the court and the defendant to the effect that if \$100 of the fine and the costs of the case were paid, the collection of the balance of the fine should not be enforced, and that defendant has complied with the terms of the agreement. The remission is upon the condition that it may be revoked if Taylor shall violate the prohibitory liquor laws of the State, but the lien of the judgment is cancelled from lands owned by him and disposed of before an order of revocation, if such shall hereafter be made.

**M. E. EENSDORE.** January 19, 1893. Boone county. Remitted fine of \$50 imposed at June term, 1876, for keeping a gambling

house. Defendant pleaded guilty because of an understanding between his counsel and the prosecuting attorney that no further punishment than payment of costs should be exacted. Defendant paid costs as agreed.

H. J. ILLSLEY. January 20, 1893. Polk county. Remitted fine of \$300.00, imposed at September term, 1889, for nuisance. Remission granted upon recommendation of trial judge and the county attorney who prosecuted the case, because it was shown that Illsley had entirely abandoned the illegal business, and to release from liability property owned by a surety upon an appeal bond in this case. All the costs were paid.

PETER EMICH. February 14, 1893. Shelby county. Remitted fine of \$350 imposed at May term, 1887, for nuisance. Emich had served in jail the full time of sentence imposed in default of payment of the fine, and had paid the costs of the case. Remission recommended by trial judge, county attorney and a number of officials and citizens of Shelby county.

TONY UHL and LEWIS WILHELM. February 17, 1893. Monona county. Remitted unpaid balance of fine of \$200 imposed at September term, 1888, for violating the prohibitory liquor laws. At the time of the entry of said fine the court ordered that upon payment of \$100 and costs the remainder be suspended so long as defendants obeyed the law and these conditions had been in all respects complied with. Recommended by county attorney and others.

D. W. McLAUGHLIN. February 18, 1893. Dallas county. Remitted fine of \$300, imposed at September term, 1892, for nuisance. Defendant had entirely abandoned the liquor business and removed from the State. Remission recommended by trial judge, the county attorney at date of remission, other county officials, including all members of the board of supervisors and many citizens of Dallas county. Subject to revocation if McLaughlin shall violate the prohibitory liquor laws of the State.

A. J. GARY. February 18, 1893. Crawford county. Remitted fine of \$100 imposed at April term, 1886, for obtaining property under false pretenses. Granted upon recommendation of the county attorney and other officials and many citizens of Crawford county, who represented that since said conviction Gary had conducted himself as a good citizen.

SARAH J. ROGERS. February 18, 1893. Shelby county. Remitted fine of \$100 imposed at August term, 1885, for assault. Remission recommended by the district attorney, who prosecuted the case, the county attorney and other officials of Shelby county and many citizens.

WILLIAM KILMER. March 16, 1893. Poweshiek county. Remitted upon payment of costs, fine of \$500 imposed at January term, 1891, for nuisance, and cancelled the judgment rendered upon the forfeiture of an appeal bond, signed by C. O. Schultz, as surety, in said case. Schultz signed the bond because it was represented to him that it was an appearance bond only. It was established to my satisfaction that if collection of the fine was enforced Schultz would have been compelled to pay it. In this case a suspension until June 21, 1892, was made April 21, 1892.

J. J. FUERTH. March 21, 1893. Marshall county. Remitted unpaid balance of fine of \$800, imposed at April term, 1891, for nuisance. Fuert had paid \$100 of fine and all costs, and it was represented to me that he had refrained from any further violations of the prohibitory law and was engaged in legitimate business. Remission recommended by Judge Hindman, County Attorney Carney and a number of prominent citizens of Marshall county.

W. C. WOODWARD. March 27, 1893. Decatur county. Remitted upon payment of costs, fine of \$300, imposed at June term, 1889, for assault with intent to do great bodily injury. Remission recommended by the county attorney who prosecuted the case, the prosecuting witness, many of the officials and citizens of Decatur county, and granted because the offense consisted in the use of a dangerous weapon to repel an aggravated assault committed upon defendant by a much larger man, and in my judgment, the payment of the costs, which amounted to several hundred dollars, is ample punishment.

JOHN BAXTER. March 23, 1893. Wapello county. Remitted fine of \$300 imposed at April term, 1891, for nuisance. Remitted upon recommendation of the trial judge, county attorney who prosecuted the case, and a number of prominent citizens of Wapello county, who represented that Baxter had wholly abandoned the illegal business and was engaged in a legitimate occupation.

ALFRED BELL. March 25, 1893. Adair county. Remitted fine of \$300 imposed at September term, 1891, for nuisance. Granted



upon recommendation of the trial judge, the county attorney who prosecuted the case, and a number of citizens of Adair county who represented that Bell had entirely abandoned the business in which he was engaged, and upon condition that it may be revoked if he shall at any time engage in the unlawful sale of liquors.

D. D. BALES. April 6, 1893. Story county. Remitted fine of \$300, imposed at February term, 1892, for nuisance. In this case an order of suspension was issued August 12, 1892. Remission was recommended by the county attorney, who stated that Bales had fully complied with the conditions of the suspension and had wholly abandoned the illegal business. Granted upon the express condition that the order may be revoked if Bales violates the prohibitory laws of the State, but the lien of the judgment is cancelled from lands owned by him and disposed of before an order of revocation, if such shall hereafter be made.

EDWARD KENNEDY. April 12, 1893. Webster county. Remitted fine of \$75 imposed at October term, 1873, for nuisance. Remitted upon recommendation of all the members of the board of supervisors and a number of other officials and citizens of Webster county, who showed that Kennedy had paid all the costs of the case and long since abandoned the business in which he was engaged.

ALBERT HERONEK. April 22, 1893. Jones county. Remitted fine of \$300.00, imposed at March term, 1891, for violating the prohibitory law. Heronek had been confined in jail one hundred days on account of said fine. Remission recommended by the sheriff and other citizens of Jones county, and was granted upon the express condition that it may be revoked if Heronek violates the prohibitory liquor laws of the State, but the lien of the judgment is cancelled from any lands he may own and dispose of before an order of revocation, if such shall hereafter be made.

FRED REICHMANN. April 28, 1893. Plymouth county. Remitted two fines of \$50 and \$500, respectively, imposed at the October term, 1886, for violating the prohibitory liquor laws of the State. Reichmann had served time in jail upon each fine. Remission recommended by the trial judge, county attorney, nearly all the officers of Plymouth county, including the board of supervisors and many citizens.

WILLIAM SILVERS. May 17, 1893. Wapello county. Remitted upon payment of costs, fine of \$300 imposed February 10, 1890, for

nuisance. The judgment was a lien upon the estate of G. A. Madison, deceased, who was surety upon an appeal bond in this case, and it was represented to me that he signed said bond believing it to be an appearance bond only. Remission was recommended by a majority of the members of the board of supervisors and other citizens of Wapello county. Silvers had entirely abandoned the sale of liquors.

WILLIAM COHENOTE. June 10, 1893. Decatur county. Remitted fine of \$50 imposed on February 15, 1889, in the justice court of Samuel Bowman, for selling intoxicating liquors. Only offense was sale of cider. Remission recommended by justice who imposed the fine, county attorney and citizens of Decatur county.

THOMAS SEDDON. June 14, 1893. Appanoose county. Remitted unpaid balance of fine of \$300 imposed at January term, 1892, for nuisance. Remission granted upon recommendation of county attorney and citizens, and because the record of the court showed that at the time the fine was imposed an agreement was entered into between the officers of the court and the defendant to the effect that if \$100 of fine and the costs should be paid the collection of the balance of the fine should not be enforced, and that Seddon had performed his part of the agreement. The order is subject to revocation if Seddon shall engage in the unlawful sale of liquors, but the lien of the judgment is cancelled from real estate owned by Seddon and by him disposed of before order of revocation, if such shall hereafter be made.

JAMES HARRIS. July 5, 1893. Wapello county. Remitted fine of \$1,000 and costs, imposed at January term, 1888, for violating the prohibitory liquor laws. The offense of Harris, who had died since his conviction, was technical, he having engaged in the sale of liquors only as the servant of others. The remission was granted to relieve the homestead of his widow and her children, who would have been made penniless by the collection of the fine. Also, on August 18, 1893, remitted fine of \$500 and costs, imposed at the January term, 1892, for violating an injunction, and the costs imposed, at the August term, 1892, for nuisance.

JULE CRAPSER and V. E. CRAPSER. Sept. 26, 1893. Hardin county. Remitted unpaid balance of fine of \$600 imposed at November term, 1891, for nuisance. County attorney Ward and ex-County Attorney Huff requested remission and represented that



they agreed to recommend remission if \$300 of the fine and the costs was paid and defendants had complied with their part of the agreement.

