

---

# The Dowager

---

## Highlander

---

by Hugh Frazer, 2017



Wilson and Grace Frazer, c. 1955

---

# The Dowager

---

## Highlander

---

by Hugh Frazer, 2017



Wilson and Grace Frazer, c. 1955

### Table of Contents

Table of Contents.....	2
1. Prologue .....	3
2. Proponents.....	6
3. The Internment and the Clan.....	9
4. The Forced Marriage.....	19
5. The Abduction and Miscarriage.....	22

5. The Abduction and Miscarriage .....	22
6. The Second Child and the Deal .....	24
7. The Imprisoned Father.....	33
8. The Return and Rejection .....	36
9. The Servant in London .....	41
10. The Years in France .....	43
11. The Huguenot Trooper.....	52
11. The Farmer and Father .....	60
12. Epilogue .....	68
Appendix:.....	69
A: The Standard Narrative.....	69
B: Some Unexplained Mysteries .....	73
C: DNA Explore .....	74
D: Timeline .....	75
E: Blacknee Links .....	75
F: Copyright and Versions.....	76

## 1. Prologue

This is a seed: May it fall on fertile ground.

[The story of Archibald the 1st, born 1703, and a disputed son of Simon, 11th Lord Lovat](#)

### Introduction

This is a re-interpretation of some aspects of the life of Simon Fraser, 11th Lord Lovat, who was notoriously executed at the Tower of London in 1746, using four presumptions as below. It is not pure make-believe but a story weaving the facts, unexplained mysteries and family traditions together to produce a different cloth, perhaps maybe-believe.

The reason for this is to explore the possible parentage of my 7th generation grandfather, Archibald Frazer, who was born about 1703. Our family tradition is that we are descendants of Simon Fraser, and that the details were lost through successive generations because of a sense of shame, perhaps both from the notoriety of Simon and from the possibility of illegitimacy.

My grandfather, Wilson Frazer and his brother Joseph, spent a great deal of effort in research over many decades without coming to a definite conclusion. A summary of their work can be found at:

<http://blacknee.com/ffc/BKOIndex.html>

This link also describes my involvement, being born with a black birthmark behind my left knee. This is no longer black, but clearly visible, and it was part of my upbringing that I would restore the family fortune. Seeing as I was born in 1942, I have obviously not rushed into it, but perhaps better late than never.

I am an engineer, not a historian, so my approach is to first devise a theory that fits all the knowledge available to me, then use this as a target for seeking further information that may modify or even deny the first theory. So any information that adds to my knowledge, be it for or against, is most welcome.

The narrative contains much conjecture and dramatisation and it is to be expected that not all of this is true, but there is nothing within that is known to be false.

Please direct comments to [archibald@blacknee.com](mailto:archibald@blacknee.com), and, if you wish, ask to be put on the mailing list to be advised of updates and other news. This is very much a work in progress, and will take a year or so to complete.

This narrative is available online as a web page, pdf or ePub: [Blacknee Links](#)

### 1st Presumption: History is written by the winners.

The first presumption is that history is written by men of influence, or at least under their direction, with the 'unimportant' bits left out, not to mention the inconvenient bits as well. A classic case is the invasion of Britain by Julius Caesar - *veni vidi vici* (I came, I saw, I conquered). We have some inkling of the true picture of how a thriving culture of many tribal groups was brought to its knees, but little from the written history of the conquerors. From their perspective it was all glory, with no mention of rape and pillage, nor of playing off one group against another, nor other nefarious deeds. The Britons were barbarians and all bad things were done by them, or at least they deserved what they got. The Romans were the 'civilisers', bringing advancement.

1700 in Scotland was a time of turmoil, being still in the feudal thrall of the aristocracy. The purpose of government and law was primarily seen as being to protect the rich and influential from the poor. So the history was written from above, and manipulated as necessary to encourage stability and protect the nobility. Change was in the air, which made the manipulation all the more desperate.

### 2nd Presumption: Character assassination was a common strategy.

The second presumption is that the use of calumny, character assassination, was then equally a useful and effective political ploy as it is now, probably even more so. The laws of libel and slander were in their infancy, and, in any case, the law in Scotland was in the hands of the powerful and influential. So that a calumny target of a high ranking aristocrat had no recourse, other than perhaps to seek the support of another high ranking aristocrat. This would be problematic as such powerful men would be reluctant to rock the boat unless it were to be also distinctly to their own advantage, not just for friendship's sake.

### 3rd Presumption: The influence of the clan was under-reported.

A third presumption is that the influence of the clan is essentially ignored. The highland clan system was basically tribal and had its roots in neolithic prehistory. Many aristocrats, particularly from the lowlands, viewed the clans as a barbaric hang-over from a primitive age before Christianity and feudalism brought civilisation.

