

CRF 1843 L16 Margaret Leavy

1

Drogheda

May 6th 1843

In reference to the annexed petition of Margaret Leavy, I beg to State that I waited on the clergyman referred to therein, who states he never knew the prosecutrix, Catherine Cunningham, he also states, the petition was submitted, to him previous to its being forwarded, and that he erased his name there from, by a pencil mark, but I have ascertained, beyond a doubt, that the prosecutrix, is a person of ill fame, and has left this town, but has not been charged with theft.

The petitioner and her Mother are also persons of bad character, and at Summer assizes 1841, were sentences to nine months imprisonment each in the Gaol of this town for the Robbery of forty six pounds from the person...

5

To

His Excellency the Mt Honorable, The Earl De Grey, Governor & Lord Lieutenant of Ireland Ve Ve Ve

The Petition of Margaret Learvy, a Prisoner in the Gaol of Drogheda,

Humbly Sheweth,

That although the evidence of Catherine Cunningham, and her father Andrew Cunningham, justified the verdict of Guilty pronounced by the respectable Jury, who sat upon the trial of Petitioner on the 21st Altimio?, for having assaulted and robbed? from Catherine Cunningham a Bonnet and Handkerchief, yet from the fact of the Cunninghams having stated

an oath matters in Court, which, had Petitioner been prepared at the trial, would have been clearly disproved by the Reverend W. Doined? Of this Town, who was forced to banish Catherine Cunningham from Petitioners House, for disgraceful conduct, she humbly craves your Lordship will be pleased to look into her statement: - All which will clearly shew that the Depositions of the Cunninghams, even and oath, were grossly false, and, totally unworthy of credit, and that consequently the charge was corruptly and vexaciously supported – add to which Catherine Cunningham has since the trial absconded from the Town in consequence of the theft. –

That altho' appearances were against her on the day of trial, yet from the recommendation now given by the Jurymen, grounded upon what had since come to light, your Lordship Petitioner craves and implores mercy will be extended to her, and that the severe sentence of 10 years Transportation will be commuted to imprisonment for such time, as your Lordship may, in your Lordships humanity, deem her deserving of.

The fact of Petitioner having an aged Mother, and young Brother & Sister, solely depending upon her for support, it is humbly hoped will have some effect in awakening the charitable feelings of your Lordship, and for which she will ever pray –

Margaret Leavy

Drogheda

1843.

6/7

Before Lord Chief Justice Baron Brady

Drogheda 21st February 1843.

Catherine Cunningham, Prosecutrix, Exd. by Sir Thomas Staples, Sworn, I went on the night of the 13th December last for groceries, - met the Prisoner in William Street, - never saw her before that Night, - Prisoner asked for some Money for Spirits, - told her I had none, - upon which she stripped off my Bonnet, Handkerchief and Shawl, and ran off with them.

Cross exd. by Mr McKenna? Never lived with the Prisoner & her Mother, - Never loiters about the streets, - never was accused of Theft, - Drank no Whiskey on the Night in question.

For the Defence

Betsy Smith was called who swore to seeing the Prisoner and the Prosecutrix together in William Street on the Night of the 13th December last. They both were Drunk -, saw the Prosecutrix take off her Bonnet and give it to the Prisoner to pledge for Half a Pint of Whiskey, - Knows Catherine Cunningham the Prosecutrix to be a loose bad character on the streets, - Remembers her living with the Prisoner Margaret Leavy, till the Priest banished her. Did not see the Prisoner run away with the Bonnet. –

Mary Tierney, sworn, stated that she heard Andrew Cunningham offer to state this matter for money –

Mary Mathews?, mother of the Prisoner, sworn, - Deposed to Catherine Cunningham having lived with her & the Prison five weeks, - lived with her when this affair happened. Prosecutrix Fater offered to vary?in his oath if he got money.