

Eliza Ellis ID11496 per *St Vincent* 1849

Eliza Ellis

Year – 1849, Place – Exeter, 7 years transportation

Series – HO 18, Piece Number 265

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Temple

3<sup>rd</sup> December 1849

Sir

Your letter of the 22<sup>nd</sup> November relating to the case of Eliza Ellis tried and sentenced by me at the last July Sessions for the City of Exeter to seven years transportation, having been addressed to me at Exeter did not reach me till the day before your second letter of the 28<sup>th</sup> November on the same subject and as instantly instructed an inquiry I trust I may stand free from any intention of delay.

I have now the honour to report that on referring to my notes, I see that my first intention was to sentence Eliza Ellis to imprisonment, but I presume for I have no distinct recollection of the circumstances, that upon a reconsideration of the case I was struck with some circumstances of [appavation] in it, and consequently changed the punishment without at the moment recollecting the [provisions] of the State 12 and 13 Vict C 11.

The circumstances to which I allude were that the prisoner had been tried by the Prosecutor as an ironing woman that she had access to the Prosecutors clothes by reason of such employment – that the amount stolen was very considerable – and the prisoner encouraged the Prosecutor to suspect and accuse her own son.

This Sir, is the only explanation which I am able to offer, nothing therefore remains for me but to express my deep and sincere respect that I should have been guilty of the inadvertency which your letters have pointed out. I have however to acknowledge your

kindness in offering me an opportunity of tendering the foregoing explanation is sufficient as I feel it should be.

I have the honour

To be Sir

Your obedient and humble servant

[Friar Newman Rogers]

Recorder of Exeter.

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The Recorder reports that the sentence of transportation was inadvertent

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It must be commuted. I require a report to be conducted on the conduct of the prisoner.

H W

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Free Pardon V.D.L. 17<sup>th</sup> January 1850

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The Home Office

22 November 1849

Exeter City Sessions 2<sup>nd</sup> July 1849

ELIZA ELLIS sentenced to TRANSPORTATION for 7 years on a conviction for larceny in a case where the sentence is limited to imprisonment.

To: H Waddington Esq.

45 Parliament Street

19<sup>th</sup> December 1849

Sir

I regret to return the accompanying documents authorising a commutation of the sentence of convict ELIZA ELLIS received yesterday, as I have ascertained by inquiring this morning at the Admiralty that the ship "St Vincent" in which she was embarked, sailed on Saturday last from the river. The ship was to proceed directly on her voyage to Van Diemen Land.

I am Sir

Your obedient servant

[David] Bryce

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She cannot be allowed to remain under a sentence undoubtedly illegal

HW

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