

be expedient to have this power in any way restricted by law, and if so, what limitations would, in your opinion, be likely to prove wise and effective?

ANSWERS.

Massachusetts:

GEORGE W. SEARLE, Esq.—In my opinion a too free exercise of the pardoning power has of late years unfavorably affected the administration of justice in various ways. A very long sentence is considered by an expert criminal as the most favorable one he can receive, greatly advancing his prospects of release by a pardon at an early day. Many criminals and their friends neglect to make a strong defence where one really may exist, relying upon subsequent executive clemency. Young people frequently receive such clemency at the expense of all security of the public, and with the jeopardy of the entire criminal fabric as a system of rigorous judgment.

New Hampshire:

Hon. S. D. BELL.—I think judges generally regard the pardoning power as operating unfavorably upon the administration of justice. Cases occasionally occur of pardons which astonish the courts before which the trials were had; but the courts are almost never consulted on the subject, and the grounds of pardons are never communicated to them. I have never known them to sit in judgment on the action of the executive. I have no opinion whether or in what way the pardoning power could be wisely or usefully limited.

Connecticut:

WALTER PITKIN, Esq.—The pardoning power in this state is vested in the legislature. It is believed by those most conversant with criminal affairs, that it is in many cases improperly exercised. Wherever this power resides, its exercise is necessarily a matter of discretion, and it would be difficult, if not impracticable, to define by law the cases or manner in which it must be exercised. All that can be done is to locate their discretion where it is most likely to be exercised intelligently, and "without fear, favor or hope of reward."

New Jersey:

CORTLANDT PARKER, Esq.—The pardoning power of New Jersey is lodged in a court of pardons, so popularly called, composed of the governor, the chancellor, and the six associate judges of the court of appeals—those, namely, who are *not* justices of the supreme court. The governor must concur in all pardons. The plan is not without its merits. It would have been better had the justices of the supreme court been among its members, instead of