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An Act to confer further powers on the Aberdeen Harbour Commissioners. [13th July 1871.]

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WHEREAS an Act (herein-after called "the recited Act") was passed in the thirty-first and thirty-second years of the reign of Her present Majesty, chapter one hundred and thirty-eight, intituled "The Aberdeen Harbour Act, 1868:" 31 & 32 Vict. c. cxxxviii.

And whereas by the recited Act the Aberdeen Harbour Commissioners (herein-after called "the Commissioners") were authorised to make and maintain divers works for the improvement of the harbour of Aberdeen, and, among others, an extension of the existing north pier at the entrance of the harbour, and a new pier or breakwater on the south side of the entrance:

And whereas certain rights of fishing for salmon in the sea to the south and north of the entrance to the harbour or mouth of the River Dee are held or claimed to be held, pro indiviso, by certain persons called and known as the proprietors of the Raik and Stell salmon fishings:

And whereas the Commissioners were authorised by the recited Act to purchase by compulsion, and to hold, enjoy, sell, or lease all the rights of fishing in the sea to the south of the mouth of the River Dee, belonging to the proprietors of the Raik and Stell salmon fishings, and they duly intimated to those proprietors their readiness to treat for the acquisition of such rights of fishing:

And whereas the fishings in the sea on the north and south sides of the mouth of the said river have hitherto been held and worked as one fishing, and it is expedient, in order to prevent a disjunction of the one portion of the fishing from the other, and for the better carrying into effect the purposes of the recited Act, that the Commissioners should be enabled to acquire the fishings in the sea on the north side of the mouth of the said river:

And whereas the Commissioners were also authorised by the recited Act to purchase by compulsion other rights of fishing in the River Dee belonging to the proprietors of the Raik and Stell salmon

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fishings, and to the proprietors of the fishings known as the Midchingle salmon fishings, but certain questions have arisen between the Commissioners and those proprietors respectively with reference thereto which it is desirable to settle and put an end to:

And whereas for the purpose of effecting such settlement, and enabling the Commissioners to acquire the fishings in the sea on the north side of the mouth of the said river, the agreement between the Commissioners and the proprietors of those fishings contained in the schedule to this Act annexed has been entered into, and it is expedient that the same should be confirmed and sanctioned:

And whereas it is expedient that the Commissioners should be enabled to raise additional sums of money for the purposes of this Act:

But those objects cannot be carried into effect without the authority of Parliament:

May it therefore please Your Majesty that it may be enacted; and be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows, viz.:

Short title.

1. This Act may be cited for all purposes as "The Aberdeen Harbour Act, 1871."

Act and recited Act to be as one.

2. This Act and the recited Act shall be read and construed together as one Act.

Confirming agreement between the Commissioners and the proprietors of the Raik and Stell and Midchingle salmon fishings.

3. The agreement between the Commissioners and the proprietors of the Raik and Stell salmon fishings and the proprietors of the Midchingle salmon fishings, which is set forth in the schedule to this Act, is hereby confirmed and made binding on the respective parties thereto, and on their respective successors, and on every person entitled in reversion or expectancy after any of them, and on all the persons under any disability or incapacity on whose behalf the parties to the said agreement, or any of them, act; and the parties to the said agreement and their respective successors are respectively hereby authorised, empowered, and required to carry the same into full effect, not only on behalf of themselves and their respective heirs, executors, administrators, and successors, but also for and on behalf of every such person entitled in reversion or expectancy, and for and on behalf of all such persons under any disability or incapacity: Provided that nothing in the said agreement or in this Act shall prejudice or affect any right or interest of any corporation or person other than the parties to the said agreement, and their respective heirs, executors, administrators, and successors, and the said persons entitled in reversion or expectancy or under disability or incapacity as aforesaid.

Commissioners may hold or dispose of fishings.

