

‘Sam Gray’s reign of terror?: Politics, religion and violence in Ballybay, County Monaghan 1824-28’

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Good afternoon.

I am Patrick Duffy, and I am third year BA student studying history and modern Irish here in UCD. This paper began as my Leaving Cert history project, but which I have continued to research over the last few summers. I must stress that it is a work in progress, and not complete, but this afternoon, I will outline the research I have done so far.

Ballybay, my hometown in County Monaghan, has had a few claims to fame in recent years, such as the light-hearted song, *The Town of Ballybay* made famous by Jim McCann, as the home of the horse meat scandal in 2013, and most recently, the robbery of our ATM before Christmas 2018. Back in the early nineteenth century, however, the town was noted as the residence of the famous, or for many Catholics, infamous Orangeman, tithe collector, and publican, Sam Gray. My mother, who grew up in Ballybay, often was told stories of how this dead Orangeman was often treated as a bogeyman to Catholic children and was warned not to go down the dark alleyway behind Gray’s residence or she would encounter Gray’s ghost! Indeed, a look through some folklore stories written by local schoolchildren in the 1930s and which are held in the National Folklore Collection here in UCD, reflect this attitude. ‘There lived in Ballybay’, a student in Ballybay Girls’ National School wrote, ‘named Sam Gray’. ‘He was a great Orange Man and hated the Catholics’.¹ ‘This infamous man’, James Arnold from the Boys National School wrote, ‘gathered around him a band of cut-throats’. He committed innumerable murders and crimes of violence but was always acquitted by a "packed jury" of

¹ The Schools’ Collection, vol. 938, Ballybay Girls’ National School, UCD National Folklore Collection, p. 275.

his own followers'.² In other words, it was claimed that Gray was able to control jury formation in order to get himself acquitted. Significantly, there is no reference to Gray in the records of Ballybay Protestant school. To what extent, therefore, are these statements true? In the next few minutes, I will try to answer this question through my own research, and I will also analyse Sam Gray's significance in both a local and national context.

Sam Gray was born in 1782.³ A publican, he owned and ran the York Hotel, today a butcher's shop on the town's main street. He lived during a period of immense political and religious change, dominated by Daniel O'Connell's successful campaign for Catholic Emancipation in the 1820s, and his later unsuccessful campaign for repeal of the union between Great Britain and Ireland in the 1840s. Any analysis of Gray must be considered in this context. He first came to prominence in 1824, when himself, and his brother Henry were tried and acquitted of murdering Bernard McMahon, who was kicked to death on the street outside his pub in broad daylight. After deliberating for two minutes, the jury found the two brothers not guilty.⁴

Gray first took national prominence in the autumn of 1828. At a time when, Catholics could not sit in Parliament, Irish politics was dominated by the question of Catholic emancipation. The Catholic Association, led by Daniel O'Connell, was the first popular political movement in Ireland. It was funded by the 'Catholic rent', in which subscribers would pay a penny per month to fund the association. This 'rent' was collected by the local clergy, and forwarded to the association in Dublin, which is significant, as Catholics were aggrieved that they had to, by law, pay 'tithes', or one tenth of their income to the clergy of the established church, the Protestant Church of Ireland. Oliver MacDonagh estimated, that the association made the modern equivalent of £300,000 annually from this rent.⁵ The geographical distribution of rent

² The Schools' Collection, vol. 938, Ballybay Boys' National School, UCD National Folklore Collection, p. 235.

³ *Belfast Newsletter*, 5 Sept. 1848.

⁴ *Freeman's Journal*, 9 Aug. 1824.

