

Irish Transportation Database Mary (Elizabeth) Sullivan CRF 1845 S12

14 Fitzwilliam Square N

May 1st 1845

I have the honor to acknowledge the receipt of your letter of the 30th April with reference to the accompanying memorial of Elizabeth Sullivan a prisoner under sentence of Transportation in the Gaol of Limerick; and regret to state that there are not in my opinion any circumstances in the prisoners case (except perhaps her advanced age) which would render her a proper object of His Excellency The Lord Lieutenant's mercy. The prisoner was tried and found guilty at the last Rathkeale January Sessions of a Highway Robbery charged to have been committed by the prisoner and three other persons upon a pedlar (sic) named Elizabeth Toomey – (one of those persons names Henrietta Beresford had pleaded guilty to the charge at the preceding October Quarter Sessions & is now under sentence of transportation for the same offence),

The prisoners identity was positively sworn to by the prosecutrix and her son a small boy named John Toomey; and the Head Constable stationed at Listowel who arrested the prisoner when cross-examined as to her character stated to be a fortune teller & cup tosser. It is however but fair to state that the prosecutrix herself was a person of indifferent character, and that there were some slight discrepancies between her testimony and that of her son; but the prisoner had the benefit of this; (as well as of being defended by a very able local Solicitor Mr Fitzgerald) before the Jury, who not withstanding found the prisoner guilty and in my opinion correctly so; although the case was not entirely free from doubt.

With regard to the case of Hodgins alluded to in the memorial as no trial came on before me I am unable to state any circumstances connected with it for the information of His Excellency The Lord Lieutenant.

I have the honor to remain Sir
Your most obed^t humble servant
Robert Tighe
Assistant Barrister

Edward Lucas Esqre

The law must take its course

May 2nd 1845 Heytesbury

Asst Barrister 3rd

Gaoler^{do} AWL

Unclear signature

To the Rt Honourable William Baron Heytesbury

Lord Lieutenant General Governor & Governor General of Ireland

Listowel in the County of Kerry widow

Most Humbly Sheweth and Submits to your Excellency, That Memorialist is a poor widow who has been wrongfully charged with having Robed a peddling woman in the County of Limerick in the month of June Last 1844 of some goods value fourteen Shillings for which this poor widow was convicted on the faulse (sic) Swearing of the prosecutrix Elizabeth Toomy.

That poor widow being unable to bear the Expenses of witnesses so as to have them attend from the County of Kerry to the Town Rathkeale which was a distance of Twentyone miles. She had to stand her Trial without any witness to Sustain her defence. This prosecutrix has also charged a man of the name of Hodgins at the last Rathkeale Sessions of being concerned in the same Robery. The prosecutrix on seeing that Hodgins had his witnesses in attendance to Sustain his innocence The

prosecutrix on hearing that he was prepared to defend himself she fled out of the Town of Rathkeale and did not attend to prosecute the prisoner, on which the prisoner was acquitted. Prosecutrix being a woman of bad carricter (sic) who has made a tread of Swearing and Transporting persons Innocently.

Memorialist pray and implores that your Excellency will Remit or Commute the Sentence of Transportation to imprisonment she being an aged woman over sixty years Twenty years of which she has been a widow with a helpless family and supported an honest and fare character.

24th April 1845

Elizabeth Sullivan

Prisoner in Limerick County Gaol

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If His Excellency Pleases to enquire of the Barrister that tried the case or the attorney she had employed John Fitzgerald of Tarbert He can certify that she was wrongfully accused according to the Statement of the prosecutrix and her Son and He can certify that she fled from the Town of Rathkeale when the trial of Hodgens came on. He acted for him also.

Envelope

His Excellency Lord Lieutenant Govern & Governor General of Ireland Castle

Dublin 12

Elizabeth Sullivan

Ast Barristers report annexed 1st may AWL