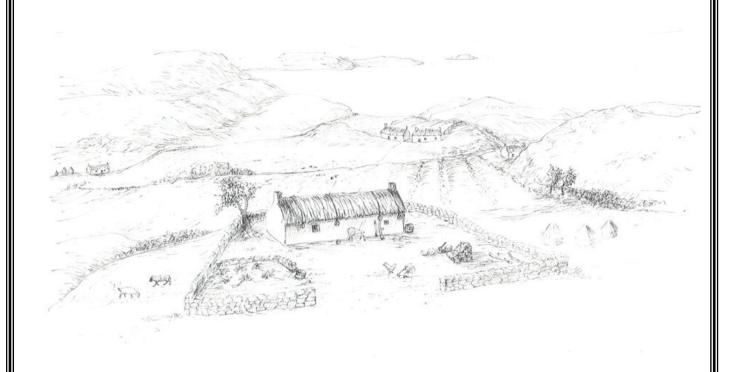
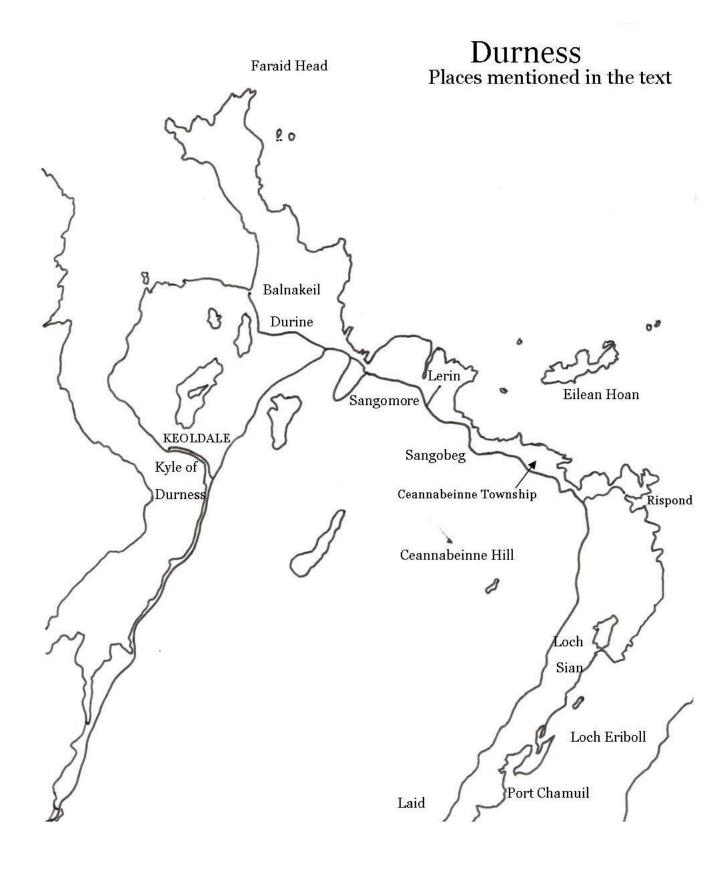
# Riots in Durness

The story of the clearance of Ceannabeinne and the townships of Rispond Estate



Graham Bruce 2008



#### Introduction

Until the mid 1980's the story of Ceannabeinne and the Durness Riots had largely been forgotten about and most people were oblivious to the remains of the township despite their proximity to the main road about 2 miles east of Durness village centre. As the new headteacher of Durness Primary School, I embarked on a local history project with my class and the result was the rediscovery of a significant event in local and Highland history. Over the intervening years interest in the story grew and interpreting the remains of Ceannabeinne township and creating public access became a project of Durness Development Group. This booklet is part of that project and enhances the story told on the interpretive boards at Ceannabeinne.

Many thanks go to Malcolm Bangor Jones for editing the text Graham Bruce Durness October 2008

## Riots in Durness

The Durness of 1841 was very different from the Durness of today. Indeed it was very different from the Durness of just forty years previously at the beginning of the 19<sup>th</sup> Century. Change usually takes place over a period of time, but sometimes it comes very quickly and dramatically. In the Scottish Highlands that dramatic change was the notorious Highland Clearances.