⁵ Oliver MacDonagh, *Ireland: the union and its aftermath* (Dublin, 2003), p. 52.

payments highlights how in Ulster, where there was a large Protestant population descending from the 1609 plantation, contributed only £204 to the total Catholic rent in 1827, accounting for 7% of the national total.⁶ Eager to strengthen support for the association in the region, in 1828, the Association delegated Jack Lawless, a Dublin born, Belfast based journalist who campaigned for Catholic emancipation, to undertake a ‘Tour of the North’ in order to collect the Catholic Rent. Lawless left Dublin in August, travelling first to Drogheda, then to Navan, Collon, Ardee, before arriving in Carrickmacross on the 16 September. He then proceeded to Ballybay. Sources vary on the amount of followers Lawless had with him, a letter from a magistrate Thomas D’Arcy to the Chief Secretary for Ireland in Dublin Castle claimed that Lawless had ordered 20,000 Catholics to meet him in Ballybay,⁷ while Lawless own claim, in a letter to the Catholic newspaper *The Northern Whig*, that he had 50,000 followers is undoubtedly exaggerated. 3,000 armed Protestants from around Monaghan, meanwhile, gathered in Ballybay. A magistrate, General Thornton met Lawless at the Catholic church outside the town. Under the penal laws, Catholic churches were not allowed to be built in towns and villages. Fearing a bloody, sectarian conflict, Thornton persuaded Lawless not to enter the town.⁸ He spent a few days in Castleblayney before returning to Dublin. In a letter to the *Northern Whig*, Lawless wrote that he was ‘afraid’ to enter the town.⁹

The incident, however, did not pass off without violence. One Catholic, Thomas Murphy, was killed returning home from the meeting to Rockcorry. Passing through Ballybay town, he was stabbed with a bayonet.¹⁰ Windows of Catholics houses were broken, including the parish

⁶ S.J. Connolly, ‘Mass politics and sectarian conflict, 1823-30’ in W.E. Vaughan (ed.) *A new history of Ireland*, v: *Ireland under the union 1801-70* (Oxford, 1989), p. 91.

⁷ Report upon the state of the County of Monaghan as requested by instructions, 24 December 1828, National Archives of Ireland, CSO/RP/OR/1828/17/4.

⁸ *Northern Whig*, 2 Oct. 1828.

⁹ *Ibid.*

¹⁰ Report upon the state of the County of Monaghan as requested by instructions, 24 December 1828, NAI, CSO/RP/OR/1828/17/4.

priest, Reverend McCusker.¹¹ On the evening of the 25 September, 100 armed Protestants met in Ballybay, alarmed at a rumour that Lawless was to return and burn the town.¹² During the night, D’Arcy wrote, ‘the actions of Mr. Samuel Gray were unceasing to prevent mischief... unrestrained by any considerable leader, having created consternation instead of confidence among the inhabitants of the town, especially the Roman Catholics.’¹³ Edward McCaffrey, parish priest of Augher County Tyrone, swore in an affidavit that he was attacked by Gray, with an instrument he believed to be a dagger. Gray called him a ‘Romish Popish priest’.¹⁴ Lawless, however, in reporting on the incident to the committee of the Catholic Association, claimed that ‘Poor Sam Gray’ was only ‘a common miscreant in the hands of the magistrates’.¹⁵ This demonstrates the Catholic Association’s difficult relationship with the authorities rather than insisting that Gray was a minor figure. Indeed, the Home Secretary Robert Peel, in a letter to the Lord Lieutenant Lord Anglesey criticised the magistrates of ‘entering negotiations with a body of ‘armed men on the one hand, and a mischievous demagogue on the other.’¹⁶ Whatever the accuracy of Peel’s comments, they nevertheless demonstrate that the government were fearing an armed conflict, rather than taking sides. A year later, Robert Bradford and Robert Roweland were tried and acquitted of assaulting and shooting at three Catholics near Ballybay on the evening of the 23rd, with intent to kill. The *Belfast Newsletter*, the main Protestant newspaper at the time, claimed that ‘Mr. Sam Gray was busily engaged in the cause of his adherents’.¹⁷

Nevertheless, Lawless’ failure to enter Ballybay, and moreover his refusal to travel anywhere further north delivered a major propaganda victory for the northern Protestants. In this

¹¹ Ibid.

¹² Ibid.

¹³ Ibid.