FRANK VOHOSKA. October 17, 1893. Jones county. Remitted upon condition that \$150 of fine and all the costs be first paid, the unpaid balance of a fine of \$300, imposed at September term, 1893, for nuisance. Remission recommended by county attorney and citizens.

MARY FELTER. December 1, 1893. Plymouth county. Remitted fine of \$400, imposed at February term, 1887, for violating the prohibitory liquor laws. Mrs. Feites had entirely abandoned the sale of liquor and removed from the State. The fine was a lien upon the property which she desired to dispose of. Remission was asked by most of the officials and many of the citizens of Plymouth county.

JOEL E. CAGWIN. December 6, 1893. Remitted \$250.00 of fine of \$500.00 imposed at January term, 1893, for violating an injunction upon condition that the balance of the fine and costs be paid. Granted upon recommendation of the trial judge, county attorney and citizens, and because a careful reading of the record of the case does not satisfy me beyond a reasonable doubt of the guilt of the defendant. It this case a suspension until October 5, 1893, was issued September 5, 1893, in order to permit the preparation of an application for executive clemency, and further suspension until December 3, 1893, was issued October 3, 1893.

CHRIS KOERNER and HERMAN SPIECK. December 27, 1893. Webster county. Remitted fines of \$100 each imposed at October term, 1882, for violation of the prohibitory liquor laws. The defendants had not been engaged in the illegal sale of liquor for a period of ten years, and had paid the costs of the case. Remission was requested by the board of supervisors of Webster county and citizens.

ALICE GALLIGAN. December 29, 1893. Buchanan county. Remitted fine of \$300 imposed in 1891. Remission granted upon the recommendation of the trial judge, the county attorney who conducted the prosecution, and on account of the mental condition of the defendant, which has been such as to require her detention for a time in the State hospital for the insane. She had wholly abandoned the unlawful business.

W. H. KELLY. January 9, 1894. Marshall county. Remitted \$400 of a fine of \$700 imposed at the March term, 1893, for violating the prohibitory liquor laws. Granted upon the recommendation of the trial judge and citizens. Kelly had entirely abandoned the sale of liquors. Granted on condition that the balance of said fine be first paid.

J. W. DAVID. January 10, 1894. Hardin county. Remitted \$200 of a fine of \$500 imposed at the March term, 1893, for the offense of nuisance. Granted upon the recommendation of a large number of citizens of Hardin county, and because in my opinion a fine of \$300 will be sufficient punishment.

#### REMISSION OF FORFEITURES.

JAMES HARTON. January 29, 1892. Marshall county. Remitted judgment of \$300 imposed on the forfeiture of the bail bond of Joseph Benzoin, on condition that all costs of the case be first paid. Date of judgment April term, 1889. Remission recommended by the county attorney who conducted the prosecution, the board of supervisors and a number of citizens of Marshall county.

LOUIS and C. OEMIG. March 8, 1892. Woodbury county. Remitted unpaid balance of judgment for \$540.80 and costs rendered November 23, 1883, against Louis Oemig as principal and C. Oemig as surety upon supersedeas bond in two cases wherein fines were imposed for the offense of selling intoxicating liquors. Remission granted upon request of the board of supervisors of Woodbury county, and in compliance with an agreement between said board of supervisors and C. Oemig, which provided that upon payment of \$100 and costs, further proceedings be stopped and the Governor be requested to remit balance of judgment. The defendants had fulfilled their part of the agreement.

D. L. RICHARDSON and ELI PHIPPS. September 26, 1892. Hancock county. Remitted upon payment of costs and reasonable attorneys' fees, the forfeiture of a bail bond made by Richardson and Phipps as sureties for the appearance of a person charged with nuisance, said forfeiture having been declared February 27, 1891. The defendants had caused the appearance of the principal

at the trial and placed him in charge of the bailiff of the court, from whom he escaped through no fault of theirs. I am convinced they acted in good faith and believed they had fully complied with the law.

JOHN CONROY AND P. J. CLANCEY. December 9, 1892. Polk county. Cancelled and set aside the forfeiture of bail bond and the judgment of \$159.75 rendered thereon May 31, 1888, said bail bond having been signed by the defendants as sureties for the appearance of a person charged with the crime of nuisance. Remission recommended by the county attorney who prosecuted the case and granted in order that the lien of the judgment might be removed from real estate owned by Conroy at the time of the judgment and which has since been transferred by him to innocent purchasers.

J. J. COFFACK AND A. E. COFFACK. December 23, 1892. Crawford county. Cancelled and set aside the forfeiture of a bail bond and the judgment of \$400 and costs rendered thereon January 28, 1888, said defendants being sureties for the appearance of a person charged with the crime of larceny. It was shown that the failure to procure the presence of the principal at the time required was the fault of the justice before whom the preliminary trial had been held, he having informed the sureties that the principal's attendance must be procured at court in January, whereas he should have said November.

F. X. BLAIS. March 28, 1893. Osceola county. Remitted, cancelled and set aside the forfeiture of a bail bond and the judgment of \$250 rendered thereon at the November term, 1891, said Blais having been surety upon a bond for the appearance of a person charged with nuisance. The order was made upon the recommendation of all the members of the board of supervisors and a number of citizens of Osceola county.

CHAS. F. BLAKE, F. HUSBACH, WILLIAM GETCHELL AND THOMAS SHEA. August 10, 1893. Wapello county. Remitted, released and discharged, sureties upon appeal bond of Geo. Silvers, convicted in a criminal action and fined \$300 and costs, on February 14, 1890, without in any manner releasing or discharging the principal from any of the consequences of the judgment.

H. M. VAN VLIET, WILLIAM STOMMEL AND ROBERT MILNER. December 21, 1893. Mahaska county. Remitted judgment for \$627.25, rendered on November 10, 1893. Van Vliet and Milner

were sureties and Stommel principal upon an appeal bond. It was established that if said judgment was collected it must be paid by the sureties who signed said bond upon the representation of counsel that it was an appearance bond only. Judgment was remitted upon the express condition that the sureties pay all costs and also pay the county attorney of Mahaska county the same commission he would have received had said judgment been collected.

WM. HARPER AND CHARLES MCGLOSSON. December 21, 1893. Mahaska county. Remitted judgment for \$859.90, rendered on October 26, 1893, on an appeal bail bond on which Harper was surety and McGlosson principal. Remitted for same reasons and on same conditions as recited above in the Van Vliet, Stommel and Milner case.

J. G. WAERS. January 9, 1894. Taylor county. Remitted the forfeiture and released and discharged said Waers as surety upon an appeal bond in a case wherein H. M. Belvel was at the April term, 1893, fined \$500 for the offense of libel, but it is especially provided that this remission does not in any manner release said Belvel from the consequences of the judgment. It was represented to me by affidavits that said Waers signed the bond believing it to be an appearance bond only.

H. C. HANSEN. January 9, 1894. Madison county. Remitted, cancelled and set aside the forfeiture declared at the May term, 1893, upon an appearance bond upon which Hansen was surety for the appearance of one H. H. Wilson charged with the crime of nuisance. Following conviction and before sentence was pronounced Wilson absconded, and the bond was declared forfeited. Hansen, without expense to the county, returned Wilson to Madison county, placed him in the hands of the sheriff and he was committed to jail to serve the sentence imposed. It seemed to me the surety had performed the full duty required of him by his bond and should be released therefrom.

FRANK HOFF AND GEORGE WILLIAMS, surety. January 9, 1894. Benton county. Remitted, cancelled and set aside the forfeiture of a bail bond in which Hoff was principal and Williams surety, which forfeiture was declared at September term, 1893, the principal being charged with the offense of nuisance. It was established that Hoff was present in court at time of the trial, and the



surety, in good faith, believed he had fulfilled the obligations of his bond. Hoff was insolvent. Also remitted the judgment for \$386.33 upon a forfeiture declared upon a bail bond in a similar case in the district court in and for Jones county.

#### REMISSION OF JUDGMENT FOR COSTS.

FRANK STERRETT. April 22, 1892. Louisa county. Remitted and cancelled two judgments for costs rendered against the defendant in the case of the State of Iowa vs. Frank Sterrett, one entered December 6, 1884, for \$136.60, the other entered April 16, 1886, for \$330.65, said defendant having been pardoned for the offense for which he was convicted in said action.

#### SUSPENSIONS.

WILLIAM BURNS. January 21, 1892. Audubon county. Suspended during such time as Burns refrains from the unlawful sale of liquors. Fine of \$350 imposed at October term, 1891, for nuisance. Recommended by most of the county officials, including county attorney and members of the board of supervisors, and senator in the general assembly and others.

