

## Transcript of Lord Hope's Report to the Home Secretary on the petition by the residents of Dunfermline for clemency for Alexander Black Senior.

June 26 1851

Sir, From fatigue produced by the labours in court in new appeals to matters I have not been able sooner to make Myself master of the case now returned to You to which the Petition of Alex<sup>r</sup> Black refers, on which You wished me to report.

He pleaded Guilty to the Indictment.

I have now the Honour to said Indictment ag<sup>t</sup> Alex Black

Declaration emitted by Him

Four other Indictments referred to in Lord Ivory's letter to me

It is necessary to consider in a general point of View all these cases together, as the punishments in all of them were proportioned to the degrees of guilt of the different Parties respecting The Rt Hon Sir George Grey Bart in the two riots to which the two sets of cases refer. The same general Views regulated the apportionment of Punishment in all the cases.

The riot in which the Townspeople of Dunfermline were engaged was a very alarming & general riot & the Irish were treated with great barbarity and expelled out of the Town, women & infants as well as men, in a most outrageous & cruel manner.

The excitement caused by the previous violence of some Irish in individual assaults was strongly urged in extenuation of this most masterful Riot in which the whole Irish were turned out of the Town in a very cruel manner.

Lord Ivory's Statement goes over all the cases and the grounds which influenced Him & Lord McKenzie to award the different sentences mentioned in his statement. The only doubt I could entertain is whether some of the Town's people ought not to have been transported & Lord Ivory & Lord McKenzie seem to have felt that doubt very strongly.

As it is, most certainly the sentence in the case of Alex<sup>r</sup> Black is one of exceeding leniency in such a case, and I must humbly report my opinion that any Mitigation of that sentence would be very inexpedient. Indeed of necessity some relaxation ought also to be made in other cases if his punishment were varied.

That he was actively engaged in this Mob, His plea of Guilty in parts for the Indictment so charges Him – and the Petition probably sets forth nothing which might not be stated in regard to every one of the other Towns people.

The Riot was regularly conceived & planned – no one therefore had any excuse who joined in it: It's purpose was open & avowed: All that was done was executed deliberately & by great violence: The Individual acts of violence charged ag<sup>t</sup> Black & His son & others to which He pleaded guilty prove very direct action & leading participation in the illegal objects & outrageous conduct of the Mob.

That the Magistrates & others may have a strong feeling ag<sup>t</sup> the Irish Catholics & in favour of the Townspeople is very far from recommending in my opinion any Mitigation of this lenient Sentence.

I have the Honour to be

Sir

Your Most obed<sup>t</sup> & very Humble Servant

John Hope

**BACK COVER**

Report on the Case of Alexander Black

Return Mr. Smith's letter from Dunfermline

The Lord Justice Clerk Reports his op<sup>n</sup> that the sentence is an extremely lenient one & that any mitigation of it would be very inexpedient. **[Ends]**



June 26. 1851

From fatigue produced by the labours in Court in now affairs we in either I than not have able sooner to make myself master of the case now returned to You, to which the Relation of Alex Black refers, on which You wished me to report.

He pleaded Guilty to the indictment.

I have now the Honour to send

1. Indictment agt Alex Black
2. Declaration emitted by Him
3. Four other Indictments referred to in,
4. Lord Scrugs's letter to me.

It is unnecessary to consider in a general point of View all these cases together, as the punishments in all of them are proportioned to their degrees of guilt.

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Sir George Guy Bost &c

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nothing which might not be  
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Black & his son & others to which  
he pleaded guilty from every  
direct act & leading partici-  
-pation in the illegal objects &  
outrageous conduct of the Riot.

That the Magistrates & others may have  
a strong feeling against the Irish Catho-  
-lics & sufferers of the Town paper  
is very far from recommending  
in my opinion any mitigation  
of their ancient Sentence:  
I have the Honour to be  
Sir  
Your most Obedt & Very Affect  
Servant. John Hope

Report on the Case of  
Alexander Black

Return Mr.  
Smith's letter

from Dunfermline

The Lord Justice Clerk  
Reports his op<sup>n</sup> that the  
sentence is an extremely  
lenient one & that any  
mitigation of it would be  
very inexpedient.

U7 H.L.

done a<sup>o</sup> 2<sup>o</sup> July 1857