# The Background

Despite its apparent isolation in the extremities of North West Scotland, Durness in the 18<sup>th</sup> century was far from being isolated from the culture and politics of the country at that time. This was due mainly to the fact that Durness was at the heart of Clan MacKay country and the Lord Reay, the chiefs of the clan, had played an important part in Scottish and British politics for much of the previous two centuries. Having gained, as the feudal vassals of the Earls of Sutherland, the extensive church lands of Durness at the Scottish Reformation in 1560, the MacKays stayed loyal to the Protestant cause and the Crown from then on. Although the clan seat was at the House of Tongue, Balnakeil House in Durness was the home of the Master of Reay, the chief's eldest son and heir and, at times, the clan seat itself.

In the mid 18<sup>th</sup> century a remarkable combination of paternalistic clan chief, charismatic minister and talented poet saw a flowering of Gaelic culture against the most dramatic events in Highland history. In 1745 'Bonnie Prince Charlie', Charles Edward Stuart, landed in Scotland from France to stake his claim for the British throne and the re-establishment of the Roman Catholic faith. A year later he led his Jacobite forces to crushing defeat by the British Government at the Battle of Culloden near Inverness. This was followed by a campaign to end the power of the Clan Chiefs and suppress Highland culture. However, being government supporters, little changed in the MacKay lands. This allowed the greatest of all Gaelic poets Rob Donn or MacKay, to flourish and record the life and times of the Reay Country. At the same time the minister of Durness, Murdoch MacDonald, a talented and powerful preacher as well as a great champion of education and the arts, held sway over the intellect of the people. This was supported first by George, third Lord Reay, known as Mhorer Mhor (the Great Lord) and his son Donald, the fourth Lord Reay who resided at Balnakeil. At a time when bagpipes were banned, Murdoch MacDonald encouraged his sons to learn the pipes and his youngest son, Joseph produced in 1760 'The Compleat Theory of the Scots Highland Bagpipe', the first ever written account of the bagpipes and its music. MacDonald also oversaw

an expansion of education in the parish and in 1770 the construction of a proper school building at Balnakeil. George, the third Lord Reay, was a great supporter of agricultural reform and had seen the remodelling of Balnakeil and Keoldale farms in the early part of the century, giving Durness the title of 'Breadbasket of the MacKays'. In the Highlands where productive farm land was at a premium, the ability of a community to feed itself, even in difficult years was extremely important and Durness could often ward off the worst of famines. However all was not well. Being a vast parish, not all of Durness faired the same. The eastern part, the West Moine district, composed of Eriboll, Hope and Strathmore, was poorer than the principal settlements of Balnakeil and Keoldale on the Durness Peninsula. In 1772 one of the earliest emigrant ships 'The Adventurer' picked up 40 people from Loch Eriboll bound for North Carolina in the USA. The following year when 'The Hector' sailed from Loch Broom at Ullapool with the first organised emigration to Nova Scotia in Canada there were almost certainly Durness families on board. By 1806 Prince Edward Island, Canada, had become the destination of choice, notably for MacLeods and MacKays from Hope, so much so that when the island was divided up for settlement, two of the 32 lots were reserved for settlers from Durness! Despite emigration the population continued to grow, up from 1182 in 1791 to 1208 in 1801. General health was improving thanks to initiatives such as vaccination against smallpox which had begun in the 1760's, the housing stock was improving with the introduction of the gable end fireplace as opposed to the traditional central hearth, a robust middle class of tradesmen and tacksmen, the latter the holder of a 'tack' or rent of a farm which in turn was sub-let to tenants, and strong leadership in education and religion, all undoubtedly helped improve the lives of the people. Apart from the traditional farming economy based on cattle, job opportunities were available through estate work such as the maintenance of properties and the limekilns on Eilean Choraidh, the island in Loch Eriboll which produced lime for agricultural and building use. But the most significant employer was James Anderson of Rispond at the western side of the mouth of Loch Eriboll.

