

## Mary Sullivan 1<sup>st</sup>

POLICE NUMBER 440 <sup>1</sup>	LITERACY neither read nor write
TRIAL DATE 17 August 1840	AGE ON EMBARKATION 26
TRIAL PLACE Central Criminal Court (Old Bailey), London	AGE ON ARRIVAL 28
OFFENCE pledging a jacket	HEIGHT 5' ¼"
SENTENCE 7 years	COMPLEXION sallow
GAOL REPORT in the House of Correction before, single	HEAD oval
PREVIOUS CONVICTIONS once before 3 months for stealing money	HAIR dark brown
SURGEON'S REPORT very good	VISAGE oval
ON THE TOWN no	FOREHEAD high
MARITAL STATUS married <sup>2</sup>	EYEBROWS light brown
CHILDREN 0	EYES hazel
FAMILY 'husband Michael Sullivan resides with Mr Nowlan at Perth. I have had 2 letters since he has been in this country. I wish to follow my husband.'	NOSE long
NATIVE PLACE Bandon, Cork, Ireland	MOUTH wide
TRADE ON EMBARKATION	CHIN round
TRADE ON ARRIVAL plain cook, laundress	MARKS scar on forehead

c1814

**Born** at Bandon, Cork, Ireland.<sup>3</sup>

4 July 1836

Husband Michael Sullivan tried at the Central Criminal Court, London, England indicted for unlawfully, maliciously and feloniously cutting and wounding Michael Creighton on the head at St Mary Matfelon (Whitechapel) on 14 June 1836 with intent to kill and murder him; 2<sup>nd</sup> count stating his intent to maim and disable; 3<sup>rd</sup> count stating his intent to do him some grievous bodily harm; found guilty on the 3<sup>rd</sup> count; sentence death, commuted to transportation for life; aged 26.<sup>4</sup>

Statement of witness Michael Creighton:

*I am a labourer. On the 14th of June I was at the Cross Keys public-house in Wentworth-street, Whitechapel, with my wife – we were drinking there – the prisoner was there – I was in another part of the room – I had had a quarrel with the prisoner on Easter Tuesday last, about his wife abusing my sister – on Tuesday, the 14th of June, I went into the tap-room, and had been there about twenty minutes when the prisoner got up and began in his usual way, and challenged me to fight him – asked me would I fight him, and he was saying he did not care and – about any man in the house – he did not strike me – he stripped to fight – I said, "Mike, you owe me an old grudge, ever since Easter Tuesday" – I said I would fight him in fair play, in the middle of the tap-room – the publican of the house heard the noise, came down, and, knowing what sort of a man he was, he put him out of the house – he did not put me out – I did not see the prisoner come in again – no blows had been struck by him or me before he went – I said there about half an hour, and my wife and I then went home together – this was between twelve and one o'clock – I had to go about two minutes' walk to my home – I live in Hobbs'-court, Castle-street – when I got up to the end of the narrow part of the court I saw one of the prisoner's legs – he was standing at a corner, at the end of the narrow part of the court – he was concealed – it is a dark court, and has no lamp in it – I know it was the prisoner – I knew him perfectly well, because he had been a neighbour, and his brother-in-law lived next door to me – the prisoner lives in Castle-street – the place I saw him in was not in his way home – the court is no thoroughfare – he was behind a wooden partition, which divides the yard from the court where I live – when I first saw his leg I had just time to look at*

<sup>1</sup> TAHO, CON40/1/10 p.48 No.440 [image 51] (Mary Sullivan); TAHO, CON19/1/1 p.251 [image 129] (Mary Sullivan (1)); ML, CY 1282 p.153 (Mary Sullivan); ML, CY 1197 p.150 (Mary Sullivan); ML, CY 958 p.440 (Mary Sullivan)

<sup>2</sup> Marital status given as single on Embarkation Record (ML, CY 1197 p.150 (Mary Sullivan)).

