

THE BURGHEAD AND FINDHORN MEAL RIOTS 1847

In January 1847 the small Moray ports of Burghead and Findhorn were the scene of disturbances which were, over the course of the next few months, to spread to several other places in the north of Scotland.

Although the harvest of 1846 in Moray had not been up to the usual expectations, it could by no means have been described as a poor one, and under normal circumstances, although the price of meal may have risen somewhat, the general population would have been content with their lot. Other parts of the country, however, were suffering from much more severe shortages, and the corn-merchants and corn-agents of Moray probably saw this as a good business opportunity. They continued to export grain from the Moray Firth ports in ever-increasing quantities. This angered the working population of the area, especially those living in the ports, which were forced to watch the produce of their local farms being shipped away whilst they risked real or perceived hardship. Things came to a climax on Tuesday 26th January 1847.

The *Forres Gazette* of Saturday 6th February recounts the happenings of the previous days in some detail;

“About ten days ago the excessive exportation of grain, &c, from the ports of Burghead and Findhorn, excited the attention of the working population in these places. Oat meal had risen to the enormously high price of 33 shillings per boll, and in Findhorn not a peck could be obtained at any price; while at the same time hundreds of quarters were being daily shipped by corn-factors to remote parts of the country....”

Burghead.

Continuing from the same newspaper report; “Aroused by this state of matters, a number of women and children congregated on the harbour of Burghead, while a vessel was being freighted by a cargo of meal for Leith, and succeeded in re-landing the commodity, which was lodged in the storehouse.”

The corn-merchants in question are identified as John Allan, Corn-merchant in Elgin and John Innes, Corn-agent in Burghead, who were loading grain onto two vessels, the “*James and Jessie*”, and the “*Ceres*”, both lying in the harbour of Burghead.

The mob had gathered between the harbour and the inn operated by Lewis Grant, vintner. The authorities in Elgin being apprised of this, the Sheriff-substitute, Patrick Cameron, and the Procurator-Fiscal Alexander Brown, with William Hay, the superintendent of police, and a body of the Rural Police, went to Burghead and were attacked by the rioters throwing stones and other missiles. All three of the men, and some of the police, were injured, William Hay

being “*injured in his person to the effusion of blood*”. For a time later that day the rioting died down, and for a time peace appeared to have been restored.

Next day (*Wednesday 27th January*) the arrival of vast numbers of people from Hopeman and Cummington incited the villagers to violence, and they attacked another vessel, and landed 200 bolls of meal, and lodged it in the granary. On the arrival, in the forenoon, of Mr. Sheriff Innes, Alexander Brown and William Hay, with Alexander Forteach Esq., of Newton, James Grant, Bank Agent for the Caledonian Banking Company in Elgin, Alexander Young, brewer in Elgin, Thomas Grant, shoemaker in Elgin, Finlay Munro, messenger-at-arms, John McIntye, police constable at the Crook of Alves, and John Cumming, police constable from Forres and about 70 other special constables from Elgin, the rioting intensified.

After a period of particularly violent attacks by the mob, during which many of the police and officials received considerable injuries, the ringleaders, including James Falconer, Angus Davidson, Daniel Sutherland jnr, John Young and John Main, were secured and conveyed to the Grant Arms Inn, the windows of which were immediately demolished by the mob. Further problems arose when the authorities attempted to convey their prisoners back to Elgin, and on the Burghead to Elgin turnpike road, about a mile outside Burghead, the two carriages, driven by James Grant and James Russell, were attacked by the mob, and the drivers were injured. Eventually they managed to get on their way, and the rioters in Burghead, now having no target on which to focus their violence, gradually dispersed.

The excitement soon reached the town of Elgin, and a concourse of people assembled on the streets with the effigy of one of the corn factors, a person who had become obnoxious by the shipping of grain. The mob assailed his house with stones, and setting fire to the figure they carried they then thrust it in at the fanlight over the door, by which the premises were in danger of being burned. In a short time they withdrew, and did no further mischief.

Several parties implicated in this business being apprehended and lodged in the jail, a large mob rose on the following night (*Thursday 28th January*), and demanded their liberation, which, after they found bail, the Sheriffs agreed to, and the people again quietly dispersed. “In order to preserve the public peace, maintain the authority of the law, and protect property, Sheriff Innes forwarded a dispatch to the military head-quarters at Fort George for troops, and about 40 men of the 76th Regiment arrived in Elgin about two o’clock of the following day (*Friday 29th January*) and took up their quarters in the Court House. Since that time two other detachments have arrived from Edinburgh Castle”.

