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April 1, 2015

THIS WEEK:

The Story of the George Stanley Trial

BACKGROUND:

From: *History of Story County Iowa, A Record of Settlement, Organization, Progress and Achievement* by W.O. Payne, Volume 1, Published by the S. J. Clark Publishing Company, Chicago, 1911.

The Story of the George Stanley Trial



Probably no single event in the county during this period was of more general or continuing interest than was the trial of George Stanley for the murder of William Patterson. Not that a murder trial is something that moulds institutions, or influences greatly the subsequent course of events; but there are murder trials in which the people generally become interested and maintain their interest, and this trial was one of that sort. The matter became of such state wide interest that it was made the text of a successful campaign for the abolition of capital punishment, and it was such abolition that eventually saved Stanley from the gallows, that was at one time in the course of construction for his use. After thus having his sentence in effect commuted by the general assembly and being in consequence sent to the

penitentiary at Ft. Madison for a life term, Stanley became a quite persistent applicant for pardon, his case coming up quite regularly before successive general assemblies, but not receiving any favorable consideration for many years. On the occasion of the local publication of notice of one of these applications, Mr. J. A. Fitchpatrick, who had been clerk of the court at the time of Stanley's trial, and who was one of the men most familiar with the matter, furnished the following concise statement of the case, which statement is here reproduced as the best to be offered. Mr. Fitchpatrick said:

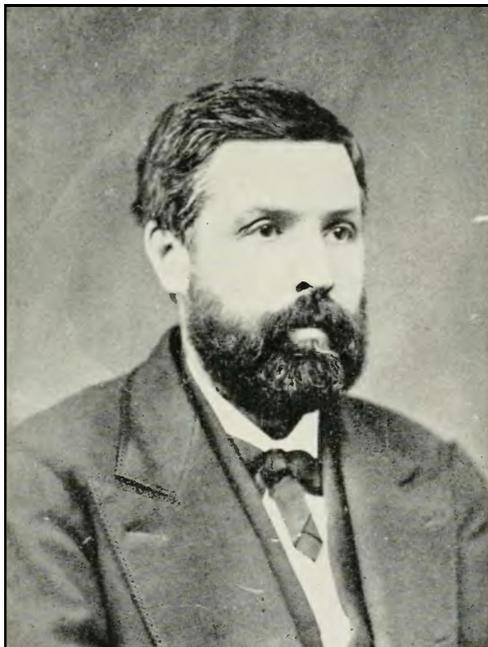
"At the September term 1870 of the Story county district court, George Stanley was indicted for the murder of William Patterson. The murder was committed on the 15th day of June 1870 on the railroad track just as it enters the cut on the west side of Skunk river, about 80 rods east of the depot in Ames. At the time Patterson was section foreman of the section running east of Ames. The two or three years previous he had been foreman at Ogden, and Stanley had been in his employ for a time while there. Stanley was a rough brutal looking fellow, but notwithstanding this fact an undue intimacy sprang up between him and Patterson's wife which led to his discharge from the gang of workmen. Stanley after his discharge attacked Patterson with a club, striking him over the head several times and in the fracas Patterson managed to stab Stanley with a knife several times, inflicting serious wounds, laying him up for several weeks. While he was confined with his wounds several of the good people of Ogden tried to prevail upon him to file information against Patterson, but he declined to do so, saying that he was the aggressor and Patterson was not to blame, but he declared that if he recovered and should meet Patterson he would kill him. Patterson was finally indicted and tried at Boone in April 1870 and acquitted, Stanley appearing as the principal witness against him. After this trial Stanley declared himself to be a 'bulldog,' and when once he undertook to down a man he would never let up and said 'I will kill Patterson yet.'

"Stanley was first identified as seen in Ames on June 13th. At that time just opposite the scene of the murder, and about thirty feet north of the track, a deep gully had been washed out, leaving a high embankment of dirt between it and the track. On this day he was seen by Mrs. Nellie E. Gregory going into that gully about 5 o'clock in the evening. Gregorys at the time lived just south of the track. She saw him again the next day raising up out of the gully just after Patterson and his men had passed on their way to work, viewing them closely, but acting as if he did not want to be seen.

