



MINNESOTA HISTORICAL SOCIETY

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Board of Pardons,

STATE OF MINNESOTA.

No. 85

In the Matter of the Application

... OF ...

Thomas Coleman Younger

Granted this _____ day
of _____ 189 _____

Clerk.

Declined this 13th day
of July 189 _____

Clerk.

[June 16, 1897]

APPLICATION

To the Board of Pardons
OF THE STATE OF MINNESOTA.

The application of Thomas Coleman Younger

shows that his full and true name is Thomas Coleman Younger

His age is 57 years, and that his birth-place was Jackson County, Missouri, his parents were

(State nationality of each.)

J. H. Younger, Born in Missouri
Burcheba Younger " " Tennessee

and that his occupation and residence during the five years next before his conviction of the offense hereinafter stated were as follows: Farming and trading in stock in states of Missouri and Texas.

That on the Twentieth day of November 1896, he was tried and convicted in the District Court in and for the County of Rice of the crime of Murder in the first degree

and thereupon sentenced to imprisonment in Minnesota State Prison at Stillwater for the term of his natural life

and that he is now imprisoned pursuant to such sentence; that the name and post office address of the judge before whom he was tried is Samuel Lord, Faribault, Minn.

and of the prosecuting attorney is Hon Geo. N. Baxter, Faribault, Minn.

that he was indicted and convicted under the name of Thomas Coleman Younger

That he has never been known by any alias except _____

and was never arrested, indicted or convicted for any other offense except _____

That hereto annexed and made a part hereof is a succinct statement of the evidence adduced at his trial with the endorsement of the _____

that it is substantially correct. (If such statement or endorsement cannot be furnished, here state the reason.) _____

Your petitioner asks that a Pardon or Commutation of sentence be granted to Thomas Coleman Younger upon the grounds and for the reasons following: 1st - Because I have been imprisoned nearly twenty one years under said sentence, which is more than double the average time served by life prisoners. 2nd - Because during the entire time of my confinement as aforesaid, I have demeaned myself in perfect conformity to all the prison regulations. 3rd - Because I believe I have been sufficiently punished for the crime committed, and that the main object sought by imprisonment has now been fully accomplished, namely, the reformation of the prisoner.

All of which is respectfully submitted.

Dated at Stillwater this Sixteenth day of June
Thomas, Coleman, Younger,

A. D. 1897.

- No. 85 -

APPLICATION

For the Pardon or Commutation of
Thomas Coleman Younger

Filed on the 13th day

of June A. D. 1897

A. V. Hartley
Clerk.

DISPOSITION.

Board of Pardons,

STATE OF MINNESOTA.

No. 86-

In the Matter of the Application

... OF ...

James S. Younger

Granted this day

of 189

Clerk.

Declined this 13th day

of July 1897

Clerk.

APPLICATION

To the Board of Pardons
OF THE STATE OF MINNESOTA.

The application of James H. Younger

shows that his full and true name is James Harden Younger

His age is 48 years, and that his birth-place was Jackson County, Missouri, his parents were
(State nationality of each.)

H. H. Younger, Born in Missouri.

Bercheba Younger, Born in Tennessee

and that his occupation and residence during the five years next before his conviction of the offense hereinafter stated were as follows: Farming and trading in stock in states of Missouri and Texas.

That on the Twentyeth day of November 1896, he was tried and convicted in the District Court in and for the County of Rice of the crime of Murder in the

first degree and thereupon sentenced to imprisonment in Minnesota State Prison at Stillwater for the term of his natural life

and that he is now imprisoned pursuant to such sentence: that the name and post office address of the judge before whom he was tried is Samuel Lord, Fairbault, Minn.

and of the prosecuting attorney is Hon Geo. N. Baxter, Fairbault, Minn.

