

or besides the other judges of the court of appeals. The "court" acts without publicity, and therefore it frequently errs. I think it *does* "unfavorably affect the administration of justice." Yet its errors are unintentional and not numerous. If it were required that the application for pardon in all cases should be reported upon by the judge and district attorney under whom the applicant was convicted, it would not pardon so often or so wrongfully.

J. F. HEGEMAN, Esq.—I cannot say that the exercise of the pardoning power is abused in this state and operates against justice. It is judiciously exercised upon the whole. In rare cases there may be error, but as a whole there is no ground to interfere with it or restrict it. A complaint against this power, or the abuse of its exercise, is scarcely ever heard.

Pennsylvania:

J. J. BARCLAY, Esq.—There has been in time past an abuse of this power, but for several years the executive of this commonwealth, aided by the eminent attorney-general of the state, has adopted a series of rules upon the subject, which have had an excellent effect.

This power ought to be placed in the hands of a "court of pardons," to consist of the governor, the judges of the supreme court, and the president of the common pleas or law associates; the court to be composed of a given number (say five members), and the judges to rotate from year to year, say one or two judges of the supreme court, with two of the common pleas.

Maryland:

J. A. STERLING, JR., Esq.—The pardoning power is restricted in Maryland so far as to require the governor to give public notice of all applications, to call on all persons who choose to show cause why a pardon should not be granted, and to report all pardons to the legislature. This has had a good effect, though still there has been some injury done to justice, little by our late executive, Governor Bradford, who has been very careful. His successor has only been in office a few days, and has not had a chance to show his practice.

The pardoning power, it seems, must rest somewhere, and it cannot be absolutely guarded against abuse.

Kentucky:

E. L. VAN WINKLE, Esq.—The pardoning power does often unfavorably affect the administration of justice, and when so, is certainly an abuse of the power. I would, however, be disinclined to limit its exercise until all other remedies were exhausted. If the executive was required to report each case of its exercise, with *the list of the names of petitioners applying for the pardon*,