B. M. GRAVES. January 23, 1892. Polk county. Suspended fine of \$500 imposed at April term, 1891, and fine of \$300 imposed at September term, 1890, for nuisance. Granted because the county physician certified that the health of Graves, who was then confined in jail on account of said fines, would be permanently impaired by his further confinement, and upon recommendation of Judge Holmes, County Attorney Spurrer, ex-County Attorney Macomber and citizens. To remain in force so long as Graves refrains from the unlawful sale of liquors.

JOHN MORGAN. January 29, 1892. Wapello county. Suspension during such time as Morgan shall refrain from the unlawful sale of liquors, fine of \$900 imposed at January term, 1892, for violating an injunction. Recommended by the trial judge, the mayor of the city of Ottumwa and a number of prominent citizens.

LOUISE ARLAND. January 29, 1892. Jones county. Suspended during such time as defendant shall refrain from the unlawful sale of liquors two judgments of the district court of Jones county whereby she was at the May term, 1891, sentenced to pay a fine of \$300 for nuisance and to be imprisoned in the county jail for three months for contempt of court. Suspended upon recommendation of the trial judge and because it was shown that the defendant was a widow with a family of children and that she was about to be married and remove from the county.

HENRY KINNEY. February 5, 1892. Union county. Suspended after ten days' service in jail, sentence of thirty days in jail imposed by the superior court of Creston for intoxication. Recommended by

trial judge and to remain in force so long as Kinney shall refrain from drunkenness.

**PAT WELCH.** February 13, 1892. Wapello county. Suspended during such time as Welch shall refrain from the unlawful sale of liquors, fine of \$300 imposed at November term, 1891, for nuisance. Recommended by trial judge, who stated that had he known the circumstances of the case he would not have imposed sentence, but would have continued case. Also recommended by a number of officials of Wapello county.

**JACOB GEYER.** February 16, 1892. Black Hawk county. Suspended so far as the order of imprisonment is concerned, the judgment of the district court at the January term, 1892, imposing a fine of \$300 and costs for nuisance and providing for commitment to jail in default of payment. Suspension granted upon representation of two physicians that Geyer was in a very weak physical condition and would be unable to endure imprisonment. In this case a temporary suspension was issued January 30, 1892, for fifteen days.

**FRANK SUPPLE.** February 20, 1892. Jones county. Suspended during such time as Supple shall refrain from the unlawful sale of liquors and upon condition that \$100 of the fine and the costs be first paid. Fine of \$300 imposed at March term, 1890, for nuisance. Recommended by a number of prominent citizens of Jones and Dubuque counties.

**NICHOLAS WINKEL.** February 20, 1892. Humboldt county. Suspended fine of \$300 and costs, imposed at April term, 1891, for nuisance. Only offense was sale of cider. Recommended by county attorney and ex-county attorney, eleven trial jurors and citizens. The records convince me that Winkel did not have an impartial trial.

**WILLIAM SILVERS.** March 2, 1892. Wapello county. Suspended during such time as Silvers shall refrain from unlawful sale of liquors, fine of \$500.00 imposed at January term, 1890, for violating an injunction. Recommended by officers and citizens of Wapello county and the city of Ottumwa. It is established by the record in the case that Silvers had no knowledge of the existence of the injunction.

**C. CHRISTIANSEN.** March 2, 1892. Monona county. Suspended during such time as Christiansen shall refrain from the unlawful sale of liquors, fine of \$300.00 imposed at November term, 1889, for nuisance. Recommended by Judge F. R. Gaynor and by the county attorney, who prosecuted the case.

**SEYMOUR WARREN.** March 9, 1892. Polk county. Suspended sentence imposed at the January term, 1891, whereby Warren was, on March 12, 1891, committed to the penitentiary to serve a term of nine years for the crime of burglary. Suspended upon condition that Warren will refrain from the use of intoxicating liquors; that he shall in all respects demean himself as an orderly and law-abiding citizen; and that he shall, during her life time, support and care for his aged mother.

**HENRY BRODY AND ALEX BRODY.** March 11, 1892. Benton county. Suspended during good behavior the judgment of the district court at the October term, 1891, imposing sentence of imprisonment in jail for nine months for assault, but this suspension is not to affect the right of the State to enforce payment of the fine of \$100 and costs imposed at the same time and for the same offense. Defendants had already served four months of the sentence. Recommended by the trial judge, nearly all the county officers and many citizens of Benton county.

**C. E. CUMMINGS.** March 11, 1892. Boone county. Suspended upon condition that Cummings shall refrain from the illegal sale of liquors and demean himself as a law-abiding citizen, fine of \$400 imposed at January term, 1892, for nuisance. Recommended by trial judge and many citizens. Cummings had been confined in jail nearly three months.

**CHARLES NAUNSON.** March 11, 1892. Pottawattamie county. Suspended during obedience to the prohibitory laws fine of \$550 imposed at November term, 1891, for violating an injunction. Naunson had already been confined in jail because of said offense for more than four months and further punishment seemed to me excessive.

**CHET COLE.** March 12, 1892. Mahaska county. Suspended, so far as the order of imprisonment is concerned, judgment rendered at April term, 1891, imposing fine of \$400, and providing for imprisonment in default of payment, for nuisance. Cole was simply a clerk for another and had no interest in the business. Suspension of order for imprisonment granted upon representation that his physical condition was such that confinement would be very detrimental to the health of Cole, and upon the recommendation of most of the officials and a large number of citizens of Mahaska county. Collection of the fine is not interfered with by the order.

**JOSEPH CHAMBERS.** March 12, 1892. Scott county. Suspended during good behavior judgment of the district court at the January



term, 1891, in compliance with which Chambers was on February 24, 1891, committed to the penitentiary at Anamosa to serve a term of two years for breaking and entering. Granted at the request of Warden Barr and on account of the youth of the prisoner, he being but seventeen years of age at the time of his commitment, and because of his exceptionally good conduct during his confinement.

PETER DORRIS. March 14, 1892. Palo Alto county. Suspended so far as the order of imprisonment is concerned, judgment rendered at February term, 1892, imposing fine of \$400 for nuisance, and providing for imprisonment in default of payment. Dorris had been confined in jail for some time on account of said fine and his physician, Dr. G. M. Ellis, certified that his physical condition was such that further confinement would endanger his life. Recommended by most of the officials and many citizens of Palo Alto county. Collection of fine is not interfered with by the order.

ANN HAYES. March 14, 1892. Jefferson county. Suspended during obedience to the prohibitory liquor laws fine of \$300, imposed at April term, 1891, for nuisance. Granted because the defendant, the mother of a family of four children wholly dependent upon her for their care and support, was without means to pay her fine and her imprisonment would have been a hardship not, in my opinion, justified.

CHARLES C. DOSS. March 16, 1892. Clarke county. Suspended upon condition that Doss shall refrain from the use of intoxicating liquors and demean himself as an orderly and law-abiding citizen, judgment of the district court in compliance with which defendant was on October 21, 1889, committed to the penitentiary at Ft. Madison, to serve a term of seven years for arson. There were mitigating circumstances. Defendant was shown to have been very much intoxicated when the crime was committed. Recommended by trial judge, the county attorney, clerk of court and many citizens of Clarke county who certified to the previous good character of Doss.

GEORGE FERTIG. March 17, 1892. Floyd county. Suspended sentence of imprisonment in jail for 135 days imposed at November term, 1891, for violating an injunction and fine of \$300 imposed at January term, 1892, for nuisance. Fertig was in jail on account of said judgments. It was shown that during the year and one-half preceding he had paid a fine of \$660 and costs, and been confined in jail for more than six months for violation of the prohibitory laws, said violations consisting of the sale of a few glasses of beer, and further punishment, in my judgment, would have been excessive.

MRS. KATE SHOCKLY. March 21, 1892. Polk county. Suspended judgment of police court of the city of Des Moines whereby defendant was, on March 14, 1892, committed to jail for thirty days for intoxication. Granted upon recommendation of police judge and city solicitor and upon condition that she refrain from the use of intoxicating liquors and demean herself as an orderly and law-abiding woman.

GEORGE MUGGE. April 27, 1892. Polk county. Suspended during such time as Mugge shall refrain from the unlawful sale of liquors fine of \$300 and costs imposed at October term, 1889, for nuisance. Recommended by trial judge and a number of prominent citizens of Des Moines, and because of the facts as disclosed to me there is grave doubt of defendant's guilt.

KINSEY JORDAN. April 28, 1892. Wapello county. Suspended all the judgments of the district and circuit courts whereby Jordan was sentenced to the county jail for various terms, to pay fines in various amounts for violation of the prohibitory liquor laws. Jordan was in jail at the time the order of suspension was issued, and it was granted upon the written certificate of Dr. T. J. Douglas, the family physician of the wife of said Jordan, who stated that her physical condition was such as to require the care and attention of her husband. Granted upon the express condition that Jordan should in all respects obey the prohibitory laws of the State, and should cause his former place of business so long as he or his wife owned it, to be closed against the sale of liquors by any person whomsoever. Because of a violation of these conditions the suspension was revoked August 17, 1892.