that he was indicted and convicted under the name of James H. Younger
That he has never been known by any alias except _____

and was never arrested, indicted or convicted for any other offense except _____

That hereto annexed and made a part hereof is a succinct statement of the evidence adduced at his trial with the endorsement of the _____

that it is substantially correct. (If such statement or endorsement cannot be furnished, here state the reason.) _____

Your petitioner asks that a ~~Pardon or~~ Commutation of sentence be granted to James H. Younger upon the grounds and for the reasons following: 1st - Because I have been imprisoned nearly twenty one years under said sentence, which is more than double the average time served by life prisoners. 2nd - Because during the entire time of my confinement, as aforesaid, I have demeaned myself in perfect conformity to all the prison regulations. 3rd - Because I believe I have been sufficiently punished for the crime committed, and that the main object sought by imprisonment has now been fully accomplished, namely, the reformation of the prisoner.

All of which is respectfully submitted.

Dated at Stillwater

James Harden Younger
this Sixteenth day of June

A. D. 1897.

No 86

APPLICATION

For the Pardon or Commutation of

James H. Younger

Filed on the 18th day

of June A. D. 1897

A. S. Bartles
Clerk.

DISPOSITION.

[June 10, 1897]

APPLICATION.

TO THE BOARD OF PARDONS
OF THE STATE OF MINNESOTA.

The Application of James and Thomas Coleman Younger shows that their full and true names are James H. Younger and Thomas Coleman Younger. Their ages are Forty Eight and Fifty Two respectively: That their birth-place was Jackson County Missouri their parents were Harry W. Younger and Bursheba Younger and that their occupation and residence during the five years next before their conviction was farming and stock raising in Texas and Missouri:

That on the 20th day of November 1876 they were tried and convicted in the District Court in and for the County of Rice and state of Minnesota, of the crime of murdering J. L. Heywood and thereupon sentenced to imprisonment in the Stillwater Prison during the remainder of their lives, and that they are now imprisoned pursuant to such sentence: that the name of the judge before whom they were tried was the Hon. Samuel Lord, now deceased, and of the Prosecuting Attorney is George M. Baxter; Now located at some point in South-America, to these applicants unknown: that they were indicted and convicted under the names of James Younger and Thomas Coleman Younger. That they were never known by any alias and were never arrested, indicted or convicted for any other offense.

That there was no evidence at their trial for the reason that these applicants acting on the advise of their counsel entered a plea of guilty to the charge in the indictment: wherefore they are unable to produce any statement of the evidence: that these applicants are unable to get endorsement of the Judge and Prosecuting Attorney who tried them for the reason that the Judge has

some time since died and the whereabouts of the Prosecuting Att'y is to them unknown.

Your petitioners ask that a pardon be granted them upon the grounds and for the reasons following, viz:

- 1st. Because they have been imprisoned more than Twenty Years under said sentence, which is much longer than the average time served by life prisoners.
- 2nd. Because during the entire time of their confinement as aforesaid they have demeaned themselves in perfect conformity to all the prison regulations, never having received a single demerit.
- 3rd. Because every Prison Official with whom applicants have come in contact, believe they have been amply punished, and so far as we can ascertain have and do favor their pardon.
- 4th. Because it is believed every requirement of law and Justice has been fully satisfied by the punishment already inflicted, and if this be true we feel to longer continue the incarceration is to turn the strong arm of the law into a machine for harm rather than a promoter of good.
- 5th. Because the Sister state of Missouri, has hereto fore twice appealed to the clemency of this great Common Wealth on the behalf of these men, and she now comes to you again through her unanimous Legislature and other state Officers, by petition, asking the pardon of these men for the reasons in said petition set out, which said petition is here refered to and made a part of this application.

All of which is respectfully submitted.

James Younger.

Thomas Coleman Younger.

By Their Att'y

W. A. Jones

Dated this June 10th 1897.

Board of Sordons.

No. 85 + 86

Statement of case and
reasons for clemency.