<sup>3</sup> TAHO, CON19/1/1 p.251 [image 129] (Mary Sullivan (1))

<sup>4</sup> TAHO, CON31/1/40 p.243 No.2377 [image 245] (Michael Sullivan); TAHO, CON18/1/7 p.384 [image 197] (Michael Sullivan); TAHO, CON27/1/7 No.2377 [image 63] (Michael Sullivan); *Old Bailey Proceedings Online*, t18360704-1636 (Michael Sullivan)

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him, and he had a weapon in his hand, holding it with his two hands – it seemed much like the weapon the officer has in his custody – I had only time to see him with the blow – I was struck on the left side of my head – I became insensible, and can not remember any thing that happened afterwards.

Q. Was it one blow or more? A. I do not know what happened afterwards, till I came to my senses again, which was in about twenty minutes or half an hour – I then saw some policeman there, my wife, and a man – I was taken to the station-house, and afterwards to the hospital – I came out on Tuesday morning last – I was seriously hurt indeed – I was attended by a surgeon of the hospital – no blows passed between us in the public house – nothing happened till I got into the court, and was knocked down – he hit me a blow on the head with the iron weapon.

Cross-examined by Mr. Payne. Q. Had you been drinking in the public-house? A. I had – I went there about eleven o'clock, and had been there some minutes before he got up and began at me – I left the house, I dare say about half an hour after he did – the publican did not turn us both out – he kept me within – I remained there half an hour or thereabouts.

Q. Did you not the same evening, after leaving the public-house, follow the man home to his door and strike him in the street? A. On my oath I did not – I did not see him from the time I left the public-house till I got to the end of the court – my wife was close behind me, at the end of the court – I saw something in his hand – he was waiting with his hand ready for me – when I came up to the corner I could see the light through a division of the weapon – it was an iron with a long eye in it, and I could see the light through the eye, when he had it up towards the sky – I was nothing the worse for drinking – I was not exempt from the sky – I did not feel nothing the worse – what I had taken that night took no effect on me – I was not drunk – I think I could see and understand as clearly as if I had not been drinking – I have never been in any other part of this Court – I was never before a Judge and Jury in my life thank God – I was before a Magistrate, and went to a place of confinement afterwards for one month – I took a bit of sugar from where I was at work – I stole it – that is eight or nine years ago – it was a caution to me, and I hope it ever will be – that is the only time I was before a Magistrate for that sort – I once took a warrant against the prisoner's a wife's brother, and I was before a Magistrate on the Wednesday after Easter, after the last quarrel – on my oath I did not follow him from the public-house and strike him near his own door, nor did I see him till the moment before he struck me – I did not strike him a blow that evening – we did not fight.<sup>5</sup>

**Statement of witness Mary Creighton:**

I am the prosecutor's wife. I was at the Cross Keys – when I went in I left my husband at the bar, and went into the tap-room – I saw the prisoner with a pint of beer before him – he offered me some beer – I said, "No, thank you, I had some just now, and am going to have more" – he said, "So help me God, I don't owe you no spite" – nothing had been said that night about spite before that – he said, "Keep your husband out of our way; if you don't, as sure as he has got a head on he will suffer for it" – that was not said in my husband's hearing, as I had left him in the bar getting a pint of beer – after that my husband came into the top room with a pint of beer and sat by himself – I was sitting along with him – that was in another part of the room from the prisoner – we were there about twenty minutes, and then the prisoner got up, and said he did not care and – for any man in the room – he began to walk about the room and said to my husband, "You had better fight me" – my husband said, You know very well you are always at me, you owe me an old grudge, let us have the tap-room clear, let us have it out here and be done with it" – the publican heard of it and came down – he laid hold of the prisoner and put him outside the door – I did not see the prisoner come back – we stopped there nearly half an hour after that – my husband and I both went out together – I did not see any thing of the prisoner till I got into court – we had no scuffling with any body – I saw the prisoner standing in the court, and before I had power to look my husband was down at my feet – I saw the prisoner strike him with an iron bar on the head after he was down – the prisoner was standing in the dark court in a narrow passage – there are only three houses in the court – I could see the whole of the prisoner's person when my husband was down – I saw him striking him with the iron bar, and said, "For God's sake,

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<sup>5</sup> Old Bailey Proceedings Online, t18360704-1636 (Michael Sullivan)

Mike, don't take his life away" – I halloed out "Murder" – nobody came – I turned down two or three steps from him, but could see nobody – the prisoner never spoke to me – I said to him, "Mike, as sure as you have got a head on, as soon as I can find a policeman I will give you a night's lodging" – my husband was lying down on his face and hands, bleeding at his head and mouth – I was crying out "Murder," and a policeman came up and asked me what was the matter – I told him my husband was dead – I thought he was so – the prisoner was gone away at that time – the policeman turned my husband on his back, and he was bleeding – another policeman came, and other people – my husband was washed, and cold water thrown over him till he came to his senses, and then two men carried him between them to the station-house – he was then carried to the hospital – there was a large cut in his head – every tooth in his head was loose, and he had a mark over his eye, which was closed next morning.

