

Banished Scots in Canada may be in line for a title

Westminster asked to lift Jacobite stigma

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Detail from The Battle of Culloden (1746) by David Morier.
The Scottish Parliament wants the slur against Jacobites lifted.

Scots Canadians whose ancestors supported Bonnie Prince Charlie's Jacobite rebellion may not know it, but their family names have officially been mud for more than 250 years.

After the failed insurrection to restore the House of Stuart to the British throne, Acts of Parliament deemed the blood of many rebels "corrupt," confiscated their property and exiled them to North America as indentured servants.

Now, the Scottish Parliament is taking steps to remove any stigma associated with support for the Stuart cause.

Canadians with the last name Cameron, Chisholm, Drummond, Fraser, Gordon, Graham, Laird, MacDonald, Mackenzie, Mackinnon, MacKinnon, Mackintosh, MacKintosh, MacLeod, Malcolm, Nairn, Ogilvie, Ross, Stewart Stirling or Sutherland may well be the descendants of Jacobites who were exiled after the rebellions. Many Jacobites were "attainted" by Act of Parliament that denied them their property and disinherited their descendants.

Those affected included national hero Rob Roy McGregor and Flora MacDonald, Bonnie Prince Charlie's rescuer after the Battle of Culloden in 1746, who settled in North Carolina.

Scottish Conservative Jamie McGrigor has tabled a motion, with cross-party support, calling on the Scottish Parliament to back a petition that demands the Westminster Parliament overturn the Acts of Attainder and clear the names of Jacobite families.

Not only could the stigma associated with "corruption of the blood" be overturned, but some Canadians may also find they have legitimate claim on ancient titles that would be restored if the campaign is successful.

Peter Drummond-Murray, a retired banker and heraldry expert who started the petition, said that a number of peerage titles could be affected including the Earl of Kilmarnock and the Duke of Berwick.

"Lots of ordinary people were transported to North America who still have this slur on them. We're petitioning for it to be removed," he said.

He did not rule out that there could be Canadians with claim to old titles, but said that there is no question of successful land claims being launched after nearly 300 years.

The list of those "attainted" included all ranks from peers and lairds to clerks and commoners. As the Jacobite threat subsided in the 19th century, a number of peers were able to afford the procedure of a private bill in Parliament to reverse the attainder process.

However, many families that supported the Stuarts are still stigmatized by what one member of the Scottish Parliament called "historical discrimination."

ATTAINED ANCESTORS After 1688, when James VII of Scotland and II of England was replaced by his daughter Mary II and her husband, William of Orange, many who refused to swear allegiance to William and Mary were tried for treason and "attainted." Some were executed, some sent into exile and were punished by Acts of Attainder -- losing their rights and property. This process continued after the Jacobite rebellions of 1715 and 1745. This is a sampling of those who were attainted. Many of their descendants live in Canada now.

-Sir Hugh Paterson of Bannockburn
-Sir John Preston of Prestonhall
-Alexander Mackenzie of Apple Cross
-Alexander Cameron of Dungallon
-Evan MacPherson of Clunie
-Lauchlan MacLauchlan of Castle Lauchlan

-Sir Donald Mackdonald of Slate
-Sir John Mackenzie of Cowl
-Donald Mackenzie of Kilcowie
-John MacKinnon of MacKinnon
-Charles Stewart of Ardshiel
-Donald MacDonald of Lochgarie