

Norton, Desmond A. G.

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Where was Denis Mahon shot?

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Where Was Denis Mahon shot?

Desmond Norton, University College Dublin

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WHERE WAS MAJOR DENIS MAHON SHOT?

Desmond Norton¹

¹ The author is senior lecturer in economics at University College Dublin. He thanks the Business Research Programme, Michael Smurfit Graduate School of Business at UCD, for financial assistance. For other assistance and advice, he thanks Maura Breheny and Breeda Gilligan of Roscommon County Library; Raymond Browne, Parish Priest of Kilbride, Co Roscommon; John Clarkin of the Ordnance Survey Office in Dublin; Martin Gerald Flanagan of Leitrim Townland near Four Mile House, Co Roscommon; Cormac O Grada of UCD.

WHERE WAS MAJOR DENIS MAHON SHOT?

Major Denis Mahon of Strokestown House in Co Roscommon, in the northwest Irish midlands, was shot to death on the evening of 2 November 1847 as he was returning home to Strokestown from a meeting of the Board of Guardians in Roscommon town. Mahon's role at the meeting was to try to keep the workhouse still in operation despite a lack of funding from local property taxation. This was undoubtedly the most publicised murder during the 19th century in Co Roscommon. It was also the most publicised murder in the entire of Ireland during the first half of the 19th century. It induced lengthy debates in both houses of Parliament, and led to special legislation in December 1847 designed to curb agrarian crime in Ireland. The purpose of the present note is to show that the police, and hence some modern historians, have been in error in their reports on the location of the murder. In consequence, there is now a real danger that the error will be carried forward into future publications.

Denis Mahon had inherited the estates of the third Lord Hartland - very many thousands of acres in the Strokestown and Carrick-on-Shannon districts - in 1845, a short time before the partial failure of the potato heralded the early stages of the Great Irish Famine. For several years the Hartland lands had been badly managed. Rapid population growth had been facilitated by sub-division of holdings. Denis Mahon, an improving landlord, sought to reverse these trends through programmes of depopulation. Tenants were asked to surrender their holdings "voluntarily" in exchange for assisted emigration to British North America. This was a common method of getting rid of unwanted tenants during the early famine years. (See the several chapters of *Landlords, Tenants, Famine: Business of an Irish Land Agency in the 1840s*, currently near completion by this author.) During the Summer of 1847 Mahon sent over 1,000 of such persons, including their families, to America aboard four ships². According to Woodham-Smith, "extra provisions were supplied to an 'extravagant amount', and the cost of the emigration to Major Mahon was £14,000"³. This would probably have amounted to about

² Woodham-Smith states that "Major Mahon chartered two vessels to take them to Quebec". See Cecil Woodham-Smith, *The Great Hunger* (London 1962), 324. Raymond Browne provides details of four ships which carried Mahon's emigrants to America. See his chapter "From the Union to the Famine" in Raymond Browne, ed., *A History of Kilbride Parish, Co. Roscommon*, currently under preparation.

³ Woodham-Smith, 324. Even if it refers to the costs pertaining to the emigrants who travelled aboard the four ships mentioned by Browne, a figure of £14,000 seems exceedingly high. The fare for adults for the passage from Liverpool to Quebec was then about £3-10-0 per person.

£1.4 million in purchasing power at the beginning of the 21st century. The present author thinks that Mahon's costs were much lower; nevertheless, we can be sure that a very substantial outlay was involved. Large numbers of other tenants were unwilling to be taken to America: Mahon responded by evicting over 600 families involving about 3,000 persons. A police report dated 4 November 1847 - two days after the murder - assigns the motive for the outrage as "in consequence of the injured person having evicted a number of his tenants for non-payment of rent, as supposed"⁴. The true reasons for Mahon's demise have remained uncertain.

