

**Transcription of the Memoriall for the Magistrates and Town Council of the
Burgh of Dingwall**

(GB0232/BI/PA/CRB/20/8)

Memoriall For the Magistrates and Town Council of the Burgh of Dingwall to be laid before the Citie of Edinburgh, and the severall other Burrows of Scotland.

The Council of Dingwall by the Act of Sett, consists of a Provost, Two Baillies, Dean of Guild, Treasurer to Ten Councillors, two whereof must be Yearly Removed.

At the Election of the Council in September 1739, Monro of Culcain and Munro of Killichoan were accordingly put off. And the Council having acted agreeable to the sell of the Burgh, had no apprehension that attempts should be made at any succeeding election, upon that right and freedom which the Law has so anxiously secured to all Royal Burrows in the election of their Magistrates and Council. But as the removing of these two gentlemen gave offence to Sir Robert Munro of Fowlis, the then Provost of the Burgh, prosecutions were immediately raised in his name against some gentlemen who were thought to have interest in the council. As a return to the injuries Sir Robert was pleased to say his family had sustained by turning two of his friends to the council, which since the year 1716 he had declared to be a Familie Burrow.

Some short time preceding the last meeting for election, **Sir Robert had utered several threats** and had even proceeded so far as to write a letter to Kenneth Bain of Tulloch, renewing those threats in case the council should continue resolved not to renounce the freedom of election, and right or wrong restore his friends.

But as the gentleman against whom his threats was principally leveled, thought it unbecoming them to act an arbitrary part in so tender a point, as the electing of a Magistrate or council for a Royal Burrow, and as they could not understand what was meant by a family interest in one of the King's burghs, they were honestly determined to make a sacrifice of their own private interests, rather than of the interest of the burgh.

So sincere and honest a declaration occasioned one of the strongest attacks that perhaps was ever known to have been made on the freedom of election and the liberty of a Royal Burrow.

An attempt which strikes at the very Constitution itself, and is a matter worthy of the consideration of all the Royal burghs in Scotland, nor does it longer remain a personal injurie, **when in order to infringe on the freedom of election, the electors are illegally and oppressively attacked.** It at the same time becomes worthie of publick inquirie when these acts of oppression are disguised under the venerable appearance of law and form of justice.

Upon the twenty ninth of September last, the Day before the annual election of this burgh, **Sir Robert Munro had secretly under silence of night conveyed to the house of William Fraser a late magistrate in his interest a partie of sixty or eighty men in full arms**; his brother Culcairn was a justice of the peace, with three other Justices called Munro, and whose yearly incomes scarcely deserves a name, had likewise appointed that day for beginning to repair the roads, that lay within a short mile of the town of Dingwall, and under that pretext convocated near two hundred men who instead of shovels, spades or other instruments proper for mending of the roads, were likewise armed with guns, swords and pistols; And these two armies were under the discipline and command of Sir Robert's dependants and servants and of one Douglas who was late surgeon to Culcairn's independent company.

The partie that had been this secretly conveyed to town, were concealed the morning of the election day in Frasers barn and office houses, until Sir Robert came to the house of Alexander Mackenzie in Dingwall, where Kenneth Bain of Tulloch and nine more of the council were met, in order to proceed together to the council house. **And there again renewed his former threats**, unless such friends as he thought proper to name, were brought upon the council. But as the ten who were then present, and who made up two thirds of the council, besides that Coline Mackenzie the Dean of Guild had died since last election, seemed unanimously resolved to support the rights of the town, and yield to no arbitrary demands, for placing the absolute government in the hands of any particular man, Sir Robert after several minutes left them with these words, spoke in the greatest fury '**Gentlemen farewell. Every man for himself and God for us all.**'

Upon the back of this the councillors and whole inhabitants were **alarmed with seeing fifty or sixty men in arms, rush out from Frasers Close**, under the command of Culcairn and Douglas and immediately marched to Mackenzies house, where the ten councillors were mett, and without knowing any cause, the doors of the house are broke open, and the whole councillors carried away by an armed force. **Mr Mackenzies wife offering to go into the room, was dragged backwards by the cuff of the neck down a narrow turnpike stair, by which she was severely hurt and bruised.**

