

KIDNAPPED - THE TRUE STORY

A group of academics last week failed to find a satisfactory solution to one of Argyll's greatest mysteries - the 1752 Appin Murder.

Former *Standard* editor Gerry Burke argues that the evidence was there all along - if the professors had known where to look.

IT IS ONE OF SCOTLAND'S MOST SENSATIONAL murder mysteries and is central to the plot of a major movie thriller based on a gripping clan feud adventure classic by one of the country's most celebrated literary giants.

More than 250 years after three illegal guns were loaded and secretly tested on a remote Appin hillside respected historians, expert scientific, legal and academic figures say they are still baffled as to who pulled the trigger on Colin Campbell of Glenure, the "Red Fox," villain of Robert Louis Stevenson's *Kidnapped*.

The book's hero, Allan Breck, got and took the blame to save his innocent foster father "James of the Glen" before fleeing to France, but the tactic failed and the innocent Stewart laird was hanged after a 53-hour, five-day trial at Inveraray described as a Campbell kangaroo court.

The notorious Appin Murder, re-tried last week by the "cold case" team at the invitation of the Royal Society of Edinburgh, however, is surely no mystery.

The real story

The real story of the assassination, the identity of the killer, and even the Gaelic nickname of the gun, have been there for all to see for the last 52 years and have been known for nearly 150 years by the Dukes of Argyll and leading members of the Campbell dynasty who slaughtered fugitive Jacobites at and after the rout at Culloden in support of the redcoat Hanoverian government.

In 1961 Ian, the 11th Duke of Argyll, declared he totally accepted the information.

On the other side of the divide, successive generations of the Jacobite Stewart family of the Appin district knew the wrong man had been hanged and gibbeted, another innocent man had taken the blame, and the genuine assassin, an avenging hero in their eyes, took to his bed with "grief fever" and a wish to confess to prevent miscarriage of justice.

Secret laid bare

Down the years, generations of Appin Stewarts steadfastly maintained a clannish 'omerta' over the identity of the gunman but even that word-of-mouth secret was laid bare 12 years ago when an elderly descendant publicly revealed his name to set the record straight.

But the black and white and verbal revelations appear to have been overlooked by the latest team of experts employing state-of-the-art forensic medical, ballistic and identification techniques - even including a craniofacial reconstruction of key suspect Allan Breck, 'Ailean breac Stewart', by professor Caroline Wilkinson at Dundee University's Centre for Anatomy and Human Identification.

They have concluded that James of the Glen, "Seumas a' Ghlinne", had indeed been wrongly executed for shooting the government's Campbell factor, who relished evicting impoverished tenants of exiled Jacobite Stewarts and Camerons, after the crushing defeat of Culloden.

The re-examination, before over 100 members of the public jury, presented by retired judge Lord Cameron of Lochbroom, declared Allan Breck could not have been guilty according to the court evidence of the time and, therefore, James of the Glen could not have been guilty of aiding and abetting him.

But they failed to identify an alternative suspect and said the evidence, in fact, pointed to there being two gunmen.

There was only one.

He put two bullets two-and-a-half inches apart into Campbell's left side with one shot.

He was a tactical marksman with the best weapon available after most had been seized after the rebellion.

It was a Spanish weapon nicknamed 'an t-Slinneanach', meaning it had a broad stock, and it was owned by a local man called Dugald MacColl, who was to lend it to the best shot after a target contest in a remote part of Glenstockdale.

His name was Donald Stewart, a nephew of the Laird of Ballachulish.

Lochaber and Appin

The decision to kill Campbell of Glenure, the "Red Fox", had been taken following spurned representations to him during his eviction campaign in Lochaber and Appin, which left numerous destitute families with no means of supporting themselves.

His contemptuous response was: "I will not stop



Artwork created by modern forensic methods to depict a likeness of Ailean breac Stewart

from what I am doing until I leave not a clod of land in possession of a Stewart in Appin or a Cameron in Lochaber..."

His fate was now sealed by popular demand and there was no shortage of volunteers to put a bloody end to his burning ambition.

There were apparently only three serviceable guns available, however, at that time in the Appin and Glencoe areas and it was agreed the most effective and accurate would be used by the best shot.

John Stewart of Caolas nan Con had a Spanish gun he called 'a' Chuilbhearnach'. Stewart of Fasnacloch had a two-barrelled weapon and there was Dugald MacColl's 'an t-Slinneanach'.