The background to the present note is as follows: The firm of JR Stewart and Joseph Kincaid was the leading land agency in Ireland during the 1840s. Located at 6 Leinster Street near the back entrance to the University of Dublin, among its primary tasks in the 1840s were the collection of rents, administration of improvements and organisation of assisted emigration programmes on/from the many estates throughout Ireland under the firm's management. The precursor of Stewart and Kincaid (the firm of Henry Stewart) had been established in the late 1700s. For much of the 20th century, the nomenclature of the firm had evolved into Messrs JR Stewart & Son. This business finally ceased operations in the mid-1980s. A few years later,

⁴ This report is reproduced in Raymond Browne, ed., *The Destitution Survey, Reflections on the Famine in the Diocese of Elphin* (Boyle 1997), 25.

this author acquired about 30,000 letters -- written by landlords, tenants, partners in the firm, etc. -- from the Stewart and Kincaid archive. Most of them were written in the 1840s. The correspondence, which is available for consultation by scholars, had not been read since the 1840s. The author has spent the past seven years researching these documents. The primary findings, other than the content of the present contribution, will be published in *Landlords, Tenants, Famine*, mentioned above. The research involved several visits to the former estates encompassed by the correspondence. Study of the topography of these lands has meant that the contents of the draft book are quite different from what I would have written had I conducted all of the research indoors. It was while studying physical features of the lands once owned by Sir Alexander Crichton in Co Roscommon that I concluded that in the recent past some historians have been mistaken in regard to the location of Mahon's murder. Police reports state that the assassination of Denis Mahon took place on the main road in the townland of Dooherty, Parish of Kilbride, and it is generally believed that the specific location was a place which has been described as Dooherty (or Doorty) bridge. In the references of various commentators, the location of the structure called Dooherty bridge is not always clear: indeed, it seems to differ from one commentator to another. However, it will be indicated below that the murder was

not committed on the townland of Dooherty as that townland was defined in 1847. Nor was it committed at the only bridge which might then have been sensibly described as that of Dooherty. In 1847 the latter bridge was at a boundary of the townlands of Dooherty and Leitrim.

The contiguous townlands of Dooherty and Leitrim are between Four Mile House (a few miles to the north of Roscommon town) and Strokestown. Dooherty is the closer to Four Mile House and Roscommon town (which are to the west and southwest); Leitrim is further in the direction of Strokestown (to the northeast). See the attached map. We can be certain that the shooting took place either on Leitrim townland or within about 200 yards beyond the boundary of that townland on the Strokestown side - on the townland of Carrownalassan. In fact we can be virtually certain that a point near the eastern boundary of Carrownalassan was the location of the murder. When this author spoke to him in 1998, Martin Gerald Flanagan (then aged 74) insisted that the location of Major Mahon's murder has been misunderstood by both historians and the Media. Mr Flanagan resides on the Leitrim side, a short distance across the present boundary between the townlands of Dooherty and Leitrim. Today there are in fact three bridges on the main road within a few hundred yards of the Flanagan residence. Only one of these -- that generally thought to have been associated with Mahon's

murder -- is clearly noticeable from the main road.

However, it seems that this bridge did not exist in 1847.

Court evidence of 1848-9 refers to only two bridges on the lands in the vicinity of which Mr Flanagan at present resides.

Travelling from Roscommon town via Four Mile House and in the direction of Strokestown to the northeast, and having just come down a hill from Four Mile House, the first of the bridges (as is indicated by Sheet 35 of the 1837-8 Ordnance Survey map of Co Roscommon) is at what (in 1837-8) was a boundary between Dooherty and Leitrim. The boundary in 1847 was the same as that in 1837-8. (Following the Boundary Survey Acts of the 1850s, this boundary was changed at some time between 1857 and 1893.) This first bridge is not clearly noticeable from the main road itself. Water no longer flows below it, but a trace of the old stream, the disappearance of which was due to the excavation of a nearby drain (mentioned below) is detectable at times of low grass, and the arch can be seen from the contiguous fields. According to a television documentary (*The Irish in America: Long Journey Home, Episode 1*) broadcast by the Irish national broadcasting company on 17 July 1998, the assassins of Major Mahon concealed themselves behind this bridge awaiting his arrival. As is argued below, this view is incorrect. However, because the locations of the (at present, two) other bridges were not within or contiguous to Dooherty, and because the first bridge was at a boundary of Dooherty, the first bridge is the only one which, in

the 1840s, could sensibly have been called "Doorty [or Dooherty] bridge".

