

September 22, 1831. }

*Gentlemen*,—I understand that a number of persons have been lately convicted in Gwinnett county, for illegal residence in the territory occupied by the Cherokees within the State, and will very soon be placed within the Penitentiary, unless they should be considered proper subjects for the exercise of the Executive clemency. As it is possible that some of these persons may have committed the offence of which they have been convicted, under mistaken opinions of their own duty, or of the powers of the Government, I am desirous of pardoning such of them as may have thus acted, and will now give assurances, that they will not again violate the laws of the State; if they should be found worthy of such clemency.

You are requested to see each of the prisoners, and converse with them alone, and ascertain from them whether they are disposed to promise not again to offend the laws if they should be pardoned. You are also requested to ascertain as accurately as you can, what has been the general character of each of the convicts, and the motives which have influenced them in their opposition to the authority of the State.

The result of your enquiries and conversation, you will oblige me by communicating as early as convenient.

Very Respectfully, Yours, &c.

GEORGE R. GILMER.

*Messrs. Jas. Camak, Benj. A. White, Tomlinson Fort, Inspectors of the Penitentiary.*

PENITENTIARY, September 22, 1831.

*Sir*,—In compliance with your request of this date, we met at the Penitentiary, and investigated the cases of each of the individuals brought from Gwinnett, separately. Enclosed, we send statements of James J. Trott—Samuel Mays (No. 1,) Edward Delosier (No. 2,) Surry Eaton (No. 3,) Thomas Gann (No. 4,) A Copeland (No. 5,)—You will find also, a written petition in favor of S. Mays, enclosed in No. 1.

We have personally examined Benjamin F. Thompson, James A. Thompson, and John F. Wheeler. The above persons all request your clemency, on condition that they will not again violate the law. They are stated by Mr. Trott and Mr. Butler, to be respectable, honest citizens.

With regard to Mr. Butler, he authorizes us to state, that he could not take the oath of allegiance to the State, without perjuring himself, as he views the case—he cannot consent to a change of residence with his present feelings.

Mr. Worcester states, that he has taken the course he has pursued, from a firm conviction of duty—if he had been disposed to submit, he would not have proceeded so far—he has applied to the Supreme Court, and expects to hear from his application.

Mr. Wheeler states that his family is within the chartered limits, and that he intends to return there, but will not subject himself to another arrest.

Respectfully your ob't. servants,

BENJ. A. WHITE,

JAMES CAMAK,

TOMLINSON FORT,

} Inspectors.