

Mary Banyard ID11448 per *St Vincent* 1850

Mary Banyard aged 48

Sussex Summer Assizes – Lewes August 1848, Larceny (by a servant)

7 years transportation, Gaol report – Not Known

Series – HO 18, Piece Number – 265

A mitigation of the prisoner's sentence is prayed in consideration of the punishment she had already endured.

Was this a case of simple larceny (by a servant?)

Presented by Captain Pechell MP>

Worthing

12th December 1849

Dear Sir

I shall be very much obliged by you looking into the accompanying case of Mary Banyard of Brighton, I can only say, that the parties who have signed the memorial are of the most respectable character, and are well known to me, and I feel they would not attached their names to such a document, unless they were satisfied that some clemency might be shown to the prisoner and I hope you will be able to agree to their request on her behalf.

I remain dear Sir

Your obedient servant

George Brook Pechell

To The Right Honourable Sir George Grey Secretary of State for the
Home Department

26 Tidy Street

Brighton

11th December 1849

Right Honourable Sir,

Mary Banyard aged 50 years who was convicted at the Lewes
Summer Assizes in the year 1848 before Mr Baron Gurney for
stealing two table cloths the property of James Henry Mills of
Brighton and was sentenced to 7 years transportation which is now
about being carried into effect.

We your Petitioners most humbly pray your Lordship, that this
sentence may through your prerogative of mercy be in some way
mitigated, she having already been nearly 18 moths of her sentence,
the greatest part of that time in the Millbank Prison where she now
is. We your humble Petitioners would almost hope that upon kind
consideration of her case shew may not be sent abroad, but if
possible returned to her heartbroken and affectionate daughter and
friends – and we

Your humble Petitioners will as in duty bound ever pray.

Thomas Young – Builder

Thomas Peeless

James Launderers

And another 58 signatures

Mary Banyard

Sussex Summer Assizes - August 1848

Obtaining money by false pretences and larceny

One month and 7 years

Series – HO 18

Piece Number – 215

Gaol report – Not known

The prisoner considers that a severe sentence was passed upon her in consequence of some statements, which were made by the Prosecutor to the Judge regarding other [alledged depredation which statements are said to have been confused.]

Mr Gurney states that the prisoners alligations are at [] with the evidence at the trial, and that as he considered the case a serious one he could be pass a milder sentence.

To

Her Majesty's Principle Secretary of State for the Home Department.

56 Ship Street

Brighton

6th December 1848

Sir

I am requested by a daughter of Mary Banyard a prisoner under sentence in Lewes Jail, to inquire whether a Petition of her mother, the prisoner, to her Gracious Majesty, sent to the Governor of the

Jail on the 29th August last for transmission to you, has come into your hands, as she is informed by the Governor that no answer had been received.

I have the honour to be

Sir

Your most obedient and humble servant

David Black.

Temple

25th September 1848

Sir

I have to acknowledge the receipt of a letter from Mr Waddington requesting my observation and opinion on the Petition of Mary Banyard.

I have been prevented in sending any answers by my absence from England.

It appeared upon the trial that the prisoner had some time since been placed in charge of house belonging to the Prosecutor which he was in the habit of letting furnished and that she had in March pawned some table cloths belonging to him and that in June /July she had by false statements made to a tenant succeeded in obtaining two sums of £8.8s,0p. Each which she had applied to her own purpose.

She now admits her guilt but states that in March the Prosecutor was in debted to her in the sums of £1.9s.0p. and that in June/July her was indebted in a sum of seceding £5.

This was positively denied by the Prosecutor at the trial. He swore that a few days before the prisoners received the last sum of £8.8s.0p. there had been a settlement of accounts and that the

prisoner was overpaid by a few pence. I ought to mention that the prisoner's statements on other points were quite at []with the testimony of a perfectly unimpeachable witness.

I do not think that I was induced to pass a more severe sentence that it should otherwise have passed by the representations of the Prosecutor as to the loss of other articles.

It appeared to me that where a person who filled a situation of great trust the profits of which placed her above gross dishonesty I could not pass a [] sentence.

I do not of course advert to that part of the prisoners Petition which relates to the state of her health.

I have the honour to be

Your obedient servant

Rapell Gurney

Gaol and House of Correction

Lewes Sussex

9th September 1848

Sir

The accompanying certificaters of character of prisoner Mary Banyard should have been sent with her Petition whic I forwarded to you on the 6th inst. but I have only received them today.

I have the honour to be

Sir

Your obedient and humble servant

John Saunders – Governor of the Gaol

To Her Majesty's Principal Secretary of State for the Home
Department

The undersigned sincerely certify that they have been acquainted with Mary Banyard late of Brighton but now a prisoner in Lewes Jail under sentence and that until the conviction of the offence for which she is now sentence they have never heard any impartation on her character but that on the contrary her conduct was respectable.

Charles Chatfield – Confectionist

Benjamin Helyer

Sarah Lowe

George Smith

And a further six signatures