4. Upon the acquisition by the Commissioners, in virtue of this Act and of the agreement mentioned in the immediately preceding section, of the fishings therein mentioned, the Commissioners may hold and enjoy the whole sea and river salmon fishings mentioned in the said agreement, and exercise all the rights of fishing for salmon belonging thereto, with all the necessary facilities therefor, in like manner and to the same extent as the proprietors thereof could have done before such purchase; and upon such acquisition, and upon the completion of the diversion of the River Dee authorised by the recited Act to be executed, the Commissioners shall, by reason of the acquisition of the river fishings mentioned in the said agreement, acquire and take, and may hold and enjoy, the rights of fishing for salmon within and along the new channel of that part of the River Dee which is by the recited Act authorised to be diverted, with all the necessary facilities therefor, in like manner and to the same extent as the right of fishing for salmon in the present channel between the points of commencement and termination of the diversion is or may be held and enjoyed by the proprietors of the salmon fishings therein; and the said rights of fishing for salmon in the said new channel, and rights connected therewith, shall, as regards the interests of the superiors of the rights of fishing for salmon in the present channel, and also as regards the interests of those entitled to the teinds thereof, and for all purposes of title, be held to be the same as such rights of fishing for salmon in the present channel; and upon such acquisition as aforesaid the Commissioners may sell, lease, or otherwise dispose of the whole or any part of the sea and river salmon fishings mentioned in the said agreement, and also upon the completion of the said diversion the whole or any part of the said fishings within and along the new channel, in such manner and on such terms and conditions, and in the case of a lease for such period, as may be deemed by them most expedient for the interests of the harbour trust. The Commissioners may exercise the like powers of holding, leasing, and disposing of all rights of salmon fishing acquired or to be acquired by them in virtue of the recited Act as are hereinbefore given in regard to the sea and river salmon fishings mentioned in the said agreement.

Certain sections of recited Act repealed.

5. Sections eighty-two, eighty-three, eighty-four, eighty-five, and eighty-six of the recited Act are hereby repealed.

Power to borrow for purposes of Act.

6. The Commissioners may from time to time borrow at interest, on the credit of the rates by the recited Act granted, and the other revenues of the Commissioners, and the lands, works, and property vested in them, and the rates, dues, and duties which the Lord Provost, magistrates, and town council of the city of Aberdeen for

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behoof of the community of the city shall be entitled to levy at and within the port and harbour of Aberdeen, as defined by the recited Act, upon and after the expiration of the recited Act, or on all or any such securities, any sums of money not exceeding the sum of thirty thousand pounds sterling, in addition to the sums authorised to be borrowed in virtue of an Act passed in the sixth and seventh years of the reign of Her present Majesty, intituled "An Act for "improving and maintaining the Harbour of Aberdeen," and of the recited Act; and in the event of any part of such sum of thirty thousand pounds sterling being repaid by the Commissioners except by means of the sinking funds they may again borrow the same, and so from time to time, and the Commissioners may grant to the persons advancing or lending the money so to be borrowed bonds therefor, containing an assignation of the said rates, revenues, lands, works, and property, and rates, dues, and duties, or any part thereof, to such persons as a security for the payment of the money so to be borrowed, with the interest thereof.

Form of bonds and other provisions.

7. Every bond and assignation in security of the rates, revenues, lands, works, and property, and rates, dues, and duties to be granted by the Commissioners, shall be by deed duly stamped, in which the consideration shall be truly stated, and all such bonds and assignations in security may be partly written and partly printed or engraved, and shall be subscribed by any two of the Commissioners and by the treasurer, and be sealed with the seal of the Commissioners, and such bonds and assignations in security may be according to the form in the schedule (F.) to the recited Act annexed, or to the like effect; and all the provisions of the recited Act with reference to moneys to be borrowed by the Commissioners and the sinking funds shall, so far as applicable, apply in all respects to the moneys to be borrowed by virtue of this Act.

Existing bonds to have priority.

8. All bonds, assignments, instruments, bills, promissory notes, or other vouchers granted for money borrowed under the authority of the Act of the sixth and seventh years of Her Majesty, intituled "An Act for improving and maintaining the Harbour of Aber-"deen," and of the recited Act, which shall be in force at the time of the commencement of this Act, shall during the continuance thereof have priority over any bonds and assignations in security to be granted as aforesaid for money borrowed by virtue of this Act; and the several holders of the bonds, assignments, instruments, bills, promissory notes, or other vouchers granted for money borrowed under the authority of the said Acts, shall have the same priority among themselves in respect thereof as they would have had if this Act had not been passed.

