

PARDON DENIED.

MRS HARTLEY MUST GO TO PRISON.

The Board Stood 4 to 1 Against a Pardon.

The Board of Pardons met yesterday at 11:15 to consider the case of Mrs. Alice Hartley, sentenced to 11 years in the penitentiary for the killing of M. D. Foley at Reno.

The Board consists of the three Supreme Judges, the Governor and Attorney General. No pardon can be granted in this State without the consent of the Governor. Mrs. Hartley was tastefully dressed in black silk, and a nurse girl assisted her with her child a fine healthy boy who apparently took no interest in the proceedings.

Mrs. Mila Tupper Maynard, a well known Reno lady, and her husband accompanied Mrs. Hartley.

The room was filled with prominent people of the State who took a deep interest in the proceedings.

From Reno there was W. H. A. Martin, Wm. Thompson, H. H. Beck, Dr. Patterson, C. T. Bender, D. B. Boyd, John Dennis and others.

General Clark opened the case for Mrs. Hartley by presenting numerous petitions asking for the clemency of the Board. The petitions enrolled about 500 names. There was also a petition from Reno signed only by women and it contained about 150 signatures of the leading ladies of Reno. There were also petitions from this city and other towns and one from Reno protesting against any mercy being shown the defendant. It was signed by friends of Senator Foley.

A petition from Spokane was also read, among the signatures being those of C. M. Fassett, W. P. Strickleman and W. H. Stoll, all formerly of Eureka. Accompanying this was a letter which stated among other things, that if Mrs. Hartley had killed Foley twenty years ago the writer was sure the citizens of the State would have assembled in mass and presented her with a handsome gold medal. Attorney General Beatty wanted to know whose signature was attached to this letter, and was informed that it was that of W. P. Strickleman.

Dr. Patterson was the first witness. He stated that he was an expert on insanity, and it was his belief that Mrs. Hartley was insane when the act was committed. He gave many reasons for his belief.

Mrs. Mila Tupper Maynard, by profession a teacher and preacher was the next witness and testified as follows:

Have known her quite well since June 1st. Was in Mrs. Hartley's studio before the shooting to take lessons in physical culture. Mrs. Hartley was an artist and her studio was filled with pictures. Several of my acquaintances were taking lessons of her. Mrs. Hartley was well received specially in Reno. I have found her mind confused and have had conversations with her when she had no special idea of what she was talking about. She talked incoherently in the latter part of June and I mentioned the matter to my husband at the time. I thought it strange that her mind was so incoherent when she was in such good physical health. I have a relative who is a mono-maniac nearly, but still on most subjects perfectly sane and under perfect self-control. After the killing she raved and said voices had called to her for weeks to commit the act of killing and she was fighting off the influence. She had hidden the pistol many times that she might not use it, because the insane pressure was on her mind driving her to the act. I thought after the birth of the child she would return to her normal condition, but it has taken another form; a feeling of terror for the child, fearing she would be separated from it and it would be abducted. She has labored under this feeling and this terror and apprehension for months.

Gen. Clark for Mrs. Hartley asked for an adjournment until 1 o'clock. After some discussion it was decided to continue the case until noon it being then 11:30.

Dr. Patterson was then asked to address the Board. He said that he had never before asked for a pardon for anyone or signed an application for pardon. He would not say anything that he would not be accountable to Almighty God for. He would say nothing of the dead man but would leave his sins to his Savior. If Foley were alive he would be signing an application for pardon; were he alive he would repudiate the use his money

was being put to to force this woman into the penitentiary and his newly born son. During his last moments he had declined to say a word against the woman, because he knew that anything he said would be strong evidence against her. He knew he had wronged the woman and he would also repudiate the illumination of the bank when the verdict of guilty was rendered. It was not in the heart of the man to have done so brutal a thing, or the use of his money by friends of his to seek vengeance on this woman. On Decoration day a parade of decorating his grave was made as if he had fallen in the defense of his country, and his friends have been over-zealous in this sort of display and sensible people repudiated it. Now I don't know whether her story on the stand was true or not, but I will assume that in the illicit intercourse that led to this killing that they were equally guilty. I assume that for the sake of argument, that it would have been better for her had she been buried.

Foley's fast friends advised against any special effort to assist the State in the trial and hired villainers have been turned loose to paint her as a black fiend of darkness, and I believe that the men who have been spreading these villainous stories were paid to do it. This persecution raised friends to her support. The plea of insanity alone would have saved her and this she did not want advanced. This is the best evidence in my mind that she was insane. She had no conception of her condition of her condition. I believe the jury did their full duty and so did the Court, and a due respect for the law under the circumstances, demanded her conviction, their being no plea of insanity a plea which was a full and good defense under the circumstances. The Supreme Court did its duty as judicial officers, but now the time has arrived when your acts should be tempered with justice and the divine attribute of mercy. I am not here to urge the pardon of this poor, wronged woman on the grounds of sympathy, but of justice. The men who have signed Mrs. Hartley's petition, are law-abiding citizens, men who obey the law. I am told there is also a protest in circulation. I hope you will compare the names on these two petitions. If she goes to prison for a day she may be as well kept there eleven years, but I ask you to save her the disgrace of one day in the walls of the Prison. This is an exceptional case. To send this woman to jail is a notification to men of wealth that they can outrage women with impunity and that if a woman has no male defender she has no redress, and that when a seducer and libertine is killed by his victim that the community will honor him with parade and brass bands and cover his grave with flowers. I am certain that when you think this matter over you will regard this as a rare and exceptional case and grant this woman a pardon.

