

Catherine McGilvray ID1772 per *Anna Maria* 1851

Catharine McGilvray aged 20

Glasgow Circuit Court April 1851, Theft, 7 years transportation

Gaol report – 5 times convicted of theft. One of attempt to steal and 4 times of disorderly conduct.

Series – HO 18, Piece Number – 315

Application is made for the detention of the prisoner in this country on the grounds of her age, distress and good character of her mother

Cannot comply

[]

Unto the Queen's Most Excellent majesty

The Petition of Mrs Marion McMillan or McGilvray, widow of Neil McGilvray, - Shanker, residing in No 290 High Street Glasgow.

Most Humbly Sheweth

That the Petitioner has a daughter named Catharine McGilvray who was 19 years of age upon the 5th March 1851 last, and was indicted to stand her trial along with Jane Clark and Ann Kilgour or Sinclair before the Circuit Court of Justiciary at Glasgow which was held and commenced on Tuesday 22nd April thereafter, charged with having been guilty , actor and part of the crime of theft upon Friday 13th December 1850, stealing from the shop or premises situated in the High Street afore said, occupied by John Smith Turner Draper residing with John Smith Senior, Banker in Melrose Street Queen's

Crescent Glasgow a web or piece of ticking cloth measuring 60 yards or thereabouts the property of the said John Smith Turner.

That the said Catharine McGilvray was according trial along side with her said associates, before the Honourable Lord Cockburn upon the said 22nd day April last, and having been convicted was sentenced to be transported beyond the seas for the period of 7 years.

That the Petitioner being in poor [] circumstances and thus unable to employ an Agent of Counsel in the case was introduced by a gentleman of her acquaintance connected with the legal profession to one of the Agents appointed by the Sheriff for the criminals to attend to the case of her daughter which he accordingly undertook to do. But consequently failed in accomplishing as neither he nor his partner nor their Clerk were present at the trial in order to conduct the case and advise an explanatory proof upon her behalf and thus she was condemned without being heard in her defence.

That her and her late husband were born in the Isle of Islay Argyllshire and she took up her residence whilst very young at the village of Parkhead near Glasgow and when able to enter into service engaged herself with a respectable farmer who resided a few miles from Glasgow with whom she remained for several years. She was subsequently married upon the 17th June 1822 by the Very Reverend William Taylor Principle and Vice Chancellor of the University of Glasgow and Minister of St. Mungo's or the High Church Parish .

That the petitioner's husband died of the fever in the month of March 1841 leaving her with seven children (all of whom suffered under the same complaint, which was not out of her house for six months,) in very indignant circumstances and she was constrained, however reluctant to present a Petition on her behalf to the general Church Session of Glasgow for relief, to enable her and her family to go to Islay and get work so that she and them might be maintained and properly raised up and educated as well as far from the corruption of such a large and prosperous city as Glasgow - such application was respectfully recommended by a number of persons,

who knew the situation of herself and family and the certificate was appended to the recommendation to the effect that the Petitioner was believed to be poor and destitute by the Rev. Norman McCloud Doctor of Divinity then and still Minister of the church of Saint Columbus in Glasgow and one of the Deans of the Chapel Royal attached to the Royal Household in Scotland at Edinburgh. The Rev, Walter McGilvray then and still the Minister of the Gailic Chapel in Glasgow, The Rev. Thomas Brown Doctor of Divinity then Minister of the Parish of Saint John there, and also by Mr John McVey one of the Deacons of St. John's Parish in a separate certificate on the Petition which is herewith sent, for the satisfaction of the Queen's Most Excellent Majesty.

That the Petitioner is nearly 60 years of age and still in poor [pecuniary] circumstances . Her daughter Catharine Marion McGilvray another daughter who resides along with her were her chief support and wishes very much that Catharine may be detained in either of the Penitentiaries situated in the United Kingdom of Great Britain and Ireland therein to remain during the currency of her sentence at the sight of the Right Honourable Sir George Grey Her Majesty's Principle Secretary of State for the Home Department most [sub.....ely] besceches and prays that it may please the Queen's most Excellent Majesty to consider the [premis] and in respect of what is before set forth as well as the recommendations hereon authorise the said Secretary of State to grant to the said Catharine McGilvray the accommodation and relief sought for at Her Majesty's entire wisdom and discretion.

And the Petitioner as in duty bound will ever pray

The mark x of Mrs Marion Mcillan or McGilvray

Witness – John Gibson

Witness – James Donald

We the undersigned do hereby respectfully and humbly recommend the forgoing application to the favourable attention and consideration to the Queen's Most Excellent Majesty for the hope that it will prove successful.

Robert Jamieson – Minister of St Pauls Parish

David Waton – Elder of the Parish

John Graham – Minister of East Regent Church

And a further 30 signatures.
