

Chelmsford

22 November 1838

My Lord

I beg leave to enclose a Petition which I have just received from Norwich on behalf of MARIANNE GALEY who was convicted at the last Chelmsford Sessions of stealing wearing apparel from her employer the Rev John Crabb Warren and which I am confident will receive the utmost consideration from your Lordship.

As I had the management of the prisoner defence I beg leave to inform your Lordship that I retained Mr Ryland as the Leading Counsel and who had the brief in his possession several days ago before the Sessions which commenced on the 17th October last and who was acquainted with all the circumstances of the trial no coming on the first day of the Sessions Mr Ryland was obliged to leave Chelmsford and go to St Albans Sessions as a special retainer the following day the 18th October he returned the same evening which he did in a Port Chaise and prepared to conduct the prisoners defence and the following day he expected the trial would be postponed till he returned according to the arrangements he had made with Mr Dowling his Junior Counsel but in the afternoon of Thursday the 18th October the trial to my great surprise was called in the absence of Mr Ryland at the request of the Prosecutor. This Attorneys Clerk Mr Tillett who refused to let it stand over till the following morning altho requested by me several times so in consequence of which I was obliged to get Mr Bazett to hold Mr Rylands brief and who had it (one whole line I cannot read) sessions before the trial commenced and which brief was very long and contained near 20 brief sheets and therefore had not sufficient time to pursue it in consequence of which the unfortunate prisoner was carried from the Infirmary of the Prison to the Court put on Trial she being in a very bad state of health without her Counsel or Solicitor being prepared for it and I had no doubt that if her trial had been postponed till the following morning and Mr Ryland her counsel been prepared and gone fully into her defence and examined the witnesses in her favour accordingly to the instruction in the brief I feel confident that it would have thrown such great doubts in her case so as to induce the Jury to return a verdict in her favour and I will in a few days forward to your Lordship a statement of facts connected with the prisoner case.

My Lord

Your Lordships obedient servant

Willian Old

Clerk to Mr Knipe Solicitor Chelmsford

Chelmsford
22nd December 1838

To the Right Honourable Lord John Russell

My Lord,

I enclosed your Lordship a Petition a few weeks ago on behalf of MARIANNE GALEY who was convicted at the last Essex Michaelmas Sessions of stealing wearing apparel from her employers, I more beg leave to enclose an affidavit of facts that took place at the trial of the above prisoner which I am confident will receive the utmost consideration from your Lordship.

My Lord

\you Lordship's most obedient servant

William Old

The Queen on the Prosecution of the Rev. J C Warren

against

MARIANNE GALEY

Affidavit of

William Old

William Old of Chelmsford in the county of Essex Clerk to Francis Knipe of Chelmsford aforesaid Gentleman. Maketh Oath and saith that he thus Deponent received instructions from the above named prisoner to pu[] her defence and her trial which took place at the Quarter Sessions held at Chelmsford on Thursday 18th October last and that the thus [Deponent] did prepare a brief which consisted of near 20 brief sheets a copy of which said brief the thus deponent delivered to Mr Ryland in London on the 13th day of October last and at the same time retained the said Mr Ryland as the leading council for the defendant further said that he did also deliver to Mr Dowling a brief at Chelmsford and retained him as the Junior Council for the said prisoner and that the said trial did not come on the first day of the Sessions and that the said Mr Ryland was obliged to leave the sessions at Chelmsford on the Thursday the 18th day of October last for the purpose of going to the Saint Albans Sessions as a special retained and had made arrangements with Mr Dowling for the trial to stand over until the following morning on his return and that the said Mr Ryland did return late the same evening in a [Port] Chaise and purposed to conduct the said prisoners defence as thus Deponent hath been informed and believes to be true. And this Deponent further saith that in consequence of some conversation this Deponent had with the same Mr Dowling relative to this same trial on the morning of the 18th day of October last thus deponent informed the said prisoner that in consequence of the absence of Mr

Ryland her trial would be postponed till the following morning and thus deponent said that in the afternoon of Thursday 18th October the said trial was called on although the Prosecutor and his counsel and solicitor's clerk knew that Mr Ryland held a brief for the prisoner and was absent to the great surprise of this Deponent and that [] Deponent did request Mr Tillett the solicitor's clerk and the prosecutor to let it stand until the following morning in order that her counsel Mr Ryland who was in possession of the facts contained in the prisoners brief might be present which said required [] refused by the said Tillett and in consequence of which this Deponent was obliged to get Mr Baszett had not sufficient time to pursue the same before the said trial was called for and this deponent further saith that the said prisoner was brought from the Infirmary of the prison and carried into Court being in a very bad state of health and put on her trial without any previous notice and this Deponent also saith that the said Mr Dowling was professionally engaged in the Crown Court where the said trial was called on, and had been so in most of the cases during the day and therefore this Deponent believes he was not prepared for the defence of the said prisoner in consequence of which the very material points necessary for the defence were omitted such as the cross examination of the Prosecutor and his wife and also the examination of the witness subpoenaed by the said prisoner as well as the production of several letters written by the Prosecutor's wife to the said prisoner and this deponent further saith that he believes the object of bringing the trial on in the absence of her counsel Mr Ryland was to get a conviction against the unfortunate prisoner and prevent her from being heard in her defence and this Deponent also saith that he believes the said prisoner had a good defence to all the charges brought against her and had her counsel Mr Ryland been present and her trial postponed till the following morning and her defence gone fully into and her witness examined accordingly to the Justice [] given in the brief it would have thrown such great doubt on the case as to induce the Jury to acquit her and this Deponent further saith that he had never witnessed a prosecution concluded more severely against any prisoner then the present.

