

Bills 5 Oct 1821

Mr. Dobie

Transmitting Petition  
on behalf of Allan  
Carsewell

637A

Petition

Allan Carsewell  
prisoner in the Jail  
of Ayr under sentence  
of death.Sept 28<sup>th</sup> 1821.

The Chancellor of the Exchequer - Sir Alexander Boswell of Auchinleck - delivered this recommendation in the name of the Jury to the Court; and by their desire, stated how very much divided they had been in their opinion.



Birth 5 October 1821.

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My Lord

I have been solicited to prepare and forward to your L<sup>ty</sup> a Petition to our gracious Sovereign in behalf of Allan Carmichael who has been condemned to death at Ayr for uttering a Bill for £40 knowing the same to be forged - I have now the satisfaction of forwarding the Petition which is very respectfully subscribed, and have to express my humble hope that this application with that of the Jury and the Hon<sup>ble</sup> Judge who presided at the trial will not be in vain. I have the honor to be

My L<sup>ty</sup> your L<sup>ty</sup> most obedient  
Respectful  
L<sup>ty</sup> Sir James Stewart  
J. D. Robie.



Ayr. Sept 28<sup>th</sup> 1821.

Unto the King's most Excellent  
Majesty The  
Humble Petition of Allan  
Carsewell present prisoner in  
the Jail of Ayr,-

Sheweth:

That your petitioner now lies in the  
Jail of Ayr under sentence of death. He had  
the misfortune to be tried at the Circuit Court  
held here on the 26<sup>th</sup> inst: before the Lords  
Hermand & Meadowbank, for the crimes of  
Forgery, and of uttering or causing to utter  
a forged bill or draught for money - knowing  
the same to be forged. The Jury unanimously  
acquitted him of the forgery; but by a plura-  
lity of voices - and it was a mere plurality -  
they found him guilty of causing to utter the  
forged bill, with the knowledge of its being a  
forgery. In consequence however of the great  
difference of opinion among the Jury, they unani-  
mously recommended the petitioner to the Mercy  
of your Majesty.

The Chancellor of the Jury - Sir Alexander  
Boswell of Auchinleck - delivered this recom-  
mendation in the name of the Jury to the  
Court; and by their desire, stated how very  
much divided they had been in their opinion.



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of the prisoners guilt, limited as it was from the actual forgery.

Upon the trial a very powerful testimony was borne to the Petitioners previous good character by persons who had known him from his infancy. He was proved to have been always considered a decent & honest, tho' a simple lad. It was but too apparent that the principal part of the guilt of the whole transaction attached to an individual who was a King's evidence agt the petitioner. Such is often the melancholy - but necessary course of Justice!

In these Circumstances the petitioner fervently trusts that your Majesty will be graciously pleased to extend to him the Royal mercy. And should your Majesty - in consideration of the peculiar situation of the petitioner, and the strong recommendation of a highly respectable Jury - save him from an ignominious death, his future days shall be devoted to a thorough repentance of his past offence, and a grateful remembrance of your Royal clemency. Whatever other fate may await him in this life, the mercy which your Majesty may be pleased to extend to him shall never be abused.

That your Majesty may be long



presumed to be a blessing and protection  
 the people of this favoured country, and that  
 when this life is no more, you may inherit  
 an immortal crown in Heaven, is the pious  
 & anxious prayer of -

May it please your Majesty -

yr. Majesty's penitent subject.

Arch. Hope. Cullen, -  
 Counsel for Allan  
 Carsewell.

The jury were satisfied of the man's previous  
 good character. They were satisfied that  
 he was simple although there was not  
 sufficient evidence of imbecility. And the  
 jury divided nine to six. And it was  
 a jury of most respectable individuals.

Alexander Boswell (Chancellor  
 for foreman) of the jury.