ANNO QUINQUAGESIMO

GEORGII III. REGIS.

Cap. 172.

An Act for confirming and carrying into Effect an Agreement entered into on Behalf of *Alexander* Duke of *Gordon*, and by Sir *Alexander Penroſe Cumming Gordon* Baronet, deceaſed; and for enabling Sir *William Gordon Cumming Gordon* Baronet, and *Charles Lennox Cumming* Eſquire, and their reſpective Heirs, to make Exchanges of certain Parts of their reſpective Entailed Eſtates, under the Authority and by the Directions of the Court of Seſſion in *Scotland*. [9th *June* 1810.]

Entail by Sir William Gordon, 29th Auguſt 1781.

WHEREAS Sir *William Gordon*, of *Gordonſtown*, Baronet, now deceaſed, did, in and by a certain Deed of Entail, bearing Date the Twenty-ninth Day of *Auguſt* which was in the Year of our Lord One thouſand ſeven hundred and eighty-one, and regiſtered in the Books of Council and Seſſion in *Scotland* the Thirteenth Day of *May* which was in the Year of our Lord One thouſand ſeven hundred and ninety-five, ſettle and ſecure by way of ſtrict Entail all and whole his Lands and Barony of *Gordonſtown*, and other Lands, Baronies, Offices, Teinds, Patronages, Mills, Woods, Fiſhings, and other Subjects therein particularly mentioned and deſcribed, to and in favour of himſelf the ſaid Sir *William Gordon*, the Entailer, and the Heirs Male of his Body; whom failing, to the Heirs whatſoever of the Body of the Heir Male of his Body who ſhould die laſt infeft in and in Poſſeſſion of his ſaid Lands and Eſtate; whom failing, to the Heirs whatſoever of his own Body; whom failing, to any Perſon or Perſons that ſhould be nominated and called to

the Succeſſion by a Writing under his Hand at any Time in his Life, *et etiam in articulo mortis*; and failing of ſuch Nomination, to and in favour of *David Scott* of *Scotſtarvit*, Eſquire, eldeſt lawful Son of the deceaſed *David Scott* of *Scotſtarvit* Eſquire, by Miſtreſs *Lucy Gordon*, Siſter German of the deceaſed Sir *Robert Gordon* of *Gordonſtown*, Baronet, his Father, and the Heirs Male of his Body; whom failing, to the Heirs whomſoever of the Body of the Heir Male of the ſaid *David Scott*, then of *Scotſtarvit*, his Body, who ſhould die laſt infeft in and in Poſſeſſion of his ſaid Lands and Eſtates; whom failing, to the neareſt Heirs whomſoever of the Body of the ſaid *David Scott*, then of *Scotſtarvit*; whom failing, to and in favour of *Alexander Penroſe Cumming*, of *Altyre*, Eſquire, (afterwards Sir *Alexander Penroſe Cumming Gordon*, Baronet) Great Great Grandſon of the deceaſed *Robert Cumming* of *Altyre*, Eſquire, by Miſtreſs *Lucy Gordon*, eldeſt Siſter of the deceaſed Sir *Robert Gordon* of *Gordonſtown*, Baronet, his the Entailer's Grandfather, and the Heirs Male