Findhorn.

In Findhorn the women attacked the “*Morayshire*” expecting to find meal, and being disappointed in their search, took possession of some flour on the quay, and deposited it in Mr. John McKay’s sheds. They also turned back several carts laden with grain for shipment, and rather roughly handled the men in charge, because they offered resistance. Next day they seized a quantity of barley sent by Sir W. G. G. Cumming for shipment, and locked it up; and

in the evening a public meeting was held in the school room, and resolutions were unanimously passed, that no grain or meal should be allowed to leave the port, and no vessel laden with corn or meal should be piloted out of the harbour, till the meal fell to a certain price. At a subsequent meeting, they resolved to send a deputation to Sir Wm Cumming, to make an offer for the barley, to be converted into meal, at a certain price”.

“Next day Sheriff Cameron, with the factor of Novar, had a meeting with the people, but no terms of accommodation could be agreed on, and for some days matters were at a standstill. On Thursday last (*4th February*), a detachment of the 76th regiment, accompanied by Mr. Sheriff Innes, went to the village, where they yet remain, and a considerable quantity of grain has been shipped, without any indication of tumult on the part of the people. A man and a woman who had taken a conspicuous part in the previous proceedings, were taken into custody and conveyed to the jail of Elgin”.

The Sheriff enrolls local farmers as special constables.

The *Forres Gazette* of Saturday 6th February 1847 noted that “On Tuesday last (*2nd February*), Mr. Sheriff Cameron held a meeting with the Farmers of this district, in the Court House of Forres, for the purpose of swearing them in as special constables, for the preservation of the peace. On the bench were also Sir Wm. G. G. Cumming, Bart. of Altyre; Norman McLeod Esq. of Dalvey, and Colonel McPherson, Burgie. The Sheriff shortly stated the condition of the various shipping stations on this coast, particularly Burghead and Findhorn, where lawless violence prevailed, conducted chiefly by women, who in Burghead showed themselves adept in throwing stones. Troops had been sent for, and were stationed in each of these villages, and grain was being shipped under the protection of the military; but it was necessary for the authorities to keep the peace after the soldiers were withdrawn. It was clear that in these circumstances the farmers must rely upon themselves, and by a proper organisation which would be explained to them, they might hold themselves ready, at a moment’s warning, to appear at any rallying point when required. The disturbances had completely paralysed the commerce of the country, and induced a state of things in the shipping ports which could not be tolerated for an instant. After some further remarks, the Sheriff administered the oath to upwards of one hundred respectable farmers, who appointed captains over themselves in their respective district”.

The arrest of two of the rioters.

Two of the men who had been amongst the ringleaders during the Burghead riots has fled from the area, and were not arrested until Monday 15th February, as reported in the *Aberdeen Journal* of 24th February;

“James Falconer and Angus Davidson, accused of mobbing and rioting in Burghead, were apprehended on Monday week, at Stonehaven. They were brought back on Wednesday, and, after examination, were committed for trial”.

The arrangements for the trial.

The *Elgin Courant* of 5th March 1847 reports;

“We understand that the Lord Advocate has fixed that five of the men apprehended on a charge of being connected with the recent riots at Burghead are to be tried at the High Court of Judiciary, Edinburgh, about the end of this month. The names of the parties are James Falconer, shoemaker, and Angus Davidson, cooper, Burghead; Daniel Sutherland jnr., John Young, and John Main, fishermen, Hopeman.”

The disturbances spread.

The *Elgin Courant* of 5th March 1847 reports;

“Invergordon,- in consequence of the riotous proceedings at this port, the assistance of the military was found necessary to restore order and to effect the shipment of grain. About two hundred soldiers arrived off the harbour on Tuesday morning, where it was found that about 1000 men, armed with bludgeons, were assembled to prevent their landing. It is currently reported that this lawless band resolutely persevered in their purpose, and that the military having been compelled to fire upon them, several lives were lost on the part of the former. It is also reported that the mob had previously entered several grain lofts, and mixed the different kinds together, in order to prevent their shipment, thereby rendering them unfit to be used for meal or almost any other purpose. We cannot, however, vouch for the truth of the report, but there is no doubt that matters have assumed a very serious aspect in Ross-shire”.