The best shot was Donald Stewart with Fasnacloch as his back-up man.

Crucially, his tactic was to double-load a conventional bullet with a looser fitting round of swan shot in front of it, which characteristically holed the target with two separate hits two inches apart at a range of hundred yards.

Fatal injuries

The detailed information, including description of the fatal injuries and the gunfire pattern that caused them comes, ironically, from the pen of an employee of George Douglas, 8th Duke of Argyll, who was paid to act as a folktale-gatherer throughout the Highlands and Islands, compiling the largest collection of Gaelic stories ever gathered in Scotland.

John Dewar of Rosneath was that early, Gaelic-speaking roving reporter described in his death certificate in 1872 as the son of a farm manager and 'collector of traditions'.

The Duke's instructions were admirably specific: "... I don't want you to drop a curtain on the murders and misdeeds of the Clan. On the contrary, I want them written as they are told and the more the better, but as some few get some praise ...there must be some good recorded of some people in Argyll...Don't let us make ourselves to be worse savages than we are but let us tell the truth and shame the de'il..."

In a letter to Dewar he adds tellingly: "...do people only remember Glencoe and Allan Breac?"

By the time he died in Dumbarton at the age of 70 it was reckoned Dewar had written three quarters of a million words in meticulous Gaelic copperplate.

The English translations of his tales, published in 1961 as *Volume 1 of the Dewar Manuscripts*, cover every topic of hand-me-down fables and first hand eye-witness accounts of history in the making; from the mythical water bull of Loch Eck to the last cattle raid in Arrochar and the supposed origins of Clan Campbell itself.

Sham trial

But there are four separate accounts over 24 pages, plus numerous annotations, testifying to the true story of the Appin Murder, the circumstances leading up to it, and the gory aftermath of the sham trial before the 'red lords' in Inveraray.

Dewar describes how Campbell of Glenure and his

nephew Mungo had been tracked on their return from Lochaber, where Mungo was to be installed as his under-factor of evicted lands.

In the woods of Lettermore, near the present Ballachulish Bridge, Donald Stewart and the laird of Fasnacloch were waiting, gun primed and cocked with one bullet and a round of swan shot ready for Glenure when he rode into their ambush sometime between 4pm and 6pm.

The shot struck home and Glenure's horse bolted, throwing the rider into a hanging position from the saddle, striking his head on the pillar of a gate - hastening his death half an hour later. Glenure's body, examined by surgeon Alexander Campbell, had been pierced by two bullets entering each side of the back bone. One exited about an inch below the navel, the other about two inches to the right of it --- unlikely precision for two separate guns.

Fugitive

Allan Breck, who was in the vicinity at the time, was a fugitive from justice already as a British army deserter turned Jacobite and he touted himself as the gunman before he escaped to France. He enlisted in the French army and sent a letter with a false confession, but it arrived too late to save James of the Glen who declared he would be blamed one way or another and feared the worst.

He was right. He was found guilty of aiding and abetting the murder attributed to Allan Breck and he was hanged on a gallows at Cnap a' Chaolis near the Ballachulish Bridge and his remains were allowed to swing there within view of his wife's and relatives' homes until they fell apart. They were allegedly re-strung and re-gibbeted until a later Duke of Argyll said he "felt affronted" by their presence and turned a blind eye to their removal for burial.

Donald Stewart, the real assassin who had to be persuaded not to confess to save James, was nearly betrayed by his two-bullet tactic on a stag hunt with Glenure's cousin Alexander Campbell. He remarked on the striking similarity of the shot pattern which killed his relative and accepted it might be the same gun but perhaps not fired by the same man. Donald died in his bed an old man with "many of the great men of the country" in attendance at his funeral.

In 2001, an elderly female descendant of the Appin Stewarts revealed her family's secret of the identity of the Appin murderer. At her Inverness nursing home 89-year-old Anda Penman said Donald Stewart of Ballachulish was the man who pulled the trigger on 'an t-Slinneanach'.

When the Dewar Manuscripts were published in 1961 Ian the 11th Duke said in a foreword: "A special feature of this first volume is the version of the Appin murder which would appear to be the last word on this highly controversial post-Jacobite crime. To me at least these four tales carry complete conviction of their authenticity."