of his Body; whom failing, to *John Cumming*, immediate younger Brother German of the ſaid *Alexander Penroſe Cumming*, and the Heirs Male of his Body; whom failing, to *Edward Cumming*, immediate younger Brother German of the ſaid *John Cumming*, and the Heirs Male of his Body; whom failing, to *George Cumming*, immediate younger Brother German of the ſaid *Edward Cumming*, and the Heirs Male of his Body; whom failing, to *William Cumming*, immediate younger Brother German of the ſaid *George Cumming*, and the Heirs Male of his Body; whom all failling, to the neareſt Heirs whomſoever of the Heir Male of the Bodies of either of the ſaid *Alexander Penroſe Cumming*, or of the ſaid *John Cumming*, or of the ſaid *Edward Cumming*, or of the ſaid *George Cumming*, or of the ſaid *William Cumming*, who ſhould die laſt infeft in and in Poſſeſſion of the foreſaid Lands and Eſtate under the ſaid Entail, ſuch neareſt Heirs whomſoever being always deſcended of the Body of one of the forenamed Brothers; whom failing, to the Heirs whomſoever of their Bodies reſpectively, according to their Seniority and Order above ſet down; whom failing, to *Joſeph Dunbar* of *Grange*, Eſquire, Grandſon of the deceaſed *Thomas Dunbar* of *Grange*, by Miſtreſs *Katherine Gordon*, Siſter of the deceaſed Sir *Robert Gordon* of *Gordonſtown*, Baronet, his the Entailer's Grandfather, and the Heirs Male of his Body; whom failing, to the Heirs whomſoever of the Body of the Heir Male of the ſaid *Joſeph Dunbar*'s Body who ſhould die laſt infeft in and in Poſſeſſion of his ſaid Lands and Eſtate; whom failing, to the neareſt Heirs whomſoever of the Body of the ſaid *Joſeph Dunbar* of *Grange*; whom all failing, to his the ſaid Sir *William Gordon*, the Entailer's own neareſt lawful Heirs and Aſſignees whatſoever, heritably and irredeemably, but with and under the Conditions, Proviſions, Limitations, Reſtrictions and Clauſes prohibitory, irritant, and reſolutive, which are uſual in Settlements of ſtrict Entail by the Law and Practice of *Scotland*: To which Lands and Barony of *Gordonſtown*, and other Lands, Baronies, Offices, Teinds, Patronages, Mills, Woods, Fiſhings, and other Subjects particularly mentioned and deſcribed in the ſaid Deed of Entail, the ſaid *Alexander Penroſe Cumming*, afterwards Sir *Alexander Penroſe Cumming Gordon*, Baronet, ſucceeded by Failure of the prior Subſtitutions and was thereupon duly infeft and ſeiſed as Heir of Entail therein, under all the Exceptions, Conditions, Proviſions, Reſtrictions, Limitations, Clauſes irritant and reſolutive, Declarations, Faculties, and Reſervations in the ſaid Deed of Entail contained: And whereas certain Parts and Portions of the ſaid entailed Lands and