#### The Andersons

James Anderson Senior came from the fishing town of Peterhead in Aberdeenshire to Keoldale in the mid 18th century, attracted by the extensive salmon fishing on the Kyle of Durness. His son, James, was born in 1776 and by 1790 they had moved to Rispond where he built himself a fine house, a pier, warehouses and sheds and had embarked upon shipbuilding so he could develop the cod and herring fisheries. Between the father and son they built up considerable control of the fishing industry along the North West coast of Scotland as well as fishing interests in Caithness. By the early 19th century Rispond had developed as a village and new settlements sprung up nearby such as Loch Sian and older townships at Ceannabeinne and Port Chamuil expanded. James Anderson the younger became a noted business man, playing host to Sir Walter Scott in 1814 on his voyage round Scotland by boat and also holding the post of Lloyds of London Insurance Agent. Fish were prepared at Rispond and Anderson was, apparently, the first Scot to send salt herring to the Baltic countries. Lobsters and crabs also played an important part in the business with the crustaceans being kept in wicker cages in the sea before being taken south to market in Edinburgh and London.

There was, however, a downside to this apparent prosperity. Anderson may have created jobs and wealth, but he kept a very tight control over his business. If any local person wished to fish out of Rispond not only did he charge harbour dues, but also demanded rent for the area of sea bed where creels and pots were to be set out. To make matters worse, he paid for catches in tokens which could only be spent in his shop at Rispond where prices were inflated. As there was no competition for many miles around, local fishermen had little option but to go along with Anderson's schemes. Ever keen to make money he capitalised on the huge displacement of people that took place on the MacKay Reay estates in the early 1820's by offering tenancy in his townships thus

increasing his pool of fishermen and further increasing his rentable income. The Reay Clearances, began in the early 1800s when Lord Reay needed to raise rents to support his lifestyle, were the result of mismanagement by Eric MacKay,  $7^{th}$  Lord Reay, who, in an attempt to clear his considerable debts, removed his tenants from Strathmore, Hope and Eriboll and later from Keoldale and Balnakeil to make way for the much more profitable business of sheep farming. Wool and mutton were in huge demand for the burgeoning industrial populations of the south and the Highlands were ideal territory for hardy breeds such as the North Country Cheviot. Land was provided for the displaced people, particularly in the townships which are now identified as Durness - Durine, Sangomore, Smoo, Lerin and Sangobeg or further afield such as Melness and the particularly poor ground at Achriesgill and Rhiconich on Loch Inchard near Kinlochbervie. They were expected to farm the little arable land there was, keep sheep on the communal hill grazings, collect kelp (produced from seaweed which was burnt and the ash used in, among other things, the glass industry) and fish the surrounding seas.

However, this failed to keep Eric MacKay afloat and in 1829 the Duke of Sutherland, one of the richest men in Britain, purchased the remains of the Reay Estate ending centuries of MacKay ownership in the north. This was actually good news for the people of Durness. Since the notorious Strathnaver Clearances of the early 19<sup>th</sup> century which had attracted widespread condemnation, the Sutherland Estates had moved away from large scale clearances to the support of viable crofting townships and was prepared to invest considerably in road building. The townships with the most fertile land, Durine and Sangomore, were transformed into crofts, and support was provided for the building of new houses and barns, some of which can still be seen today. However little changed at Rispond and the townships leased by Anderson.

## The Eviction at Ceannabeinne

James Anderson held an unusual lease from Lord Reay which didn't expire until 1846 and it meant that he had complete control over the townships on the land he leased giving the Duke no say in how they were run despite the fact he owned them. In the 1830's there was a downturn in the fishing industry and an area such as Durness was always bound to suffer most being furthest from the markets. Roads were just being constructed and railways were still years away in the North and with Rispond unable to expand as a harbour due to its geographical constraints, everything was stacked against Anderson's schemes. His solution was to follow other Highland Lairds and introduce sheep. In 1839 he evicted 32 families from his townships most of whom were absorbed into the new crofting settlements in Durness or elsewhere in the Sutherland Estates, although some went to other parts of the Highlands and four families headed to Canada. Like many other evictions, this undoubtedly caused great distress to the people who had to leave, particularly those who Anderson had encouraged into his townships and had invested in the fishing industry. There is also clear evidence in the remains of the houses that some tenants at least had invested in their homes with gable end chimneys, interior plaster on the walls, drainage round the site and cobbling in the yard in front of the house. This was all with no security of tenure suggesting there had been a confidence in the long term viability of Anderson's fishing schemes. While some homes were probably no more than turf and thatch hovels, some were well constructed cottages making it all the more difficult for people to leave.