ED SLOAN. May 24, 1892. Mahaska county. Suspended during such time as Sloan shall refrain from the unlawful sale of liquors fine of \$800 and costs imposed at the April term, 1891, for nuisance. Sloan had already been confined in jail for more than three months on account of said fine, and two reputable physicians made affidavits that his health was poor and was being seriously and injuriously affected by his confinement.

F. L. ADAMS. May 12, 1892. Polk county. Suspended during good behavior sentence of imprisonment for six months in jail imposed at January term, 1892, for crime of larceny by embezzlement. Adams had served four months of his sentence. Granted upon recommendation of the trial judge and county attorney, who represented to me that the prisoner's health was very much impaired and that he probably could not survive the full period of his sentence.

BELLE FISHER. May 14, 1892. Polk county. Suspended during good behavior sentence of imprisonment in the penitentiary at Anamosa for one year imposed at January term, 1892, for crime of keeping a house of ill-fame. More than three months of the sentence had been served. Suspended upon recommendation of the prison authorities, who stated that the prisoner was *enciente* and in order that she might be at home to receive the care and attention of friends.

JOHN C. HOPKINS. May 19, 1892. Woodbury county. Suspended during obedience of prohibitory laws of the State, fine of \$500 imposed at November term, 1890, for violating an injunction. Suspension was granted upon the recommendation of the county attorney and most of the other officers and many citizens of Woodbury county, including the senator and representatives in the general assembly, and because it was represented that the act for which said fine was imposed was the sale of liquors in original packages during what is known as the "original package season," under advice of counsel, and with the honest belief that such sales were not violations of the injunction.

JOHN SETZER. May 19, 1892. Woodbury county.

HENRY MIELKE. May 19, 1892. Woodbury county.

GEORGE J. COMMON. May 19, 1892. Woodbury county.

D. DWIRK. May 19, 1892. Woodbury county.

ED. MURPHY. May 19, 1892. Woodbury county.

In these cases judgment was entered at the same term, for the same amount and for the same offense as in the Hopkins case, and suspensions were issued upon the same conditions, the same recommendations and for the same reason as in that case.

M. J. DILLON. May 19, 1892. Woodbury county. Suspended fine of \$500 imposed at August term, 1891, for violating an injunction. Facts were the same as in the Hopkins case and suspension granted upon the same condition and for the same reason.

JAMES JUNK. May 19, 1892. Woodbury county. Judgment same date and for same amount as in Dillon case and suspended upon same condition and for same reason.

MARY L. LOWE. May 25, 1892. Woodbury county. Suspended at expiration of ten days' confinement in jail and during obedience to prohibitory laws fine of \$500 imposed at December term, 1891, for

violating an injunction. Granted upon certificate of a reputable physician that Mrs. Lowe's physical condition was such as to require care and attention that could not be given her in jail, and upon the recommendation of many citizens of Sioux City.

C. W. HARDMAN. June 2, 1892. Pottawattamie county. Suspended judgment of district court whereby Hardman was at the March term, 1892, sentenced to pay a fine of \$150 and to be committed to jail for ten days for cheating by false pretenses. The offense charged was the procuring a signature to a note for \$150. Hardman had been addicted to the use of liquor, but following the commission of the offense and before his trial was fully reformed. Suspension recommended by eight of the trial jurors, most of the officers of Pottawattamie county, including the board of supervisors and the senator and representatives in the General Assembly, and many citizens.

JOHN SHAMBERG. June 3, 1892. Clay county. Suspended upon payment of costs and during obedience to the prohibitory laws fine of \$400 imposed at May term, 1892, for nuisance. Shamberg had already served a portion of said fine in jail. Suspension was recommended by a number of officials and many citizens of Clay county and was granted that the prisoner might be permitted to leave the State to accept a position tendered him.

S. E. STREETER. June 10, 1892. Cass county. Suspended during good behavior, judgment of the district court at February term, 1892, whereby Streeter was sentenced to pay a fine of \$150 and to be committed to jail for 175 days for adultery. Before defendant was indicted the husband of the woman with whom the act of adultery was charged to have been committed had obtained a divorce and married another, and the defendant had married the woman with whom his crime is charged to have been committed. He had already served 109 days on account of said judgment, and it seemed to me, under all the circumstances, that he had been sufficiently punished.

GEORGE WATSON. June 10, 1892. Webster county. Suspended during such time as Watson shall refrain from the unlawful sale of liquors fine of \$300.00 imposed at May term, 1892, for nuisance. Watson had already been confined in jail thirty days. The county physician and two other reputable physicians of Webster county, certified that his health would be seriously impaired by further confinement. Recommended by county attorney and other officials, and many citizens.



DENNIS J. QUIRK. June 20, 1892. Black Hawk county. Suspended judgment imposed at March term, 1891, in pursuance of which Quirk was, on March 20, 1891, committed to the penitentiary at Anamosa to serve a term of three years for larceny. Suspended because of the physical condition of the widowed mother of the prisoner, and because it was represented to me that his crime was committed while he was under the influence of liquor, and upon condition that he refrain from the use of liquor and demean himself as an orderly and law-abiding citizen.

E. N. WESTBERRY. June 24, 1892. Webster county. Suspended during obedience to prohibitory laws fine of \$300.00 imposed at May term, 1892, for nuisance. Defendant had already been confined in jail sixty days on account of said fine, and his family were in destitute circumstances, and supported by the county. Suspension requested by the county attorney and other officers, and many citizens of Webster county.

SHORTY HAWKINS. July 8, 1892. Mahaska county. Suspended fine of \$300 imposed at March term, 1892, for nuisance. Hawkins had already been confined in jail a number of weeks on account of said fine. The county physician certified to me, under oath, that Hawkins' health was in such a condition that further confinement would endanger his life. Other physicians certified to his bad condition. Release recommended by many citizens.

GEORGE HEAVLIN. July 11, 1892. Jasper county. Suspended during such time as Heavlin shall refrain from the unlawful sale of liquors fine of \$400 imposed at November term, 1891, for nuisance. It was established that before the finding of the indictment in this case defendant had paid a fine of \$50 and costs, imposed in a justice court, for substantially the same acts proven against him in this case, and had wholly abandoned the business.

ROBERT HALL. July 21, 1892. Cass county. Suspended during such time as Hall shall refrain from the unlawful sale of liquors fine of \$400 imposed at May term, 1892, for nuisance. Hall had been committed to jail in default of payment of a fine of \$500 for violating an injunction, convictions being had upon proof of same acts as shown by the evidence in this case and had just completed service and been committed to jail in default of nuisance fine. Reputable physicians certified that further confinement would endanger his life. Suspension recommended by the county attorney, the mayor and many citizens of Atlantic.

JOHN MCBRIDE. July 22, 1892. Monona county. Suspended during good behavior sentence of district court whereby McBride was, on September 30, 1885, sentenced to serve a term of ten years for burglary. McBride had served nine years and eight months of his sentence, including good time earned. Suspension granted because of uniform good conduct of the prisoner during his long confinement.

DAVID L. MILLER. July 26, 1892. Washington county. Suspended during such time as Miller refrains from the unlawful sale of liquors and upon payment of the cost, fine of \$300 imposed at April term, 1892, for nuisance. Recommended by the trial judge, county attorney and other citizens, who represented that this was the first offense and that Miller had entirely abandoned the unlawful business three months before his indictment.

LOTTIE BRATTON. August 2, 1892. Polk county. Suspended during good behavior, sentence of fifteen days in jail imposed July 26, 1892, in the police court of the city of Des Moines for larceny. A portion of the sentence had already been served. Suspended upon certificate of the city physician of Des Moines that further confinement would endanger the life of the prisoner.

THOMAS KANE. August 3, 1892. Scott county. Suspended during good behavior sentence whereby Kane was on February 13, 1891, committed to the penitentiary at Anamosa to serve a term of four years for robbery. Granted at the request of the prison physician, who certified that the prisoner was rapidly failing in health and could not long survive.

S. D. VIERS. August 9, 1892. Montgomery county. Suspended fine of \$500 imposed at May term, 1890, for nuisance. Viers had been confined in jail for some time. Granted upon the certificate of County Physician Hallett and Dr. F. M. Hiett, of Red Oak, who stated that the prisoner's physical condition was such that if he was compelled to serve his full sentence he would lose his life on account of heart disease.

JOSEPH LABRESCH. August 10, 1892. Woodbury county. Suspended fine of \$300 imposed at December term, 1891, for violating an injunction. It was established to my satisfaction that Labresch's offense consisted solely of sales made while acting as clerk for another, that he had no knowledge of the existence of the injunction and that his offense was therefore technical rather than real and intentional. Recommended by the county attorney and many citizens of Woodbury county.