On the 12th of March the same newspaper reports that there had recently been food riots in Grantown-on-Spey, as evinced by the fact that in the Corn Market, held at Grantown on Wednesday last, one of the ringleaders in the recent food riots in that place, named Munro, was apprehended by Mr McBean, Superintendent of the Inverness-shire Police, and a party of officers. “Munro, who is a stout, active, fellow, having quickly disengaged himself from the grasp of his captors, flourished his ‘cudgel’ in their faces, and dared them to touch him, adding that there was a sufficient force in Grantown to protect him. The officers did not immediately carry out their intention; but, watching a favourable opportunity, they again seized Munro, had him instantly hand-cuffed and taken to the Inn. When, about to start off for Inverness with his prisoner, Mr. McBean, seeing great crowds collecting to the westwards on the usual road to Inverness, ordered the coachman to turn eastward and drive on to Forres at a rapid rate; which he reached without molestation. He then immediately proceeded with his prisoner to Inverness by the coast road”.

The aftermath in Forres.

The *Forres Gazette* of Saturday 6th February 1847 noted that “We have the greatest possible pleasure in reporting that in consequence of the prompt and highly judicious measures adopted by the authorities here, not only was there no attempt at violence, but scarcely any excitement. Acting on the maxim that “prevention is better than cure” the magistrates deliberated early on the subject of the high price and probable scarcity of meal, and came to the resolution to make the provision as extensive as the wants of the people, and to dispose of the commodity at such prices as could be afforded. Accordingly the Provost summoned the

Town Council, and explained the circumstances of the case, and proposed that the Magistrates purchase, in the meantime, 200 bolls of oatmeal, and sell it in small quantities at from 14 to 18d per peck; and in order to defray the deficiency betwixt the cost and selling price, a subscription be opened in the town, which he proposed should be headed by the Town Council for £20, and by the Magistrates and Members of Council with such sums as their generosity in such an emergency might dictate. The Council went at once and unanimously into this wise measure; the town was divided into districts, and members of Council appointed to canvas for subscriptions, and they agreed to meet in the evening to report the result. They did so and the success which attended their praiseworthy efforts among their fellow-townsmen showed how highly the proposition was appreciated by them. The first evening nearly two hundred pounds were reported; and we are proud to point to the list of subscribers in today's paper, evincing the importance attached by them to the present distress, and so highly creditable to the benevolence of our townsmen....”

The trial of the Burghead Rioters.

The trial of the accused men took place at the High Court in Edinburgh on Tuesday 23rd March 1847. This summary of the trial is made up from reports in the *Elgin Courier* 26th March 1847, and the *Elgin Courant* of the same date. The two newspapers covering the trial included more or less detail as the editor considered appropriate.

“James Falconer, shoemaker, and Angus Davidson, cooper, Burghead, Daniel Sutherland jnr., John Young and John Main, fishermen, Hopeman, were placed at the bar, charged with the crime of mobbing and rioting, and of assault, in so far as on 26th January last, they formed part of a mob which assembled, and violently preventing or obstructing the shipment of meal belonging to James Allan, corn-merchant, Elgin, and John Innes, corn-agent, Burghead, on board of the ‘James and Jessie’ and ‘Ceres’, and with conducting themselves in a riotous and outrageous manner, and with wickedly and feloniously attacking and assaulting Mr. Patrick Cameron, Sheriff-Substitute of Elginshire, Mr. Alexander Brown, Procurator-Fiscal, Mr William Hay, Superintendent of Police, and Mr. John Allan; secondly, with having, after the meal was shipped, carried it away from the vessels on 27th January, and with having assaulted C. Innes, the Sheriff of the county, and the civil force which had been raised for the purpose of assisting in preserving the public peace; and also, with having deforced the authorities, and rescued a prisoner in their custody, and with having severely injured several of them, and compelled them to take shelter in the Inn at Burghead, the widows of which were broken by missiles thrown, and also with attacking the carriages in which the authorities, after leaving the Inn, proceeded to Elgin.

James Falconer pled guilty to the first charge as libelled, and the other panels to both charges as libelled. The public prosecutor passed from the second charge against Falconer.

Mr. Brown, Procurator-Fiscal of the County of Elgin, said that he was factor to Rear-Admiral Duff, who was proprietor of the village of Hopeman. Many of the inhabitants of the place were fishermen; and he knew almost all of them. He had known the panel, Sutherland, for a period of five or six years, and his character was generally very fair. He was sometimes loose

with his tongue, but he had never known him to be engaged in any broils or riots before the present. He (Mr. Brown) also knew John Young, and he had never heard anything against his character. The same remark applied to John Main.

Certificates in favour of the panels were then read by the prisoner's council from the Free Church clergyman and elders of the church of Burghead, and also from other parties.