Highlanders, despite their war-like past and the fact the MacKays had a reputation as great fighters in the British Army, having fought honourably in many battles in many lands, accepted their removal from their ancestral lands with remarkably little resistance. Being a paternalistic society with the Clan chief at the head, if the Chief said "Go!" the people went, even though there was a great sense of betrayal. Of course the law was stacked against the tenants and there really was little interest in the fate of a people who had been seen by their southern Scottish and English neighbours as nothing but trouble for many years. The situation wasn't helped by a

clergy who were placed in their pulpits and paid by the land owners in a system of patronage and some ministers fearing the loss of their comfortable manses and salaries preached hell and damnation to the people claiming the evictions were God's judgement on a sinful people. There were notable exceptions to this, the Rev William Findlater of Durness being one of them. So what happened next was really quite surprising.

On the 26<sup>th</sup> March 1841, the local Sheriff Officer, James Campbell, served, on the instructions of James Anderson, a summons of removal dated two days previously. Every subtenant in Ceannabeinne and elsewhere on Anderson's land received a copy either personally or to a member of their family at their house. This gave the subtenants the legal 40 days warning prior to the term of Whitsun, the traditional end of a tenancy, when they would have to give up their houses and grazing. They could hold on to their arable land until the crops were cut at harvest time. The people chose, however, to ignore the summons perhaps hoping there would be a change of mind, but there was not and Anderson brought a process of eviction against his subtenants.

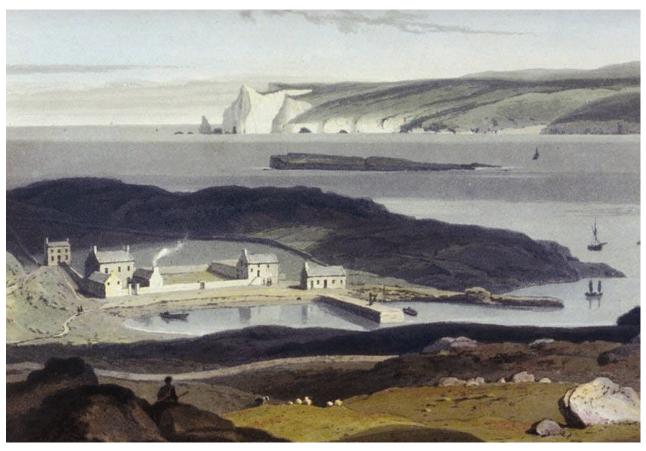
One day, late in the Spring of 1841, a writ of eviction was served by James Campbell on the remaining subtenants, all 31 families amounting to 163 people. In keeping with the character of the man, he gave them only 48 hours to get out at a time when gardens had been prepared, crops planted and peats cut. At Ceannabeinne, the biggest township and the point of the most probable resistance, Anderson had picked the day carefully to serve the writ, for there were no men present. Local memory had the men at Balnakeil some 6km away cutting bent, or marram, grass for thatch. In an effort to alert the men to the impending event, one of the women ran to the top of Cnoc nan Uamhag, a small clifftop hill overlooking the township. From here she called to the men and, despite the distance, they heard the call and returned home with haste. A written account from a few years after the event had the men in Caithness at the herring fishing, which was quite possible given the collapse of Anderson's fishing business and the need for the men to pay rent to him. Whatever the situation was, there were no men there, so the women took charge. Incensed at the suddenness of the eviction, a group of them surrounded Campbell while others kindled a fire at the road side. While he held the writ two of the women forced him to thrust it into the fire where it was destroyed. They could truly say the writ was not served! There is an implication Campbell himself suggested the course of events as he lived at Port Chamuil which was to be cleared as well. In the aftermath, the two women who forced Campbell to burn the writ took fright and spent the next few months hiding in a cave high up the side of the hill of Ceannabeinne. Interestingly enough, in the 1960's when this cave was still well known to local crofters, pieces of iron cooking pot and shards of pottery were found in the cave giving some credence to this part of the story.

