

Irish Transportation Records CRF 1842 M51 Mary Delany & Margaret Poor Film 49 (in Eleanor Mahony's petition)

Stamped Chief Secretary's Office Dublin 42 Aug 11

W. Connor written up the side

Wicklow Gaol
9th August 1842

Sir,

In obedience to your letter of the 8th Inst.- I beg to state for the Information of their Excellencies the Lords Justices that Eleanor Mahony, a Prisoner under sentence of Transportation, was convicted before George M. Drought Esq^{re} and his brother Magistrates at Rathnew Petty Sessions on the 16th day of Nov. 1840 of a wilful trespass on the Lands of Milltown (stealing Potatoes) and sentenced to pay a fine of five Pounds or in default to be imprisoned two months with hard labour – Said Eleanor Mahony has been convicted the second time before the Worshipful George Tomb Esq^{re} Assistant Barrister for this county on the 23rd June 1842 – of a Larceny and sentenced to be Transported for seven years

I am Sir
Your most obedient servant
Robert Barry
Gaoler

E. Lucas Esq^{re}
etc etc etc

To His Excellency Earl De Grey

Faded writing in the formal address and first lines

.....under sentence of Transportation for seven years and [*faded writing.....*] recommended in her favour Petitioners said crime was she was seen taking a few potatoes out of a pit in her apron. Her poor Mother having been confined four months in Vincents Hospital had no means of support.

Therefore she Humbly implores your Excellency will take her case into your gracious consideration she being confined eighteen months in Wicklow Gaol and have her released. Which she will in duty pray

Elen Mahony
7 signatures

For several years I have known the persons who have signed this petition and believe them to be men of probity and humanity

Rob^t Porter

Protestant Chaplain Gaol of Wicklow.

Temple St Aug^t 3rd 1842

Sir,

I have the honor to acknowledge your letter of the 12th July which reached me while I was on Circuit. I thought it better to postpone reporting in the case of Eleanor Mahony the Daughter of this Memorialist Mary Mahony, until I should return to Town. I now beg lave to refer to the annexed copy of my notes of the trial – It will be observed that Eleanor Mahony was tried along with four other women for stealing a quantity of Potatoes, & convicted in the clearest testimony. The offence, tho' it is one of very frequent occurrence in that part of the County would be by no means warrant such a sentence as was imposed on three of the prisoners in this case, but that they were old offenders &

women of the very worst character. Mary Delany had been previously convicted five times of larceny, Eleanor Mahony & Margaret Poor had each before twice convicted of larceny. Five magistrates who were on the bench with me & who all knew the bad character of the Prisoners, were unanimous in opinion that the imprisonment of these three would be of no use, and that they ought to be transported, & they were sentenced accordingly.

On reconsideration of the case, I think the sentence as quite right, and I have to request you will have the soundness to state to their Excellencies the Lords Justices that it is my opinion there are no circumstances in the case which would render Eleanor Mahony a fit object of mercy
OI have the honor to be Sir

Your very obd^t Serv^t
Geo. Tomb
Assistant Barrister Co. Wicklow

E. Lucas Esq^{te}
etc etc etc
Dublin Castle

Wicklow Quarter Sessions June 24th 1842

The Queen ag. Anne Lawler Mary Delany Mary Fitzsimons Eleanor Mahony Mary Poer - Indicted for stealing 30 stone of Potatoes goods of Robt Hall Truell

1st Witness Wm Tallan – I live at Clonmannan in this Co in Mr Robert hall Truell’s employment. On the 19th April last his potato pit was opened, and a quantity of Potatoes taken out – I saw the morning after. It appeared broken open & a great quantity of potatoes taken away – The same day I saw six bags of Potatoes with the Serg^t of Police which he had taken from the women in the Dock – cup potatoes of a very large size – so were the potatoes in Mt Truell’s pit.

Xamined by Mr Halpin for the Pris^{ns} – The were no other potatoes of a large a size in the County –
2nd Witness, Rob^t Gardner, Constable of Police. I was at Rathnew on duty on the night of the 19th April & morning of the 20th. – I saw the 5 women in the Dock & the boy Ward at Claremont coming along the road in the direction of Rathnew – It was daylight – They had 6 bags of potatoes, a bag each, - This might be 3 o’clock in the morning. When they saw me, they threw down the bags, and endeavoured to escape – Ward made his escape & the other Constable & I arrested the five women – we brought them to Clarks House and e put them into his kitchen – I then went after Ward, & rested him in his mother’s house at Rathnew – brought him to Clarks – then brought the whole of them & the potatoes to Rosanna. Mr Phillips the Magistrate came. I compared the potatoes in Mr Truell’s pit with that found in the bags – They agreed exactly – I observed the tracks of bare feet around the pit – The prisoners were all barefooted.