¹⁴ Affidavit of Edward McCaffrey, NAI, CSO/RP/OR/1828/17/32.

¹⁵ Proceedings of Catholic Association of Ireland, 22 Oct. 1828, National Library of Ireland, Ms 3290.

¹⁶ Peel to Anglesey, 27 Oct. 1828, Public Record Office of Northern Ireland, D619/26/B/77.

¹⁷ *Belfast Newsletter*, 25 Aug. 1829.

contemporary satirical image, for example, the Protestants at Ballybay are quoted as saying, ‘thus far you have come, but no further’.¹⁸ Gray was considered a hero among the Protestant community and was seen as the man who saved Ulster from the ‘southern invasion’. He was awarded the Freedom of the City of Dublin, and presented with a silver snuff box, which praised him for defending the town from ‘Popish Demagogues’.¹⁹ This box was auctioned last year at Adams’ on Saint Stephen’s Green, and was purchased by Monaghan County Museum for €3,000. A subsequent poem highlights the legendary status Gray later acquired for himself.

1828 was not the only sectarian event which took place in Ballybay. In 1829, it was reported how the Catholics attending the fair day in Ballybay wore green hats in order to celebrate the granting Catholic emancipation, which resulted in riots.²⁰ In 1834, the *Newry Examiner* reported how one Saturday ‘300 of the lowest Orangemen assembled and commenced a furious attack on the persons and property of those whom they supposed favourable to Mr. Westenra’, in reference to the local MP at the time.²¹ In 1836, the MP for Armagh, Colonel Verner told the House of Commons how a body of Orangemen in Ballybay ‘attacked the Roman Catholics indiscriminately coming to the market, beat and abused 549 them without provocation, and drove them into a lake.’²² Neither was Ballybay the only place in Ulster in which sectarian violence was frequent. Indeed, the Orange Order was founded in 1795 after sectarian riots in north County Armagh,²³ while the killing of 30 Catholics during riots between Orangemen and Ribbonmen at Dolly’s Brae in County Down in 1849 show that there were bloodier events in other areas than Ballybay.²⁴ What made Ballybay, and Sam Gray significant, was the role it

¹⁸ ‘Satirical cartoon entitled “Jack Straws interview with Ulster King at Arms at Ballybay”’, PRONI, T1689/2/76.

¹⁹ *Belfast Newsletter*, 5 Sept. 1848.

²⁰ Letter from Chief Constable Douglas, Ballibay, relating to disturbance in the town, NAI, CSO/RP/OR/1829/14.

²¹ *Newry Examiner*, 24 May 1834.

²² Hansard: HC Deb 18 February 1836 vol 31 cc532-51

²³ Frank Wright, *Two lands on one soil: Ulster politics before home rule* (Dublin, 1996), p. 38.

²⁴ Sean Farrell, *Rituals and riots: sectarian violence and political culture in Ulster, 1784-1886* (Lexington, 2000), p. 4.

played in the development of the identity of Ulster lower-class Protestants. As Suzanne Kingon noted, the main opposition to Catholic emancipation came from the Ulster Protestant elite, while the events at Ballybay were plebeian led.²⁵ Indeed, as Darragh Curran has noted, the fact that Gray was a publican put him at odds at the Orange elite, yet he still retained support from the rank and file members of the order.²⁶ Moreover, As James Quinn and Patrick Maume have argued, nationalist activity in Ulster, from the Lawless event in 1828 to Tim Healy's candidacy in the 1883 Monaghan bye-election was described as an 'invasion of Ulster'.²⁷ Indeed, the fact that Gray's son, who was transported to Van Diemen's Land, and who later became a member of Parliament in Tasmania, called his home the Ulster Lodge, not the Irish Lodge, Monaghan Lodge or Ballybay Lodge demonstrates how Protestants from the north were beginning to see them as Ulstermen as opposed to Irishmen.²⁸ *The Belfast Newsletter*, in his obituary, described Gray as someone who 'worked tirelessly for the Protestant cause in the north of Ireland'.²⁹ Indeed, the assertion by the Belfast Newsletter that Daniel O'Connell hoped to 'drive the Protestants of Ulster into the Ocean' bears similar resemblance to Ulster opposition to home rule in 1912 on the basis of religious liberty.³⁰ Therefore, the events of 1828 should be considered significant as it demonstrated that northern Protestants began to view themselves as Ulstermen, rather than Irish, and that the north was fundamentally different from the south.