## **Events unfold**

It can only be imagined how angry James Anderson was at this turn of events. He immediately reported the incident to the police. A few days later Police Superintendent Philip MacKay from Dornoch (the County Town of Sutherland about 120km to the south) arrived with a new writ and a warning to the people to behave and obey the law. He did not last long. Impassioned with their first victory and with little to lose, they once again took matters into their own hands. In the ensuing skirmish MacKay lost his waterproof Macintosh coat and with the skirl of the bagpipes playing the tune 'Cabarfèidh' ringing in his ears, he was chased away in a hail of stones.

By now the press had picked up on the story and the Inverness Courier and the Edinburgh based Scotsman were both reporting the story in a very condescending manner, criticising the uncouth Highlanders. This was an interesting turn of events as both papers were widely read in the north and the intention may have been to show

support for the landed gentry and their attempts to improve their estates for the alleged benefit of the tenants. As subsequent events were to show the opposite was true and the press showed support for the displaced people. It is also worth considering that the tenantry of Anderson's townships were probably quite well educated. By 1841



Rispond harbour in 1841 as James Anderson would have known it



It may not look much today, but this was the thriving community of Ceannabeinne in 1841



During the excavations of the house beside sign 3 at Ceannabeinne the fireplace and remnants of the paved floor were uncovered.



The view from the Sithean where the rioters gathered in September 1841. The Durine Inn lay beside the trees in the centre left



One of the substantial cottages at Loch Sian which had their walls pushed in to prevent reuse.



The longhouse at Ceannabeinne at Sign 5 which has been partially demolished



Port Chamuil on Loch Eriboll, one of the townships cleared in 1841 and home to James Campbell the Sheriff-officer who served the writ



Looking in the door way of the Ceannabeinne longhouse at Sign 8 showing the paved surface of the terrace at the front and the remains of the floor inside.

public education in Durness has been around since at least 1708 and Ceannabeinne had a school constructed in 1828. While Gaelic was still the first language of most of the people, English as a second language was making inroads and the shepherds brought in from the south with the sheep were all English speaking. Even fashion was changing, with women in particular as the wearing of printed cotton fabric dresses was becoming popular as opposed to the traditional wool and linen clothing. Awareness of the wider world by 1841 had increased markedly with many Durness people having family connections in the new urban centres in the south as well as in the New World. Men and women travelled to Wick in Caithness to work in the herring industry and some followed the fishing fleet south to other ports in Scotland before returning home. Military service also widened horizons and the old, traditional servitude to a clan chief was breaking down fast. Of course, in James Anderson's case, he was just a tacksman to whom his subtenants had no allegiance, particularly now that his fishing enterprise had collapsed. No doubt that fuelled the feelings of injustice and wrongs the people of Ceannabeinne felt. James Anderson must also have felt very aggrieved. After years of calling the shots people were not doing as they were told! Once again the law had not been upheld, so stronger action was necessary. It was decided that force would have to be used to serve the writ. Superintendent MacKay was sent north again with a messenger at arms, in other words an armed officer. They travelled from Dornoch via Tonque and Farr to raise what was described at the time as a 'trusty party'. This, presumably, was a group of men who would carry out the policeman's orders with no questions asked. Not surprisingly in an area ravished by clearances 20 years before, they managed to raise only three old men, a Donald MacKay who was a pensioner and two old war veterans. This band of aged worthies was sent incognito to Durness, but promptly turned back at Hope Ferry when they were told the people of Durness were ready and waiting for them! Returning to Dornoch with a tale of defeat once again, the Sheriff of Sutherland, Hugh Lumsden, as the upholder of the law, was faced with need to take dramatic action to ensure the writ of eviction was finally served and those who had broken the law by resisting the eviction were brought to justice. Meanwhile, back in Durness there was probably jubilation at this latest victory, but there must have been apprehension among the people as they wondered what would happen next.