In event of sale of fishings, how proceeds to be applied.

9. In the event of a sale by the Commissioners of all or any part of the fishings mentioned in the said agreement, the sum received by them in respect of such sale shall be applied in paying off the moneys borrowed by them under the powers of this or the recited Act, and the surplus, if any, shall be applied to the general purposes authorised by the recited Act and by this Act.

Application of money borrowed.

10. All moneys which shall be borrowed by the Commissioners in virtue of this Act shall be applied in carrying out the purposes by this Act authorised.

Provision for obtaining accounts of goods to be unshipped at harbour.

11. Before any person remove from the quays or docks or premises of the Commissioners any goods discharged from any vessel within the limits of the port and harbour of Aberdeen, as defined by the recited Act, the owner of such goods shall give to the collector of rates a true account, signed by him, of the kinds, quantities, and weights of such goods; and every such owner who shall remove goods as aforesaid without having given such account, or who shall give or sign a false account of such goods, shall for every such offence be liable to a penalty not exceeding ten pounds.

Expenses of Act.

12. All costs, charges, and expenses of and incident to the preparing for, obtaining, and passing of this Act, or otherwise in relation thereto, shall be paid by the Commissioners from and out of the moneys which they are authorised to raise under the authority of the recited Act or of this Act.

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SCHEDULE referred to in the foregoing Act.

AGREEMENT between the Aberdeen Harbour Commissioners, acting under and by virtue of "The Aberdeen Harbour Act, 1868," herein-after called "the Commissioners," on the first part; the Right Honorable the Earl of Aberdeen; Alexander Abercrombie, Esquire, of Dacca, in the East Indies; Doctor John Abercrombie, Miss Mary Abercrombie, and Miss Katherine Abercrombie, all residing in Cheltenham; Mrs. Margaret Colvin, residing at Thorncot, Chamberlain Road, Greenhill, near Edinburgh; Mrs. Rachel Gordon, residing in Albyn Place, Aberdeen; Doctor Patrick Black and Captain William Black, both residing in London; Sir Alexander Bannerman, of Elsick and Crimonmogate, Baronet; James Wilkinson Gordon, Esquire, of Cairness; Francis Edmond, Esquire, advocate in Aberdeen, as trust disponee of the said James Wilkinson Gordon; John Forbes Mitchell, Esquire, of Thainston; James Garden, advocate in Aberdeen, trustee on the sequestrated estate of the late John Ross, of Craigie Park; Miss Mary Ross Bell, sometime residing in Ceylon, now in Aberdeen; Mary Bell Park and Jane Ann Margaret Park, children of the deceased Hugh Park, Esquire, sometime in Ceylon, by his marriage with Jane Tait Ross Bell, also deceased, and William Wright, writer in Glasgow, trustee under the contract of marriage between the said Hugh Park and Jane Tait Ross Bell; James Miller, son of William Cramond Miller, Esquire, of Ceylon, by his marriage with Jemima Ross Bell, afterwards Miller, now deceased, and the said William Cramond Miller, as tutor or curator and administrator-in-law of the said James Miller; George Davidson, Esquire, merchant in Aberdeen; the Shipmaster Society of Aberdeen, incorporated by royal charter; Mrs. Jean Collie or Gray, widow of the deceased George Gray, Esquire, merchant in Aberdeen; John Gray, farmer, Fingask, Daviot; Robert Collie Gray, solicitor, supreme courts, Edinburgh; James Collie, advocate in Aberdeen; and Robert Collie, accountant in Aberdeen, as trustees of the said deceased George Gray; Thomas Arbuthnot, Esquire, residing in Peterhead, as curator bonis or curator qua nearest agnate of James Arbuthnot, Esquire, of Kinmundy; James Arbuthnot, Esquire, of Invernettie; Messieurs Hogarth and Company, merchants in Aberdeen;