Cross-examined by Mr. Payne. Q. At what time did you go to the Cross Keys? A. At eleven o'clock – I cannot say how many persons there were in the room – there were more than a dozen, I think – I had been up at Brick-lane from six o'clock – my husband was paid at six o'clock, at a public-house in Brick-lane, and each of the men had a pot of beer – I was there, and had drink – we stopped there very nearly an hour, I believe – I do not think it was longer – we left about seven o'clock – we then went into another public-house in Wentworth-street, and stopped there about two or three hours – we had a drop of beer, because it was a club there – my husband stopped gossiping with a policeman, and he asked him to have a pint of beer, but the policeman would not go and have it – I then went to buy a lettuce – I will swear we only went to two public-houses besides the Cross Keys.

Q. On your oath was not your husband the worse for liquor. He had had a drop of liquor – he had drink in him, but was not to say drunk – he was none the worse for liquor – he had enough drink, but was not tipsy – he knew what he was about – I have seen Finney the publican here – he did not turn us all out when the row began – I was not turned out at all, nor my husband – there was no row in the public-house, only what I have said – in my judgement it was about half an hour after the prisoner left that we went – the prisoner lived, I believe, four or five doors from us – we live nearer the Cross Keys than he does – I saw the prisoner standing, but before I had power to look, my husband fell at my feet.

Court. Q. After your husband was down, had you opportunities of seeing who was beating him? A. Yes – he gave him two or three blows, and went away – I saw the first blow he gave him, but I cannot say how many he gave him, because I was screaming out, "Murder."

Jury. Q. Did you tell your husband the caution the prisoner had given you to keep out of his way? A. No, I was afraid if I did speak they would have a row.<sup>5</sup>

Statement of witness Thomas Taylor:

I am a paviour's labourer. On Tuesday night, the 14th of June, I was near Hobbs'-court, going home, between twelve and one o'clock, as near as I can guess – I was turning down opposite the end of the court – there are two courts opposite each other – I live in one of them – I was standing there, making water, and saw the prosecutor and his wife and a young man coming down Castle-street – I heard the man bid them good night, and Creighton and his wife went up the court – the young man's name is Mahoney – I heard a cry of "Murder, murder, police, police" – I then ran across the road – it is a very narrow court, and when I got to one corner of the court the prisoner ran out of the other corner with this machine in his hand, or one equally the same – I have known him before for a long time – the prisoner is the man – I saw him ran into his own house – I did not hear any further cry – I called a policeman, who came, and then we went up the court, and saw the man bleeding – I thought he was dead – some water was brought – another policeman came, and I showed him where the prisoner lived – the prisoner put his head out of the window, and I said, "That is the man" – he was taken into custody.

Cross-examined by Mr. Payne. Q. You say as you were at one corner of the court, you saw the prisoner come out of the other corner, and it was a very narrow court? A. Yes – that was the court in which the man was lying – the court I live in is right opposite – I crossed the road, and saw him run into his own house – the last person I worked for was Mr. Rutter, as a paviour – that is four years ago – I have worked at the Docks since, at chopping wood – I worked at St. Katharine's Docks till I jammed my fingers about a fortnight ago – I was only there constantly for three days – I have chopped wood for my mother – I worked for Mr. Rutter before I went to the Docks, but I chopped turpentine-wood for myself – that is the way