Barony

Barony of *Gordonſtown*, ſituated in the Pariſh of *Duffus*, and Sheriffdom of *Elgin* and *Forres*, being Part of the Lands in the Schedule (A.) hereunto annexed, particularly deſcribed, lie runrig and otherwiſe intermixed in diſjoined and detached Fields, with other Lands ſituated in the ſame Pariſh of *Duffus*, belonging in Fee Simple to *Alexander* Duke of *Gordon*, and certain other Parts and Portions of the ſaid entailed Lands and Barony of *Gordonſtown*, ſituated in the Pariſh of *Rothes*, and Sheriffdom aforeſaid, in the Schedule (B.) hereunto annexed, particularly deſcribed, lie at the Diſtance of Twelve Miles from any other Part of the ſaid entailed Eſtate, and from the Manſion Houſe of *Gordonſtown*: And whereas by Articles of Agreement, bearing Date on or about the Second and Sixth Days of *May* which were in the Year of our Lord One thouſand ſeven hundred and ninety-ſix, and regiſtered in the Books of Council and Seſſion in *Scotland* the Sixth Day of *November* which was in the Year of our Lord One thouſand ſeven hundred and ninety-ſeven, entered into between the ſaid Sir *Alexander Penroſe Cumming Gordon*, by his then Name and Deſcription of *Alexander Penroſe Cumming Gordon*, Eſquire, of the One Part; and *William Tod*, Factor to the ſaid *Alexander* Duke of *Gordon*, of the other Part; it was amongſt other Things agreed that the ſaid *Alexander* Duke of *Gordon* ſhould diſpone to the ſaid Sir *Alexander Penroſe Cumming Gordon*, the Duke's whole Lands, Feu Duties, and Superiority in the Pariſh of *Duffus* aforeſaid; which Lands, Feu Duties, and Superiority were held in Fee Simple by the ſaid *Alexander* Duke of *Gordon*, and are particularly deſcribed in the Schedule (C.) hereunto annexed, and ſhould receive in Exchange for the ſame, the Lands, Fiſhings, and Superiorities in the Pariſh of *Rothes* aforeſaid, being Part of the aforeſaid entailed Eſtate and Barony of *Gordonſtown*, together with the Sum of Nine thouſand five hundred and fifty Pounds Sterling, to be paid by the ſaid Sir *Alexander Penroſe Cumming Gordon*, in Manner therein mentioned: And whereas by a Deed or Inſtrument in Writing, executed by the ſaid *Alexander* Duke of *Gordon*, bearing Date on or about the Twenty-ninth Day of *July*, which was in the Year of our Lord One thouſand ſeven hundred and ninety-ſeven, and regiſtered in the Books of Council and Seſſion in *Scotland* the Sixth Day of *November* thereafter, reciting the ſaid Articles of Agreement, and alſo reciting that the ſaid Sir *Alexander Penroſe Cumming Gordon*, Baronet, therein deſcribed *Alexander Penroſe Cumming Gordon*, Eſquire, had made Payment to the ſaid *Alexander* Duke of *Gordon*, of certain Sums of Money, amounting in whole to the Sum of Nine thouſand Pounds, Part of the beforementioned Sum of Nine thouſand five hundred and fifty Pounds; the ſaid *Alexander* Duke of *Gordon* acknowledged the Receipt of the ſame, and diſcharged the ſaid Sir *Alexander Penroſe Cumming Gordon*, and his Heirs and Succeſſors thereof, and ratified and approved of the ſaid Articles of Agreement, in the whole Heads, Articles and Contents thereof, and obliged himſelf, his Heirs and Succeſſors, to implement and fulfil his Part thereof, and to grant and deliver to the ſaid Sir *Alexander Penroſe Cumming Gordon*, and His Heirs and Succeſſors, all Deeds that might be deemed requiſite and neceſſary for carrying the ſame into effectual Execution, according to the true Intent and Meaning of the ſaid Agreement: And whereas the ſaid Sir *Alexander Penroſe Cumming Gordon*, Baronet, by his Diſpoſition and Deed of Entail, bearing Date the Firſt Day of *November* which was in the Year of our Lord One thouſand eight hundred and two, regiſtered in the Books of Council and Seſſion in *Scotland* the Twenty-ninth Day of *September* which was in the Year

Certain Parts of theſe Lands lie runrig, &c.

Agreement between the Duke of Gordon and Alexander Penroſe Cumming Gordon, 2d and 6th May 1796.

Ratification by the Duke of Gordon, 29th July 1797.

Entail by Sir Alexander Penroſe Cumming Gordon, 1ſt Nov. 1802.