and Hugh Hogarth, Esquire, and Alexander Pirie Hogarth, Esquire, both merchants in Aberdeen, partners of the said company, and also trustees of the deceased William Hogarth, Esquire, merchant in Aberdeen, for behoof of the said company; and also William Leslie, Esquire, architect in Aberdeen, Lord Provost of the burgh of Aberdeen, Robert Urquhart, Esquire, merchant, John Fraser, Esquire, bootmaker, James Ross, Esquire, merchant, and William Daniel, Esquire, builder, all in Aberdeen, baillies of the said burgh of Aberdeen; Hugh Ross, Esquire, merchant in Aberdeen, dean of guild of the said burgh of Aberdeen; George Robb, Esquire, merchant in Aberdeen, treasurer of the said burgh of Aberdeen; and James William Barclay, Esquire, merchant, Alexander Inglis, Esquire, merchant, James Matthews, Esquire, architect, John Harper, Esquire, merchant, James Walker, Esquire, merchant, James Tulloch, junior, Esquire, merchant, James Abel, Esquire, baker, Peter Esslemont, Esquire, merchant, John Gray, Esquire, ironfounder, George Tough, Esquire, merchant, George Hutcheson, Esquire, merchant, and Robert Glegg, Esquire, ironmonger, all in Aberdeen, being the remanent members of the town council of the said burgh of Aberdeen, for behoof of the whole body and community thereof, herein-after called "the Raik and Stell proprietors," on the second part; and George Davidson, Esquire, merchant in Aberdeen; Sir Alexander Bannerman, of Elsick and Crimonmogate, Baronet; Doctor Patrick Black and Captain William Black, both residing in London; the said Alexander Abercrombie, Esquire, of Dacca, in the East Indies; the said Doctor John Abercrombie, Miss Mary Abercrombie, and Miss Katherine Abercrombie, all residing in Cheltenham; the said John Forbes Mitchell, Esquire, of Thainston, and Mrs. Sophia Annand or Jopp, widow of the deceased Alexander Jopp, Esquire, advocate in Aberdeen, Andrew Jopp, advocate in Aberdeen, Alexander Jopp, writer in Aberdeen, and Sophia Jopp, residing at Woodhill, near Aberdeen, as trustees of the said deceased Alexander Jopp, herein-after called "the Midchingle proprietors," on the third part.

Whereas the Raik and Stell proprietors own the Raik and Stell salmon fishings in the River Dee, and also own certain salmon fishings in the sea, on both sides of the mouth of said river: And whereas the Midchingle proprietors own the Midchingle salmon fishings in the said river immediately above the Raik and Stell river fishings: And whereas by section eighty-five of "The Aberdeen Harbour Act, 1868," the Commissioners were required within six months after the commencement of the Act to purchase from the Raik and Stell proprietors, and the proprietors were required to sell to them in the manner

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provided by "The Lands Clauses Consolidation (Scotland) Act, 1845," with respect to the purchase and taking of lands otherwise than by agreement, all the rights of fishing in the sea to the south of the mouth of the River Dee belonging to such proprietors: And whereas a notice to treat for the acquisition thereof, of date the twenty-seventh day of February eighteen hundred and sixty-nine, was accordingly served by the Commissioners on the Raik and Stell proprietors: And whereas the Commissioners also served on the Raik and Stell proprietors another notice of the same date, to treat for the purchase and acquisition of the Raik and Stell river fishings, and also served on the Midchingle proprietors a notice of the same date, to treat for the purchase and acquisition of the Midchingle fishings: And whereas the said "Aberdeen Harbour Act, 1868," did not authorise the sale and purchase of and the said notices to treat did not embrace the portion situate north of the mouth of the said River Dee of the said fishings in the sea belonging to the Raik and Stell proprietors (which portion is herein-after called "the North of Dee sea fishings"): And whereas three several notices, all dated the eleventh day of January eighteen hundred and sixty-nine, by the said parties hereto of the second and third parts, or some of them, and by the said parties hereto of the third part, and all bearing reference to the seventy-first and eighty-second sections of "The Aberdeen Harbour Act, 1868," were of said date served on the parties hereto of the first part: And whereas in order to avoid certain legal questions which might otherwise arise between the parties hereto as to the validity and effect of the said several notices, or any of them, or as to their powers and rights under the said Act, or otherwise, in relation to the premises, and in order to transfer to the Commissioners the whole sea and river fishings of the Raik and Stell proprietors, and the whole river fishings of the Midchingle proprietors, and thereby prevent a disjunction of one portion thereof from the remainder, the Commissioners have arranged with the Raik and Stell proprietors for the purchase from them, on the conditions herein-after contained, of the North of Dee sea fishings, in addition to the purchases specified in the said notices to treat served on the said second parties, and have also arranged with the said Midchingle proprietors for the purchase of the fishings specified in the said notices to treat served on the said third parties hereto, subject to the said conditions: Therefore the whole parties hereto have agreed as follows:

