

# The Sentence

James Webb

*'Tulloch Ard'*

*To the memory of*

*Donald Murchison*

*Colonel in the Highland Army of 1715*

*He successfully defended and faithfully preserved  
the lands of Kintail and Lochalsh from 1715 to 1722  
for his Chief, William, the exiled Earl of Seaforth*

**Monument on the shore of Loch Alsh, Scotland**

Mid afternoon on a late autumn day in 1715, the last of about eighteen hundred men make their weary way down Glen Shiel, towards their homes. To their right, the high crags of *Sgurr an Aigid* glow warm in the afternoon sun while below the path, the waters of Loch Duich are deep in shadow. As each wave of men approaches a hut or settlement, they're besieged by anxious groups of women and children. In most cases families are united but, in one of three homes, there is anguish.

By the time the loch joins with Loch Alsh and Loch Long, five men head down towards the water and the imposing shadow of the castle, standing slightly offshore, on Eilean Donan. They stop and look upwards at the buttresses, no more now than a silhouette, which protect the seat of the McKenzies. The chief of the clan breaks the silence. 'This is the last time in many seasons we'll approach this place without looking over our shoulders. The English will take reprisals long before anyone rises again in the name of the Stuarts.'

Chief William, fifth Earl of Seaforth, had raised three thousand men to his standard to support the Jacobite cause at Sheriffmuir but the government troops were victorious and the exiled Scots king, James Stuart, would remain in France.

'You have my word, *William Dubh*, that no English will set foot on McKenzie land while I command the men.' The man who speaks, the one with the long red hair and a handsome face, is Donald Murchison. He's not a tall man but his bearing commands respect. While the Earl's tone reflects his English education, Donald's speech is that of an Edinburgh scholar and retains a lilt that even the English find engaging. He wears a

plaid of McKenzie tartan, still crusted with the dried blood of battle, which also streaks the scabbard of the Claymore at his side.

The chief puts a hand on the shoulder of his battle commander, 'There'll be a price on my head, noble Donald, perhaps even on yours too. I must flee until terms can be negotiated. You, Ian Murchison, Robert Mathieson, and even you, cousin Tom, will be safe, but my lands will be forfeit and so you will have to pay your rents into English coffers.'

'Aye', grudges Donald, 'and it's English coffers that lead Scottish nobles to betray their people and destroy the clan ways that have given men honour and pride since my own ancestors crossed the sea from Antrim.'

They stand reflective for a moment until the chief rallies, 'Come now Donald, my dear little sister, Isabel, will want to see you safely back with all your parts intact.' He laughs and without seeing the avoidance on Donald's face, leads them across the stone causeway, towards the reassurance of the sturdy castle keep.



Eleven years on, 1726, and Eilean Donan castle looks less sturdy. Outer buildings and walls are in ruins and a clearly collapsed portion of the main roof is temporarily weather-proofed with pine planks. From the loch side, new mortar and freshly chiselled stone are evidence of a previously large hole in the keep wall, the restoration standing out like the first new leaves of heather among the dun legacy of winter.

In 1719, William who, with his pregnant wife, had fled to France immediately after Sheriffmuir, returned to join a Spanish attempt at securing the crown for the Stuarts but the attempt failed. Slightly wounded, and within nine miles of Eilean Donan, William returned to exile. Taking advantage of the expected disarray, a government man-of-war, with cannon at the ready, sailed right up to Eilean Donan seeking to seize control of McKenzie territory. Donald, who was also the chief's factor and in charge of his affairs, knew that they were outgunned so made a show of blowing up the castle. Believing that the spoils had been ruined, the ship departed, leaving Donald the task of re-building.

Fortunately, Donald's charges were strategically placed and real damage was limited, so that by 1726, the year William is pardoned and returns, the castle is once again in use. The Great Hall, the centre of family and clan activity, is mostly restored, with only one corner showing any signs of ongoing work. The hall occupies the whole of the first floor of the castle and, with no internal walls or pillars to obstruct the space, the weight of its ceiling is borne by gigantic oak beams that stretch from wall to wall, supported at their ends by wooden buttresses, each bearing the

name of a family or sept loyal, over more than five hundred years, to Clan McKenzie.

It is in the Great Hall that this expectant group, numbering little more than two dozen, assembles, having been summoned by the Earl, now twelve weeks returned. Standing together are three of the men who originally accompanied William's return from Sheriffmuir. 'My cousin,' mutters Tom McKenzie, 'treats Donald with a disrespect that does himself no honour as chief. Were it not for Donald these past years, William would be laird without lands.'

While Ian Murchison watches the doorway, Robert Mathieson responds. 'Ah, but that's the problem, no? Your cousin fled and Donald stayed to protect the lands. William will have heard all of the ditties - Donald is a hero, *euchdach*, the bards go verse and verse about with him and Rob Roy. William is threatened by Donald. The Murchisons have served the castle for near two hundred years, Donald could lead the clan.'