When the Councillors demanded to know for what cause they were so ruffly used, five men appear as messengers and apprehend so many of the council, another collers the sixth, in virtue of a pretended warrand from the same justices of the peace whose names have been already mentioned, but when the councillors desire to see the several captions and the warrand and underform of Instrument to know for what sums, or at whose instance the captions are, and what cause was expressed in the Justices of the peaces warrand, declaring they were ready instantly to pay any sums that should be contained in the captions and likewise to find bail to answer to the other, each of these by order of Culcairn is refused, and they by the forsaied body armed men drag'd out of town, while Sir Roberts butler was sent express to call the

two hundred men convocated under pretence of mending the roads to join the Cavalcade, and so many of the councillors for debts contained in the shame, captions, severals of which were actually suspended and the suspensions duly intimated were carried sixteen miles to prison, and the whole forced to forsake the town. The Councillors being this removed, Sir Robert Munro, Mr Duncan his brothers and the two others who were on his party proceeded to the council house and made an election; But which the other ten councillors with the Town Clerk, having the book of the town, had proceeded to do sometime before, the alarm was brought that Culcairn and Douglas sometime before the alarm was brought that Culcairn and Douglas were marching at the head of their Banditti to assault them.

But scarce had Sir Roberts election been over, when twenty or thirty of the armed partie who had left the town, returned and **found the councillors wives and other of their female friends not six men of the town being then in it, calling to Sir Robert to return their husbands and their friends** whilst he and Culcairn like two Porteouses shaking all of fear of the laws as well as sense of humanity, **ordered their banditti to fire sharp shot east and west and clear the streets** which they accordingly did and thereby one boy of ten years of age was shot in the forehead, another shot in the mouth, **the ball lodging in the root of his tongue and several women were wounded, particularly the wife of Alexander Mackenzie, who is since dead of her wounds, one in the cuff of the neck which according to the declaration of the surgeon who drest her wound, was large enough for him with ease to turn his thumb in** and several other women are now lying in so dangerous a way that their lives are despaird of. In short, nothing but the shrieks and cry of two men in the agonies of death were to heard, **while the streets were running blood, and to such a height did these barbarities proceed, that upon Sir Robert and Culcairns being told, that Mrs Mackenzie was mortally wounded, their answer was, It would do her good to lose some of her foul blood.**

The several facts that are above sett forth and many more, in so far as they relate to the proceedings in Dingwall, on the fatal thirtieth of September, are clearly proven by the declarations of numbers of unsuspected witnesses, in a precognition taken of this date, that the personal hardships, which the councillors underwent after they had been thus dragged from and expelled the town, as it seems to be a matter in which the publick is not nearly concerned; are left untouched in this moment: But,

As the **lawless acts of violence and of force**, that were acted in open sun on the election day of the magistrates and council of Dingwall were evidently intended in order to subvert our happy constitution and to destroy the liberties of a Royal Burrow in the tenderest point the freedom of election of its own magistrates and council it justly deserves the attention of all the Burrows in Scotland, who must be affected by a injurie of this kind, tho done to the very poorest.

If their councillors are to be thus arbitrarily treated on the day of the election, dragged from their houses and the town itself, their wives and children butchered on the very streets if they offer so much as to complain, and **their canals made to run with the blood of their own inhabitants**, farewell to liberty, the freedom of elections, and every thing on earth that's dear or sacred.

It is therefore upon these considerations that the poor afflicted town of Dingwall begs for the aid and pitie of her sister burrows. Injuries of this nature call for the assistance and compassion of every Christian. But to whom can a Burrow this barbarously attacked, robb'd of its liberties, as well as inhabitants, apply for redress, except to the burrows in Scotland, whose point of common cause it is, and who it is humbly hopd will seriously consider on the subject matter of this Memoriall. And as the Town Good of Dingwall is not above triffle of one hundred merks a year, which renders them unable of themselves to pursue for redress, will generously contribute, as the circumstances of their severall burrows can allow of.