About 160 yards distant from the first bridge, and moving north-eastward in the direction of Strokestown, the second bridge -- today within Dooherty but at a location which in 1847 was classified as being within Leitrim townland -- has a clear parapet: today this bridge is generally believed to have been the location of the murder. Indeed, when the author first visited the townlands of Dooherty and Leitrim (in 1996), this second bridge was pointed out to him as the place where Mahon was shot. It has a man-made drain flowing below it. For most of its course, the man-made drain flows through lands which, in the early 1850s, appear to have been the property of Henry SP Mahon (the major's successor as owner of the Strokestown estate); however, it seems that Sir Alexander Crichton owned some of the land contiguous to the drain. Whatever the precise details may have been, the drain certainly affected the lands of both proprietors. (See the map in Roscommon County Library mentioned below.) Stewart and Kincaid commenced as Crichton's agent around the very end of 1847. However, referring as it does to government loans for drainage projects on Crichton lands in 1848, the Stewart and Kincaid correspondence suggests that this drain was excavated only after the firm became Crichton's agent; if that was the case, the bridge over the drain could not be that associated with Major Mahon's murder. Note that if the drain had

been in place at the time at which the present main road was built in the late 1830s, and if it had already taken the water away from the dried-out former stream, then there would have been no need to construct a bridge (the first bridge mentioned above) over the former stream. Of course, this consideration alone only indicates that the drain had not been excavated at the time the road was built. (Documents supplied to the National Archives of Ireland, by both the Ordnance Survey Office and the Valuation Office in Dublin, probably reveal the date at which the second bridge was built; however, these documents are not yet available for scrutiny by researchers.) The only reference in the Stewart and Kincaid correspondence to drainage works implemented on Crichton lands prior to Mahon's murder appears in a letter from Alex Crichton (Sir Alexander's son) to Kincaid, 24 October 1848. It states "if the drains in Cloonreliagh [a Crichton townland in the Parish of Kiltullagh near Castlerea] have been properly finished to a sufficient depth by the Dempseys⁵ & are not confounded with those already paid for I suppose they must be allowed [in payment of rent]. They were to have been completed for Tracys inspection about 18 months ago". Note that such drains were several miles from the Dooherty district. Note also that the drain under the main road in the

⁵ The reference here is presumably to Bernard and Thomas Dempsey, two tenants listed under Cloonreliagh in *Valuation ... Union of Castlerea in the Counties of Roscommon and Mayo*, (Alex Thom for HMSO, Dublin, 1857), 84.

Doohertry-Leitrim district (under what is now the second bridge, going north-eastward in the direction of Strokestown) does not appear on the Ordnance Survey map of 1837 (engraved in 1838); however, the now dried-out stream (under the first bridge), at the former boundary of Doohertry and Leitrim, does appear on that map.

Sheet 35 of the particular copy of the 1837-8 Ordnance Survey map of Co Roscommon located in Roscommon County Library includes useful information, added in manuscript form. These addenda were entered at some stage -- probably in the 1850s or early 1860s -- after Major Mahon's assassination. The addenda indicate that the drain had then been excavated, and that it absorbed the waters of the former stream. The deflected, or dried-out, part of the course of the stream is coloured red. The addenda also include a section of the present main road (built very shortly after the Ordnance Survey of 1837) from Four Mile House to Strokestown. At the (1837-8) boundary of Doohertry and Leitrim, this road is shown to cross the section of the old stream which is coloured red. The addenda indicate that "Alexander Crichton" (either Sir Alexander or his son) owned land on both sides of the older (first) bridge. Contiguous to these lands, they also indicate properties of Henry SP Mahon.

The third bridge (which seems to have been the second bridge in 1847) is about 280 yards further eastward in the direction of

Strokestown, from the second bridge. This bridge is at a boundary -- which is the same as that of 1847 -- between the townlands of Leitrim and Carrownalassan. It is beside the Flanagan residence. It is not noticeable from the main road, but water still flows below it in Winter. Relying on statements made by elderly people during his youth, Mr Flanagan insists that this third bridge is that associated with Mahon's murder: in fact, he insists that the murder took place beside the very old low structure called "the skiggy wall" (which runs across fields from the present main road towards the former -- pre-1838 -- main road) about 190 yards to the Strokestown side of the third bridge. (Again, the reader is requested to consult the attached map.) Continuing one's movement north-eastward in the direction of Strokestown, the skiggy wall is on the left hand side of the present main road. This location was and still is in the townland of Carrownalassan.

