

Message I received O'Donnell's petition in April 1840, but declined granting it, in consequence of the dissatisfaction which had been produced by the Pardon of Atwell & others; and because it was intimated to me, that of Canal he was considered a leading and influential man among his Rites. countrymen.

This petition is signed by Samuel M. Semmes, J. Tuckey, G. A. Pearce, Wm. Mottler, John M. Bartlow, S. A. Lackey, Lee Montgomery & others; and as it contains the principal reasons which induced me to interfere in the first instance, and which were communicated to me verbally, while Kelly's case was under consideration, I will give such extracts as will show, whether I have been imposed on as alleged by Mr. Clement Cox, in his report to the stockholders of the Chesapeake & Ohio Canal Company. The petition is in the hand writing of Mr. Semmes, is signed by himself and other respectable men of both parties, and by Mr. Lee Montgomery, who is complimented by Mr. Cox for his worth as a man, and for his skill as a contractor.

The petitioners, "do not hesitate to say, that there never was a conviction in any Court founded upon slighter evidence - evidence too of the most interesting character. It was not proved by a single witness, that the said O'Donnell was within four miles of the scene of outrage. Yet the said O'Donnell was condemned precisely because our people seemed to have lost all discrimination, when the Irish were put upon their trials."

"Your petitioners further allege that even supposing the prisoners to have been guilty, the sentence of the Court was in their opinion altogether disproportioned to the offence. But your petitioners do sincerely believe that O'Donnell was altogether innocent, and that he has been condemned wrongfully."

In a letter written to me last August, Mr. Semmes states that "from the evidence O'Donnell ought certainly to have been acquitted. But under the influence of improper prejudices against the Irish, the prisoners were convicted by the wholesale."

In this communication I have referred only to the papers and circumstances, upon which were predicated my reasons for the pardons granted; but as the House of Delegates may wish to see other papers, I send herewith all the petitions, depositions and letters, which have been received in behalf of the prisoners. It may be seen that there is nothing of a party character in any of them; and nothing to affect any citizen of Allegany, unless it be considered a crime to write to the Executive in behalf of