GEORGE BENEDICT and D. D. BALES. August 12, 1892. Story county. Suspended upon payment of costs and during obedience to the prohibitory laws, fines of \$300 each imposed at February term, 1892, for nuisance. Defendants were registered pharmacists and held a permit to sell liquors. After conviction they entirely abandoned the sale of liquors. Suspension recommended by the county attorney and other officials and many citizens of Story county.

FRED LINKMEYER. August 22, 1892. Chickasaw county. Suspended during such time as Linkemeyer shall refrain from the unlawful sale of liquors and after he had served sixty days in jail on account thereof, a fine of \$500, imposed at March term, 1892, for violating an injunction. Granted upon recommendation of the trial judge, county attorney and other officials and citizens of Chickasaw county, because it was represented to me that the prisoner's health was such that longer confinement was liable to permanently injure him, and that his wife was about to be confined and needed his care and attention.

CHARLES STEWART. September 1, 1892. Polk county. Suspended during good behavior and during such time as Stewart shall refrain from the use of intoxicating liquors, sentence of imprisonment in jail for six months imposed at March term, 1892, for assault with intent to commit great bodily injury. Stewart had already served five months and fifteen days of the sentence. Suspended on account of his youth and previous good character and upon recommendation of the trial judge and county attorney.

THOMAS CONNORS. September 3, 1892. Polk county. Suspended during such time as Connors shall refrain from the use of intoxicating liquors, sentence of thirty days in jail imposed in justice court on August 25, 1892, for intoxication. Suspended on recommendation of the justice who imposed the sentence.

EDWARD KANE (Cain). September 20, 1892. Jasper county. Suspended during such time as Kane shall refrain from the unlawful sale of liquors, fine of \$500, imposed at August term, 1892, for nuisance. Kane had served a month's imprisonment on account of this fine, and had just completed a term of five months' imprisonment upon another sentence when committed upon this, the evidence in each case being substantially the same. I believed six months' confinement in jail was sufficient punishment.

MRS. L. M. SMITH. October 6, 1892. Jasper county. Suspended during such time as Mrs. Smith shall refrain from the unlawful sale of liquors, fine of \$300 and costs imposed at August term, 1892, for nuisance. Defendant had been confined in jail since May 27, 1892,

a period of nearly four and one-half months, on account of the offense for which sentence was imposed. Her baby, which at the time of the suspension was sick, was confined in jail with her.

CHRIS SMITH. October 24, 1892. Jasper county. Suspended during such time as Smith shall refrain from the unlawful sale of liquors fine of \$600 imposed at August term, 1892, for nuisance. Smith was the sole support of his mother and her children. He had been confined in jail on account of this offense since July 13, 1893, a period of fifteen weeks, which seemed to me sufficient punishment.

LEONARD COLEMAN. November 18, 1892. Poweshiek county. Suspended sentence whereby Coleman was on May 4, 1892, committed to the penitentiary at Ft. Madison to serve a term of six years for manslaughter. The warden and the prison physician certified that Coleman was about to die of consumption and recommended that he be permitted to be taken in charge by his friends and receive the care needed.

J. E. PARKS. November 18, 1892. Mahaska county. Suspended during such time as Parks shall refrain from the unlawful sale of liquors fine of \$300, imposed at May term, 1891, for nuisance. Parks had served four months in jail for a similar fine for acts committed during practically the same period covered by the indictment in this case. A reputable physician certified that his physical condition was such that further confinement at that time would endanger his life. The county attorney recommended the suspension. Because of these facts and because Parks had abandoned the liquor business more than a year before, suspension was granted.

H. S. ENGLAND. November 23, 1892. Mahaska county. Suspended during obedience to all the criminal statutes of the State, fine of \$500, imposed at August term, 1891, for violating an injunction. A careful reading of the entire record of the case convinced me there was no intentional disregard of the injunction. Suspension was asked by most of the officials of Mahaska county, by all the officials and many citizens of the city of Oskaloosa, where the alleged offense was committed.

JOSEPH KOSLOVSKY. December 7, 1892. Linn county. Suspended during obedience to prohibitory laws, fine of \$300.00 imposed at June term, 1891, for nuisance. Koslovsky had entirely abandoned the unlawful business and paid all the costs in the case. Suspension was recommended by the trial judge, county attorney and officials, and citizens of Cedar Rapids.



O. S. MANN. December 10, 1892. Osceola county. Suspended fine of \$300 imposed at October term, 1892, for violating the prohibitory liquor laws. Mann had been confined in jail more than fifty days on account of said fine. During that period three of his children had died of typhoid fever and at the date of the suspension his wife was seriously sick with the same malady and needed his care and attention. Recommended by trial judge, county attorney and other officials and citizens of Osceola county.

EDGAR BRAGG. December 13, 1892. Polk county. Suspended during obedience to prohibitory laws, sentence of sixty days in jail and fine of \$500 imposed at August term, 1892, for violating an injunction. Bragg, who was but eighteen years of age, had already been confined for three months on account of said sentence. The trial judge and county attorney recommended suspension and stated that in their opinion his offense was the result of the influence of a co-defendant.

WALTER SCOTT. December 21, 1892. Polk county. Suspended during obedience to the prohibitory laws, fine of \$500.00 imposed at October term, 1892, for nuisance. Scott had been confined in jail since October 14, 1892. His wife and three small children were in destitute circumstances and sick. A position was open for him to go to work and support his family. The trial judge and county attorney advised that his sentence be suspended during good behavior.

J. A. HILL. December 21, 1892. Polk county. Suspended during good behavior, sentence of four months imprisonment in the penitentiary, imposed at November term, 1892, for uttering a forged check. A reputable physician certified to me under oath that Hill's physical condition was such that confinement in the penitentiary would endanger his life. His crime was the passing of a forged check while intoxicated. Later he reimbursed the party who cashed it. The trial judge, county attorney and prosecuting witness recommended suspension or pardon.

OWEN SWIFT. December 24, 1892. Polk county. Suspended during such time as Swift shall refrain from the use of intoxicating liquors and demean himself as a law-abiding citizen, sentence of district court, at January term, 1892, by reason of which he was committed to the county jail to serve a term of ten months for assault with intent to inflict great bodily injury. Swift had already served eight months of his sentence. Suspension was granted upon the request of the trial judge and county attorney.

JAMES COLLARD. January 20, 1893. Webster county. Suspended to take effect at the end of thirty days imprisonment and to remain in

force during such time as Collard shall refrain from the unlawful sale of liquors, fine of \$300 imposed at November term, 1892, for nuisance. Collard's family was in destitute circumstances and would have been a burden upon the county but for his release. One member of the family was seriously sick. County attorney and the other officials and many citizens of Webster county requested his release.

W. W. MOORE. January 25, 1893. Polk county. Suspended upon payment of costs, fine of \$500 imposed at September term, 1892, for violating an injunction. It was represented to me by the county attorney and a number of prominent citizens of Des Moines who recommended clemency, that Moore was ignorant of the fact that the injunction which had been granted a number of years before was still in force, and that he was in no way connected with the violation other than as owner of the building, having no interest in the unlawful business.

IRA BENTON and JAMES VIBBARD. January 27, 1893. Hamilton county. Suspended fines of \$300 each imposed at November term, 1891, for selling intoxicating liquors contrary to law. Defendants were engaged in the restaurant business. It was established that they were only guilty of the sale of "B B," which they conscientiously believed contained no intoxicating properties. They had entirely abandoned the restaurant business. The suspension is to remain in force during such time as they refrain from the unlawful sale of liquors.

JOHN KREIG, SR. February 22, 1893. Palo Alto county. Suspended during such time as Kreig shall refrain from the illegal sale of liquors, fine of \$300 imposed at November term, 1892, for nuisance. Kreig was eighty-eight years of age and in such feeble health that two physicians certified that he would probably not survive his term of imprisonment if committed to jail, and was without means to pay the fine. The trial judge, ex-county attorney, who prosecuted the case, and officials of Palo Alto county, including the county attorney and many citizens, asked clemency. In this case a temporary suspension until February 2, 1893, was issued December 2, 1892.

G. M. SIMPSON. March 1, 1893. Marshall county. Suspended, so far as the order of imprisonment is concerned and during such time as Simpson shall refrain from the illegal sale of liquors, fine of \$300.00 imposed at January term, 1893, for nuisance. Simpson had been confined in jail thirty days in default of payment of said fine. The trial judge and county attorney recommended his release in order that he might go home and care for his son who was dangerously ill.

ALBERT L. EMERSON. March 15, 1893. Scott county. Suspended sentence imposed at January term, 1893, whereby Emerson was committed to the jail of Scott county to serve a term of six months for the crime of breaking and entering. Granted upon the recommendation of the trial judge, and the certificate of three reputable physicians that Simpson was afflicted with a loathsome and dangerous contagious disease and that his further confinement would endanger the health of all the inmates of the jail.