# The Riot at Durine

Matters came to a head on Saturday 17th September 1841. Lumsden had decided that force would have to be used and the Sheriff-substitute for Sutherland, William Sutherland Fraser the Procurator Fiscal, Superintendent Philip MacKay and 14 Special Constables were piped out of Dornoch for the long march north to Durness. Fraser the Fiscal was responsible for supplying the Inverness Courier with details of the affair so far and it wasn't surprising that the Courier held a very aloof view of the situation given Fraser had a very strong prejudice against the people living in the remote glens of the north and west. The Courier report talked about an 'army' heading north to sort out the troublesome natives! It was at least three days march to Durness, probably via Lairg, Altnaharra, Strathmore then over the hill road from Cashel Dhu to Eriboll then by the recently constructed road round the head of Loch Eriboll and finally to Durine, the main settlement in Durness. Passing through the parish without hindrance, including Ceannabeinne, the party made it to the Durine Inn, which sat at the north side of the present Village Square, about 9pm. News had spread like wildfire of the imminent arrival of the law enforcers and a crowd of about 50 had gathered. The Courier was more dramatic putting it at 300. Unfortunately the names of the local leaders have not survived, but they included men from Anderson's townships and the Duke of Sutherland's estates. A belief had arisen that should Anderson be successful, the Duke would then clear his townships around Durness of tenants and create a sheep farm based in Durine. In other words most of the remaining population of Durness would be moved. However there is no evidence to back up this claim and it would have been contrary to Sutherland Estate policy of the time. The local leaders tried to enter into discussion

with the sheriff-substitute, but with little success. A major issue had arisen – the eviction was to take place on a Sunday, the Sabbath day. Highlanders were a deeply religious and superstitious people and there were many rules that governed the Sabbath day to ensure that it was kept holy. Evicting people from their homes was a clear breach of Godly laws! They pleaded not to carry out the eviction until Monday, even going as far as to say that they would leave their homes peaceably then, but to no avail. This was adding insult to the injury already caused and was the final straw.

About 10 o'clock the men gathered at the well on the Sìthean or fairy hill (behind the present day MacKay's Rooms and Restaurant), opposite the inn. Quite what happened next is not clear. Passions would undoubtedly be running very high and with gathering darkness, action had to be taken. Local memory backs the more violent story. There appears to have been a charge at the inn and the police constables, heavily outnumbered, fled the building and hid among the corn stooks in the neighbouring fields and the rocks on the seashore. A more genteel account has the police, realising they were outnumbered, leaving the building on their own accord. However, MacKay, the Fiscal and the Sheriff stood their ground in a room in the inn. Eventually they were either dragged or persuaded from the room. The constables were rounded up, horses were harnessed by the locals to show there were no hard feelings and the defeated law enforcers were all escorted to the boundaries of the parish. No doubt there were celebrations in Durness that night, but the more astute must have realised they could all pay dear for this act of defiance.