Xamined – but nothing elicited

3rd Witness, John Ward (an approver); I remember the night I met the Sergeant. The five prisoners were along with me. (Identifies them) we had been at Mr Truell’s pit, taking some potatoes, a bag each – we had left home between 10 & 11 o’clock. We all went to the pit. I filled a bag. We met on the Green of Rathnew. The potatoes, the Sergeant found in the bags were Mr Truell’s.

To the Court. I am going on 16 years of age. I live with my mother at Rathnew. Mary Delany lives in the house with me.

The prisoners made no defence

Verdict Guilty

The Court unanimously sentenced 3 of the Prisoners to 7 years transportation as old offenders; & women of very bad character. - Mary Delany Eleanor Mahony Mary Poer

Anne Lawlor & Mary Fitzsimons to 3 cal. mos imprisonment never having been before convicted.

A short letter from Dublin Castle re the petition for Eleanor Mahony – too faded to read.

To His Excellency Tho^s Phillip Earl De Grey Lord Lieutenant General and General Governor of Ireland

The Humble Petition of Mary Malony of Rathnew in County Wicklow

Humbly and Respectfully Sheweth

That your memorialist's daughter is at present confined in the gaol of Wicklow under sentence of transportation for stealing a small quantity of Potatoes.

That your memorialist was confined in St Vincent's Hospital Dublin for a long time with severe fit of illness and that she left her unfortunate daughter Ellen Mahony at home totally unprovided for.

That your memorialist begs to state that it was from severe want and starvation that her daughter was compelled to take the Potatoes. She always bearing a good character heretofore.

That your memorialist begs to call your attention to the annexed certificate in the hopes your Excellency will take her case into your ever kind consideration and mitigate the punishment.

And memorialist as in duty bound will ever pray

Mary Mahony

32 Chancery Lane

Dublin

9 signatures

I have no knowledge of memorialist Mary Mahony but in my official visits to Wicklow gaol I have seen her daughter, and have been led to make enquiries respecting her character, and have been assured by some of her neighbours that she had not been charged with dishonesty until the charge on which she has been convicted was brought against her. I know the persons who have signed the memorial to be respectable.

W C. Porter

Protestant Chaplain

Gaol of Wicklow.

Mr Ported has not explained his statement but it appears that Eleanor Mahony had been convicted only once before this [] Commute her sentence to two years imprisonment

Initials

i. order prep^d 16th

Another memorial annexed 28th Oct. *initials*

M 57 1842

Eleanor Mahony & others

Stealing Potatoes 7 yrstm

- 3 mos Imp^t

5 Augt 1842

.....

Enquire for the previous convictions of Eleanor Mahony and call Mr Porters attention to the difference his statement & that of the assistant Barrister

Initials

Gov^r & Mr Porter written to

Stamped Chief Secretary's Office Dublin

W. Connor written up the side.

Wicklow 12th August 1842

When your letter of the 8th Inst. came to my hands on Tuesday last, I was suffering from indisposition, and was in deep affection for the death of my oldest son.

In your letter you say that I had stated that Eleanor Mahony, Prisoner in the Gaol of Wicklow had not been charged with dishonesty previously, and that the Assistant Barrister had stated she had been before twice convicted of "Larceny". I very willingly bear testimony to the Assistant Barrister's high character for veracity, uprightness, and humanity, but the gaol records which were this day produced to me by the Governor show that Eleanor Mahony had not been previously convicted of dishonesty. She had been once convicted of trespassing upon the lands of Milltown before the magistrates assembled at Rathnew, but not before the Assistant Barrister. I had been assured by four persons two of whom were respectable farmers of sixty years of age that what I said of Eleanor Mahony was strictly true and I think I may safely add that no person who knows me well would suppose that any earthly consideration would induce me knowingly to assist a falsehood, and surely if I possessed a grain of common sense I would not knowingly assert a falsehood, which I must have been aware could and would have been contradicted.

In the year 1832 a gentleman proposed to pay for me the expenses of the Degree of master of Arts (about £12) if I would promise to vote for the Government Candidates at this Election for the Dublin University, and a hope was held out to me that I might by doing so obtain the favour of the then Government, my reply as that not twelve pounds or twelve thousand pounds would bribe me to act contrary to my principles, which are and ever will be conservation in the extreme your character is to me a sufficient guarantee that you will not suppress my vindication.

I have the honor to be
Sir, With Great Respect
Your Very Faithful Humble Serv^t
Rob^t Porter
Protestant Chaplain
Gaol of Wicklow.

Envelope

Edward Lucas Esq^{re}
Castle
Dublin