"On the evening of June 15th, Patterson left his work in the cut east of the river about 5 o'clock, telling the men he was going to town and gave them instructions to finish the jobs they were at and then come in. The men started in near six

o'clock and upon reaching the spot opposite the gully they found Patterson's dead body lying across the track with two bullet wounds in his head—one entering the eye and coming out the opposite ear and the other full in the top of the head going downward. An old rusty revolver with one empty cartridge shell, the chamber also rusty and showing no signs of recent firing was found near him and also a box of cartridges. Patterson was never known to carry a revolver.

"Mrs. Eleanor Bradley, still residing in Ames, heard a shot and saw a man running but thought nothing strange of it at the time. The same evening Stanley called at the house of A. Dayton in the west part of Nevada asking for a drink of water and appearing very warm and excited. The next day he was seen at Liscomb, Marshall county, and asked for and secured a ride to Eldora. W. H. Carnick, mail agent on the train, noticed him and told him he answered the description of the man Stanley, who had murdered Patterson at Ames. He said he had never been at Ames and did not know Patterson. The day following he was arrested near Eldora and at the next session of the grand jury was indicted. He was tried at the April term A. D. 1871 OF THE Story County district court. Messrs. Boardman and Brown of Marshalltown and Dan McCarthy of Ames appeared as his attorneys; he was ably defended: the jury after a short deliberation returned a verdict of Guilty of murder in the first degree and he was sentenced to be hanged.



Governor Cyrus Carpenter

"The case was appealed to the Supreme court on technical grounds, Hon. G.W. Ball of Iowa City appearing for him on appeal, and February 24th, 1872 the court affirmed the judgment of the lower court (33 Iowa page 526.) The court says: 'Weighing the evidence before us most cautiously and considering it all with great care, we are thoroughly satisfied that the jury were authorized thereon, without a reasonable doubt to convict the prisoner. The grave duty is imposed upon us which we discharge with a due sense of our responsibility to God and the state, to pronounce the decision of this court confirming the judgment of the court below, condemning the prisoner to suffer the extreme penalty prescribed by the law for the heinous crime of which he stands convicted.'

The opinion was written by the late Chief Justice Beck and the case was well considered.

"The time for the execution was fixed for early in April, 1872. The timbers were on the ground and workmen had been engaged to erect the scaffold. In the meantime the legislature had passed the law abolishing capital punishment and only the day

previous to that fixed for carrying out the sentence of the court, Governor Carpenter sent a special messenger with a commutation of sentence to that of imprisonment for life.

“The foregoing are the cold facts gleaned from the record in the case. That the murder was most foully committed after lying in wait for at least three days for that purpose, no one who heard the trial doubted at the time and there has been no occasion for change of views since.



Joseph A. Fitchpatrick

He was a senator from the 31st District, composed of the counties of Boone and Story. He was born October 17, 1840. He moved with his parents to Boone County, Iowa, in 1854, and then to Story County in 1857.

“While under sentence Stanley was a docile and well behaved prisoner in every way. He settled down meekly to submit to his punishment whatever it might be. Upon one occasion the other prisoners confined with him broke jail and escaped. Stanley could have gone but refused to go saying that it was ‘too cold to venture out.’ Nothing is known here of his antecedents. Whether or not he had any relatives living did not develop upon the trial.”

Mr. Fitchpatrick did not at this time take the position that Stanley should not under any circumstances or at any time receive a pardon, and in fact a few years later, having in the meantime been elected to the state senate, he gave the consent that was essential to Stanley’s pardon. This was in 1902 when Stanley had been in prison for thirty years. Stanley had become the prisoner of much the longest service in the penitentiary and though still in his 50s as to age, he was broken down by his prison life.

The relatives who were not known of at the time of his trial or for many years afterwards had made their appearance, and when Stanley was finally released in the year stated they met him at the prison and took him back to his native state of Maine, whence there has been of him no further report.

Note: Capital punishment was abolished in Iowa in 1872, reinstated in 1878, and abolished again in 1965.