At the time of the murder -- which was close to 6 pm on 2 November -- Mahon was in the company of Dr Terence Shanley in an open carriage. The coachman was a person named William Flanagan. The first reference to the shooting in police reports is in a document sent from Strokestown to Dublin at 7.30 pm on 2 November by Thomas Blakeney, sub-inspector of the police at Strokestown. This indicates that Mahon was shot on the "High Road" while returning home to Strokestown from Roscommon town; however, it does not state the whereabouts on

that road. Another police report on the murder, sent from Strokestown on 3 November, does not mention where the murder was thought to have taken place.

It seems that the original source of error in regard to the location of Mahon's murder lies in a police report dated both 4 and 5 November 1847, which states that Mahon was shot "at Doorty" (Dooherty). This document states that the murder was reported to the police at Strokestown by Dr Shanley at about 7 pm on 2 November. A further police report, dated 7 November, states that the murder took place in the "Townland of Doorty"⁶.

These errors in police reports have been repeated and amplified by the Media and by some historians in recent years. Thus, in 1994 Stephen J Campbell wrote that "as he [Mahon] crossed Doorty bridge an unseen marksman fired two shots, the second of which struck Mahon in the chest, killing him instantly"⁷. Similarly, and apparently in reference to the second bridge mentioned above (which, as already indicated, probably did not exist in 1847 and, in the very unlikely event that it did then exist, it would have been in the townland of Leitrim as that townland was then defined, not in Dooherty), a 1995 study of events during the 1840s in the troubled townland of Ballykilcline, close to Mahon lands in Co Roscommon, states that the shots which killed Mahon were "fired from behind the

⁶ The above-mentioned police reports can be found in Outrage Papers - 1848, Roscommon 25/3 - 667, Carton 1519, National Archives of Ireland.

⁷ Stephen J Campbell, *The Great Irish Famine* (Strokestown, 1994), 48.

coping of Doorty bridge"⁸. In the context of the location of the murder, it seems that these publications have used some imagination⁹. Two individuals named Hasty and Cummins were subsequently hanged for Mahon's murder. It is of interest to note that today, if two people were to climb over the coping of any of the three bridges which now exist in the district, and if they were to try to conceal themselves there and to shoot from there, they would almost certainly fall into the water, or onto the soil, several feet below.

There are at least two reasons why the original errors were made in regard to the location of the murder. First, within a few minutes before the time of the murder, Mahon's carriage had left Dooherty which, because of its larger size (310 statute acres in 1847) would have been better known than Leitrim (124 statute acres in 1847). Indeed, when he made his initial report to the police, Dr Shanley may never have heard of Leitrim townland. Secondly, at the time of the murder, and when he made his initial report to the police about one hour later, Shanley (who had himself come very close to being killed) was probably not in a state of mind which would have

⁸ Robert J Scally, *The End of Hidden Ireland* (Oxford, 1995), 39.

⁹ Note also that Scally correctly points out that John Ross Mahon was Denis Mahon's agent and cousin, and that he was a partner in the firm of Guinness and Mahon, a Dublin-based land agency; however, his statement (at p 60) that Lord Palmerston was also a client of Guinness and Mahon appears to be in error. See *Landlords, Tenants, Famine*, Chapters 2 and 3, where the management of the Palmerston estates in Ireland throughout the 1840s, by Stewart and Kincaid, is investigated in detail.

enabled him to notice and remember the exact location of the assassination in a flat landscape, and he was probably vague in his report to the police.

According to a report of Court evidence (in the *Roscommon Journal* of 15 July 1848), Shanley's right arm had been struck by one of the slugs. Furthermore, according to Court evidence (see below), Mahon's carriage did not halt following the shooting; rather, it headed towards Strokestown as quickly as possible.