Mr Tennent, who appeared for Falconer and Davidson, said that there were few cases of mobbing and rioting which were entitled to more lenient consideration than the present. This would appear when their Lordship's considered that a very general panic, in regard to a scarcity of food, was spread throughout the northern part of the country; and that the fact of parties shipping grain had unfortunately given rise to the impression among the population in these parts, that these parties were making gain from the destitution of the country. Another consideration which he would press upon the Court in favour of leniency in this case, was the generally quiet way in which the people in these districts were enduring the calamity with which they had been visited. He trusted, therefore, that their Lordships would see to inflict only a mitigated penalty upon the parties involved in this unfortunate transaction.

Mr Fraser, who appeared on behalf of the other panels, said that the parties for whom he pled belonged to a class who were remarkable for their primitive simplicity. They resided in the village of Hopeman, and were engaged in fishing occupations, and, from passing much of their time at sea, were consequently ignorant of what was passing around them, and were therefore liable to be imposed upon by the representations of other parties. In these circumstances, certain individuals from Burghead came to Hopeman and told the inhabitants that unless they assisted them in stopping the importation (*surely this should read exportation*) of grain that was going on at a neighbouring place – that of Burghead – famine would soon overtake them. In consequence of these representations, three or four young men had gone to Burghead, and had thus become involved in the unfortunate transaction for which they were now indicted. Mr. Fraser said that it was an outrage of a public nature, and that it was not an attack on private property. After what he stated, he would press upon their Lordships the consideration whether this case might not be met without the infliction of a severe sentence. The very fact of this trial itself would exercise a great moral influence in the quarter from which these young men came, in preventing similar outrages taking place”.

Their Lordships then retired for consultation for a short time, and on their return into Court the comfortable, well-fed Edinburgh judges were to have little sympathy for the rioters:

“Lord Moncreiff said that the facts set forth in this indictment appeared to him to be of a most formidable nature. He might say, that he had seldom read an indictment against a number of men which made him more ashamed of his country than the present one. In the present state of this country, when there were certain districts of it in which the people were perishing for want of food, and were in a state of absolute destitution, and when so much exertion was making both by the well-disposed of the country where no such famine existed, and by the Government itself, to relieve the state of these districts, it was most lamentable to find the panels, who dwelt in the plain of Morayshire, where no such famine existed as in other places, though, as in other parts of the country, the price of provisions might have risen – it

was most lamentable to find these man, who had the benefits of a Scottish education, and all the lights that were before them, acting in the outrageous manner in which they did. They had been told that three of them were regular attendants upon Divine service, and it was lamentable to think that such gross ignorance, and such awful and cowardly selfishness, should have imbued the minds of men with these advantages, as to lead them to the perpetration of the acts contained in the indictment, for the purpose of preventing the carrying of grain from places of abundance to other places in a state of destitution. He never saw anything that could make him more lament and deplore the infatuation that could lead to such a state of things. The parties pled guilty, and as the case had not gone to trial, they saw nothing but the statements in the indictment, but he was sure that they were quite enough to make anyone think seriously of the character of the crime of which the panels were guilty. His Lordship here quoted from the indictment the charges brought against the prisoners, remarking that Falconer was only involved in the first charge, which, however, he said, was strong enough. He had heard it said by one of the council for the prisoners that this was not a case of the invasion of private property. Was it not? Was not the grain the property of Mr. Allan, and had he not a right to dispose of it, just as the prisoners had a right to dispose of the produce of their fisheries, or to dispose of anything else? This riot was for the purpose of violently obstructing and preventing the shipment of grain, which was the property of an honest and respectable man, Mr. Allan. That was the beginning of the outrage. They then violently attacked and assaulted Mr. Cameron, the Sheriff-substitute, a person who was well known in the county, and Mr. Brown, the Procurator-Fiscal, who was, if possible, still better known, and Mr. Hay, the superintendent of police, and Mr. Allan, the person who was shipping the grain.

What was to become of this country if such outrageous acts were to be permitted – if these men were to be allowed to take the law into their own hands for the purpose of invading private property; and, in order to accomplish their end, were to commit violent assaults upon individuals who were doing nothing but attempting to prevent the interference of such a mob, and to allow Mr. Allan freely and fairly to dispose of his produce? They had heard a great deal about free trade in corn. Was this free trade in corn that Mr. Allan – an honest man, who by his own labour and his own capital, acquired a certain quantity of corn, which he deemed it necessary to dispose of, and, perhaps, for the purpose of conveying it to some of the destitute districts – should not be allowed to export his own property according to his own discretion? Was there to be free trade in the importation of corn, and was there to be no free trade in the exportation of it? His Lordship then remarked that, with the exception of Falconer, the crime of the other prisoners went a great deal farther. He then read the other charge relating to taking the meal out of the vessels, and to the attack upon the Sheriff and the force he had raised, and also their deforcement, and said that this was a crime of a most aggravated nature. The question was, shall the law not be predominant? Were they to allow it to be said that in any district in Scotland the law was not predominant?

