

(Ireland.)

THOMAS FLANAGAN.

Return to an Address of the House of Commons,
dated 17th May 1821;—for

Copy of any Reference made by His Majesty's Government in Ireland, to Mr. Justice MAYNE; relative to the Conviction of *Thomas Flanagan* at the Assizes of Sligo; together with the Judge's Answer thereto:—viz.

- 1.—Thomas Flanagan to William Gregory, Esq. dated Sligo, February 21st, 1818.
- 2.—Mr. William Armstrong's Certificate, as surgeon to the gaol, relative to Thomas Flanagan's state of health; dated March 12, 1818.
- 3.—William Gregory, Esq. to the Honourable Mr. Justice Mayne; dated Dublin Castle, 27th February 1818.
- 4.—The Honourable Mr. Justice Mayne to William Gregory, Esq. dated Drogheda, 2d March 1821.
5. William Gregory, Esq. to the High Sheriff of the county of Sligo; dated Dublin Castle, 19th March 1821.

N° 1.

Thomas Flanagan to William Gregory, Esq.

SIR,

Sligo, February 21st, 1818.

HAVING been now upwards of ten months imprisoned upon a false charge, founded by a person named M^r Morrow, of which I have been by surprise convicted at the last Sligo assizes, and sentenced to nine months imprisonment, the most of which is now expired; but being now for want of exercise, and in consequence of such long confinement, in a very bad state of health, I trust His Excellency, in justice to himself and the Irish Government, may be graciously pleased to mitigate the remainder of my imprisonment, so that I may, by my liberty and exercise, put a stop to a dangerous decay I am threatened with. At this distance of time, it is not, perhaps, necessary for me to go into a detail of wrongful circumstances, but I will state with truth that I have been totally innocent of the charge of which I was so unluckily and unfortunately most wrongfully found guilty, upon the swearing of one perjured, immoral miscreant; the contrary of which must appear by the solemn swearing of five persons, namely, myself and four others, which I have some time ago forwarded to His Excellency the Lord Lieutenant, hoping through such a source, and upon such unquestionable proofs, that my imprisonment would be reduced, thereby to save the life of an injured individual, and prevent a lingering decay from taking root. In all things which concern the liberty and lives of the subject, I never doubted the humanity and justice of the Irish Government, acting upon the wise and equitable principle laid down by the legislature of our country; and wherever not only a strong complexion, but an absolute truth, founded upon most solemn affidavits, appears, of both innocence and injury, it is not only humane and just to favour such imprison, but is laudable and charitable, under such circumstances, to restore the liberty to such person under such circumstances, and however, perhaps too late in this instance, restore a patient's health; and as now the time becomes so short, but the peril and danger great, I hope and expect His Excellency the Lord Lieutenant (before whom I am satisfied you'll lose no time to lay this before him) may therefore mitigate the remainder of my imprisonment, and be graciously pleased to discharge me, and which discharge or release (if granted) I beg you to have the kindness to enclose me, and that you may be pleased to get from His Excellency's private secretary, the affidavits I have forwarded him, they not only being useful and necessary to me at the next assizes, but to the laws of nations and the laws of God, for the security of morality, the protection of society, and, above all, the liberty of the subject, namely, malignant, malicious, and corrupt perjury, upon a prosecution by me instituted in support of my character and the laws of my country. Under those circumstances I hope for such favourable reply and relief, as upon consideration may seem reasonable, entreating your immediate answer.

William Gregory, Esq.
Dublin Castle.

I have the honour to be, Sir, with great respect,
Your most obedient, and very humble servant,
(signed) *Tho^s Flanagan.*

A true copy,
C. W. Flint.

N° 2.—Mr. Armstrong's Certificate relative to Thomas Flanagan's state of health.

I CERTIFY, That Thomas Flanagan, now a prisoner in the new gaol of Sligo, has been for some time in a bad state of health, and since his removal from the old gaol, his health seems faster to decline, from the cold and damp of said gaol, and that I think further confinement in said gaol will be the means of inducing a total loss of his health.

