

The Unjust Incarceration: the earliest setting is in Colin Campbell's Nether Lorn canntaireachd volumes (i, 1-3). It is the first tune in the collection as it now stands and appears with the title 'Kepper Eggarich'. There are settings also in the MSS of Angus MacKay, (i, 55-57), Colin Cameron, (ff. 32-3), John MacDougall Gillies, (ff.6-7), and David Glen, (ff.159-60). Colin Campbell develops the tune as follows:

- 1st. Hiharin hioen, hodrooen, himen hoen, hiotroenem, hihodrooen, hiotroenem hihodroen hioem hiharinen
 2d. Hiharin hioen hodrooen, himotrao hoen, hiotraenem, hihodrooen hiotroenem, hihodroen hioem, hiharinen
 3d. Hihodrotra, cheredea hoen, hadrea hoen, hihorodoenem, hihodrotra, cheredaea, hihodroen hioem, hiharinen
 4th. Hihararache, hiveda reveche ho, haem, bariveche ho, hihararahohio, hihodrotraem, barivedarevechea, hihodroen, hioem, hiharinen
 5th. ChedariLe hiririeha, diliedrehia, cheredeaho himbarihia cheho, hadre himbaria, chedaria, hioem hiharinen

the ffirst Motion

- 1st. Hinen hinen hioen, hoen, hoen, hinen, himem, hinen, hoen, hioen, hioen, himen hoen hoen hinen hioen, hioen, himen hoen hoen hioem, hinen hinen hinen
 2d. Hinen hinen hioen hioen hinen himen haen hoen, hioen hioen himen hoen hoen hinen hioen hioen himen hoen hoen hioem, hinen three times,
 3d. Hoen hoen haem, chehin chehin, hoen haem, chehin hoen hioen hioen himen hoen hoen haem, chehin chehin chehin hoen hoen hioem, hinen three times
 4th. Haen haem, chehin hien hien chehin haem hien chehin haen haen hioem, hien hoen haem hienhien chehin hoen hoen hioem, hinen three times
 5th. Chehin hien, dilien hien hien, haen dilien, chehin hien chehin chehin hoen hien hien chehin haem chehin hien chehin hien hioem hinen three times

the 2d motin Called Toliv

- 1st. Hindarid hindarid hiodarid hodarid hodarid, hindarid, himdarid hindarid hodarid hiodarid hiodarid himdarid hodarid hodarid hindarid hiodarid, hiodarid, himdarid hodarid hodarid hiodarem, hindarid three times [etc. etc.]

and the tune proceeds through the single taorluath variation to a single 'Crolive' or crunluath variation following the tone row established in the siubhal. There is no a mach.

The tune appears in Angus MacKay's MS (i, 55-57,) without the Nether Lorn's interesting fourth line. The siubhal is doubled, followed by a single taorluath and a single crunluath variation. The decorative repeat in bar eleven of the ground is not reflected in the variations. The score indicates that the ground should be repeated at the end of the taorluath and again at the end of the crunluath. There is no a mach:

'The Unjust Incarceration, ground, line1, Angus MacKay's MS, (i, 55-7)

Three staves of musical notation in 3/4 time. The first staff contains the first line of the ground, the second staff the second line, and the third staff the third line ending with 'Etc.'.

'The Unjust Incarceration', siubhal singling, line 1, Angus MacKay's MS, (i, 55-7)

Two staves of musical notation in 3/4 time. The first staff contains the first line of the siubhal singling, and the second staff contains the second line ending with a double bar line.

'The Unjust Incarceration', siubhal doubling, line1, Angus MacKay's MS, (i, 55-7)

Two staves of musical notation in 3/4 time. The first staff contains the first line of the siubhal doubling, and the second staff contains the second line ending with 'Etc.'.

'The Unjust Incarceration', taorluath, line1, Angus MacKay's MS, (i, 55-7)

One staff of musical notation in 9/8 time. The staff contains the first line of the taorluath ending with 'Etc.'.