William Old

Sworn at Chelmsford in the County of Essex this day twentieth day of December
1838

before

John Copland a Commissioner for taking affidavits in the Court of Queens Bench at
Westminster London

To the Right Honourable Lord John Russell MP Her Majesty's Secretary of State for
the Home Department

The humble Petition of MARIANNE GALEY the wife of RICHARD GALEY of the City of Norwich late a Wine and Spirit Merchant.

Humbly Sheweth

That in consequence of divers unhappy disputes and differences she was about two years ago separated from and lived apart from her said husband.

That in pursuance of the recommendations of her friends and relations she in the month of August one thousand eight hundred and thirty seven procured a situation as Housekeeper to the Rev John Crabb Warren of Little Hockesley in the County of Essex and continued in such service till the month of May last when she obtained leave of absence on account of ill health and returned to the City of Norwich bringing with her her boxes containing as she supposed her own apparel, your Petitioner positively denies having any knowledge that any property belonging either to the Prosecutor or his wife was in her boxes at the time of such removal.

That in the month of August last your petitioner entered service of the Prosecutor she was possessed of abundance of clothes linen and articles similar to those claimed by the Prosecutor and your Petitioner most solemnly declares that the handkerchief found in her possession sworn to by the fellow servant HEPZIBETH TURNER was the property of your Petitioner, she having a great many of them when she entered the service of the Prosecutor - Your petitioner took with her her boxes without ever looking in them being very ill at the time not knowing of anything being therein but what belonged to her, which boxes were all unlocked and open to the other servants in the employ of the Prosecutor.

That the cambrie and pocket handkerchiefs sworn by the Prosecutor were exchanged and given to her by mistake with the linen at the time of washing as the linen belonging as well to the Prosecutor as your Petitioner was all washed and got up together which circumstances your Petitioner states to Sarah Crisp one of the witnesses for the Prosecution, and of her intention to take back with her when she returned to her situation and which fact the said Sarah Crisp has acknowledged.

That your Petitioner has all ways borne a good character for honesty

That your petitioner is in a very ill state of health and quite unable to bear the dreadful punishment consequent upon her conviction as a felon she having been sentenced to seven years transportation.

That your Petitioner begs leave further to state that during her service she had the unpleasant duty to perform of discharging several servants at the request of Mrs Warren the wife of the Prosecutor in consequence of which the remaining servants bore your Petitioner much ill will and principally upon whose testimony your Petitioner was convicted.

That between the time of your Petitioner leaving the service of the Prosecutor and the commencement of the prosecution (three months since) your Petitioner received several letters from the Prosecutors wife (several of which are now in her possession) couched in the most friendly terms wishing her to return to her situation as soon as her health was restored and which she was about to do at the

time she was apprehended.

Your Petitioner most humbly prays that your Lordship will be pleased to investigate her case and to take the circumstances of her ill health and of the case generally into consideration and recommend her as a fit object for the Royal Clemency.

And your Petitioner will ever pray.

Marianne Galey

We the undersigned most respectfully beg leave to certify that we have known the Petitioner for several years last past during which time she has borne a good character for honesty and we further beg leave to recommend her as a fit object for the Royal Clemency.

John Herring - Gent - Norwich

Clarke Miller - Merchant

A Beckwith - Gent - Governor of the Corporation of Guardians of Norwich

W Killon - Gent - Governor of the Corporation of Guardians of Norwich

Peter Brown - Gent - Norwich

John Howard - Gent - Norwich

Thomas Peckham - Gent - Governor of the Guardians of Norwich

Robert Woolerston - Surgeon - Norwich

Samuel Thurlow - Manufacturer - Norwich

James Lamb - Clerk and Accountant

Samuel Jeffries - Overseer

Robert Worthy - Town Councillor

Thomas Hendry Hake - Gent - Norwich

James Worman - Builder - Norwich

Thomas Wicks - Shopkeeper - Norwich

M Johnson - Builder

M Stacy - Chemist and Druggist - Norwich

J Garthorn - Gent - Surgeon of the Asylum

MARIANNE GALEY

ESSEX 1838

STEALING FROM HER EMPLOYER

7 YEARS TRANSPORTATION

SOURCE HOME OFFICE CRIMINAL PETITIONS - SERIES 1

SERIES - HO 17

PIECE NUMBER - 48

ITEM NUMBER - GZ 36

MARIANNE GALEY - AGED 37
ESSEX QUARTER SESSIONS OCTOBER 1838
STEALING FROM HER EMPLOYER
7 YEARS TRANSPORTATION
GAOL REPORT - NO BETTER THAN A PROSTITUTE SINCE 17 YEARS OLD.