Year of our Lord One thouſand eight hundred and ſeven, by his then Name and Deſcription of *Alexander Penroſe Cumming Gordon*, of *Altyre* and *Gordonſtown*, Eſquire, gave, granted and diſponed, by way of ſtrict Entail, to and in favour of *Charles Lennox Cumming*, Eſquire, his Second Son, and the Heirs whatſoever of his Body; whom failing, to and in favour of Sir *William Gordon Cumming Gordon*, by his then Name and Deſcription of *William Gordon Cumming*, his eldeſt and only other ſurviving Son, and the Heirs whatſoever of his Body; whom failing, to any other Son or Sons lawfully procreated of his the Entailer's Body, and the Heirs whatſoever of their Bodies in their Order; whom failing, to his own neareſt Heirs and Aſſignees whomſoever, heritably and irredeemably, the eldeſt Heir Female ſucceeding always without Diviſion, and excluding Heirs Portioners: But always with and under the Conditions, Proviſions, Limitations, Reſtrictions, Clauſes prohibitory, irritant, and reſolutive, which are uſual in Settlements of ſtrict Entail by the Law and Practice of *Scotland*, the Lands and Eſtates in the ſaid laſt-mentioned Diſpoſition and Deed of Entail, particularly deſcribed, including therein the aforeſaid Lands and other Subjects, ſituated in the Pariſh of *Duffus*, purchaſed in Manner before mentioned from the ſaid *Alexander* Duke of *Gordon*, but excepting ſuch Parts and Portions of the Lands and other Subjects ſo purchaſed as aforeſaid, as ſhould be diſponed and conveyed to the ſaid Entailer, and the Heirs of Entail appointed to ſucceed to him in the Eſtate of *Gordonſtown*, in lieu of thoſe Parts of that entailed Eſtate which were agreed to be conveyed by him to the ſaid *Alexander* Duke of *Gordon*, by the ſaid Articles of Agreement, bearing Date the Second and Sixth Days of *May* in the Year of our Lord One thouſand ſeven hundred and ninety-ſix; and in and by the ſaid laſt-recited Diſpoſition and Deed of Entail, the ſaid Sir *Alexander Penroſe Cumming Gordon*, Baronet, after reciting that certain Parts and Portions of the ſaid entailed Eſtate of *Gordonſtown* were about to be exchanged for Parts and Portions of the Lands purchaſed by him from the ſaid *Alexander* Duke of *Gordon* in Manner before mentioned, and for certain Parts and Portions of other Lands which had been alſo purchaſed by him; therefore he the ſaid Sir *Alexander Penroſe Cumming Gordon* obliged himſelf, his Heirs and Succeſſors to have the ſaid Exchanges fixed and aſcertained, and to procure himſelf infeft in the ſaid Lands ſo to be exchanged as aforeſaid: And whereas the ſaid Sir *Alexander Penroſe Cumming Gordon*, Baronet, departed this Life on or about the Eleventh Day of *February* which was in the Year of our Lord One thouſand eight hundred and ſix, leaving the ſaid Sir *William Gordon Cumming Gordon* and *Charles Lennox Cumming*, his only Sons, him ſurviving, and the ſaid Sir *William Gordon Cumming Gordon* is now the Heir of Entail infeft, and in Poſſeſſion of the ſaid entailed Lands and Barony of *Gordonſtown*, and the ſaid *Charles Lennox Cumming* has ſucceeded as Initute under the before recited Deed of Entail, executed by his ſaid deceaſed Father on the Firſt Day of *November* One thouſand eight hundred and two: And whereas the ſaid *Alexander* Duke of *Gordon* and the ſaid Sir *Alexander Penroſe Cumming Gordon* Baronet, reſpectively entered to the Poſſeſſion of the Lands intended to be exchanged and conveyed in Manner aforeſaid, in or about the Year One thouſand ſeven hundred and ninety-ſix, but no Diſpoſitions or Conveyances thereof have yet been executed on either Side: And whereas certain other Parts and Portions of the ſaid entailed Lands and Barony of *Gordonſtown*, being the Remainder of the Lands in the ſaid Schedule (A.) hereunto annexed, particularly deſcribed,

Death of Sir Alexander Penroſe Cumming Gordon, &c.

Parties entered to Poſſeſſion in 1796.

Certain Parts of the Two Entailed Eſtates lie runrig, &c.

