

Eliza Smith ID11961 per *Tasmania* 1844

Eliza Smith

Suffolk Lent Assizes Bury March 1844

Stealing from a dwelling house

10 years transportation

Gaol Report – Character not known

Series – HO 18

Piece Number – 134

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A marriage certificate and a declaration are transmitted with a view of showing that the prisoner is the wife of the man with whom she was convicted. It is stated that of that fact could have been established at the trial, she must necessarily have been acquitted on the presumption that she acted under the influence of her husband.

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Ipswich

1<sup>st</sup> May 1844

Sir

At the last Assizes at Bury St Edmonds a man of the name of SMITH and his wife were tried with a person of the name of [SCOTT] for stealing some money from a Public House at Woodbridge and having been convicted were sentenced to be transported for 10 years. The marriage of the man and woman could not be proved at the trial and upon the principle that she must be presumed to have acted under the influence of her husband she must have been acquitted but since the trial I have been furnished with her Certificate of Marriage which I now take the liberty to enclose together with a declaration made by

her before a Magistrate of the County trusting that in the event of you being satisfied that she really was the wife of the parties tried you will be pleased to place him in the same situation that she would have been in if she had been unable to give this find in evidence at the trial.

I have the honour to be, Sir

Your most respecting

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Marriage solemnized in the District Parish of St John the Evangelist Lambeth in the County of Surrey in the Year 1832. No: 535. Page 179.

John Grady – Bachelor

to

Mary Ann Purdy – Spinster

By Banns On this twelfth day of January 1832

John Grady

Mary Ann Purdy (the mark)

Witness – Robert Brown and Sarah Willmore

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This is the Certificate of marriage referred to in the declaration of Mary Ann Grady made before me this 30<sup>th</sup> April 1844.

Thomas Smith

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I MARY ANN GRADY now a prisoner in the gaol at Ipswich for the County of Suffolk ***DO SOLEMNLY and SINCERELY DECLARE, THAT*** my maiden name was MARY ANN PURDY that I was married at the Church of St. John the Evangelist in Lambeth in the County of Surrey on the 12<sup>th</sup> January 1832 and then altho' I have gone under the name of "SMITH" for some time past yet that my real name is "GRADY" and that I am the person mentioned as MARY ANN PURDY in the Certificate of Marriage hereunto annexed and also that the person who was tried with me under the name of SMITH was and is my true and lawful husband and is the person mentioned as JOHN GRADY in the said Certificate of marriage.

***And I make this solemn Declaration conscientiously believing the same to be true, and by virtue of the Provisions of an Act made and passed in the Sixth Year of the reign of His Late Majesty, King William the Fourth, intituled "An Act to repeal an Act of the present Session of Parliament, intituled an Act for the more effectual abolition of Oaths and Affirmations taken and made in various Departments of the State, and to substitute Declarations in lieu thereof: and for more entire Suppression of voluntary and extra judicial Oaths and Affidavits: and for the more entire Suppression of voluntary and extra judicial Oaths and Affidavits: and to make other provisions for the Abolition of unnecessary Oaths"***

The mark of – Mary Ann Grady

Declared at the County Gaol at Ipswich aforesaid 30<sup>th</sup> April 1844, the mark to the same having been made by the dependent after the same had been duly read over and explained to her in my presence.

Thomas Betts

A Justice of the Peace for the said County

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