*I get my living – that and working in the Docks together – I have only worked there twice this summer – I was put to hard labour for fourteen days once, at Lambeth-street, for gambling – that is the only time I have been in custody – I have got my living for the last twelve months by chopping turpentine-wood, and selling it – I got the wood from Grange-road, Bermondsey – I bought barrels and cut them up, and sold them myself – I have been twice before a Magistrate, once for insulting my sister, and again for gambling – I paid 1s. the first time, and was discharged – those are the only times I was ever before a Magistrate – I believe the prisoner is a skin-dresser – I believe the instrument he had is used in skin-dressing – the prosecutor and his wife came out of Went-worth-street – I was standing there smoking my pipe for about ten minutes before I began to make water – the prosecutor and his wife did not come rolling alone – I had only drank one pint of beer myself all the evening – it was between twelve and one o'clock, as near as I can guess – I will swear I had been there more than three or four minutes – I had come from a public-house.*

*Court. Q. Do you chop fire-wood? A. Yes, and sell it about.*<sup>5</sup>

**Statement of witness James Stace:**

*I am a policeman. I was called, and went into Hobbs-court, and saw the prosecutor lying on his face – his face was all smothered with blood – I could not see it for blood – the prisoner was not there – the prosecutor's wife said it was Sullivan – Taylor went and showed me where he lived – I saw him look of the window, and in consequence of what Taylor told me I took him – I knocked at the door, and saw him look out of the window – he said, "What do you want there?" – I said I wanted him, for nearly murdering a man – he afterwards said, "You come*

*in if you dare" – I rapped at the door again – nobody opened it and I burst it open, went up stairs, and secured him – as he was going to the station-house, he said, "It was not me, but I know who it was" – after he got to the station he said, "It was my brother" – I took Creighton to the hospital.*

*Cross-examined by Mr. Payne. Q. Was the prisoner sober? A. Yes, he seemed perfectly sober to me.*<sup>5</sup>

**Statement of witness Silvanus Gill:**

*I am a policeman. I went with Stacey to the prisoner's house and took him – he had this iron in his hand at the time, (producing it) – it is used in his trade, I believe, to fix a knife in – he is a skin-dresser – the knife works in this long eye – I saw him lay the bar down behind the door, as I went in – he dropped it behind the door – I took it up, and have kept it ever since – I asked him what he had put there – he said, "Nothing."*

*Jury. Q. Was there any blood on the instrument when you saw it? A. No – the prosecutor had his cap on when he was struck.*

*Court. Q. Did you see him with a cap on? A. No – I have his cap – his wife brought it to me.*<sup>5</sup>

**Statement of witness Mary Creighton:**

*Mary Creighton re-examined. My husband wore this cap that night, and when I got up next morning, I found it where he was struck in the court – I know it to be the cap he was in the habit of wearing – I took it to the hospital, I did not give it to the officer – there is no blood on it, but it is cut through.*<sup>5</sup>

**Statement of witness Silvanus Gill:**

*Silvanus Gill re-examined. I got the cap from the hospital.*<sup>5</sup>

**Statement of witness Charles Mayland Frost:**

*I am house-surgeon at the London Hospital. On the 14th of June, I remember Creighton being brought to the hospital – I think it was nearly half-past one or two o'clock – his head and face were covered with blood – I examined it, and found a wound about an inch above the ear, about an inch and a half in extent, on the right side of the head – it might have been attended with dangerous consequences, if he had been of a bad constitution – his eye was black, and his face slightly bruised – he was discharged from the hospital last Tuesday – I have seen the iron produced – it was a wound such as might be inflicted by an instrument of that description – it is of considerable weight.*<sup>5</sup>

Statement of defendant Michael Sullivan:

*This man and I had been drinking Monday and Tuesday together, all the two days, at different places in Whitechapel – we came to the Cross Keys and had a drink there – he wanted to quarrel with me – I said he had better keep out of my company, I wanted no quarrelling, and not to be hindered from my work – he followed me to my own place, and wanted me to fight – I came out and told him to be off, for I wanted to go to bed, but he would have me fight – so I came out, and he hit me – I hit him in the face, and he fell on the curb – he being so drunk, was not able to stand – he was more drunk than I was – he has been different times in prison for quarrels – he is always kicking up rows with different persons.<sup>5</sup>*

Statement of witness Mary Creighton:

*Court to Mary Creighton. Q. Had the prisoner the iron with him when you were at the public-house? A. No, he had nothing of the kind.<sup>5</sup>*

Statement of witness Catherine Kelly:

