

# SENATE . . . . . No. 2.

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## Commonwealth of Massachusetts.

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EXECUTIVE DEPARTMENT, BOSTON, Jan. 7, 1901.

*To the Senate and House of Representatives.*

I have the honor herewith to present, in compliance with chapter 50 of the Resolves of 1860, a report of the sixteen pardons issued by the Governor with the advice of the Council during the year of my administration just closed. Of the number thus released, four were in the State Prison, three in the Massachusetts Reformatory, one in the Reformatory Prison for Women, seven in houses of correction and one in the State Asylum for Insane Criminals. Critical illness was the controlling reason for the discharge of ten, four of whom have since died.

W. MURRAY CRANE.

No. 1. MARCUS P. FALVEY. Convicted of breaking and entering, Superior Court, Worcester County, August term, 1899. Sentenced to the House of Correction for fifteen months. Pardoned Feb. 14, 1900, upon the recommendation of the physician of the House of Correction. Falvey was seriously ill with an incurable disease of the lungs. He died shortly after his release.

No. 2. WILLIAM EGGLESTON. Convicted of adultery, Superior Court, Hampden County, May 18, 1899. Sentenced to the House of Correction for two years. Pardoned Feb. 28, 1900, upon the recommendation of the prison physician. The prisoner was suffering with tuberculosis, with little prospect of recovery.

No. 3. JOHN H. HANLEY. Convicted of assault with intent to kill, Superior Court, Essex County, Oct. 8, 1897. Sentenced to the State Prison for from two and one-half to six years. Pardoned March 21, 1900, upon the recommendation of the prison physician, upon the ground that he was incurably ill with a complication of diseases. He died two days after his release.

No. 4. KALMAN MOSES. Convicted of being a common and notorious receiver of stolen goods, Superior Court, Suffolk County, April 26, 1899. Sentenced to the House of Correction for three years. Pardoned March 21, 1900. Moses, who had never before been arrested, had borne a good reputation. The crime, which had been carefully investigated by the arresting officer since the trial, was proved to be of a less serious character than was supposed at the time of the sentence. The complainants and the arresting officer recommended a pardon, on the ground that he had been sufficiently punished.

No. 5. SAMUEL J. SLATER. Convicted of larceny, Police Court, Fitchburg, March 28, 1900. Sentenced to the Massachusetts Reformatory on an indeterminate sentence. Pardoned April 18, 1900, upon the recommendation of the mayor, chief of police, probation officer, justice and

clerk of the police court of Fitchburg, and the Commissioners of Prisons. Slater, who was but eighteen years of age, should have been placed on probation, as the offence was a slight one, and he had never before been arrested.

No. 6. ELIZABETH NICKERSON. Convicted of being a stubborn child, First District Court, Eastern Middlesex, July 7, 1899. Sentenced to the Reformatory Prison for Women for two years. Pardoned May 2, 1900. The prison physician reported that "she has had tuberculosis for many years, and is in a critical condition, with no reason to expect an improvement." The Commissioners of Prisons recommended a pardon.

No. 7. WILLIAM LANCTOT, *alias* CHARLES W. PRICE. Convicted of larceny, Superior Court, Worcester County, Jan. 23, 1900. Sentenced to the House of Correction for two and one-half years. Pardoned May 2, 1900. The prisoner was suffering from pulmonary consumption. The prison physician was of the opinion that there was no possible chance of recovery.

No. 8. EDWARD F. FLINT. Convicted of violating the license law, Police Court, Chelsea, April 4, 1900. Sentenced to pay a fine of \$100. Pardoned June 13, 1900, upon the recommendation of the justice who imposed the sentence and the chief of police of Revere, who were of the opinion that he had been sufficiently punished by the two months of imprisonment he had already undergone. He was entirely penniless, and unable to pay the fine.

No. 9. JOHN J. LAMIE. Convicted of larceny in a vessel, Superior Court, Suffolk County, April 10, 1899. Sentenced to the House of Correction for two years. Pardoned June 19, 1900, upon the recommendation of the district attorney and the complainants. The value of the property taken was \$15. The pardon committee were unanimously of the opinion that the fourteen months' imprisonment already suffered was sufficient punishment for the crime committed.

No. 10. JAMES LOWE. Convicted of breaking and entering and larceny, Superior Court, Worcester County, Aug. 29, 1899. Sentenced to the State Prison for from four to six years. Pardoned June 26, 1900. Lowe was dying of pulmonary tuberculosis. He lived but fourteen days after his release.

No. 11. FREDERICK W. NELSON. Convicted of breaking and entering, First District Court, Eastern Middlesex, May 2, 1897. Sentenced to the Massachusetts Reformatory on an indeterminate sentence. Pardoned July 24, 1900. Nelson was very ill with pulmonary tuberculosis; it was believed that he could live but a short time. He was removed to the Cullis Home for Consumptives at Grove Hall.

No. 12. FREDERICK H. McARDLE. Convicted of maliciously burning a building, Superior Court, Suffolk County, May 3, 1900. Sentenced to the Massachusetts Reformatory on an indeterminate sentence. Pardoned July 24, 1900, upon the recommendation of the mayor and aldermen and many prominent citizens of Chelsea, the entire jury and the Prison Commissioners. While the evidence warranted the verdict rendered by the jury, it also proved that McArdle was a victim of circumstances. In view of his previous good character and the possibility of his innocence, a pardon was granted.

No. 13. PEARL G. KIMBALL. Convicted of abortion, Superior Court, Suffolk County, Jan. 15, 1900. Sentenced to the State Prison for from four to six years and \$1,000 fine. Pardoned Oct. 3, 1900. Kimball was failing rapidly with pulmonary tuberculosis, with not the slightest possibility of ultimate recovery.

No. 14. FREEMAN L. STUDLEY. Convicted of breaking and entering and larceny, First District Court, Barnstable County, April 7, 1900. Sentenced to the Massachusetts Reformatory on an indeterminate sentence. Transferred to the State Asylum for Insane Criminals May 11, 1900. Pardoned Nov. 14, 1900, from the State Asylum for Insane

Criminals, to be transferred to the Hospital for Epileptics, upon the recommendation of the State Board of Insanity.

No. 15. HARWOOD SANDERSON. Convicted of lewd and lascivious cohabitation, Superior Court, Suffolk County, Feb. 14, 1900. Sentenced to the House of Correction for two years. Pardoned Dec. 14, 1900, upon the recommendation of the district attorney and the wife of the prisoner, who was the complainant, on the ground that he had been sufficiently punished. The woman in the case was placed on probation, and the prisoner would have been, had his wife not desired him punished. Immediate employment was promised, to enable him to provide for his wife and children.

No. 16. ERNEST DARLING. Convicted of breaking and entering, Superior Court, Middlesex County, Feb. 23, 1899. Sentenced to the State Prison for from ten to fifteen years. Pardoned Dec. 27, 1900. Darling was in an advanced stage of pulmonary tuberculosis, with no possible hope of cure. He died Jan. 2, 1901.