During Dr. Patterson's speech the child was nursed. After recess Mrs. Hartley was driven from the back door of the Capitol in a hack and as she entered a local photographer attempted to get a picture, but a gentleman who was assisting her into the hack, placed his hat over the camera and refused to allow a picture taken. The photographer removed the hat and took the picture.

AFTER RECESS.

In the afternoon H. H. Beck addressed the Board. He said that numerous accusations had been made against Mrs. Hartley since the tragedy, and he had taken pains to investigate them and he had found them all absolutely false, manufactured to prejudice the case. The sentiment in Reno was strongly in favor of the defendant and the people who had signed counter petitions had done so because they had believed in these false accusations. Some however had done so with the idea that they were in some way vindicating their dead friend, but if Foley himself could add his voice to the petitions it would be in favor of clemency. The defendant had suffered all the punishment possible, the day of punishment had passed and now if the pardon was not allowed, it would simply be a day of degradation for mother and child, a degradation that could bring no good results. Pardon the mother and the people will say Amen to it.

Mrs. Mila Tupper Maynard made a splendid plea for the applicant speaking in her earnest eloquent way from a woman's standpoint. She was listened to very attentively by those present and at one time it looked as if her plea would win her friends liberty.

General Clarke closed the argument for the petitioner. The General opened his remarks by stating that Mrs. Hartley had been, to say the least, unfortunately tried, seven men having expressed opinions against her before they entered the jury box. Each of these seven men were disqualified, but

they were accepted by her attorneys with the mistaken idea that they were not unfavorable to her case, and their attitude toward her was not disclosed until later in the trial, this the counsel thought should excite a powerful influence in the case in actuating considerations of mercy.

The General closed his address at a quarter past two and Mrs. Hartley and her attorneys returned to the private room next to the Governor's office to await the result. Her suspense was of an hours duration, at the end of which time Mr. Hanford the clerk of the Board bore the tidings to her that the application for pardon had been denied. She gazed vacantly at him a few moments, but said nothing. After he closed the door, she broke into hysterical sobbing which could be heard for some distance.

She remained about twenty minutes in the room and then emerged, with Mrs. Tupper and her nurse supporting her to the carriage. She will go to Reno for a few days to pack up the little things she needs at the prison, and then begin her term of sentence. Only one member of the Board voted for pardon, Judge Bonfield.

Dodder in Owens Valley.

Dodder, or Love Vine, has a good start in Owens Valley and is spreading rapidly as is its nature. It is a parasite which attaches to growing plants and saps their nourishment, and is regarded as particularly destructive to alfalfa. In the vicinity of the 8-mile house, north of Independence, a large area of sage-brush is covered with this parasite. Unless early and united action is taken for its eradication, it may do much damage in this valley.—Inyo Independent.

A Perjured Jury.

There was a sensation in the Vaughn case at Austin. The evidence was nearly all in when it was discovered that one of the jurors had perjured himself to get on the jury. Judge Mack discharged the man and ordered a new venire.

The Wentworth Recital will take place on Friday evening next at 8 o'clock at the Guild hall of the Episcopal church. This clever elocutionist is one of the best attractions under the management of the celebrated Slayton Lyceum Bureau of Chicago. This talent is unquestionable and no one will regret having heard him.

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Dance at Cook's Grove

On Friday June 7th, there will be a beautiful moon, and it will be taken advantage of by Andy Todd and Jerry Barrett to give a moonlight party and dance, at Cook's grove. The best of music and refreshments will also be there. if

The Weiland Saloon.

Whitney has assumed control of the Weiland saloon, which he proposes to run strictly up to the times. He will dispense the best liquors and cigars and fine old Government whiskey which slides down your throat like oil, tickling your palate meanwhile. Call and see "Handsome Whit." f11

Carpets and Furniture.

Downey is now selling all kinds of carpets at San Francisco prices freight added. You can't call for anything in his line, carpets, furniture or bric a brac that he can't furnish at hard time rates.

Notice to Dairymen.

I can ship kegs and kits to Reno, Carson City, Washoe and other points on the C. P. and V. & T. R. R., at prices that will surprise you. Write for prices and trial order to, John C. Arnold, Cooper, Truckee Cal.

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