Filed this 16th day of June 1897

A. H. Farley
Clerk.

TO THE HONORABLE,

THE BOARD OF PARDONS of MINNESOTA,

Gentlemen:- As a citizen of the State of Missouri I have had the honor of presenting for your consideration the letters, papers and petition from some of the most influential citizens in public life in the State of Missouri in behalf of the Younger Bros. These letters and petitions have doubtless received due consideration by you. I desire to say, however, for your farther information that the sentiment in the State of Missouri is not alone represented by these documents that have been here presented. It is the consensus of opinion and has found expression almost universal that the Younger Bros. have been to a large extent victims of circumstances. This is particularly true as regards their history in the State of Missouri. I have lived in the State of Missouri all my life, and have been in public life for years. I have a very large and extensive acquaintance throughout the whole State, and I desire to say that I am fully acquainted with the sentiment of the State. I have no interest in the Younger Bros. except that which has been prompted by a feeling of justice and humanity. I know the history of the Youngers and their family. They come from good stock in which no criminal taint has ever appeared until this unfortunate affair. It is true that many crimes were currently charged to the Youngers because of their unfortunate connection during their war experience with ~~the~~ *Grant* and others of like character. These influences, together with their unfavorable consequences have been fully set forth in the letters and petitions that have been presented here for your consideration. It has been claimed through the newspapers that money has been used to secure a pardon for these ^{men} boys. I desire to stamp this as unqualifiedly faults. What I have done and am now doing is without pay except that which I hope ever to have, the approval of my own conscience. I have been in this State seven times before, and have made every effort possible to do or say something that might in some way interest the good people in the State of Minnesota and help to create, if possible, a sentiment that would result in the mitigation of the heavy sentence

under which these ^{men} boys are now suffering. The names of some of the strongest men in the State of Minnesota who have taken a friendly interest in behalf of a pardon of the Youngers were mentioned to you in a plea for their clemency yesterday, among these names are such men as ex-Gov. Marshall, Gen. Sibley, ex-Sen. D. M. Sabin, ex-Mayor Smith of St. Paul, Dr. Day and William Lee both ex-Post Masters of this city, Horace W. Pratt of Minneapolis, ex-Sen. Durant of Stillwater, and many others that I might mention. I desire to express it as my humble opinion that the ends of justice has been fully met and ought to be satisfied with the measure of punishment already meted out. My knowledge of the intricacies of penal management is somewhat limited, but my knowledge of human nature and the consequences of the rights and privileges that have been forfeited as a penalty for out-raged law which has resulted in the penal servitude covering a period of twenty-one years prompts me to say that in my honest judgment and conviction that they have been punished already beyond a humane measure. England, perhaps one of the severest nations in meting out punishments to her criminal classes, provides in the administration of her penal laws that when a prisoner has been sentenced to prison under a life sentence, and after he shall have served twenty-one years in prison leaves to the Commission of prisons to exercise discretionary power in the matter of retaining ^{him} ~~them~~ longer in prison or releasing ^{him} ~~them~~ upon ticket of leave. This I take it is somewhat similar to the laws in this and some other States providing for the release of prisoners on parole, but as has been stated and represented here before your honorable Board this does not and cannot prevail in the State of Minnesota in case of life prisoners. I ask, and implore you, gentlemen of the Board of Pardons, to carefully weigh and consider some of the weighty arguments which have been set forth as a reason for granting some clemency to these unfortunate men. The good citizens of the State of Missouri pray for this. They ask it of you as a sister state, and we believe that in asking it we ask no more of you than the State of Missouri would gladly extend to the State of Minnesota.

if asked for under similar conditions. Can it be possible that there is any question in your minds after what you know of these men and their past histories extending from childhood up to the present time, and including the splendid record they have made during the twenty-one years they have spent in prison that they will not become good citizens and obey the laws? I will stake my honor and liberty that if allowed their freedom that they will make good law-abiding citizens and that no act of theirs will ever cause you to regret that you exercised executive clemency in their behalf.