Ian interrupts, 'Hold your prattle both of you. There is tension enough and we must keep our minds alert to make sure that there is order here today. And listen, you tongue-waggers, if Donald had wanted leadership, he could have married Isabel anytime; that he resists her, right up to this moment, should tell you that he leads by what he does, not by his title.'

Robert acquiesces, 'Aye, that's true enough, he's not won any favours with Isabel. What say your family, Tom?'

'My father holds that Isabel has become vindictive and spreads coarse lies about Donald. They're scarce believed but William has been away a long time and you know how much affection he has for his sister.'

'Aye we know all about that. We know...' Robert is cut short by Ian's anger, 'I've told you to still your malicious talk, this is not the place.' His tone changes, 'Look now, here's Donald.'

Donald enters and approaches his three comrades but is confronted by Isabel. 'Do you not want to talk to me Donald Murchison? It doesn't have to be this way. Please, before William comes down...'

'Isabel, if neither being shamed by your lies or being relieved of my position as your brother's factor, could force me to marry you, then neither will threats of punishment.'

'William is more angry than you've ever seen him.'

'You skilfully manage to keep your child a secret from him until his return and you then lie to him, tell him that his trusted friend, the commander of his fighting men, fathered your child but denies paternity and will not marry you. Yes William is angry but I will live by my honour and take the consequences.'

'Honour, how can you talk of honour when you deny your own child? How can you walk into the same room and not even look at him, do you

know how he suffers the shame of being denied by his own father? And what about me? Ten years the stigma of a child out of wedlock, also denied by the father of her child.'

'Isabel, there was a moment of weakness after William fled to France but we both know that the child is not mine.'

“The child”, “the child”, he has a name, can you not say it, does it not shame you for the coward you are? He is Donald, let me once hear you say it, “Donald”.'

'His real father calls him his name and his real father will always make sure you are cared for. And now, as well, you have Finley MacRae to wed you and make you a family, and Finley, to whom William has given my position, as factor, can well support you. It could have been a lot worse.'

'Little you care.'

'Ah, but I do care Isabel, and that's why I keep my peace.'

'You wouldn't dare, it would be more than your life was worth and it would be lies anyway. You would die for nothing.'

'What is a life, Isabel, if it is not passed with honour? What is done is done, so make the best of MacRae and your precious wee lad and be happy.'

Her fire is undiminished, 'All my life I've dreamed of you, Donald Murchison, dreamed that you would make me happy, but you never let me be close to you and so I cannot be happy.' She turns to go, then rounds on him with low and deliberate menace, 'For that you will pay.'

She hurries towards Finley MacRae but doesn't stop until she reaches the great fireplace, where she stands, motionless. Rather than comfort her, MacRae strides towards Donald, just as Donald continues towards his comrades. MacRae catches up and grabs him by the shoulder. Donald stops but doesn't turn.

'Aye, run like a coward, Murchison, the great soldier who can but pick on a helpless woman.'

'See to your wife-to-be, MacRae and attend to the Earl's affairs, these are the things that concern you. You've no business with me.'

Seeing the skirmish, Ian arrives at his cousin's side, just as MacRae explodes. 'You Murchisons, who are you, where do you come from? So few of you and yet so privileged beyond birthright. The MacRae's have been protectors of this clan near four hundred years, and hereditary castellans of Eilean Donan until thieved by the Murchisons.'

'I don't seek privilege, and well you know it. The *Mhic Chalmains* came from Lochaber as priests, not as lairds, they served their chief in any way that was asked, as I have done. You're a good and loyal soldier, MacRae, as are your kin, and you brought a strong heart to the defence of what you held dear. Now you crave position and title. These will not make you a man and your craving diminishes your heart.'

MacRae raises his voice, 'Turn and face me, you coward.'

Suddenly, the background blur of conversation stops and all attention is on the two men.

'Leave me be, Finley MacRae I've no fight with you.' He walks off.

MacRae's hand goes to his dirk, but Ian steps to him. 'You've prospect of a family and a good position with the McKenzies, direct your passion there.'

Only after MacRae walks away does Ian give ground to catch up with his cousin.

'Donald, wait. William is not the chief we knew, he is bitter, and may wish to harm you. Thanks to you, there are no government troops here to support English justice and so he can act with impunity.'

Donald puts a hand on his cousin's shoulder and the younger man experiences that quiet strength that united the clan during William's exile. 'William is angry and though she deceived him, how can he blame his beloved sister? If his anger is spent on the accused father of her child, me, honour is regained and still he knows I will remain loyal to the clan.'

'But we know the truth, we must...'

Donald now places the flat of his hand on his cousin's chest. 'The truth is something for the McKenzies to work out for themselves. No good comes from outsiders interfering.'