I, Wm. Armstrong, surgeon to the gaol of Sligo, do swear the above certificate is to the best of my opinion true.

W^m Armstrong.

Sworn before me, this 12th day of March 1818.

C^r Martin.

A true copy,
W. Gregory.

N° 3.—Copy of a Letter from Wm. Gregory, Esq. to Mr. Justice Mayne.

SIR,

Dublin Castle, 27th February 1818.

I HAVE the honour to send you herewith, by command of the Lord Lieutenant, a letter from Mr. Thomas Flanagan, a prisoner in the gaol of the county of Sligo, under sentence of imprisonment; and I am to request you will acquaint me, for His Excellency's information, whether in your opinion the prisoner is deserving of any mitigation of the sentence he received.

I have, &c.

(signed) *W. Gregory.*

The Hon.
Mr. Justice Mayne.

A true copy,
W. Gregory.

N° 4.—Copy of a Letter from Mr. Justice Mayne to Wm. Gregory, Esq.

SIR,

Drogheda, 2d March 1818.

I HAD the honour of receiving, in Dublin, your letter of the 27th of February, enclosing the letter of Thomas Flanagan to you, and conveying the commands of His Excellency the Lord Lieutenant, for information from me, whether, in my opinion, the man is deserving of any mitigation of the sentence he received. I should have been more uneasy, under the impossibility in which I found myself of obeying these commands before I left town for the assizes, which began here this morning, had I not a perfect conviction that the prisoner was not suffering any injustice, and must state, as my opinion, that he is not deserving of any mitigation of the sentence imposed upon him. He was convicted before me, at Sligo, of a felony, in robbing a man of a good many silver tokens, and also of a riot and assault. Seeing that the robbery was not the usual act of a thief, but was committed in a transaction of the prisoner, with the aid of others, rescuing himself from the person robbed, and greatly abusing him, who was conveying him as a prisoner for debt to Dublin from the gaol of Sligo, under a writ of habeas corpus, I sentenced him, instead of the more common punishment, to imprisonment for six months on the one conviction, and three on the other. I must add, that witnesses, produced by himself, disproved his allegations, and that he justly admitted the leniency of the sentence. I return the letter. His health is a quite different consideration; as to which, I do not find any certificate or affidavit.

I have, &c.

(signed) *E. Mayne.*

A true copy.
W. Gregory.

N^o 5.—Copy of a Letter from William Gregory, Esq. to the High Sheriff of the County of Sligo.

SIR,

Dublin Castle, 19th March 1818.

THE Lord Lieutenant has remitted the remainder of the imprisonment to which Thomas Flanagan, prisoner in the gaol of your county, was sentenced; and I am to signify His Excellency's desire, that you will cause the said Thomas Flanagan to be forthwith liberated.

I have, &c.

(signed) *W. Gregory.*

High Sheriff of the County of Sligo,
or his Sub-Sheriff.

A true copy,
W. Gregory.

N. 5.—Copy of a Letter from William Gregory Esq. to the High Sheriff of the County of Sligo.

SIR, I have the honor to acknowledge the receipt of your letter of the 18th inst. in relation to the imprisonment of the said Thomas Flanagan, and I am to signify His Excellency's desire, that you will cause the said Thomas Flanagan to be forthwith liberated.

I have, &c.

(signed) W. Gregory.

High Sheriff of the County of Sligo,
or his Sub-Sheriff.
A true copy.
W. Gregory.

N. 6.—Copy of a Letter from William Gregory Esq. to Mr. Justice Mayne.

SIR, I have the honor to acknowledge the receipt of your letter of the 18th inst. in relation to the imprisonment of the said Thomas Flanagan, and I am to signify His Excellency's desire, that you will cause the said Thomas Flanagan to be forthwith liberated.

(Ireland.)

THOMAS FLANAGAN.

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Ordered, by The House of Commons, to be Printed,
6 June 1821.