C. S. DAVIS. March 18, 1893. Hancock county. Suspended during obedience to the prohibitory laws, fine of \$300, imposed at February term, 1893, for nuisance. Davis was engaged in the business but a few days. Suspension was granted upon the recommendation of a large number of citizens of Hancock county, including the senator in the General Assembly, the sheriff, recorder and clerk of court, and because it was represented that Davis was unable to pay any part of the fine, and the feeble condition of his wife imperatively demanded his care and attention.

THOMAS SMITH. March 21, 1893. Appanoose county. Suspended during obedience to prohibitory laws, fine of \$300.00 imposed at September term, 1892, for nuisance. The county attorney who prosecuted the case requested suspension and stated that at time of sentence an agreement was made, with the consent of the trial judge, that if Smith would enter a plea of guilty and pay the costs the collection of the fine would not be enforced, but through an oversight the proper entry was not made, and although Smith had complied with the agreement he was confined in jail on account of said fine. He had abandoned the unlawful business nearly a year before. His family were in destitute circumstances.

JOHN KING. March 23, 1893. Buchanan county. Suspended sentence of five years in the penitentiary, imposed at the January term, 1891, for perjury, by reason of which sentence he was on February 11, 1891, committed to the Anamosa penitentiary. The judge who imposed the sentence and the county attorney who prosecuted the case expressed the opinion that the sentence was too severe and should be suspended. A large number of citizens of Buchanan county joined in this recommendation and certified to King's previous good character.

JACOB ERNSTDORF. April 8, 1893. Greene county. Suspended during such time as Ernstdorf shall refrain from the unlawful sale of liquors, fine of \$300 imposed at the January term, 1893, for nuisance. Ernstdorf had already been confined for more than 60 days on account

of said fine, and reputable physicians certified that further confinement would be detrimental to his health and might endanger his life. A large number of citizens of Grand Junction, where the alleged offense was committed, asked his release.

JOHANNAH SORENSON. April 14, 1893. Black Hawk county. Suspended during obedience to the prohibitory law, fine of \$300, imposed at the January term, 1892, for nuisance. It was shown that the defendant had entirely abandoned the business in which she was engaged when the alleged offense was committed, and was in no manner engaged in the sale of liquors. Suspension was recommended by the trial judge, all the municipal officers, except one councilman, and many citizens of Cedar Falls, where the alleged offense was committed.

ROBERT KENNY. April 21, 1893. Allamakee county. Suspended sentence of imprisonment in the penitentiary for three years imposed at the October term, 1891, for assault with intent to commit murder, by reason of which sentence Kenny was on November 21, 1891, committed to the penitentiary at Anamosa. There are grave doubts as to defendant's guilt. The building in which he lived was assaulted with rocks by a crowd of boys. Kenny stepped to the door and fired a revolver. He claims he fired in the air, and only intended to scare the boys. No one was injured. His release was recommended by the trial judge and many prominent citizens and officials of Allamakee county. The suspension is to remain in force during such time as Kenny shall refrain from the use and sale of intoxicating liquors as a beverage, and the use of narcotics except under direction of a reputable physician, and shall conduct himself as a law-abiding citizen. He had served one-half his sentence.

WILLIAM MEYERS. May 2, 1893. Page county. Suspended sentence of two years imposed for the crime of burglary by reason of which sentence Meyers was on November 4, 1892, committed to the penitentiary at Ft. Madison. Granted upon the recommendation of the warden and prison physician, who certified that Meyers was afflicted with an incurable disease and had but a short time to live, and in order that he might go to his parents in Washington, D. C.

LLOYD DEWITT. June 3, 1893. Greene county. Suspended during such time as DeWitt shall refrain from the use of liquors and demean himself as a law-abiding citizen, sentence of one year in the penitentiary at Ft. Madison, imposed for the crime of burglary, by reason of which he was committed December 7, 1892. DeWitt was but eighteen years of age. It was his first offense. His release at the expiration of one half his sentence was recommended by the trial judge, county attorney and other officials of Greene county.



**EVANS D. SMITH.** June 7, 1893. Polk county. Suspended during good behavior, sentence of nine months in the county jail imposed at the March term, 1893, for assault with intent to inflict great bodily injury. Smith had been confined in jail six months on account of said offense, which was an alleged assault upon his wife. Three reputable oculists certified that further confinement would result in his total blindness. The trial judge, county attorney and prosecuting witness asked his release.

**N. S. RIES.** June 9, 1893. Chickasaw county. Suspended during such time as Ries shall refrain from the unlawful sale of liquors, fine of \$500 imposed at December term, 1892, for violating an injunction. Ries had been confined in jail for thirty days on account of said fine. A reputable physician certified that he was in bad physical condition, the result of two strokes of paralysis. Suspension was recommended by the trial judge, county attorney, the board of supervisors and other officials of Chickasaw county and many citizens.

**H. E. FRY.** June 9, 1893. Wayne county. Suspended sentence of two years imprisonment in the Ft. Madison penitentiary, imposed at March term, 1892, for manslaughter. Fry was committed to the penitentiary March 25, 1892. He, with others, was at a shooting match, and all were drinking. Fry and the man killed were scuffling over a gun when it was discharged. The trial judge, county attorney and eleven of the trial jurors and many citizens recommended his release upon the ground that there was no intention on the part of Fry to kill the deceased. The suspension is upon the condition that Fry shall refrain from the use of liquors and demean himself as a law-abiding citizen.

**MARTIN MEIER.** July 11, 1893. Polk county. Suspended so far as the order for imprisonment is concerned, judgment of the district court at the October term, 1892, sentencing Meier to pay a fine of \$300 and costs, and to be committed to jail in default of payment, for nuisance. Meier had served thirty days in jail on account of said judgment. The trial judge and county attorney requested his release and represented that his wife and five children, who were entirely dependent upon him for support, were in destitute circumstances. The suspension is to remain in force so long as Meier shall refrain from the unlawful sale of liquors.

**JACOB LUICK.** July 11, 1893. Polk county. Suspended, so far as the order of imprisonment is concerned, judgment of the district court at the December term, 1892, sentencing Luick to pay a fine of \$300 and the costs, and to be committed to jail in default of payment, for nuisance. Luick had already served thirty days in jail on account of

said judgment and paid the costs. The trial judge and county attorney requested his release, and represented that his wife and four children, who were entirely dependent upon him for support, were in destitute circumstances. The suspension is to remain in force so long as Luick shall refrain from the unlawful sale of liquors.

**HENRY MEYER.** July 13, 1893. Dubuque county. Suspended sentence of \$100 fine and imprisonment in the county jail for ten months imposed at the January term, 1893, for larceny from a building in the daytime. Meyer's crime was the larceny of an overcoat. He had already been confined in jail for six months. Suspension was granted upon the recommendation of the county attorney, and the certificate of the county physician, who certified that Meyer's health was greatly impaired by his imprisonment and in great danger of being completely broken down, and is to remain in force so long as he shall demean himself as a law-abiding citizen.

**WILLIAM WEEMS.** August 2, 1893. Polk county. Suspended sentence of three years in the Fort Madison penitentiary by reason of which Weems was committed April 2, 1892, for the crime of breaking and entering a car. The car broken into was a caboose in which Weems and his companions built a fire for the purpose of keeping warm. It was not charged that anything was stolen by them. His co-defendant was sentenced to but eighteen months imprisonment. The presiding judge, county attorney and a number of officials and citizens of Dallas county, the home of Weems, recommended his release. Suspension was granted at the expiration of eighteen months upon condition that he at once return to his home and demean himself as a law-abiding citizen.

**FRANK SHELLADAY.** August 26, 1893. Polk county. Suspended during good behavior sentence of twelve years imprisonment by reason of which Shelladay was on October 16, 1891, committed to the penitentiary at Ft. Madison for the crime of assault with intent to commit rape. The prison physicians certified that Shelladay was afflicted with consumption, was rapidly failing and his immediate release would present the only chance of prolonging his life. Solely on account of the prisoner's health Judge Holmes, who pronounced the sentence, recommended suspension of sentence.

**HARRY GRAY.** August 26, 1893. Jefferson county. Suspended sentence of eighteen months imprisonment by reason of which Gray was on September 24, 1892, committed to the penitentiary at Ft. Madison for the crime of burglary. Warden Beard and ex-Warden McMillan certified to Gray's good prison record and recommended his

release. Suspension granted in order to permit him to return with his wife to Pennsylvania, where they will reside in the future.