Ian resists, 'But all you've done for the McKenzies while they were in France. You kept the English at bay, you preserved their estates and you collected and remitted all William's rents to him in France. No other man in the whole of the Highlands could have done that.'

Donald reassures him, 'Just before he returned, William promised me land and a sum on which to retire. After all these years, it will suit me to go back to my writing. William will make his speech, to save honour, and then all will be well.'

The chief's piper starts the drone heralding the imminent entrance of William, fifth Earl of Seaforth, the chief having just descended from the family rooms upstairs. William is followed by his wife and his daughter, born while they were in France. The Earl looks to have aged far more than the eleven years of his absence and bears little resemblance to the warrior who lead his men to face the English at Sheriffmuir.

Seaforth seats himself at the head of the big table and dispassionately surveys the assembly, now beginning to settle. His three ceremonial guards, Ian, Robert and Tom, move to stand behind him, while the chieftains of the smaller clans and heads of the large families seat themselves on a bench, near the big table.

Seaforth sits alone, save for Finley MacRae, at the side of the table, to the Earl's right. The factor calls for silence and, after a moment, the Earl speaks. 'Donald Murchison, step forward.' Donald, who has been standing

alone by the wall, walks across the hall to position himself at end of the table, opposite the Earl. As he approaches there is a slight stir from his three comrades.

Without looking up, Seaforth resumes. 'Donald Murchison, acting on the advice of my factor, I charge you with failing to send to me in France the full amount of rent monies you collected on my behalf. I therefore sentence you to forfeit all of your property and to banishment from my lands.'

A slight stiffening is the only indication that the charge catches Donald by surprise, but he says nothing as his military mind assesses the situation before he responds. In the meantime, a wave of shuffling and murmur passes through the assembly. Isabel McKenzie, seated slightly apart from the others, catches MacRae's eye and smiles. When the unease settles, the accused man slowly walks the length of the table until he is adjacent to the Earl. The guards don't move. He looks across the table at MacRae, then pulls out a chair and sits, turning so that he faces his chief. He then speaks, and, though there is less than an arms length between them, loudly enough for all to hear. 'And I, Donald, descendent of *Mhurchdaidh Duibh Mhic Chalmain*, whose family name is carved on the buttress above your head, charge that you, William, betrayed your people when you fled to France to avoid the English reprisals, and left us here to defend not only ourselves, but your lands.'

The Earl begins to rise but Donald rests his hand gently on his chief's arm and looks straight into his eyes. Slowly, the Earl sinks back into his chair and Donald continues. 'Of the three thousand clan and kin who rallied to your standard at Sheriffmuir, little more than half of them returned to these glens. The "Four Johns of Scotland", all killed, one of whom, my own cousin, John Murchison, even after his sword broke and he was mortally wounded, continued to exhort his brother soldiers to die rather than to yield.'

Donald gestures behind him, towards the glen, 'What did you do to help those hundreds of families whose menfolk never returned and who had to re-build their lives and their livelihoods alone? Where was their chief?'

The Earl tries to look away but Donald holds him in his gaze. 'Of all the lands of Scotland plundered by the English after the collapse of the uprising, only the lands of Kintail and Lochalsh, your lands, remained untouched and only Eilean Donan, where you now sit and sentence me, has not echoed to the tramp of English boots. And you know why that is. You know that my men and I, survivors of Sheriffmuir and loyal to their chief, defended every incursion of the English and their agents, until after Glenshiel and Glen Affric, none dared approach the passes again.'

Donald turns his head towards the people at the other end of the room, 'And I say this not for myself, but for all the brave men who fought with me, to retain our way of life and to preserve these lands for the clan and for Scotland.'

He lets go the Earl's arm and, for a moment, the older man looks defeated but he suddenly stands and bellows at his guards, 'Seize him.' The three men don't move and their Claymores stay in their scabbards. There is silence in the Great Hall. Donald pushes his hair back from his face, stands up, replaces his chair and walks back to the other end of the hall. He stops, turns to face his chief, with the assembly at his back.

He speaks, with the voice of leadership, commanding but compassionate. 'Until your return, we were free of the English greed that has infected all of the nobles of Scotland. Now we, the people of Clan McKenzie and the families of the lands of McKenzie, sentence you, William, chief of the clan, to shame and disrespect until you can face every man, woman and child under your protection and tell them you are sorry for deserting them and leaving them to certain devastation or death at the hands of the English. When you can do this, you will have our unreserved loyalty once again.'

The Earl slumps back into his chair. Nobody speaks. After a moment, the guards leave their charge and walk towards the doorway which leads downstairs. They form a row to one side and stand in respect as Donald leaves. They then move into the hall and usher the assembly out. When all have gone, the guards follow, swinging shut behind them the oak doors. Then the Great Hall is empty, save for the Earl, the factor, MacRae, his wife-to-be, Isabel McKenzie and her son, Donald.