

## Chapter 143

### Reprieves, Commutations and Pardons; Remission of Penalties and Forfeitures

#### Chapter 143

ATTY. GEN. OPINIONS: Power to remit fines and forfeitures, 1950-52, p 299.

#### 143.010

##### NOTES OF DECISIONS

The criminal code makes no restriction on the power of the Governor to pardon except as provided by this section. In re Spencer, (1878) 5 Sawy 195, Fed Cas No. 13,234.

The Governor may attach to a pardon any condition that is legal, moral or possible of performance. Ex parte Houghton, (1907) 49 Or 232, 234, 89 P 801, 13 Ann Cas 1101, 9 LRA(NS) 737.

The Governor may pardon an offender provided that the offender accepts. Carpenter v. Lord, (1918) 88 Or 128, 137, 171 P 577, LRA 1918D, 674.

FURTHER CITATIONS: Eacret v. Holmes, (1958) 215 Or 121, 333 P2d 741; Delaney v. Shobe, (1964) 235 F Supp 662.

ATTY. GEN. OPINIONS: Power and procedure in granting pardon, commutation or reprieve to prisoner in county jail under conviction and sentence, 1922-24, p 304; effect of reprieve, 1922-24, p 369; authority to grant petition for

remititur of forfeiture of bail bond, 1926-68, p 19; authority to release prisoner on condition that he pay his fine in monthly instalments, 1926-28, p 331; authority to pardon municipal ordinance violation, 1940-42, p 383; meaning of "forfeiture," 1964-66, p 171.

LAW REVIEW CITATIONS: 45 OLR 27.

#### 143.040

CASE CITATIONS: Fredricks v. Gladden, (1957) 209 Or 683, 308 P2d 613; Eacret v. Holmes, (1958) 215 Or 121, 333 P2d 741.

#### 143.050

CASE CITATIONS: Fredricks v. Gladden, (1957) 211 Or 312, 315 P2d 100.

#### 143.060

CASE CITATIONS: Fredricks v. Gladden, (1957) 211 Or 312, 315 P2d 100.

LAW REVIEW CITATIONS: 45 OLR 3, 127.