There were many variations of the theme, but basically clan territory was owned and protected by the clan. It was not owned by the chiefs, and the chiefs themselves were most commonly created not by inheritance but by a process of selection by the clan elders. One such system is reported as being that a potential chief had to be a son of a daughter of a previous chief, and then judged by the clan elders to be the best choice from the point of view of warrior capability. The primary job of the chief was to be a leader to protect the clan from invaders.

By 1700, the original clan system was long gone, with ownership of the clan lands firmly established as the inherited right of the chief, and the people of the clan officially relegated to being feudal subjects.

However, the social cohesion and customs of the clan system remained, and remain nostalgically to this day. We are still tribal creatures, as can be witnessed at any major football match. We should be proud of this heritage, and not deny our inherited nature.

It was then common in the highlands that the chief would respect and honour the old traditions, and allow himself to be advised by the clan elders, with a sense that he was born with a duty to the people of the clan. This was very different from the feudal system in the lowlands and England, where the Lords were sovereigns of their domains and had only duty to maintain their own inheritance and nobility.

#### 4th Presumption: The influence of women was suppressed.

The fourth and most crucial presumption is that the influence of women was suppressed, to an even greater extent than it is still today. The history as recorded is very dominantly male, with women being relegated to having no power at all, being simply chattels of their husbands, fathers or other male relatives. In reality there were as many women of intelligence and character as men, but they had to exert their influence behind the historical scenes, and so their actions are not recorded.

Anthropological studies of the few tribal groups still existing show that women have much higher status, although there was a generally a defined role division; after all men cannot bear children and feed infants. From the clan tribe point of view it can be suggested that the defined status of women declined at the same time as Christianity and feudalism swept across Europe.

Nonetheless there have always been intelligent and strong-minded women who will have their influence come what may. Part of the male dominant culture is to down-grade such influence, and fail to add it to the record.

#### Conclusion: Take recorded history with scepticism

In conclusion, it is appropriate to view recorded history with scepticism, certainly not take it as gospel. Verifiable facts are scarce, with much being left out as unimportant or inconvenient to those in positions of power and influence. When a powerful man makes a claim it is sensible to always ask where does the profit lie - maybe in the truth, but not necessarily.

History is what is generally believed, not necessarily what actually happened.

It is interesting that it is often seen as necessary to provide proof that an alternative view of events is correct, while it is not seen as necessary to provide proof for the commonly accepted version. An alternative view has to thread its way through the known evidence, but there are always possibilities for different interpretations, particularly when the accepted story provides for maximum advantage and minimum scandal to the ensconced nobility.

## 2. Proponents

### Introduction

The standard narrative only has two main proponents with Simon Fraser, the Old Fox, being a truly evil man, who lied, cheated, connived, raped and stole, whereas John Murray was a righteous man protecting his country and family from depredation. John Murray was 4th Earl of Tullibardine at the start of this story, while his father was 1st Marquess of Atholl, and one of the three most politically powerful men in Scotland, but getting on in years so that his son had taken up the reins of power. Simon Fraser, on the other hand, was an indirect descendant of an earlier Lovat, with essentially no political or legal clout. It is then no surprise that Murray won the calumny battle.

This narrative proposes that the Dowager Lady Lovat was also a major player in what came effectively to be a war between the Murrays and the Fraser clan, mostly fought in politics and law, but with some real skirmishing.

### Amelia Murray

Lady Amelia Murray was the sixth child and second daughter of John Murray, later 1st Marquis of Atholl, and his wife, Lady Amelia Ann Sophia Stanley, daughter of the 7th Earl of Derby. They had twelve children in thirteen years, four of which died young. [WMO1]

Amelia was an intelligent and affectionate child and became her father's favourite, much to the jealous outrage of her brother John, who was the eldest, and heir to Atholl. After a family dinner she would climb onto her father's knee for a hug, and get a small joy from the resentment of her brother, who treated her as a very unimportant person the rest of the time. The Marquis was often away on political business, and then brother John became the lord and master, at least in his own eyes, and made Amelia's life a misery. She spent much time restricted to her room in Blair Castle, which had a small window with a window seat, where she would sit and read. She being a person of warmth and understanding, the servants would smuggle books to her from the castle library.

Other than from her extensive reading, she also listened attentively to her father regaling his political exploits at the dinner table, mostly to educate his eldest son into the practical arts of politics, such as ensuring that one's allies always profit from being so. Mainly this was only while Amelia was young, for, when son John was old enough, he would go with the men retiring after dinner to discuss manly things.

Amelia was very influenced by the stories of her maternal grandmother, Charlotte, Countess of Derby, who was born into French Huguenot aristocracy and a granddaughter of William of Orange. She was famous for defending her castle from

Parliamentary forces during the English Civil War, in the absence of her husband.  
[WMO2]

Charlotte died two years before Amelia was born, but the legend of strong and courageous women was part of the family story, as was the connection with France and the Huguenots.