First. The said first parties shall purchase from the said second and third parties respectively, and the said second and third parties shall sell to the said first parties, the said whole salmon fishings in the sea and in the River Dee belonging to the said second and third parties hereto respectively, and the purchase money or compensation to be paid by the said first party to the said second and third parties respectively shall be fixed by arbitration, as herein-after stated:

Second. The parties shall, immediately after the passing of the Act agreed to be applied for, as herein-after provided, formally nominate James Leslie, civil engineer in Edinburgh, as sole arbiter to determine and settle, in pursuance of the provisions of the said "Lands Clauses Consolidation (Scotland) Act, 1845," the amount of purchase money or compensation to be paid for the fishings specified in the said notices to treat, and also to determine and settle, in conformity with the provisions of said "Lands Clauses Consolidation (Scotland) Act, 1845," the amount of purchase money or compensation to be paid by the said first parties to the said second parties for the said North

of Dee sea fishings, and failing the said James Leslie, either before his appointment as arbiter or after his appointment, and before he makes his award, the said several amounts of purchase money or compensation shall be fixed by arbitration in manner provided by the said Lands Clauses Consolidation (Scotland) Act, 1845, for the settlement of cases of disputed compensation by arbitration:

Third. In the arbitration for ascertaining and settling the compensation referred to in the immediately preceding article, the said James Leslie, whom failing the persons or person acting as arbiters or sole arbiter, or oversman (as the case may be), in the said arbitration, on the failure of the said James Leslie, as herein-before provided, shall hold and treat the river fishings belonging to the said second parties, and the said sea fishings, as forming one property and not as forming separate properties, and shall proceed in all respects as in an arbitration under the said "Lands Clauses Consolidation (Scotland) Act, 1845," excepting only that in ascertaining and fixing the amount of purchase money or compensation payable for the said river fishings and sea fishings belonging to the said second parties, the said James Leslie, whom failing the persons or person acting as arbiters or sole arbiter, or oversman (as the case may be), as aforesaid, shall fix and determine in a separate sum the portion of the cumulo compensation payable in respect of the North of Dee sea fishings, and that in fixing the amount of the compensation no allowance shall be made by the said James Leslie, whom failing the persons or person acting as arbiters or sole arbiter, or oversman (as the case may be), as aforesaid, for compulsory sale as respects the North of Dee sea fishings, and providing likewise that the separate interests of the second parties shall not be separately tried, and also that the separate interests of the third parties shall not be separately tried:

Fourth. The Commissioners shall obtain entry to the whole fishings after the passing of the Act agreed to be applied for as herein-after mentioned, and on payment to the parties of the second and third parts entitled to dispose absolutely of their share or interest in said fishings, and making title and granting a valid conveyance of their respective proportions of the purchase money or compensation, as ascertained and fixed as aforesaid, and on consignation in bank in terms of "The Lands Clauses Consolidation (Scotland) Act, 1845," of the portion of the purchase money or compensation ascertained and fixed as aforesaid, coming to parties of the second and third parts having limited interests, or refusing to accept the purchase money, or neglecting or failing to make out a title, or refusing or unable validly to convey or to discharge, or obtain a discharge of a burden or incumbrance, or absent from the United Kingdom, or not to be found; and in the event of the Commissioners requiring entry to the said fishings after the passing of the said Act, agreed to be applied for as herein-after mentioned, and before the purchase money or compensation payable therefor shall be ascertained and fixed as aforesaid, the Commissioners shall be entitled to obtain entry thereto, subject to and in pursuance of the provisions of the said "Lands Clauses Consolidation (Scotland) Act, 1845," with respect to the entry upon lands by the promoters of the undertaking:

Fifth. To enable the Commissioners lawfully to purchase the North of Dee sea fishings, and to effect a valid sale of those pro indiviso shares thereof which cannot at present be competently sold by or on behalf of the owners

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without statutory authority, the Commissioners shall, out of the moneys under their control, promote a bill in the session of Parliament next after November eighteen hundred and seventy, to confirm and carry out this agreement, which Bill has been accordingly introduced into Parliament; and the Commissioners shall use all due diligence in obtaining the said Bill passed, and the said parties of the second and third parts shall give and procure to the said Bill any consents that may be required by Parliament; and the parties of the second and third parts shall themselves bear the whole expense incurred by them in adjusting to their satisfaction the clauses of the said Bill, so far as dealing with the interests of the said parties of the second and third parts, and in watching through Parliament the said Bill, and generally the whole expenses incurred by the said parties of the second and third parts in reference thereto, and that whether the Act so agreed to be applied for shall be obtained or not:

Sixth. The purposes of the said Bill may in the option of the Commissioners be confined exclusively to the said purchase and sale of the North of Dee sea fishings, or to the purchase and sale of the whole of the said sea and river fishings, or in the option of the Commissioners the purposes of the said Bill may be included in any Bill to be promoted by them for other purposes: Provided that if in the latter event of the Bill being promoted for other purposes additional expense is occasioned to second and third parties beyond what would have been occasioned in the former event, such additional expense shall be paid by the Commissioners:

Seventh. The agreement herein contained for the purchase and sale of the said whole sea and river fishings shall be conditional on the passing of the said intended Act authorising or confirming this agreement; and in the event of that Act not being passed before the first of October eighteen hundred and seventy-one this agreement for the said purchase and sale shall fall:

Eighth. The parties hereto of the second and third parts warrant and bind themselves respectively that their respective shares of the said sea and river fishings shall at the date of the payment or deposit of the price thereof by the Commissioners be free from all encumbrances and leases:

Ninth. Any difference between the parties as to the interpretation of this agreement shall be referred to Edward Strathern Gordon, Esquire, advocate:

Tenth. Nothing contained in this agreement, nor any proceedings to follow thereon, shall (in the event of the said Act so agreed to be applied for not being obtained) prejudice the said notices to treat, nor any appointment or appointments of an arbiter, made under or with reference to the notice to treat first herein-before mentioned, nor any notices of such appointment or appointments, nor the powers of the Commissioners, nor the notices, or any of them, dated the eleventh day of January eighteen hundred and sixty-nine, served by the said second and third parties, or any of them, on the said first parties, under which notices to treat and notices served by the said second and third parties, and appointments or appointment, and notices of such appointments; the rights of the several parties are reserved entire in the said event of the said Act so to be applied for not being obtained.