He apprehended the four panels (Davidson, Sutherland, Young and Main) had abundant warnings; but they persevered with obstinacy in the perpetration of their outrageous acts. It was in the mercy of God that the Sheriff had not the military in attendance, for it would have been his indispensable duty to effect his purpose of restraining the mob in some manner or other, and, if necessary, to order the military to fire on the mob. What the consequences might

have been in that case none could say. Such things have taken place, and such things might take place wherever such riotous proceedings as those with which the panel were charged were attempted. Whenever a case of this kind was brought before the Court – this was the first that had been presented – he apprehended that it must be their duty to the public, and to the country, to visit the persons involved in such outrageous proceedings with a punishment proportioned to the measure of their deeds. With regard to the four persons at the bar who had pled guilty to the whole of the indictment – when he looked at the whole nature of it, and the persevering obstinacy with which they went on with their atrocious and violent proceedings, and the violence which they had done to the persons of her Majesty’s subjects, he could not reconcile it with his duty to propose to their Lordships any other sentence than that of transportation beyond seas –

(sensation throughout the court)

– but for a period of seven years. They must make a difference in regard to Falconer, as his offence was not of the same grave character as that of the others, although it was also of an aggravated nature, and he would propose that he should be confined in imprisonment, but for a long period. He would propose that Falconer should be sentenced to eighteen calendar months’ imprisonment.

Lord Medwyn having assented to the sentence as proposed by Lord Moncreiff, the Lord Justice-Clerk said he felt himself compelled to confirm the sentence, being the only one by which they could discharge their duty to the public and the country. He said that there was not one in the mob, however ignorant he might be, who did not know, that when engaging in these lawless and atrocious acts, he was doing that for which he was liable to be punished. In mercy to others – in mercy even to the unoffending who, perhaps, suffered on occasions when parties were fired upon for deforcing the civil authorities, the sentence to be passed must be such as would produce the most salutary and permanent awe throughout the population where a spirit of insubordination existed, so that they should not dare or venture to create the slightest disturbance. Had this trial taken place before other recent occurrences, he had not the least doubt that the effect of the sentence would have exercised a most salutary influence in preventing similar outbreaks elsewhere (*probably referring to the Invergordon riots*). Speedy as had been the course of justice here, unfortunately the example of insubordination had spread; and the deforcement of a Sheriff in one county was followed by his deforcement in another, and they had had disturbances elsewhere. They saw in this the absolute necessity that those who had first set the example to commit such outrages, and to set the law in defiance, should be made to feel that they should suffer for their conduct, as an example to others, and to deter all others from committing similar offences in time to come. His Lordship then sentenced Falconer to eighteen months’ imprisonment, and Davidson, Sutherland, Young and Main each to seven years’ transportation.

(Considerable surprise was manifested in the court at the severity of the sentences).

It is very creditable to the Burghead fisherman that none of them were implicated; they must now see the wisdom of their conduct, and the extreme folly of their neighbours’.

The plea for the return of the transported men.

The *Elgin Courant* of 17th September 1847 carried the following report;

“Our readers will remember that two young men, belonging to Hopeman, were sentenced to transportation in March last, for taking part in these riots. The *Witness* of Wednesday last says ‘we understand that three fisher-women, belonging to Burghead, and related to the young men in question, a few days ago, in Jeanie Deans style, proceeded to Ardverikie, Here they had an interview with Earl Grey, to whom, in their own homely way, they told their story. The noble earl, at the end of the interview, recommended them to return to their homes, and to draw up a petition to her Majesty (*Queen Victoria*), to be sent through the post, and that it would be laid before the Sovereign. We have no doubt that the advice will be acted upon; and we would fain hope that her Majesty will give a favourable consideration to the prayer of the petition, and extend the royal clemency – thus making her visit one of mercy as well as of pleasure”.

The return of the Hopeman men.

On 7th April 1848 the *Forres Gazette* reported a happy outcome:

“On Wednesday last (*5th April 1848*), the young men who were under sentence of transportation for the meal riots, at the neighbouring ports, last year, arrived at Hopeman harbour, and were joyfully received by their kindred. We trust this judicious extension of the Royal clemency to these men will bind them over to keep the peace to all of her Majesty’s lieges, so long as they live”.