When Amelia was 19, her father arranged for her marriage to Hugh Fraser, 9th Lord Lovat, who was some months younger. Hugh was orphaned at an early age and raised by his maternal uncle, Sir George Mackenzie of Tarbat. Hugh was neither physically or mentally strong and was easily controlled by Tarbat. As was the culture of nobility of the time, this marriage was not of her choosing, but was an opportunistic alliance, with possibilities for the acquisition of Fraser lands by Atholl and Tarbat.

As was expected of her, and honouring her father's wishes, she put on a brave face and moved into Castle Dounie, with a maidservant from Atholl. There were many challenges, with the first being the move from a luxurious baronial castle, Blair Castle, to Dounie, which was little more than a clan stronghold. Dounie was also in need of some attention. Hugh had spent little time there, being mostly lodged at Castle Leod with his uncle, while the Fraser estates were managed by the Earl of Seaforth, chief of Clan Mackenzie. Following her mother's example as a domestic manager, Amelia started the process of putting things back into order.

A more unexpected challenge was the difference between the baronial culture of Atholl and the clan culture of the Frasers. The Murrays of Atholl were not highlanders at that time, the Marquess' grandfather having acquired the Atholl title and estates through marriage. The original clans included the Stuarts and Robertsons, but the Murrays considered themselves to be baronial nobles and ran their estates to support their status. The servants of the castle and the inhabitants of the estates were treated as feudal subjects, whereas the Frasers were still a clan so that there were strong ties of kinship at all levels of their society.

In practical day-to-day terms, this meant that the baronial servants were dressed in uniform and required to behave as suited their lowly position in life, with orders from above being given with little consideration to their humanity, whilst, on the other hand, the clan servants were more casually and individually dressed and in general treated with the respect of kinship. This change was a revelation to Amelia, and she found the cohesion of the clan system appealing.

She quickly learned that her husband, while being a perfectly good man, was not highly intelligent nor physically robust, and was also strongly influenced by his uncle, George Mackenzie of Tarbat. Since the death of Hugh's father, the Mackenzie clan had extended its influence into the Fraser lands, resisted as much as possible by the lairds of the Clan protecting their own livelihoods. Amelia found that her sympathies were with the Clan, and developed considerable influence over her husband, helping to minimise the impact of Tarbat. She had to proceed with a great deal of circumspection, as a complaint from Tarbat to her father and brother about her interference could make things even more difficult.

It was a great joy to become an important member of a family and clan, even if less grand than Atholl, rather than a junior female constantly under the thumb of her brother. She blossomed in the clan culture.

Most importantly she developed close relationships and friendships with the women of the Clan. She saw that part of her job as the wife of the chief was to provide support on the occasions that women were under stress. Often this was to do with childbirth,

which was a hazardous process in those times, with many children dying young and some mothers dying in childbirth. The women's side of the clan was a largely unrecorded part of kinship, and a foundation stone of the ancient tribal culture.

She was repaid for her kindnesses when her fourth child, and first son, also Hugh, died before his third birthday. He was a bonny baby when born, but did not thrive and finally succumbed to illness. The loss of a child is almost unbearable at the best of times, but the loss of a potential heir to the chieftainship added to the poignancy. The women of the clan mourned with her.

Then double disaster struck. Her second son, John, again did not thrive and died a little more than a year old. Some months later, her husband fell ill on his way back from a trip to London, and died before making it home. She was now a widow with three daughters but no sons, and about to become central to a battle for the Lovat estates.

## John Murray

Lord John Murray was the eldest son and child of John Murray, later 1st Marquess of Atholl, and his wife, Lady Amelia Ann Sophia Stanley. He was created 4th Earl of Tullibardine, then briefly 2nd Marquess of Atholl, and finally 1st Duke of Atholl.

Like his father before him, he had a strong sense of entitlement, considering himself to be superior as a member of the nobility and having scant regard for those of lesser standing, expecting instant acknowledgement of his status and immediate obedience to his wishes, and displaying a violent temper when disobeyed.

The 1700's were an interesting time with both England and Scotland in a state of political flux, further complicated by the process of union between the two nations, providing fertile ground for opportunists to increase their political power and wealth. There was also a pressing desire for Scottish nobles to establish themselves in the eyes of the nobility of England. Lord John, Tullibardine until he became Duke, was, if anything, more astute at intrigue than his father. One does not become elevated to a Duchy in one's early forties by barracking for the underdog.

The Marquis, Tullibardine's father, negotiated with Sir George Mackenzie of Tarbat, for the marriage between Hugh Fraser, 9th Lord Lovat, and his daughter, Amelia. Tarbat had been the guardian of Hugh since his parents' death when he was five years old. By negotiation, the marriage contract included provisions for negating the usual clan practice for the title and estates to go to the heir male of a cadet branch in the event of a chief dying without a male heir, and instead specifying that the eldest daughter would become the heiress. The intent was that a marriage of the heiress would lead to the full ownership transferring to her husband. Neither Hugh nor Amelia were part of this negotiation, it being between the Marquis and Tarbat. Hugh was present during some of the negotiations, but the implications were beyond his understanding. Amelia was excluded as this was obviously men's business. Tullibardine, then 24 years old, was present sufficiently to be fully aware of the plans afoot.