# The Outcome

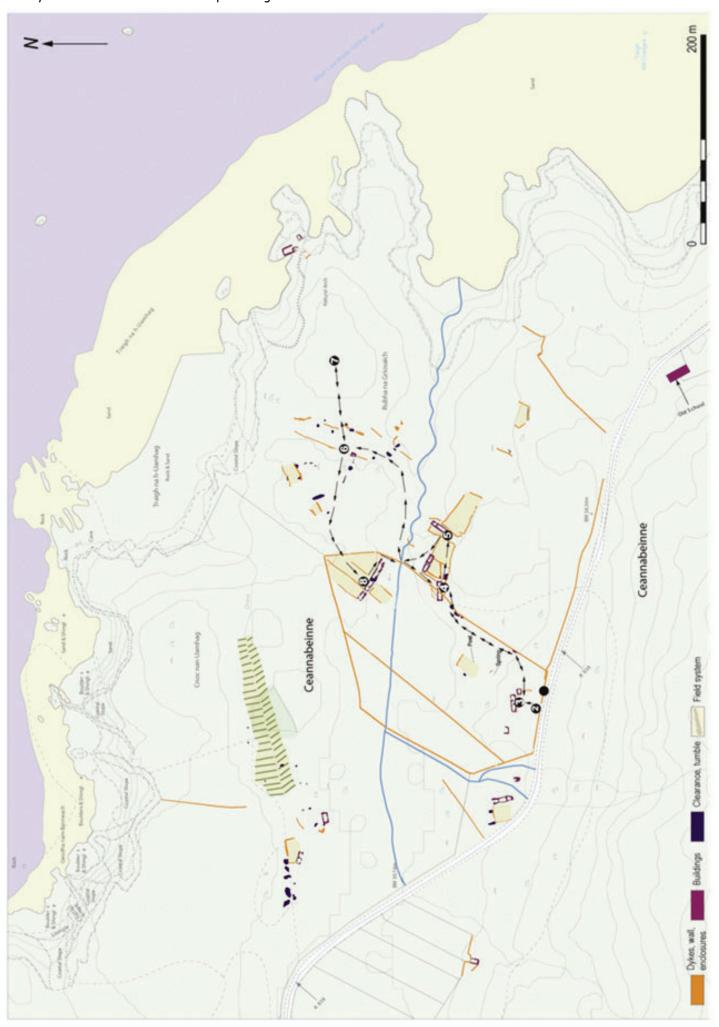
On their return to Dornoch the dejected and unsuccessful policemen regrouped and planned the next step. Hugh Lumsden, the Sheriff of Sutherland, immediately set out for Durness. With the confidence and arrogance of his office he demanded a public meeting in Durine. Here he delivered what was described as a 'powerful speech' to the assembled crowd. Apart from berating the people for their conduct in the riot he reasserted the position of the subtenants of Anderson's townships making it clear the law was on his side and the law must be upheld so they must be evicted. He then threatened the use of the 53rd Regiment from Edinburgh to enforce the clearance of Ceannabeinne and the other settlements. The people probably didn't realise it, but Lumsden had no authority to do such a thing, it being only the Government who could order troops to act in such a way. Later a story was put about that the 53<sup>rd</sup> would have arrived in Durness had a ship been available, but this sounds like the work of Fraser the Fiscal trying to cover the embarrassment of his superior. After Lumsden left Durness the people were no doubt in a state of confusion, fearing horrific reprisals, but it did galvanise opinion and action was taken. The much respected local minister, the Rev William Findlater, became spokesman for the community. He wrote a letter to the Duke of Sutherland explaining what had happened and seeking his intervention. He probably also wrote to other influential people in the north as there appears to have been a sudden realisation among the gentry that things were not quite right in Durness. The Duke was quite horrified at what was happening as this was all contrary to his policy on his Estates and he possibly feared the bad publicity the had bedevilled his father, the 1st Duke, over the notorious Strathnaver clearances. He was, however, held by the tenancy agreement Anderson had rendering him legally useless to help. He did, however, bring his considerable influence to bear upon the situation and he forced a compromise with Anderson and his subtenants. While the eviction went ahead, the people were allowed to remain in their homes until May 1842, allowing them to harvest their crops, sell their cattle and sheep and plan where they were to go.

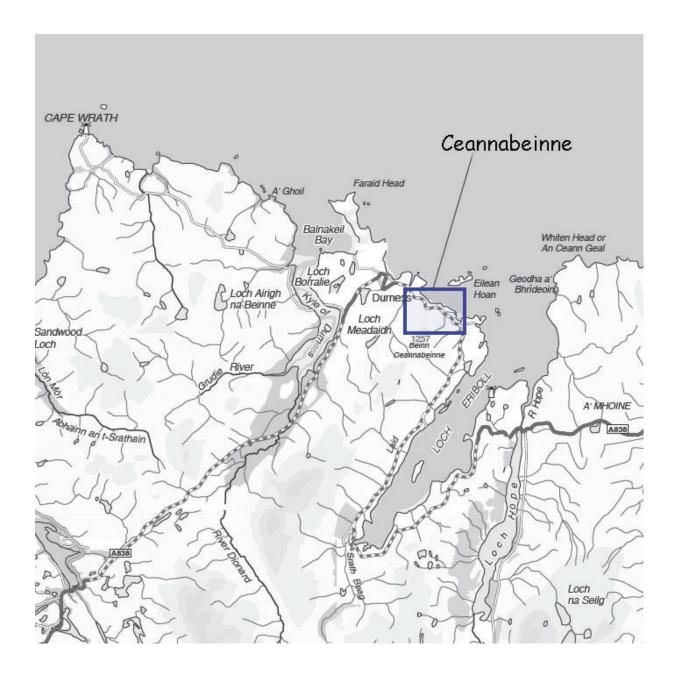
Interestingly the Press opinion changed at this time to one of clear sympathy for the people. Fraser the Fiscal was obviously no longer the correspondent for the Inverness Courier and The Scotsman as both papers reflected the more humanitarian views of the Duke. Meanwhile, the publicity generated by the involvement of the richest

