

much good would result. That is, if the law required the governor to publish a list of the names of petitioners in an annual report to the legislature *merely*, without any ulterior object except to give publicity to the action of those procuring the pardon, such legislation would impose a proper restraint upon those who recklessly sign all manner of petitions without regard to the merits of any given case, and thus impose upon the executive blame which should properly attach to others.

Indiana:

Hon. CONRAD BAKER.—I do not think the exercise of the pardoning power does unfavorably affect the administration of justice. It is sparingly and discreetly exercised. I have no suggestion to make as to its restriction.

Michigan:

H. K. CLARKE, Esq.—I have no doubt that the frequent exercise of the pardoning power does unfavorably affect the administration of justice. The procuring of pardons has become an important practice in criminal cases. I have heard that it is not unusual to include in the counsel fee for a criminal defence, services to be rendered in procuring a pardon in case of conviction. Yet I do not see where the power to pardon offences can be more safely and appropriately lodged than with the chief magistrate of a state.

H. A. MORROW, Esq.—The exercise of the pardoning power affects most injuriously the administration of criminal justice in this state. It is exercised too often with too little regard to the crimes committed. It should be restricted by positive law, and the limitation should be this: No pardon should be granted except on the recommendation of the judge who sentenced, and only in cases where new evidence had come to light since the conviction which would, if produced on the trial, have altered or modified the sentence.

QUESTION XXX.

Are persons sentenced for life more frequently pardoned than those imprisoned for a term of years? If yes, what is believed to be the cause of the difference?

ANSWERS.

Massachusetts:

GEORGE W. SEARLE, Esq.—My impression is that persons sentenced for life are not more frequently pardoned than those imprisoned for a term of years. The reason doubtless is that there are but few original sentences for life, and those prisoners who are there for life have had capital sentences commuted to a life