**WILLIAM FRANCKE.** August 26, 1893. Clay county. Suspended upon payment of costs and during obedience to the prohibitory laws, fine of \$300 imposed at February term, 1892, for nuisance. Francke was a fisherman and guide about the lakes in northern Iowa. It was shown that he furnished some of the visiting sportsmen with liquors. He was the sole support of a large family, was unable to pay the fine and was of previous good reputation. Suspension was recommended by the county attorney and many citizens.

**CHARLES KARSTEN.** October 17, 1893. Cass county. Suspended during such time as Karsten shall refrain from the unlawful sale of liquors, fine of \$400.00 imposed at March term, 1893, for nuisance. Karsten was sentenced at the same term of court, upon a similar showing of facts, to five months imprisonment for violating an injunction. He had served all this sentence and a portion of the nuisance fine. A reputable physician certified that further confinement would endanger his life. Release recommended by the trial judge, sheriff and others.

**J. C. WAGNER.** December 8, 1893. Polk county. Suspended during such time as Wagner shall refrain from the unlawful sale of liquors, fine of \$300 imposed at May term, 1892, for nuisance; fine of \$500 imposed at October term, 1892, for violating injunction and two fines of \$300 each imposed at March term, 1893, for nuisance. Wagner had served a portion of the fines in jail and reputable physicians certified that further confinement would endanger his life. In this case temporary suspension until October 17, 1893, was issued June 17, 1893, and a further suspension until December 5, 1893, was issued October 17, 1893, for the same reason as the suspension of December 8, 1893.

**CHARLES MACKEY.** December 16, 1893. Jasper county. Suspended during obedience to the prohibitory laws, fine of \$300 imposed at the October term, 1893, for nuisance. Mackey has been confined fifty-four days in jail on account of said judgment. His homestead, the only property he owned, had been sold to satisfy a judgment for costs made in a suit for temporary injunction based upon the same facts upon which conviction for nuisance was secured. His family was represented to me to be in destitute circumstances and supported by the county. The county attorney and many citizens recommended suspension.

## TEMPORARY SUSPENSIONS.

**JOHN THILL.** January 27, 1892. Jones county. Suspended until May 1, 1892, fine of \$300.00 imposed at September term, 1891, for nuisance. Granted that Thill, who was then in jail on account of said fine, might go home and care for his wife who was ill.

**G. W. ROCKWELL.** February 15, 1892. Jones county. Suspended until April 1, 1892, fine of \$300.00 and costs imposed at March term, 1890, for nuisance, in order that Rockwell might have time to prepare an application for clemency.

**M. F. SOUSER.** February, 15, 1892. Jones county. Suspended until April 1, 1892, fine of \$300 and costs, imposed at May term, 1890, for nuisance, in order that Souser might have time to prepare an application for clemency.

**MRS. KATE KUEHLER.** March 30, 1892. Polk county. Suspended until April 15, 1892, fine of \$300 imposed at March term, 1892, for nuisance, in order to permit the completion of an application for clemency.

**MICHAEL RINK.** June 4, 1892. Jones county. Suspended until November 15, 1892, fine of \$300, imposed at March term, 1890, for violating prohibitory laws.

**CLINT BRAGG.** October 10, 1892. Polk county. Suspended until December 12, 1892, fine \$500, imposed at August term, 1892, for violating injunction. Bragg was in jail. His wife was soon to be confined and needed his care and attention. The trial judge and county attorney recommended suspension for sixty days because of this fact.

**PETER J. HERRARD.** December 2, 1892. Jones county. Suspended until February 2, 1893, fine by reason of which Herrard was at that time confined in jail. Cancelled suspension December 13, 1892.

**CLAUS STOLEY.** January 5, 1893. Shelby county. Suspended until February 5, 1893, fine of \$500 imposed at November term, 1892, for violating an injunction. Granted upon the request of the county attorney and in order that Stoley, who was in jail, might be permitted to care for his wife, who was seriously ill.



GEORGE FISCHER, FRANK DESSEL and JAMES A. KELEHER. May 24, 1893. Woodbury county. Suspended until June 3, 1893, fines of \$500 each, imposed at May term, 1893, for violating an injunction. Granted to allow the defendants time to present their application for clemency.

JOHN HARTY. June 20, 1893. Polk county. Suspended for twenty days, fine of \$500.00 imposed at November term, 1892, for violating an injunction. Harty was in jail. Suspension granted on certificate of a physician that Harty's wife was soon to be confined and needed his care and attention. On July 14, 1893, a second suspension, until September 14, 1893, was granted.

WILLIAM OGDEN. August 10, 1893. Mahaska county. Suspended until October 10, 1893, fine of \$500.00 imposed at March term, 1893, for violating an injunction. Granted because the county physician and two other physicians certified that further confinement at that time might endanger Ogden's life.

JACOB ROBINSON. October 3, 1893. Polk county. Suspended until December 1, 1893, fine of \$100 imposed at June term, 1893, for keeping a gambling house. Granted in order that time might be given for the presentation of an application for executive clemency and upon the recommendation of the trial judge, county attorney, sheriff and others.

LEW CARTER. December 6, 1893. Polk county. Suspended until the 6th day of March, 1894, sentence of four years imprisonment in the penitentiary imposed at May term, 1893, for crime of assault with intent to commit murder. The prison physician certified that Carter was seriously ill and in the advanced stages of consumption and needed the care that could not be given him in confinement if his life was to be prolonged.

JACK CARTER. December 27, 1893. Mahaska county. Suspended until February 1, 1894, fine of \$300 imposed at December term, 1893, for nuisance.

## SUSPENSIONS 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 11, 1894.

In 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 case the application for release has come from parents or guardians upon whose complaint that the child was incorrigible, in many instances 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.

LAURA A. WILLIAMS. Davis county. Sentenced October, 1888. Suspended February 12, 1892. Revoked order of suspension January 7, 1893. Suspended again January 24, 1893.

OLIVER HUFFMAN. Winnebiek county. Sentenced March term, 1890. Suspended March 15, 1892.

FRANCIS FLADER. Polk county. Sentenced September term, 1891. Suspended March 19, 1892.

RAY SEYMOUR. Cass county. Sentenced April term, 1891. Suspended March 30, 1892.

ORA COPPERNOLL. Boone county. Sentenced March term, 1890. Suspended April 28, 1892.

BEN HAYDEN. Wapello county. Sentenced August term, 1891. Suspended April 28, 1892.

EDGAR R. BRAGO. Polk county. Sentenced April term, 1891. Suspended May 10, 1892.

H. P. BAKER. Polk county. Sentenced September term, 1891. Suspended May 21, 1892.

LEE CARTER. Union county. Sentenced May term, 1885. Suspended August 9, 1892.

OTIS DUNGAN. Cass county. Sentenced —. Suspended August 24, 1892.

ALMON W. BROWN. Louisa county. Sentenced —, 1889. Suspended August 27, 1892.

JESSIE ORANGE. Polk county. Sentenced June term, 1892. Suspended September 28, 1892.

JESSIE BURNS. Muscatine county. Sentenced —. Suspended November 9, 1892.

JUNIOUS B. BRADSHAW. Jefferson county. Sentenced November term, 1891. Suspended November 26, 1892.

ALTA POLAND. Story county. Sentenced June term, 1892. Suspended December 13, 1892. Suspension revoked March 25, 1893.

FLORA KELSEY. Marion county. Sentenced November term, 1888. Suspended December 21, 1892.

LORENA MOLL. Jasper county. Sentenced August term, 1888. Suspended January 25, 1893.

PURLING J. PLAIN. Buchanan county. Sentenced October term, 1892. Suspended February 14, 1893.

FRED MCGIMSEY. Pottawattamie county. Sentenced —. Suspended February 14, 1893, for 30 days.

ANDREW E. LOGSDEN. Polk county. Sentenced June term, 1889. Suspended for seven days on February 16, 1893. Suspended February 21, 1893.

CHARLES W. STOLZE. Union county. Sentenced —, 1889. Suspended February 21, 1893.

JIPPIE COLEMAN. Wapello county. Sentenced —. Suspended March 8, 1893, for 30 days.

LIZZIE JACKSON. Des Moines county. Sentenced March term, 1892. Suspended March 22, 1893.

FRANC STRAUN. Washington county. Sentenced August term, 1887. Suspended April 8, 1893.

DAISY MERRILL. Polk county. Sentenced June term, 1892. Suspended April 28, 1893.

BESSIE LANGON. Polk county. Sentenced February term, 1892. Suspended June 21, 1893.

JOHN B. McCONNELL. Adair county. Sentenced November term, 1889. Suspended August 16, 1893.

HARRY S. HARRIS. Tama county. Sentenced January term, 1893. Suspended August 26, 1893.

ALICE BROWN. Union county. Sentenced September term, 1886. Suspended September 7, 1893.

LEAH STEELSMITH. Hardin county. Sentenced —, 1890. Suspended September 23, 1893.