Being a great believer in the value of contacts, Tullibardine chose to take advantage of his father's French cousins as a reason to set up a small residence in Paris for occasional visits. This also provided the opportunity to discreetly keep on friendly terms with the Jacobite court at St Germain, just in case James VII & II was successful in regaining the throne of Scotland, and perhaps England as well. These were uncertain times, and he was far from being the only one with a foot in one camp, but at least a big toe in the other.



## Simon Fraser

Simon of Beaufort was not as high born, being the second son of a cadet branch of the highland Frasers. The Beauforts were the first cadet branch, followed by Inverallochy, Brea and then Strichen. After many years of struggle and manoeuvring, he eventually achieved the chieftainship of his clan and the right to the titles and estates of Lovat, but finally to be executed when about 80 years old. He had the dubious honour of being the last person to be beheaded at the Tower of London.

He was a person of charm and good with words, both spoken and written, with a great need to be liked, particularly by the members of his clan, so that listening to other's viewpoints was part of his style of leadership.

As a young man he had no expectation of becoming of the heir male lineage, as he had an elder brother, Alexander, and his cousin Hugh, 9th Lord Lovat, was married and producing children. As a member of a cadet branch, he set out to make as much of his life as he could, including a time in the Atholl militia, with some Fraser clansmen as his contribution.

He displayed great audacity and was not readily held down by authority or by the superiority of nobility. The combination of charm, good communication skills and audacity led to him having audiences with the ruling monarchs of France and England, as well as the Scottish royalty in exile in France.

He also had a need to do things with flair and panache. Never the quiet achievement, but always with a much splash as possible.

## 3. The Internment and the Clan

The internment of the frail young body of Hugh Fraser, 9th Lord Lovat, in the family mausoleum at Wardlaw was a quiet affair. There was no great eulogy of his triumphs and achievements as Chief because he had always been sickly and poor of understanding, as well as being raised away from his clan by his uncle, Mackenzie of Tarbat. He had died just before his thirtieth birthday, and during his short time as Chief had done his poor best to limit the predations of his Mackenzie uncles, who were manoeuvring to take over the estates and titles of Lovat.

Nonetheless the funeral was well attended by the Clan, not least because a funeral was also a social occasion for the living; a time for reconnection with kinfolk and confirmation of the ties that constitute clan survival. It was a fine September day.

After the funeral service there was a traditional meeting of the Clan gentlemen at Castle Dounie to both pay respects to the new Chief, Thomas Fraser of Beaufort, now 10th Lord Lovat, and to discuss the problems facing the Clan.

Castle Dounie is an hours ride from Wardlaw, and Thomas and his sons Simon and John led the way on horseback, followed by the widow and her children in an open carriage, with those of the Clan going the same way trailing behind, mostly on foot, except for some elderly and senior members on horseback or in wagons.

At first Lord Thomas was silent in his thoughts, then turning to Simon,

'Being the Chief is an honour that I never sought, but I will carry the duty as best I can. We face difficult times, with poor harvests and legal threats, and, at sixty-five, I am

too old and frail to be a war chief. It will be you, Simon, as Master of Lovat, who will have to fight for what is right.'

To which Simon replied,

'I find that I am mostly mourning for my brother Alexander. If he had not died nearly seven years ago, he would be Master, and I would be helping him. He was a true warrior and a better leader than I in that regard. While he lived, I had thought to be a lawyer to help the Clan deal with political threats. Now that you are Lord Lovat, it seems that I have to be both warrior and politician.'

They rode further in silence, remembering Alexander's lingering death, from wounds inflicted at the Battle of Killiecrankie in support of the Jacobites. Simon then continued,

'So now it falls to John and I to keep the Clan secure, and we accept your instruction without question.'

John agrees,

'I will do all that I can to support you, My Lord and father. But it seems to me that Simon is much more suited to political intrigue, and I think that he understates his abilities as warrior. I pledge to be a loyal lieutenant.'

The widow, Lady Amelia, sat quietly in her carriage with her three daughters, wondering what was to happen with her life now that she was no longer the wife of a living chief. Looking behind at the Clan following her, she felt a great affection for them, even though she had only been with them for a little over ten years. Despite losing two sons in early childhood and having to adjust to a less noble lifestyle, these had been the best years of her life, with strong friendships, particularly with those women who had supported her in grief and those that she had supported in their times of hardship.

People tend to meld into like-thinking groups. There were those of negative frame of mind, bemoaning that the Clan had moved from a weak and hopeless chief to a doddering old man, and expecting that things could only get worse. They were a minority, the general feeling being one of determination.

Another group of younger men discussed the part that they might play in the protection of the Clan, with one fiery would-be warrior proclaiming,

'We will have to fight to retain our country, as our ancestors did. We will show them the mettle of the highlander. The Master will be our war chief.'