In 1839, Gray found himself at the centre of a civil dispute. Following the death of the bachelor Moses Bradford, a Protestant gentleman from Ballybay, his will bequeathed all his property to his nephew. Gray, however, produced a will claiming that Bradford had rather left his property

²⁵ Suzanne Kingon, 'Ulster opposition to Catholic emancipation, 1828-29', *Irish Historical Studies* 34, no. 134 (2004), pp 139-40.

²⁶ Darragh Curran, *The Protestant community in Ulster, 1825-45: a society in transition* (Dublin, 2014), p. 54.

²⁷ James Quinn and Patrick Maume, 'Introduction' in James Quinn and Patrick Maume (eds) *Ulster political lives 1886-1921* (Dublin, 2016), p. 9.

²⁸ James H. Murnane and Peadar Murnane, *At the ford of the birches: the history of Ballybay, its people and vicinity* (Ballybay, 1999), p. 476.

²⁹ *Belfast Newsletter*, 5 Sept. 1848.

³⁰ *The Nation*, 18 Jan. 1845.

to his son, James Gray. The local schoolmaster, Owen Murphy, who had written the will, swore that his was genuine, while his neighbour, James Cunningham also acted as a witness. The jury ruled, through a majority verdict, that Murphy's will was genuine, and Gray's a forgery.³¹ In March 1841, Gray shot Murphy and Cunningham in revenge. Murphy instantly dropped dead, 'the ball having passed through his lungs.'³² Cunningham luckily survived, later telling the Court at Gray's trial that the bullet 'grazed' his head.³³ Gray was tried and acquitted of Murphy's murder.³⁴ Famous for the Lawless incident in 1828, Gray was treated as a celebrity on trial and made the front pages of the Belfast newspapers. Gray was subsequently tried for the felony, or attempted murder of Cunningham. He was found guilty and sentenced to transportation for life.³⁵ His son James was found guilty of subordination of perjury, and also sentenced to transportation for life.³⁶ After the Court of the Queen's Bench upheld the judgement, Gray appealed the decision on a writ of error to the House of Lords, the final court of appeal in the United Kingdom. Gray had argued, that he did not get a fair trial, as he was not permitted to challenge one of the jurors. The House of Lords upheld Gray's appeal on the basis, that he would have been allowed to challenge a juror in England, and therefore, the same law should have applied in Ireland.³⁷ This judgement is particularly significant, as it came at a time when Daniel O'Connell was campaigning for a repeal of the Act of Union between Great Britain and Ireland. By 1845, all charges against Gray were dropped.³⁸

Now let us return to the accusation that Gray rigged juries in order to get himself acquitted. In the first murder case of 1824, Gray objected to 20 jurors, and the jury deliberated for two

³¹ *Northern Standard*, 8 Aug. 1840.

³² *Freeman's Journal*, 30 Nov. 1840.

³³ *Belfast Newsletter*, 23 Mar. 1841.

³⁴ *Ibid.*

³⁵ *Irish Examiner*, 19 Jul. 1843.

³⁶ *Ibid.*

³⁷ House of Lords judgement: Samuel Gray versus the Queen.