And all parties consent to the registration hereof for preservation and execution. In witness whereof these presents (written on the face of this sheet of parchment by James Taylor, writer in Aberdeen) are subscribed and sealed as follows; namely, are subscribed by the said William Leslie and Alexander Inglis, two of the Commissioners acting by the direction and on behalf of the Commissioners, and are sealed with the common seal of the Commissioners, all at Aberdeen, at a meeting of the Commissioners duly convened on the seventh day of April in the year one thousand eight hundred and seventy-one, before these witnesses, George Walker, advocate in Aberdeen, and George Robb, writer in the office of the town clerk of the burgh of Aberdeen, and residing in Aberdeen; are subscribed by the said William Leslie, Robert Urquhart, John Fraser, James Ross, William Daniel, James William Barclay, Alexander Inglis, James Matthews, James Walker, James Tulloch, junior, James Abel, Peter Esslemont, John Gray, George Tough, George Hutcheson, and Robert Glegg, being all members and a quorum of the said town council of the said burgh of Aberdeen, acting by the direction and on behalf of the said town council, and are sealed with the common seal of the corporation of the said burgh of Aberdeen, all at Aberdeen, at a meeting of the said town council duly convened on the day, month, and year all last mentioned, before these witnesses, the said George Walker and the said George Robb, writer in the foresaid office, and residing in Aberdeen; are subscribed by the said George Davidson, at Aberdeen, on the eleventh day of the month and year last mentioned, before these witnesses, William Smith, apprentice, and Alexander Ross, clerk, both to Messieurs Jopp and Reid, advocates, Aberdeen, and by the said James Garden and Mary Ross Bell, both at Aberdeen, on the twelfth day of month and year last mentioned, before these witnesses, Alexander Gow, clerk to Messieurs Davidson and Garden, advocates, Aberdeen, and the said William Smith; are sealed with the common seal of the said Shipmaster Society of Aberdeen, and subscribed by James Marsh, shipowner in Aberdeen, as treasurer of and on behalf of the said society, both at Aberdeen, on the last-mentioned day, before these witnesses, George Angus Sutherland and Robert Blackwood Glennie, both writers in Aberdeen; are subscribed by the said Mrs. Rachel Gordon, at Aberdeen, on the date last mentioned, before these witnesses, Alexander Cochran, advocate, Aberdeen, and the said Robert Blackwood Glennie, by the said Francis Edmond, at Aberdeen, on the thirteenth day of the month and year last mentioned, before these witnesses, James Milne, accountant in Aberdeen, and the said William Smith; by the said Hogarth and Company, Hugh Hogarth, and Alexander Pirie Hogarth, all at Aberdeen, on the fifteenth day of the month and year last mentioned, before these witnesses, Alexander Pardy, book-keeper to the said Hogarth and Company, and the said William Smith; by the said James Collie and Robert Collie, both at Aberdeen, on the date last mentioned, before these witnesses, George Collie, advocate, and Oswald Prosser, solicitor, both in Aberdeen; by said Thomas Arbuthnot and James Arbuthnot, both at Peterhead, on the eighteenth day of the month and year last mentioned, before these witnesses, James Hay and Edward Ogilvie Arbuthnot, both clerks to William and William Arbuthnot Alexander, solicitors, Peterhead; by the said Andrew Jopp, at Aberdeen, on the nineteenth day of the month and year last mentioned, before these witnesses, the said William Smith and Alexander Ross; by the said Mrs. Sophia Annand or Jopp, Miss Sophia Jopp, and Alexander Jopp, all at Woodhill, near Aberdeen, on the date

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last mentioned, before these witnesses, Benjamin Spark, clerk to the said Messieurs Jopp and Reid, and the said William Smith; by the said Robert Collie Gray and Mrs. Margaret Colvin, both at Edinburgh, on the twentieth day of the month and year last mentioned, before these witnesses, George Dalziel, writer to the signet, Edinburgh, and James Hutcheson, clerk to Messieurs Gibson, Craig, Dalziel, and Brodies, writers to the signet, Edinburgh; by the said Earl of Aberdeen, at Oxford, on the twenty-fifth day of the month and year last mentioned, before these witnesses, Theophilus Carter, upholsterer, of number forty-nine, High Street, Oxford, and William Carter, of number forty-nine, High Street, Oxford, son of the said Theophilus Carter; by the said John Abercrombie, for himself and as attorney for the said Alexander Abercrombie, and by the said Mary Abercrombie and Katherine Abercrombie, all at Charlton Kings, Cheltenham, on the twenty-eighth day of the month and year last mentioned, before these witnesses, William Hillier, coachman, Ryeworth, Charlton Kings, aforesaid, and Alexander Stewart, gardener, Shaftesbury Cottage, Charlton Kings, aforesaid; by the said John Forbes Mitchell, at Aberdeen, on the twenty-ninth day of the month and year last mentioned, before these witnesses, Joseph Hardy, footman to Mrs. Maria Bromley or Forbes Mitchell, residing in Aberdeen, and the said Benjamin Spark; by the said James Wilkinson Gordon, at Cairness, on the first day of May in the year last mentioned, before these witnesses, Alexander Edmond, advocate in Aberdeen, and James Birnie, ground officer, at Cairness; by the said James Garden, as authorised by and taking burden on him for the said William Cramond Miller and James Miller, at Aberdeen, on second day of the month and year last mentioned, before these witnesses, David Easton, clerk to the said Messieurs Davidson and Garden, and the said Benjamin Spark; by the said William Wright, for himself as trustee foresaid, and on behalf of the said Mary Bell Park and Jane Ann Margaret Park, both in pupillarity, at Glasgow, on the date last mentioned, before these witnesses, John Gorrie and James Cameron Kerr, both clerks to C. D. Donald and Sons, writers, Glasgow; by the said Sir Alexander Bannerman and Patrick Black, both at Westminster, on the fourth day of the month and year last mentioned, before these witnesses, Alexander Grahame and David Wardlaw, both parliamentary solicitors, Westminster, and by the said Patrick Black, as attorney for the said William Black, at Westminster, on the sixth day of the month and year last mentioned, before these witnesses, the said Alexander Grahame and David Wardlaw, the said James Collie, Robert Collie, and Robert Collie Gray, being a majority and quorum of the trustees of the said deceased George Gray, declaring that the portion of the testing clause of these presents, commencing with the words "are subscribed by the said George Davidson," inclusive, to the end, is written by Thomas Garside, clerk to the said Alexander Grahame.