While this stirred the blood of the young, an older and wiser head interjected,

'Times have changed. This is not like the feud that we had with the Grants, nor are we feuding with the Mackenzies. This is a matter of politics and intrigue, with lawyers manipulating the laws of Scotland to personal benefit. The law has replaced the ancient customs of the clans. If we start a war we will lose. We will have to fight the Mackenzies and perhaps others, then the regiment of Atholl, then the English garrison, then the English army. Unless we have the law on our side, we can only resist as best we can, but not with war.'

Many of the family heads travelled with their families and kin if this was on their way home. Others travelled as a group, their families making their own way, particularly if distant or to the north of the River Beaully. They discussed the political challenges facing the Clan, focussing on the legal threat to prevent Lord Thomas, as heir male, being the clan chief, and to install a future husband of the young Amelia, then ten years old, being designated as heiress, against the long standing tradition of heirs male.

The women of the household and neighbourhood also formed a group, not able to walk with the widow, but many wishing that they could. One young lass asked,

'Do you think that the Lady will stay with us, or return to her family down south? She would have a much grander and more comfortable life within her rich and powerful family.'

The reply from came from a women of similar age to the widow,

'She has that choice, but I would hope that she stays. She stood by me when my husband was killed by that rogue bull. To my mind, she is now one of us, even though she came from Atholl.'

Thus the clan gentlemen, some with their ladies, came to Castle Dounie, and met in the great hall, which quickly became crowded. The new Chief took the chair at one end, with his sons next to him. The widow had a seat at the back, accompanied by the ladies, expressing their condolences. Some of the more elderly found seats along the walls, but most remained standing.

Lord Thomas stood,

'Welcome to all. Before discussing our situation we will wait for the Reverend James, as he would have had to make sure that all was in order at Wardlaw before leaving.'

The heads of each family then individually swore loyalty to the new Chief according to tradition. Refreshments were served. Old friendships were renewed, new friendships were started.

About an hour later, Reverend James entered the hall, to be greeted with approbation and respect. He paid his respects to the new Chief, and then turned to address the assembly.

'It is ever a sad day to put one of ours to rest, and we join in belief that he is now in a better place. But we must discuss the present and the future, as I expect that there are very troubled times ahead. You all know of the marriage contract of our past Chief to the Lady Amelia, as set up by her father, Marquis of Atholl, and Lord Hugh's guardian and uncle, Sir George Mackenzie of Tarbat, which says that the Lovat title and estates will go to whoever marries the eldest daughter, young Amelia, and changes his name to Fraser. This is a ploy by the Marquis to gain control of Lovat to further enhance his already powerful position in the governance of Scotland. His grandfather, Earl of Tullibardine, gained ownership of Atholl by marriage to the heiress, Dorothea Stewart. The Stewarts and Robertsons in Atholl are now merely servants of the Murrays, who were originally a family from south of the highlands.'

'As you know, it is the tradition of our Clan that a new Chief will be the heir male, being the nearest male relative of the old Chief. In this case our choice would be Lord Thomas, with his son, Simon, being Master of Lovat, then the next Chief in his turn. It has long been the case that the ownership and titles of Lovat are held by the Chief in trust for the Clan. This is Fraser country, and we must uphold our inheritance. What was once Stewart country in Atholl is now Murray's.'

Being now into his sixties, and while still hale, but expecting a long debate, he asked for a chair and drink. The Chief made a gesture and a chair was brought, with a goblet of claret. The Reverend sat down, took a good sip, and continued,

'Atholl and Tarbat are both lawyers and are politically powerful; Atholl being perhaps the third most powerful man in Scotland. It will not be easy to establish our tradition and retain certainty of our futures. We could legally argue that our Clan tradition overrides the marriage contract, but we have little chance of being successful. Justice is

nominally equal for all men, but in reality the law is a tool for those opportunists who would use it for their own advancement, and is mostly used to protect the rich and powerful from those they see as threatening their interests.'

He looked around the room and saw that he had their attention, put his goblet down next to the chair, and stood, turning to face the Chief,

'The best strategy that I see is to call upon our highland customs in dealing with an heiress, while maintaining the continuity of the Clan. They may not be in agreement with English law, but the government in Edinburgh and London know that the highlands is a tinderbox waiting for the match, and will not willingly challenge highland custom and self-governance.

'One such custom is that the heir male marries the widow, so that he becomes the Chief, and the heiress is no longer in the line of succession. He also becomes her guardian, and has a say into whom she might marry. We have an heir male and a widow, so this custom can be considered.'

Lord Thomas gave a reluctant nod. The Reverend turned to address Lady Amelia, the widow,

'Understanding the difficulties that we have, would you consider the possibility of marrying Lord Thomas, and protecting the Clan?'