lie runrig and otherwiſe intermixed in disjoined and detached Fields, with certain Parts and Portions of the Lands formerly belonging to the ſaid Sir *Alexander Penroſe Cumming Gordon*, Baronet, in Fee Simple, but now to the ſaid *Charles Lennox Cumming* as Heir of Entail under the before recited Diſpoſition and Deed of Entail, executed by the ſaid Sir *Alexander Penroſe Cumming Gordon* Baronet, on the Firſt Day of *November* One thouſand eight hundred and two, which Parts and Portions of the laſt-mentioned Lands are particularly deſcribed in the Schedule (D.) hereunto annexed: And whereas it would be of great Benefit and Advantage to the ſaid *Alexander* Duke of *Gordon*, and to the ſaid Sir *William Gordon Cumming Gordon*, and *Charles Lennox Cumming*, and the reſpective Heirs of Entail, called by the ſaid Deed of Entail, executed by the ſaid deceaſed Sir *William Gordon* Baronet, on the Twenty-ninth Day of *Auguſt*, which was in the Year of our Lord One thouſand ſeven hundred and eighty-one; and by the ſaid Deed of Entail executed by the ſaid deceaſed Sir *Alexander Penroſe Cumming Gordon* Baronet, on the Firſt Day of *November*, which was in the Year of our Lord One thouſand eight hundred and two, if the before recited Agreement, bearing Date the Second and Sixth Days of *May*, which were in the Year of our Lord One thouſand ſeven hundred and ninety-ſix, entered into between the ſaid *William Tod*, Factor for the ſaid *Alexander* Duke of *Gordon* of the One Part, and the ſaid Sir *Alexander Penroſe Cumming Gordon* of the other Part, were confirmed; and if Powers were granted to carry the ſame into complete Effect, after aſcertaining what Parts and Portions of the Lands agreed to be conveyed by the ſaid *Alexander* Duke of *Gordon*, ſhould be conveyed by him to the ſaid Sir *William Gordon Cumming Gordon*, and the other Heirs called by the ſaid Entail of the Lands and Barony of *Gordonſtown*, and what other Parts and Portions thereof to the ſaid *Charles Lennox Cumming*, and the Heirs called by the ſaid Entail, executed by the ſaid Sir *Alexander Penroſe Cumming Gordon* on the Firſt Day of *November* One thouſand eight hundred and two: And whereas it would alſo be of great Benefit and Advantage to the ſaid Sir *William Gordon Cumming Gordon*, and the ſaid *Charles Lennox Cumming*, and the other Heirs called by the ſaid ſeveral Entails before recited, if the ſaid Sir *William Gordon Cumming Gordon*, and *Charles Lennox Cumming*, were mutually empowered to make Exchanges of ſuch Parts and Portions of the reſpective Entailed Eſtates before mentioned, as will ſtill remain runrig and otherwiſe intermixed, disjoined and detached as aforeſaid, after carrying into complete Effect the other Purpoſes before mentioned: And whereas all the Heirs of Entail called by theſe reſpective Entails, who are at preſent in Exiſtence, are willing and deſirous that theſe ſeveral Purpoſes ſhould be carried into Effect, but by reaſon of the ſaid Deed of Entail, executed by the ſaid deceaſed Sir *William Gordon* Baronet, on the Twenty-ninth Day of *Auguſt*, which was in the Year of our Lord One thouſand ſeven hundred and eighty-one; and the ſaid Deed of Entail executed by the ſaid Sir *Alexander Penroſe Cumming Gordon* Baronet, on the Firſt Day of *November*, which was in the Year of our Lord One thouſand eight hundred and two; and by reaſon of the Minority of the ſaid *Charles Lennox Cumming*, who is at preſent a Minor of the Age of Twenty Years, the ſame cannot be done without the Aid and Authority of Parliament: May it therefore pleaſe Your Majeſty, upon the Petition of the ſaid *Alexander* Duke of *Gordon*, and upon the humble Petition of the ſaid Sir *William Gordon Cumming Gordon* Baronet, and of the ſaid *Charles Lennox Cumming*, and Dame *Helen Cumming Gordon*, of the City of *Edinburgh*, Widow,

Of great Benefit to confirm the Agreement, &c.

And to exchange Lands between the two Entails.

Widow, his Mother, *Henry Mackenzie*, Eſquire, of the City of *Edinburgh*, Comptroller of Taxes for *Scotland*, and *Joſhua Henry Mackenzie*, alſo of the ſaid City, Eſquire, Advocate, Three and a Quorum of the Curators of the ſaid *Charles Lennox Cumming*, that it may be enacted; and be it enacted by the King'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, That from and after the paſſing of this Act, the before recited Articles of Agreement, bearing Date on or about the Second and Sixth Days of *May*, which were in the Year of our Lord One thouſand ſeven hundred and ninety-ſix, entered into between the ſaid Sir *Alexander Penroſe Cumming Gordon*, by his then Name and Deſcription of *Alexander Penroſe Cumming Gordon*, Eſquire, of the one Part, and *William Tod*, Factor to the ſaid *Alexander* Duke of *Gordon*, of the other Part, be and the ſame are hereby abſolutely ratified, confirmed and eſtabliſhed in the whole Clauſes, Tenor and Contents thereof, notwithſtanding of the Conditions, Proviſions, Limitations, Reſtrictions, and Clauſes prohibitory, irritant, and reſolutive, contained in the ſaid herein-before recited Deed of Entail, executed by the ſaid Sir *William Gordon* Baronet, on the Twenty-ninth Day of *Auguſt*, which was in the Year of our Lord One thouſand ſeven hundred and eighty-one; and that for and notwithſtanding of any Clauſe, Matter, or Thing in the ſaid Deed of Entail contained, the ſaid Sir *Alexander Penroſe Cumming Gordon* Baronet, ſhall not be deemed or held to have incurred any Irritancy or Forfeiture by reaſon of his having executed the ſaid Articles of Agreement.