man in the country and what was, despite the justification for it, a major defiance of the law and the authorities who were there to uphold it, caused the government to set up an inquiry into the affair. Normally the sheriff substitute and procurator fiscal would have been duty bound to investigate whether charges should be brought. However, their involvement in the eviction meant the Crown Agent had to make alternative arrangements. The inquiry was led by Mark Napier, the Depute-Advocate for Scotland. Such a high profile figure indicated the seriousness that the Durness Riot had caused. His findings were very sympathetic to the Durness people and, surprisingly, no prosecutions were brought against anyone for any wrong doings.

This was, however, a time of some turmoil in Britain. Robert Peel was the first Conservative Prime Minister and he faced upheaval in the fast growing industrial cities with the Chartists and the Anti-Corn Law Movement. 1842 was to become the year of the first general strike and the thought of the repressed Highlanders rising with moral justification against an exploitive land owning regime was probably too much for the government. A conciliatory approach was probably the most prudent. James Anderson got his way, but the people held the moral high ground and were supported by the great and good. This was not a time to rebel against those who your friends, that was to be left for another 40 years when the songs of the Durness Riots were sung in The Braes in Skye where the writ of eviction was again burnt and violence ensued, but this time with dramatic consequences. The early 1880's was a time of great unrest in the Highlands as action was taken against high rents and a serious lack of crofting land. Following the Braes riots and the trial of the Glendale Martyrs in 1883, the government set up an inquiry into the needs of crofters in the Highlands. The  $10^{th}$  Lord Napier took charge, a distant relation of Mark Napier the depute-advocate in 1842, and he gathered evidence from around the Highlands before recommending fairly mild reforms. However a much more potent force for change was afoot. The Highland Land League, a movement pressing for land reform, had a candidate in all six Highland seats at the 1885 General Election and won four of them. Under considerable pressure, Prime Minister William Gladstone relented and passed the Crofters Act in 1886, going much further than the Napier recommendations. This gave crofters security of tenure, meaning they were immune from eviction and could pass their croft onto their heirs. It had been a long time in coming, but crofters were now safe in their homes and the days of the forced clearances were over.

But what of Ceannabeinne after 1842? All the houses were quickly demolished including the substantial cottage beside the road (sign 3 on the Township Trail). The only exception was the school and schoolhouse which had been constructed in 1828. It was retained as a shepherd's house and remains largely unaltered today. The stones from the houses went to construct a large dyke round much of the arable in-by land to form an enclosure which may have been used to hold sheep at times of lambing or shearing. Two buildings were only partly demolished, the one at sign 5 having its front wall torn down and some of the stones thrown into the house at the north-east corner where the wall attains its original height. At Loch Sian, where there were two very well built cottages, the roofs were removed and the walls pushed in to ensure nobody returned to the houses and they could not be reoccupied in the future. Ironically, as a sheep farm Rispond failed. A distinct lack of good grazing and a fall in wool prices as the Australian wool trade gathered pace, turned Rispond into sporting ground. Ceannabeinne was resumed by the Duke of Sutherland and became grazing ground for the crofters' sheep. Rispond remained as a harbour, but only for a small number of inshore fishing boats operated by crofters to supplement their income. Like the remains of the homes, the story of Ceannabeinne and the Durness riots faded from memory and it wasn't until the 1980's and the resurgence of interest in Gaelic and Highland heritage that the story was resurrected. Since then its place in Highland history has been recognised and the Ceannabeinne Trail is the culmination of a project to preserve and interpret this fascinating relic of a lifestyle and times long gone.





Cover illustration Nicola Pool

Survey plan of Ceannabeinne Township Dr. Olivia Lelong Glasgow University

This leaflet was produced from the project *Consolidation, access and interpretation of heritage, to conserve and enhance the environment of Ceannabeinne* which had support from