*My husband is a bricklayer's labourer, we live in Widegate-alley, Bishopsgate-street, near where the prosecutor lives. On the Tuesday night in question I was at Hackney, and was coming home between twelve and one o'clock – I saw the prosecutor and the prisoner having words together in the street – I saw the prisoner first in Wentworth-street, quite close by the Cross Keys – I heard the prosecutor call the prisoner a cuckold, and saying he could go to bed with his wife at any time for a glass of gin, and that he often did do it – with that I left them both having words in the street, and came home – I did not see any blows – I heard the prisoner say, "If I am a cuckold, more shame for you to tell me such a thing to my face" – I heard nothing more.*

*Jury. Q. How came you in Wentworth-street coming from Hackney? A. I came from Hackney-wick up Montague-street.<sup>5</sup>*

Statement of witness Daniel Finney:

*I keep the Cross Keys. On the Tuesday night in question, the prisoner and Creighton were going to fight – I saw them standing up – my wife coaxed the prisoner out – he said, "Mrs. Finney, I will go home with you" – I staid in the house – I sent the prosecutor and his wife out in a quarter of an hour, or it might be ten minutes after – when I told them they should go out, they went out voluntarily – I did not turn them out the same time as the prisoner, because I thought they might quarrel together, for the prosecutor was very violent – I did not wish them to come in contact together – I sent the prosecutor out, it did not exceed ten minutes after the prisoner left – I sent him and four or five more out – I would not draw any more beer, and turned every body out.*

*Court. Q. You turned out all the people who remained in the house? A. Yes – it was about a quarter past twelve o'clock – I cleared the house – the usual time to clear the house is twelve o'clock – I did not turn him and his wife out till I turned all the rest out.<sup>5</sup>*

Statement of witness Charles Mayland Frost:

*Jury to Mr. Frost. Q. Could you see on which side of the head the wound was? A. It was a mistake of mine, I should have said the left side – it is the wound he has now.<sup>5</sup>*

Character references:

*(John David Beager, fur-skin-dresser; Catherine Mahoney, wife of a labourer, Glass-house-street; and Ann Sullivan, wife of a labourer, gave the prisoner a good character.<sup>5</sup>*

Newspaper report:

CENTRAL CRIMINAL COURT, JULY 7.

*Michael Sullivan, aged 20, was indicted for feloniously cutting and wounding Michael Creighton, with intent to murder him. There were other counts in the indictment varying the offence.*

*The jury found the prisoner guilty on the third count, with intent do so some grievous bodily harm.<sup>6</sup>*

2 October 1837

Husband Michael Sullivan arrived at Hobart as a prisoner on the *Elphinstone*; aged 28, farrier and fur skin dresser, single,<sup>7</sup> native place Cork, Ireland; assigned to Mr T Nowlan, Perth, ticket-of-leave holder.<sup>4</sup>

<sup>6</sup> *Standard*, 8 July 1836 Issue 2859 Article 5 (Michael Sullivan)