She looked down at her hands in some confusion. She had not expected to put into such a position. The room was silent. She looked around and saw that both the men and women were simply waiting for her answer, not putting any pressure on her, one way or the other. She had their trust and she had to earn it. With a brief prayer to her staunch and heroic grandmother, she raised her head and looked at Lord Thomas,

'I would be honoured to be the wife of our Chief. But it is my understanding that I could not marry without approval from my father, the Marquis of Atholl. If you wish, I will ask him, but I do not expect that he would agree to such a match.'

Lord Thomas said to the Reverend,

'Whilst I would be honoured to be the husband of the Lady Amelia, she is still of child-bearing age and I am a frail old man - too old to consider siring more children. I cannot see that this is a viable option.'

The Reverend replied, again addressing the Chief,

'I understand your reluctance and the concerns of Lady Amelia, and respect your decision. There is another ancient custom where the son of the heir male marries the heiress, so combining the succession. In this case, the heiress would marry Simon, the son of Thomas.'

An interjection came from the assembly,

'But she is only a child, but ten years old. Marriage at such a young age would be unthinkable.'

With the Reverend replying,

'I agree totally. But a betrothal is possible. With the agreement of her mother, a marriage contract could be drawn up for a forthcoming union when she is of age. Such a contract could prevent a marriage with a Murray or Mackenzie scion, or at the very least give us some legal standing.'

Another expressed objection,

'But is the mother's agreement enough? Wouldn't it be necessary for the young lass' nearest male relative to give permission? Presumably this would be her grandfather, the Marquis.'

The Reverend nodded,

'It is our established highland tradition that a widow is the guardian of her children. In English feudal law, women had no legal rights, being mere chattels, so the nearest male relative would be the guardian. However, feudal law was overturned by the revolution in England, so now we have laws from Parliament. But we are in a state of change, with most legal situations yet to be clarified by parliamentary action. In this case we could make a good argument that our traditions should hold sway over our affairs, unless they are clearly denied by statute. A noble would argue that his tradition is male guardianship, but we are not peers, we are highlanders. If it were to be challenged, a court of law would have to weigh up the precedent of overturning clan tradition, and in the face of the tinderbox of rebellion.'

There was continuing discussion, including expressions of frustration about having to deal with all the legal nonsense. After an hour or so, the discussion quietened, and the Chief called a halt, making the decision that this was an approach to be considered. He then asked Lady Amelia,

'With respect, My lady, would you consider such a betrothal? It would appear to be in the best interests of the Clan.'

To which she replied,

'I would be prepared to consider such a proposal, but would wish to discuss the matter with my daughter before giving my decision.'

The Chief bowed his head in acknowledgement, and looked to Simon, who looked surprised and uncertain, as this was not something that he had anticipated. He was in his mid-twenties, and a betrothal to a child was not a good look for a future chief. He knew young Amelia, and liked her well enough as an intelligent and lively child, but his expectation was to first establish himself as Master, the Chief in waiting, and then negotiate a marriage suitable to the station of a highland lord. However, the interests of the Clan had to come first, so he nodded in agreement.

The Chief sat in deep thought for a long moment, and then stated his decision,

'So, from tomorrow we will do two things beyond our normal daily tasks. Once we have the agreement of our Lady, we will seek legal advice and move towards drawing up a contract of betrothal. At the same time we will set about putting our Clan affairs in order and removing the management of the Lovat estates from the hands of the agents of Lord Seaforth. We will avoid upsetting these Mackenzies as much as possible, but insist on the rights of our Clan.

In these circumstances, it is my decision that I and my sons will stay in our house, and the Lady Amelia, with her children will continue at Castle Dounie.'

This was not the end of the gathering, with more refreshments brought in. Lord Thomas walked with arthritic difficulty around the room, paying particular attention to his contemporaries, dwindling in number as each year went by, expressing condolences for departed wives and husbands, and giving his best wishes as Chief.

The next day Lady Amelia discussed the proposal for a betrothal with her daughter, explaining that this was a way of her at least marrying someone she knew and liked, rather than a political match chosen by her grandfather or uncle, and that it would serve the best interests of the Clan. Lady Amelia had some trepidation about the situation as,

after all, she had come to Clan Fraser as a pawn in a political marriage, and part of her accepted that this was the natural fate of a woman born to the nobility.

Young Amelia had no such qualms, seeing it as a great adventure, and an opportunity to be the wife of the Chief, in the steps of her mother. She had not been told about the intricacies of being an heiress, and her upbringing had been as a daughter of the Clan. Her mother would have been happier if she had been less enthusiastic.

Lady Amelia gave her consent to Lord Thomas, in the presence of Simon. They arranged to travel to Inverness to discuss the contract with their lawyer. His advice was that he considered that it was quite proper for such a betrothal to be made, and would be willing to draw up a suitable contract document, but warned that there was a possibility of a court challenge as to the right of the mother to agree to such an arrangement. He explained that there was no statute law concerning the issue, falling then to common law, with the precedents of the highlands being at odds with those of England, warning that the Murrays of Atholl were very powerful in political and legal circles, and, should they choose to challenge, would be difficult, time consuming and expensive to rebuff.