Newspaper accounts of the Court evidence in the trials of Hasty and Cummins provide clues to the location of the murder. As reported in the *Roscommon Weekly Messenger* of 7 March 1849, a witness named Flynn gave evidence in the trial of Cummins that just before the murder, Cummins

went [from the ball alley beside the former main road -- see the attached map] through fields, as if he was going to Doorty bridge; there is another bridge; Commons [Cummins] crossed that bridge [emphasis not in the original] into a field; saw another person with him in a dike; saw one of them as if he was loading a gun; hid himself in a clump of sallies [sallows] near him; ...; heard a carriage coming from Roscommon as if going to Strokestown; came in front of him while lying in the sallies; ...; saw the flash of the gun ...; the carriage drove on then in the direction of Strokestown.

Under cross-examination by the Defence, Flynn stated that the
sallows were about 280 yards from where the shot was fired.
Today there is no trace of the willows where Flynn said he
hid.

The report of Flynn's evidence during Hasty's trial, in the
Freeman's Journal of 15 July 1848, provides some
clarification. It states:

He [Flynn] saw them [Hasty and Cummins] at the ball
alley; ...; Hasty then went along the old road
towards Strokestown [see attached map] and Cummins
took the fields in the same direction; saw him go
over a ditch beyond the second bridge, nearest to
Strokestown [emphasis not in the original]; ...;
when Cummins got out on the [main] road, witness was
near the [willow] garden of Thady Hunt; that was on
the left hand side of the road; where Cummins went
in [to a field] was at the right; ... when the
carriage came up a shot was fired, and [Flynn] saw
Cummins come out of the field and run back in the
direction of Strokestown; he passed close by
witness.

What the reports of Flynn's evidence indicate is that the
scene of the murder was a little beyond the (in 1847) second

bridge, moving in the direction of Strokestown: thus, the location was in the townland of Leitrim or in Carrownalassan: most certainly, it was not in, or at a boundary of, Dooherty, as that townland was then constituted. Newspaper reports of the evidence of other witnesses yield similar inferences. The *Roscommon Weekly Messenger* of 7 March 1849 reports Court evidence of Dr Shanley in the trial of Cummins, as follows:

When going down the hill of Doorty [emphasis not in the original] the Major took out his watch and said it was a quarter to six o'clock, and that they would be home at half-past six; in a few minutes afterwards [emphasis not in the original] two persons came to the carriage, one of whom fired a gun into the carriage, which hit the Major; and the second man burned priming; the Major immediately died off; and witness drove to Strokestown as quick as possible.

According to the report of Shanley's evidence at the trial of Hasty, in the *Freeman's Journal* of 15 July 1848:

About 400 yards from the place at which the murder was committed, Major Mahon looked at his watch, it was ten minutes to six o'clock; the shot was fired a little below [emphasis not in the original] Doorty

bridge.

The two reports on Court evidence just quoted from the *Roscommon Weekly Messenger* and the *Freeman's Journal* should be carefully contrasted with a more recent (1986) account of the Mahon murder trials by Donlon in which it is reported¹⁰:

As they [Mahon, Shanley and Flanagan the coachman] passed through Doorty [Dooherthy] and down to the end of Fourmilehouse hill ... the major took out his watch and said to Dr. Shanley "ten minutes before six. We should be home about half past six". But, two hundred yards further on, as they approached the bridge, suddenly a shot was fired.

First, it is noted that Donlon refers to "the bridge" without indicating the bridge to which he is referring. Secondly, Donlon's report that the shot was fired "two hundred yards" after Mahon had looked at his watch is inconsistent with the newspaper reports that the shooting occurred "in a few minutes afterwards" or "about 400 yards" later.

Donlon's reference has to be to the first bridge (that nearest to Four Mile House and Roscommon town) or to the

¹⁰ Billie Donlon, "The Mahon Murder Trials", in *Roscommon Historical and Archaeological Society Journal*, v, No. 1 (1986), 31-2.

present second bridge (which in 1847 apparently did not exist).

On the other hand the two newspaper accounts reported immediately above appear to refer to the present third bridge (that nearest to Strokestown) which, as stated earlier, is approximately 440 (160 + 280) yards from the first bridge.