'The Unjust Incarceration', crunluath, line1, Angus MacKay's MS, (i, 55-7)

One staff of musical notation in 9/8 time. The staff contains the first line of the crunluath ending with 'Etc.'.

This basic pattern is reflected in the other scores. Colin Cameron (ff. 32-3) develops the tune similarly to MacKay continuing to the end of the taorluath and adding 'then comes the Crunluath'. There are one or two features of his style worth noting, however, such as the little cut down at the end of bar 31, and the way E is approached from high A via a reflexive turn through high G in bar 25 of the ground:

Colin Cameron, ground, bars 29-31 (f.32)



Colin Cameron's 1st Bar of Last Strain (noted in David Glen's MS, f.159)



None of the other sources consulted here treat the tune as a four line air in Colin Campbell's manner. Gillies's score (ff.6-7) is very similar to that of Colin Cameron. General Thomason's setting is on comparable lines: this came from Donald MacKay (Angus MacKay's nephew), who was taught the tune by Donald Cameron (*Ceol Mor*, pp.291-2). David Glen provides a Crunluath a mach, and offers as an alternative title 'The Piper's Lamentation in the Stocks' (ff.159-60). William Stewart of Ensay gives the tune in the Piobaireachd Society's *Collection*, first series (iii, 6-7), with an attribution to John Dall MacKay and a suggested translation of the title as 'capture by treachery'. Stewart gives his source as Captain Colin MacRae's MS, but his style is very similar to David Glen's. It makes an interesting comparison with the setting published in the Piobaireachd Society's second series.

Ground, from Piobaireachd Society's first series (iii,6-7)



Thereafter the tune is developed as in Angus MacKay, with a siubhal singling and doubling, one taorluath and one crunluath variation. The ground is not directed to be repeated at the end of the taorluath. There is no a mach.

'The Unjust Incarceration' featured on one memorable occasion in 1923 when there was a play-off for the Clasp at Inverness between Willie Ross and a rising young star called Robert Reid. The *Oban Times* reported the event as follows:

'Another season of Highland Gatherings has come and gone, and it is now possible to write something of the playing of the foremost exponents of the art of pipe music.

In Piobaireachd playing John MacDonald, of Inverness, has shown us that, on his day, he is still superior to any. Unfortunately, he has not been able to compete much this season, for his duties in another sphere leave him very little spare time. At Lochaber, where he was first, he gave us a glimpse of his old brilliancy.

Among the younger generation, Pipe-Major Robert Reid, of the 7th Highland Light Infantry, has enhanced his already great reputation, and his playing of Piobaireachd both at Oban and Inverness was delightful to listen to. Reid is a pupil of M'Dougall Gillies, of Glasgow, and this distinguished teacher must be gratified at the success of his pupil. At Oban, although the weather was all against good playing, Reid played his tune, "Lament for Donald Ban MacCrimmon", faultlessly, and brought out all the melody of that testing Piobaireachd. The attractiveness of Reid's playing is that he gives full value to each note, so that one is held by the rhythm of the tune. In addition to this, his fingering is very fine, this being specially noticeable in his Crunluadh and Crunluadhamach.

At Oban, Reid carried off the first prize, and at Inverness he and Pipe-Major W. Ross, late of the Scots Guards and now Pipe-Major of the Lovat Scouts, tied. For a tune they were both asked by the judges to play "Cille Chrìosd," and in the afternoon, on the playing off of the tie, they both played the "Unjust Incarceration". Ross played the tune through without mistake.

Reid made a couple of slips in the first variation, which allowed Ross to win the clasp to the gold medal. But, apart from the mistakes, and perhaps a slightly hesitating start, Reid's playing was very fine indeed, his Crunluadh-Amach being brilliantly executed.' ('Piping in 1923', *Oban Times*, 3/11/23, p.3).

Electronic text © William Donaldson, Aberdeen, Scotland, 2001