HARVEY J. RAYMOND. Cass county. Sentenced December term, 1893. Suspended December 21, 1893.

CORA FRANCIS HOWDYSELL. Polk county. Sentenced April term, 1889. Suspended December 21, 1893.

On August 26, 1892, revoked order of suspension of Herman Ramsey. Woodbury county. Suspended July 10, 1888.

On September 27, 1893, revoked order of suspension case of Carl K. Cornell. Jasper county. Suspended April 17, 1891.

## REVOCATIONS.

FRANK DE LONG. Polk county. Committed to the penitentiary at Anamosa on February 19, 1891, to serve a term of eighteen months for crime of larceny. Sentence suspended September 30, 1891, on certain conditions, for a violation of which suspension was revoked on August 15, 1893, and De Long returned to penitentiary.

GEORGE W. HARDWICK. Montgomery county. On April 13, 1891, an executive order was issued suspending further execution of sentences imposed by district court for Montgomery county, and court of A. W. Harding, mayor of Red Oak Junction, upon George W. Hardwick for violating prohibitory liquor laws, on certain conditions for a violation of which suspension was revoked on January 26, 1892.



APPLICATIONS FOR PARDON SUBMITTED TO THE GENERAL ASSEMBLY.

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

*To the General Assembly:*

William Dilley, William Slowey, Frank P. Watkins, Joseph Carter, A. F. Hockett, George Stanley, Frederick Mewhirter, Thomas Brooks, Joseph McCrary and Theodore Bushick, 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.

STATE OF IOWA,  
EXECUTIVE OFFICE,  
DES MOINES, November 11, 1893. }

*To whom it may concern:*

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

Said application is based on the following grounds:

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

*Second*—That during his seventeen years of confinement in prison his conduct record has been unexcelled; and

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

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

HORACE BOIES.

STATE OF IOWA, }  
EXECUTIVE OFFICE, }  
DES MOINES, November 11, 1893. }

*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 imprisonment in the State penitentiary for the term of his natural life.

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

The said petition will be referred to the next General Assembly in accordance with the provisions of sections 4712 of the code of Iowa.

HORACE BOIES.

STATE OF IOWA, }  
EXECUTIVE OFFICE, }  
DES MOINES, November 11, 1893. }

*To whom it may concern:*

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

Said application is based on the following grounds:

*First*—That said crime was committed in self defense; and

*Second*—That during the sixteen years he has been imprisoned in said penitentiary he has demeaned himself as a model prisoner, no report for a violation of the prison rules ever having been recorded against him.

The said petition will be referred to the next General Assembly for action in accordance with the provisions of section 4712 of the Code of Iowa.

HORACE BOIES.

STATE OF IOWA, }  
EXECUTIVE OFFICE, }  
DES MOINES, November 11, 1893. }

*To whom it may concern:*

Notice is hereby given that application has been made for the pardon of Joseph Carter, who was at the October term, A. D. 1885, of the district court of the county of Davis, Iowa, convicted of the crime of murder and sentenced to imprisonment in the State penitentiary for the term of his natural life.

Said application is based on the following grounds:

*First*—That said defendant is now seventy-two years of age and is quite feeble, having some time ago been stricken with paralysis on one side of his body. He will probably not survive a great while longer and desires to spend the remaining days of his life with his wife and family, who are anxious to care for and support him.

*Second*—On account of his exemplary conduct during his imprisonment.

The said petition will be presented to the next General Assembly for action, in accordance with the provisions of section 4712 of the Code of Iowa.

HORACE BOIES.

STATE OF IOWA, }  
EXECUTIVE OFFICE, }  
DES MOINES, Nov. 15, 1893. }

*To whom it may concern:*

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

Said application is based on the following grounds:

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

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

*Third*—That from the fact and circumstances attending the commission of this crime it is claimed that said Hockett should not have been convicted of a crime in a degree higher than manslaughter, the



maximum penalty for which is imprisonment in the penitentiary for a period of eight years.

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

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

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.

HORACE BOIES.

STATE OF IOWA,  
EXECUTIVE OFFICE,  
DES MOINES, Nov. 25, 1893. }

*To whom it may concern:*

Notice is hereby given that application has been made for the pardon of George Stanley, who was at the April term, A. D. 1872, of the district court of the county of Story, Iowa, convicted of the crime of murder and sentenced to imprisonment for the term of his natural life.

Said application is based on the following grounds:

*First*—That said crime was committed in self defense.

*Second*—That said defendant has now been confined for nearly twenty-two years on account of said crime, during all of which time his conduct has been exemplary.

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

HORACE BOIES.

STATE OF IOWA,  
EXECUTIVE OFFICE,  
DES MOINES, Nov. 17, 1893. }

*To whom it may concern:*

Notice is hereby given that application has been made for the pardon of Frederick Mewhirter, who was at the January term, A. D. 1876, of the district court of the County of Pottawattamie, Iowa, convicted of the crime of murder and sentenced to imprisonment in the state penitentiary for the term of his natural life.

Said application is based on the following grounds:

*First*—That he was acting in self defense when he fired the shot.

*Second*—That his victim did not die from the effect of the wound inflicted by him, but from disease.

*Third*—That a proper indictment was not found against defendant. The said petition will be referred to the next General Assembly for action in accordance with the provisions of section 4712 of the Code.

HORACE BOIES.

STATE OF IOWA,  
EXECUTIVE OFFICE,  
DES MOINES, Nov. 17, 1893. }

*To whom it may concern:*

Notice is hereby given that application has been made for the pardon of Thomas Brooks, who was at the August term, A. D., 1889, of the district court of the county of Pottawattamie, Iowa, convicted of the crime of murder and sentenced to imprisonment in the State penitentiary for the term of his natural life.

Said application is based on the following grounds:

*First*—Because the said Thomas Brooks is in feeble and declining health brought on by his confinement.

*Second*—Because the ends of justice and humanity will be more fully attained and subserved by the pardon of the said Thomas Brooks at this time.

*Third*—Because Frank DeGoode, the person shot and killed by Thomas Brooks in Council Bluffs, Iowa, on March 5, 1889, was himself an outlaw and a murderer, and was, when shot in Council Bluffs, fleeing from the justice of Dakota, where, in connection with others he had committed a most brutal and inhuman murder; that he was a dangerous and quarrelsome person, and provoked the difficulty with Thomas Brooks which led to the quarrel in which DeGoode was killed.

*Fourth*—Because Brooks has, since his confinement in the penitentiary at Fort Madison, and during same, conducted himself as a good man, and has given evidence that he will so demean himself in the future, when relieved from his incarceration.

*Fifth*—The appeal in the case of Thomas Brooks to the supreme court of the State of Iowa was dismissed without review or examination by the court because the record of said case did not show that appeal notices had been served as provided by statute, and it is believed that had the supreme court reviewed said case it would have been reversed.

*Sixth*—Because the father and the mother of Thomas Brooks, now residing in Council Bluffs, Iowa, which has been their home since 1859, are honorable, old and feeble, and in indigent circumstances, with no property whatever to support them in their declining years and with no one to care for them save their son, Thomas Brooks, whose pardon they now ask.

The said application will be presented to the next General Assembly for action in accordance with the provisions of section 4712 of the Code of Iowa.

HORACE BOIES.

STATE OF IOWA,  
EXECUTIVE OFFICE,  
DES MOINES, November 18, 1893.

*To Whom it May Concern:*

Notice is hereby given that application has been made for the pardon of Joseph McCrary, who was at the March term, A. D. 1879, of the district court of the county of Mills, convicted of the crime of murder and sentenced to imprisonment in the State penitentiary for the term of his natural life.

Said application is based on the following grounds:

*First*—Because of defendant's youth at the time said offense was committed.

*Second*—Because of his exceptionally good record during his fifteen years' confinement in said penitentiary; and

*Third*—Because the ends of justice have been fully subserved by his long term of imprisonment already suffered, and because no further good can be accomplished by his longer confinement.

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

[Signed.]

HORACE BOIES.

STATE OF IOWA,  
EXECUTIVE OFFICE,  
DES MOINES, November 22, 1893.

*To whom it may concern:*

Notice is hereby given that Theodore Bushick, who was at the October term, A. D. 1870, of the district court of the county of Mills, Iowa, convicted of the crime of murder in the first degree and sentenced to imprisonment in the State penitentiary for the term of his natural life.

Said application is based on the ground that:

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

*Second*—Defendant has no remembrance of committing the crime in question, and that if said crime was committed by him he was wholly irrational and was not responsible for his acts, his reason having been entirely dethroned.

*Third*—He is now fully restored to reason and is anxious to regain his liberty, confident that he will be able to demean himself hereafter in every respect as a good and law abiding citizen.

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

[Signed.]

HORACE BOIES.