As also reported in the *Freeman's Journal* of 15 July 1848, one Patrick Hunt gave the following Court evidence:

He met two men on the lands of Leitrim; they were Patrick Hasty and James Commons ...; he saw them near the bridge, about thirty or forty yards from it; they were about ten yards off the road; it was above the bridge near[est] Strokestown they were [emphasis not in the original]; ...; the shot was fired from about the bridge.

A letter dated 30 June 1848, written from Strokestown by a person whose name is unclear, to TN Redington the Under-Secretary at Dublin Castle, suggests that the authorities did not know exactly where the murder took place. The writer of this letter requested: "I beg to know what steps should be taken about sending to here a map made of the place where Major Mahon was shot. Mr John Ross Mahon [the major's cousin and agent] who has taken great pains in this case both as a

Magistrate as well as acting on behalf of the family of Major Mahon has applied to me to have an experienced person sent down from Dublin for this purpose and also to have the Crown witnesses who are at present under protection in Dublin brought down to the exact spot where any map may be taken to enable them to give accurate information on trial [of Hasty and Cummins]"¹¹. Whether or not the witnesses were brought from Dublin in order to assist in the preparation of a map is unknown to this author; nor does the author know of any evidence (including the Court evidence as reported in newspapers) that the map was ever prepared.

A clear indication of vagueness among officialdom on the question of where the murder took place appears in a letter dated 24 May 1848, which reported: "Oath hath been made before me MC Browne Esq're one of Her Majesty's Justices of the Peace ... by William O'Brien of Four Mile House Police Station that one Major Denis Mahon was lately murdered at Doorty or Leitrim in said County [of Roscommon]". Finally, note that according to a police report dated 25 and 26 February 1848: "The Informants state that the Murder of Major Mahon took place on the Townland of Leitrim and not on the Townland of Doorty"¹².

¹¹ Outrage Papers - 1848, cited in note 6 above.

¹² These two extracts are from Outrage Papers - 1849, Roscommon 25/1 - 469, Carton 1581, National Archives of Ireland.

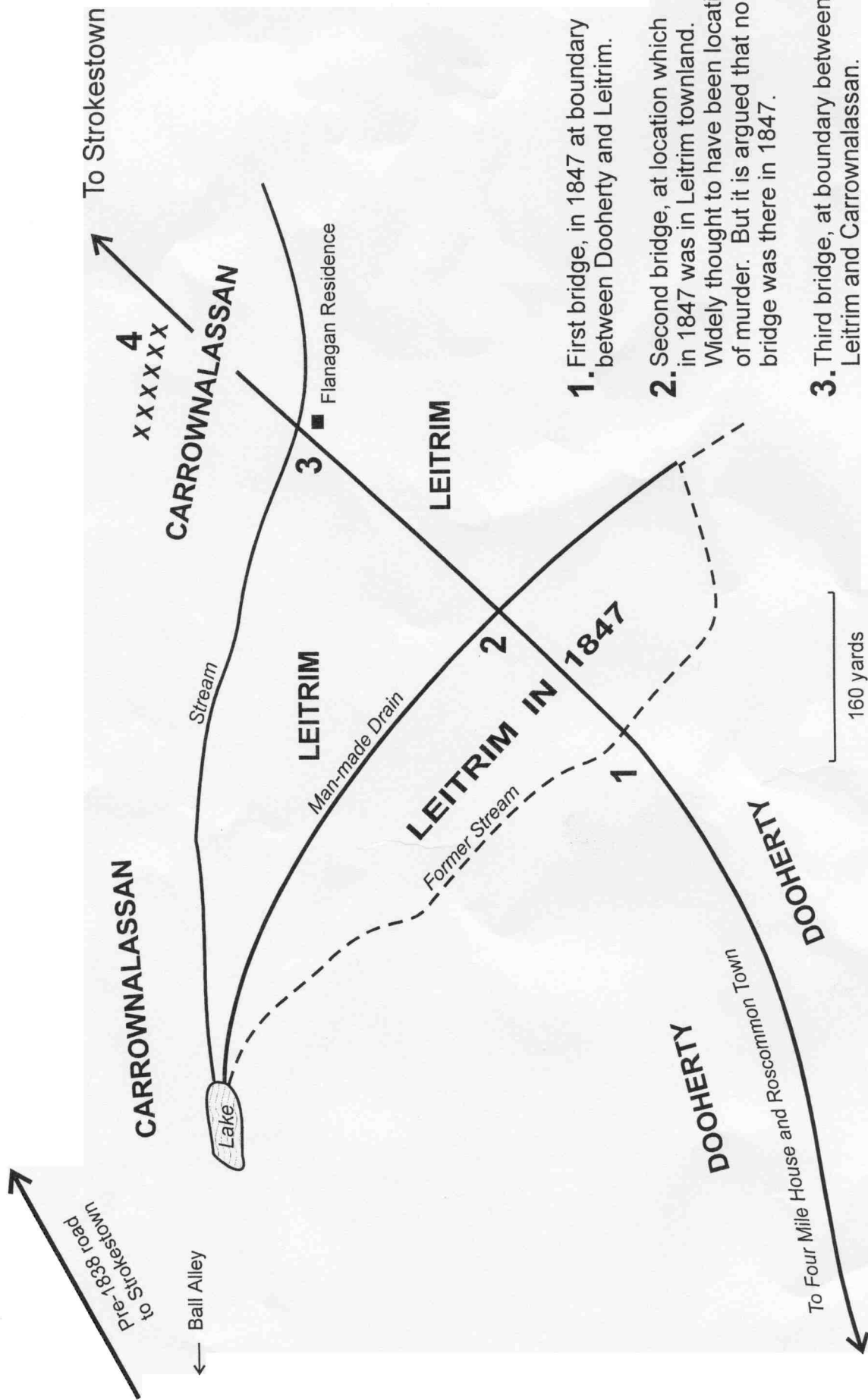
Given that Hasty and Cummins were executed, and given that the police did not know exactly where the murder took place, readers with a legal mind may now have pondered on some questions.