On their way home, Simon said,

'Father, it seems to me that Atholl and Tarbat have invested a lot of effort into acquiring the title and estates of Lovat, and are not likely to let us side-step their plans so easily. We should expect that they will challenge the betrothal, and we are not in a good place to defend our position.'

Lord Thomas replied,

'You may be right, but it is my decision that we take this one step at a time, and give reason and justice every opportunity to prevail.'

Simon pressed his viewpoint,

'If there is a challenge we will need friends at court to hold up against the political power of our persecutors. Would you give me leave to discuss this with our friends of other clans, and seek their support?'

The Chief was cautious,

'We need to do be careful. If we are accused of using our situation to inflame highland unrest, it will come down hard of us. This is our affair and we need to deal with it ourselves.'

He considered for a moment,

'There is only one person of influence that I can think of that we can trust to be staunchly on our side, and that is the Earl of Argyll. Perhaps, Simon, you could seek an audience with him, and get his advice. I will write a letter to that effect.'

So Simon had an audience with Archibald Campbell, the 10th Earl of Argyll, who understood the difficult situation for the Clan and agreed that the betrothal was a sensible first step. He promised his support if there was a legal challenge.

There are few secrets within a clan, and the news of the betrothal plan spread rapidly. There was also an Atholl spy in the household of Castle Dounie, who passed the information on to Tullibardine, who had taken over the running of the Atholl empire. His father, who had been the 3rd Earl of Tullibardine, as well as 1st Marquis of Atholl, had stepped down due to age, sixty-five, and infirmity. Although mostly confined to his house in Dunkeld, he considered that the reins of power still rested in his hands, so

retained the title of Marquis, but passed on the title of Tullibardine to his son, Sir John Murray. Sir John had the difficult task of managing the empire while achieving his own ambitions, but without upsetting his irascible and elderly father.

On hearing about the betrothal from his informant, and being aware that Argyl may well stand against him, he took another path and applied to the Privy Council for guardianship of the young heiress, so that her mother would no longer have the power to choose a husband for her, and the betrothal would then not be valid.

He did not have to try too hard, as most of the Privy Council were his allies and cronies, but he needed a reason to meet the procedural requirements. So he concocted a story that Simon had attempted to abduct the child for his nefarious and immoral purposes, but had been foiled when a clansman returned her to her mother. The opportunity for this story came when the young girl, becoming impatient for the adventure to begin, had set off from Castle Dounie towards the house of Lord Thomas, where Simon was in residence, so that she could spend some time with her future husband, to discuss plans for their future. One of the outside workers had seen her scampering gleefully up the lane, and had run after her and talked her out of her venture, persuading her that she was not well enough dressed for such a long journey in winter.

The Council had five members sitting for this matter, with Tullibardine feeling sure of four of them, so had no fear that the fifth might sway the decision, particularly as none of them came from the highlands. The Chairman started the proceedings,

'We have a petition from Sir John Murray, Earl of Tullibardine, that the Council award him guardianship of his niece, Amelia Fraser, presently residing at Castle Dounie, in the highlands, near Inverness, and presently in the care of her mother, the widow of the Chief of Clan Fraser of Lovat, recently deceased. Sir John, please explain.'

Tullibardine rose to address the panel,

'My Lords, this is a matter of much urgency as my niece is in grave danger. An attempt has already been made to abduct her by Simon Fraser of Beaufort, who is the son of Thomas Fraser, presently styling himself as Chief. She is still a child, nine years old, and it is unthinkable that she be subjected to the machinations of Beaufort, who is known to be a person of poor repute.

She is the daughter of my sister, also Amelia, who is of noble birth, and her husband was a gentle and noble person who tragically died as a young man. The mother and daughter are now trapped in the highland wilderness of barbarians with their uncivilised tribal customs. I am not able to offer assistance to my sister as she is a grown woman, but I must attempt a rescue for my niece.'

The fifth member of the panel asked the Chairman for leave to ask a question of Sir John,

'Sir John, I take it that you have evidence of this attempted abduction?'

With Tullibardine replying,

'I have a witness to the attempted abduction, who can be called to testify if it is the wish of the Council.'

The Chairman interjected,

'I am sure that we have no need to examine the witness and can trust that Sir John has given us an honest accounting of the affair.'

The fifth member continued,

'And is this witness of Clan Fraser and a member of the household of Castle Dounie?'

'He was a member of the household at the time, but is a Mackenzie.'

'Is he no longer a member of the household?'

'Some Mackenzies, as agents of Lord Seaforth, have been assisting in the management of the Lovat estates since the death of the deceased Chief's father, thirty years ago. Recently the Mackenzies have been forced from office by the Beaufort claimants, which is another matter that will need to be attended to in due course.'

'So, this witness is perhaps disgruntled by his discharge from his position as factor for Lord Seaforth?'