³⁸ *Northern Standard*, 23 Jun. 1845

minutes before acquittal.³⁹ This fact alone demonstrates suspicion. Likewise, in 1841, the Earl of Charleville told the House of Lords that Gray had challenged seven juries during Murphy's trial.⁴⁰ Moreover, Gray's appointment as sub-sheriff gave him authority in selecting jurors.⁴¹ In the nineteenth century, as Virginia Crossman notes, the High Sheriff was the principal representative in each county responsible executing the law. While officially appointed by the Lord Lieutenant, the county MPs had most influence over nominations, thus establishing the danger of the politicisation of juries. The High Sherriff, in turn, appointed Sub-Sheriffs, who helped them in their duties.⁴² Gray's appointment as a Sub-Sheriff proves two things – firstly, he had good connections with those responsible for the execution of the law, and secondly, he had some influence over jury selection. Indeed, the legal historian Niamh Howlin has pointed out that sub-sheriffs were often figures of local mistrust, some of whom were accused of selecting those closest to the courthouse, and others, more seriously, along their political or religious allegiances.⁴³ While greater research, such as the thorough examination of jury lists and analysis of baptism records is needed to unequivocally prove that Gray rigged juries, evidence suggests, considering his role as Sub-Sheriff, and his frequent challenge of jurors, that Gray was able to take advantage of a justice system in which corruption was widespread in order to increase his chance of acquittal.

To conclude, Gray was a sectarian character. While the charges against him in the National Schools Collection are undoubtedly exaggerated, a close examination of his trials reveal many irregularities. His successful challenging of jurors in many trials, combined with his role as Sub-Sheriff, certainly allowed him to influence juries. While this would have been serious in normal times, considering the political climate, the fact that this took place along religious

³⁹ *Freeman's Journal*, 9 Aug. 1824.

⁴⁰ Hansard: HL Deb 05 April 1841 vol 57 cc850-76.

⁴¹ *Belfast Newsletter*, 5 Sept. 1848.

⁴² Virginia Crossman, *Local government in nineteenth century Ireland* (Belfast, 1994), pp 7-10.

⁴³ Niamh Howlin, *Juries in Ireland: laypersons and law in the long nineteenth century* (Dublin, 2017), pp 27-9.

divides demonstrates how Gray's actions contributed to sectarian unrest. Gray certainly is accredited for preventing Jack Lawless enter Ballybay, and his portrayal as a hero by Protestants is significant, as it highlights the widening divide between the 'Protestant north' and 'Catholic south'. Was Gray politically motivated, eager to preserve the Protestant, unionist state, or was he motivated out of self-interest? I would argue primarily he was motivated by the latter. Gray was employed by the Protestant state as a tithe collector and Sub-Sheriff and his role as District Master of the Orange Order certainly was a privileged position which earned him the respect of the Protestant community. While he undoubtedly served as a leader for the Protestants in 1828, their numerical strength shows that he was reflecting the widespread popular opposition to Lawless' meeting. Above all, his naked greed in the will case proves how he was motivated to take the law into his own hands out of interest to himself. Indeed, Bradford was a Protestant, and in no way did his actions in this matter contribute to preservation of the Protestant state. Gray's significance primarily lies in two areas. Firstly, his successful appeal to the House of Lords reveals the differences between the Irish and British legal systems and helped strengthen the union, from a legal point of view, at a time when O'Connell was campaigning to repeal the union. Most significant were the events of 1828. By preventing Lawless' entry into Ballybay, Gray effectively assured that O'Connell's Catholic Association in Ulster remained weak. Moreover, the subsequent propaganda campaign which portrayed Gray as a hero for defending Protestant Ulster from the 'invasion' from the Catholic south, highlighted the growing division of the country, geographically as well as politically and religiously and the development of a separate Ulster, rather than Irish, Protestant and unionist identity. Just under one hundred years before partition, it may not be an exaggeration, if more research is completed, to claim that this Ulster identity dates back to the 1820s. He also became a symbolic leader for lower class Protestants, at a time when opposition to Emancipation was dominated by the elite. Therefore, Gray should be seen as a self-interested character, intent on

increasing his own authority and influence, but at the same time, someone who contributed to the Ulster Protestant and unionist identity during a time of political and religious division. His grave in Ballybay perhaps best sums up the man – the fine headstone and railings demonstrate the position in society he held, yet its current overgrown state reflects the attitude to his memory and legacy, and his role in history.

Thank you.

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