However, it is interesting to note that Hasty and Cummins were not charged with having murdered Major Mahon at any exact location. Indeed, if the Crown had charged Hasty and Cummins with having murdered Mahon in or at a boundary of the townland of Dooherty - as originally thought by the police - then the Court proceedings might have been deemed mis-trials. However, in summary form, the charges against Hasty and Cummins were that while at Strokestown on 1 October 1847, they conspired with others to murder Denis Mahon, and that they subsequently murdered him "at the parish of Kilbride". (*Roscommon Weekly Messenger*, 19 July 1848.) Kilbride was a large parish - over 30 miles in circumference -- in the 1840s. It included very many townlands apart from Dooherty, Leitrim and Carrownalassan.

Taken together, the foregoing considerations indicate that the murder was not committed at Dooherty bridge or in the townland of Dooherty; rather, they indicate that moving north-eastward in the direction of Strokestown, Mahon was murdered on the Strokestown side of the (in 1847) second bridge in the district. If the drain under what is now the second bridge had already been excavated in 1847 -- which seems very

unlikely -- then the murder took place on the townland of Leitrim. However, it seems much more likely that the drain had not yet been excavated and that the present second bridge did not then exist. If that is the case, then the assassination was committed on the townland of Carrownalassan, a short distance, on the Strokestown side, from the present third bridge which was and is at a boundary of Leitrim and Carrownalassan. Finally, the foregoing considerations strongly support the view that Major Mahon was murdered near "the skiggy wall" in Carrownalassan as argued by Mr Flanagan.

It is hoped that the present note will help prevent further errors in regard to the location of one of the most oft-cited murders in 19th century Ireland.



To Strokestown

4
XXXXXX

CARROWNALASSAN

LEITRIM

3

Flanagan Residence

LEITRIM

2

LEITRIM IN 1847

Former Stream

1

1. First bridge, in 1847 at boundary between Doohertry and Leitrim.

2. Second bridge, at location which in 1847 was in Leitrim townland. Widely thought to have been location of murder. But it is argued that no bridge was there in 1847.

3. Third bridge, at boundary between Leitrim and Carrownalassan.

4. The 'Skiggy Wall'.

160 yards

CARROWNALASSAN

← Ball Alley

Pre-1838 road
to Strokestown

DOOHERTRY

To Four Mile House and Roscommon Town

DOOHERTRY

→