I desire to call your especial attention to the letters addressed to your honorable body U.S. Sen. S. B. Elkins, of the State of West Virginia, and Col. Emery S. Foster, of St. Louis, Mo. Both of these gentlemen were Colonels in the Federal army in the State of Missouri; both have testified in these letters that their lives were saved by the Youngers. This stamps as unqualifidly faults some of the statements that have been made that they were ever guilty of unsoldierly conduct while engaged in the Confederate service. Col. Foster relates, as you will remember, that some of the Confederate soldiers threatened to massacre the wounded Federal soldiers after the Battle of Lone Jack, and that some of the unfortunate Confederate soldiers were actually murdered on the battle field. At this time Cole and Jas. Younger appeared upon the scene; that with drawn revolvers they stayed the blood thirsty disposition of the Confederates, and actually saved his (Col. Foster's) life. Col. Foster in ^{his} heart-felt gratitude and entirely unsolicited, upon hearing that an effort was being made for their pardon has written this letter in which he testifies to the honorable, brave, and soldierly character of these men upon the battle field. Similar testimony is also given you by U.S. Sen. Elkins which seems to me ought to have some weight as bearing upon the character of these men. Their bravery upon the field of battle in what they then believed a just ^{cause} needs no defence. Some of the best blood of the nation has been spilt in this cause. I myself was in the Confederate army in the State of Missouri, and I know some of the hardships through which they and others have passed.

The time has come in our State when Federal and Confederate soldiers can now meet upon a common level; their interests are recognized as identical. ~~the~~ ^{are} Soldiers Home ~~is~~ supported by the State in which both are admitted with equal rights and privileges. The old animosities have died out; and our annual reunions are participated in by the Federal and Confederate soldiers. ^{alike} I mention this to you gentlemen to show you that in the last twenty-five years there has been a great change in the State of Missouri, and with these changes we of Missouri have hoped that some of the unpleasant and disastrous consequences resulting from the late war as bearing upon the Younger Bros. lives might also be mitigated, if not wiped out by a free pardon from her sister state of Minnesota.

Gentlemen of the Board of Pardons, I ask you in the name of justice and humanity to grant a pardon to these unfortunate men. Justice and mercy should not be divided, where justice holds sway in its representation of the majesty of the law there mercy should also find lodgment. ^{be encouraged} Is it possible that they have not suffered enough. I believe they have. I believe that you in your own hearts believe that they have, and I trust that no considerations of public policy from unfavorable sources will cause you to withhold from these men that which you believe they are justly entitled to.

I have but one more word to say, and it is this: I thank your Honorable Board most sincerely for the kind and considerate hearing you have given to my humble appeal, and in behalf of the citizens of the State of Missouri, whom I represent, I also desire to thank you. May divine providence guide you in all wisdom.

Mr Brounagh

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THOS. T. ECKERT, President and General Manager.

NUMBER	SENT BY	REC'D BY	CHECK
Rh 20	C	Ra	59 paid

563

RECEIVED at Fourth and Robert Streets, St. Paul, Minn.

M. Standard Time.

Dated

Farbaue & Minn 13

July 13 189

To

Governor Clough State Capitol
St Paul Minn

As prosecuting attorney I went to Northfield in 1876 to get evidence to indict younger Bros for shooting the swede no one at that time could state whether

RE

Doc

To

Board of Barons.

No 85+86

Geo. W. Baxter of
Fairbank

Filed this 12th day of July 1897

Robert H. Stanley
Clerk.

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INCORPORATED

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THOS. T. ECKERT, President and General Manager.

NUMBER	SENT BY	REC'D BY	CHECK

RECEIVED at Fourth and Robert Streets, St. Paul, Minn.
M. Standard Time.

_____ 189

Dated _____

To _____

he was killed by citizens
or robbers. they finally decided it
was from a stray bullet and
did not know from which side
consequently no indictment was
found

G. N. Baxter