Tullibardine addressed the Chairman,

'My Lord, I can assure you that this witness is a man of the upmost integrity and his evidence can be taken as gospel truth.'

The Chairman looked at his colleagues on the bench, and said,

'I am sure that we can accept the evidence. Now, if there are no more questions, I would suggest that we move to a decision.'

The fifth member insisted that he had further questions. The other members of the panel raised their eyes to the ceiling with impatience.

'I understand, Sir John, that there is a marriage contract that nominates your niece to be the heiress of the Lovat title and estates?'

'This was no doubt part of the motive for Beaufort to attempt the abduction, in addition to his base intent of having his way with the child.'

'And do you have an interest in this affair because of this contract?'

'The child is not of marriageable age, so this should not be an issue at this time. It would have been convenient if her father had lived until she was of age so that he could have chosen a suitable husband for her.'

One of the other panel members spoke up,

'The sooner that estates such as these come under the management of civilised nobility, the sooner we will have peace in the highlands. Sir John, I consider that Atholl has been much improved since your grandfather took over from the Stewarts by marriage to the heiress, and your family is to be commended.'

There was general agreement with this sentiment, except for the fifth member who persisted, now addressing the panel,

'Are we to suggest that Clan Fraser would support a child rapist? Agreed it is the case that they have an ancient tradition, but highlanders are, with very few exceptions, also of the highest morality.'

The Chairman ran out of patience,

'That is enough argument. We are now in a position to make a decision, and I believe that the panel finds in favour of the petitioner.'

Three members nodded their agreement, with the fifth saying,

'I wish to be recorded as a dissenting vote.'

The Chairman sighed and nodded to the recording clerk.

'I will instruct the clerk to draw up the deed awarding the guardianship in a trustee's name of Amelia Fraser, heiress of Lovat, to Sir John Murray, Earl of Tullibardine.'



Tullibardine thanked the panel, and added,

'Would it be possible for the Council to also provide a warrant empowering me to remove young Amelia from the Frasers?'

The panel discussed this possibility, with the Chairman apologising,

'We consider that the issue of such a document is outside of our jurisdiction, but I will see that a recommendation is drawn up that you can present to a Magistrate for such a warrant.'

Tullibardine relayed the result to his father, the Marquis, emphasising the story of the attempted abduction. The Marquis predictably became enraged and told his son to do whatever was necessary to protect his grand-daughter.

These proceedings were carried out without the knowledge of the mother, nor of any of the Frasers. There was consternation with the news of the award of guardianship, although the story of the alleged abduction did not become public until later, and then only with the help of the fifth member of the panel. As trustee, Tullibardine could legally take over the management of the Clan, and choose her husband, who would then take ownership of the Lovat title and estates.

Lady Amelia was at first downcast that her father should be so inconsiderate of her position, but, when she later heard the story of the abduction, she recognised her brother's devious handiwork, and became even more determined to resist.

Her brother, Tullibardine, for his part started to realise that his sister was standing in his way. He had never considered her as a person of any ability, being a girl after all, but still felt uneasy about her close relationship with their father. In his milieu of male power brokers women were considered to be domestically useful but not strong-minded. He presumed that Simon had charmed her into being his supporter, so his first step was an attempt to pressure Simon into abandoning his resistance to the takeover of the Clan, despite having just accused him of being a child abductor. He met up with Simon and, after some drinks and friendly talk, asked him to sign a retraction of his claims. Simon refused and the meeting became angry, with Tullibardine insulting Simon, and Simon resigning his commission with the Atholl Regiment.

Simon described the meeting to Lord Thomas and Lady Amelia, together with some of the senior gentlemen of the Clan. They were aghast that Tullibardine continued to press his ambitions in the face of the clear resistance from the Clan, supported by his sister. It was decided that the betrothal should proceed and that legal advice be sought concerning Tullibardine's guardianship of young Amelia, against her mother's wishes.

Tullibardine was now enraged that his sister and the Clan should stand in the way of the carefully laid plans of his father, now coming to culmination. He now was also in a personal feud with the impertinent and disrespectful Beaufort. It was unthinkable that a lowly member of a cadet branch of a highland clan should be allowed to stand against his noble entitlements. So he gave orders that young Amelia be removed from Castle Dounie and taken to Blair Castle, for safe keeping. His agents went to Dounie, warrant in hand, and, with a threat of legal force, took the young girl away from her mother, her sisters and her childhood home, to be protected, and educated into the proper customs of a lady of the nobility.

This was a major blow to the Clan, with more discussions between Lord Thomas, Simon, Lady Amelia and the senior gentlemen of the Clan. Lord Thomas said that he

## Thank You for previewing this eBook

You can read the full version of this eBook in different formats:

- HTML (Free /Available to everyone)
- PDF / TXT (Available to V.I.P. members. Free Standard members can access up to 5 PDF/TXT eBooks per month each month)
- Epub & Mobipocket (Exclusive to V.I.P. members)

To download this full book, simply select the format you desire below