James Hay, witness.
Edward O. Arbuthnot, witness.
Wm. Smith, witness.
Alexr. Ross, witness.
Benjamin Spark, witness.
Wm. Smith, witness.

THOS. ARBUTHNOT.

JAMES ARBUTHNOT.

ANDREW JOPP.
ALEXANDER JOPP
SOPHIA JOPP.
SOPHIA JOPP.

George Dalziel, witness.
James Hutcheson, witness.
Theophilus Carter, witness.
William Carter, witness.
William Hillier, witness.
Alexander Stewart, witness.

M. H. Colvin.

Aberdeen.

John Abercrombie, M.D.
John Abercrombie, attorney for Alexr. Abercrombie, Dacca.
Mary Abercrombie.
Catherine Abercrombie.
John Forbes Mitchell.

Joseph Hardy, witness.
Benjamin Spark, witness.
Alex. Edmond, witness.
James Birnie, witness.
David Easton, witness.
Benjamin Spark, witness.
John Gorrie, witness.
J. Cameron Kerr, witness.

J. W. Gordon.

Jas. Garden, for Mr. W. C. Miller and his son James Miller.
Wm. Wright, for self as trustee, and on behalf of Mary Bell Park and Jane Ann Margaret Park.

Alex. Grahame, witness.
David Wardlaw, witness.
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David Wardlaw, witness.

A. Bannerman.

P. Black, M.D.
P. Black, M.D., attorney for Captain William Black.

Geo. Walker, witness.
Geo. Robb, witness.

L. S. of the Aberdeen Harbour Commissioners.

Wm. Leslie, Commissioner.
Alexr. Inglis, Commissioner.

Geo. Walker, witness.
Geo. Robb, witness.

Wm. Leslie.

L. S. of the Corporation of the Burgh of Aberdeen.

Robert Urquhart.
John Fraser.
James Ross.
Wm. Daniel.
P. Esslemont.
Geo. Hutcheson.
James W. Barclay.
James Tulloch, jr.
Alex. Inglis.
James Abel.
James Walker.
George Tough.
John Gray.
James Matthews.
Robt. Glegg.

Wm. Smith, witness.
Alexr. Ross, witness.
Alex. Gow, witness.

G. W. Davidson.

Jas. Garden.

A.D. 1871.

Wm. Smith, witness.
G. A. Sutherland, witness.
Robert B. Glennie, witness.

MARY R. BELL.

L. S. of the Shipmasters Society of Aberdeen.

JAMES MARSH, treasurer.

Alex. Cochran, witness.
Robert B. Glennie, witness.

RACHEL GORDON.

James Milne, witness.
Wm. Smith, witness.

FRANCIS EDMOND.

Alexr. Pardy, witness.
Wm. Smith, witness.
George Collie, witness.
Oswald Prosser, witness.
George Dalziel, witness.
James Hutcheson, witness.

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