- 17 August 1840 Tried at the Central Criminal Court, London, England indicted for stealing on 21 August 1840 1 jacket value 20 shillings from Hugh Elliott, a sailor; found guilty; sentence 7 years transportation.<sup>8</sup>  
Statement of witness Hugh Elliot:  
*I met the prisoner on the 21st of August – she asked if I was looking for my shipmate – I said, “Yes,” – she said, “Go up stairs, he is in our house” – I went up, but he was not there – I asked her to give me some water – she gave me some to wash myself – I laid my jacket on a chair close to the door – she went down stairs to pretend to get the water – I looked round and my jacket was gone – this is it – (looking at it.)*  
Prisoner. Q. Did you not give it to me and tell me to take it to the public-house to get beer on it? A. Never<sup>8</sup>
- Statement of witness Cornelius Owen:  
*I am a policeman. I met the prisoner about half-past five o'clock in the morning, with the jacket rolled up in her apron – I asked what she had got – she said, “Nothing” – I opened the apron and found this jacket – I said, “Where did you get it?” – she said a sailor gave it to her to go and get half-a-pint of rum – I said, “That won't do for me,” and took her.<sup>8</sup>*
- Statement of defendant Mary Sullivan:  
*They would not take it at the public-house, and I was taking it home to the man.<sup>8</sup>*
- 5 April 1841 Departed Woolwich, England on the *Rajah*.<sup>9</sup>
- 19 July 1841 Arrived at Hobart on the *Rajah*.<sup>9</sup>
- c24 July 1841 Upon arrival at Hobart, sent to Cascades Female Factory; not immediately assigned.<sup>10</sup>
- 31 December 1841 Mustered in the service of Mr C Hardiman, Pittwater.<sup>11</sup>
- 4 January 1842 Husband Michael Sullivan at Norfolk Plains.<sup>12</sup>
- 24 October 1843 Charged with insolence and being absent without leave all night from the service of Hardiman; sentence 2 months hard labour at Cascades Female Factory.<sup>13</sup>
- 27 February 1844 Classified as a 3<sup>rd</sup> class probation pass-holder; gazetted 1 March.<sup>14</sup>
- 9 April 1844 Charged at the Police Court, Hobart by Constable Anderson with misconduct in being absent 3 days without leave from the service of Dr Dermer; sentence 4 months hard labour at Cascades Female Factory.<sup>15</sup>
- 16 June 1844 Paid 5 shillings into the savings bank account held by the Government on behalf of convicts.<sup>16</sup>
- 9 August 1844 Husband Michael Sullivan charged with misconduct; in the service of Nowland; admonished.<sup>12</sup>
- 10 September 1844 Husband Michael Sullivan at Norfolk Plains.<sup>12</sup>
- 17 September 1844 Ticket of Leave granted; gazetted 19 September.<sup>13</sup>
- 9 September 1844 Paid out 5 shillings from savings bank account No.2 held by the Government on behalf of convicts.<sup>17</sup>
- 2 December 1845 Husband Michael Sullivan in the Morven district. <sup>12,18</sup>
- 3 March 1846 Husband Michael Sullivan granted a Ticket of Leave.<sup>12</sup>
- 4 March 1846 Husband Michael Sullivan in the Morven district.<sup>12</sup>

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<sup>7</sup> Michael was in fact married, though they may only have been in a common-law relationship as Mary's gaol record gives her status as single.

<sup>8</sup> *Old Bailey Proceedings Online*, t18400817-2111 (Mary Sullivan)

<sup>9</sup> AJCP, ADM 101/63 *Rajah*

<sup>10</sup> ML, CY 1282 p.143 (Mary Sullivan (1)); ML, CY 1274 p.262 (Mary Sullivan 1)

<sup>11</sup> AJCP, HO 10/51 p.396 No.440 (Mary Sullivan)

<sup>12</sup> TAHO, CON31/1/40 p.243 No.2377 [image 245] (Mich<sup>l</sup> Sullivan)

<sup>13</sup> TAHO, CON40/1/10 p.48 No.440 [image 51] (Mary Sullivan)

<sup>14</sup> *Hobart Town Gazette*, 1 March 1844 p.265 (Mary Sullivan)

<sup>15</sup> TAHO, AC480/1/1, 9 April 1844 (Mary Sullivan No.440)

<sup>16</sup> TAHO, CON73/1/1 p.58 (Mary Sullivan)

<sup>17</sup> TAHO, CON73/1/1 p.359 (Mary Sullivan)

<sup>18</sup> *Hobart Town Gazette*, 19 September 1844 p.1143 (Mary Sullivan 440)

*Mary Sullivan 1<sup>st</sup>*

- 17 August 1847 Free by servitude; Certificate of Freedom available for collection.<sup>19</sup>
- 12 March 1850 Certificate of Freedom issued.<sup>13</sup>
- 19 April 1850 Departed Launceston for San Francisco, California, USA with husband Michael Sullivan as steerage passengers on the barque *Jane Francis* (391 tons).<sup>20</sup>
- 9 May 1850 Departed George Town for California, USA as a passenger on the barque *Jane Francis*; free by servitude, ship to colony *Rajah*.<sup>21</sup>

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<sup>19</sup> *Hobart Town Gazette*, 3 August 1847 p.793 (Mary Sullivan 440)

<sup>20</sup> *Examiner*, 24 April 1850 p.6 (Michael Sullivan, Mary Sullivan)

<sup>21</sup> TAHO, POL220/1/1 p.223 (Mary Sullivan)

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