The ſaid Agreement of 2d and 6th May 1796 confirmed.

II. And be it further enacted, That it ſhall and may be lawful to and for the Judges of the Court of Seſſion in *Scotland* (ſitting in either of the Diviſions of that Court) upon the Petition of the ſaid *Alexander* Duke of *Gordon*, or in caſe of his Deceaſe of his Heirs and Succeſſors, and of the ſaid Sir *William Gordon Cumming Gordon*, or in caſe of his Deceaſe, of any ſucceeding Heir who ſhall be in Poſſeſſion of the ſaid Entailed Eſtate of *Gordonſtown* and of the ſaid *Charles Lennox Cumming* (with Conſent of his Curators during his Minority), or in caſe of his Deceaſe, of any ſucceeding Heir under the Deed of Entail, executed as aforeſaid by the ſaid Sir *Alexander Penroſe Cumming Gordon* Baronet, deceaſed, or upon the Petition of any one or more of them, the ſaid *Alexander* Duke of *Gordon*, Sir *William Gordon Cumming Gordon* Baronet, and *Charles Lennox Cumming*, or of their reſpective Heirs as aforeſaid, in caſe of the Deceaſe of them or any of them, preſented to either Diviſion of the ſaid Court by legal and competent Evidence, according to the uſual Practice of that Court, to enquire into and to fix and aſcertain the Value of the Lands and other Subjects ſpecified and contained in the Schedule (B.) hereunto annexed; and alſo after ſimilar Enquiry by ſuch legal and competent Evidence as aforeſaid, to fix and aſcertain what Parts and Portions of the Lands and other Subjects ſpecified and contained in the Schedule (C.) alſo hereunto annexed, will be a proper and ſufficient Equivalent for the Lands and other Subjects ſpecified and contained in the Schedule (B.) hereunto annexed, and as lie contiguous to the ſaid entailed Eſtate of *Gordonſtown* and moſt convenient and commodious for the ſame; and in fixing and aſcertaining ſuch Equivalent as aforeſaid the Judges of the ſaid Court ſhall enquire into, and have reſpect to and make Allowances

The Court of Seſſion to ſettle the Lands to be conveyed to the Heirs of the Gordonſtown Eſtate.

for any Improvements reſpectively made upon the Lands and other Subjects ſpecified and contained in the Schedule (B.) hereunto annexed, ſince the ſame came into the Poſſeſſion of the ſaid *Alexander* Duke of *Gordon*, and upon the Lands and other Subjects to be given as an Equivalent for the ſame ſince the Poſſeſſion of ſuch Lands and other Subjects was ceded by the ſaid *Alexander* Duke of *Gordon* to the ſaid Sir *Alexander Penroſe Cumming Gordon* Baronet, deceaſed, in virtue of the ſaid recited Articles of Agreement, bearing Date the Second and Sixth Days of *May*, which were in the Year of our Lord One thouſand ſeven hundred and ninety-ſix; and thereupon to pronounce ſuch Interlocutors or Judgments as to them ſhall appear to be expedient.

And the Duke of Gordon to convey the ſame accordingly.

III. And be it enacted, That when ſuch Equivalent ſhall be fixed and aſcertained as aforeſaid, the ſaid *Alexander* Duke of *Gordon*, or in caſe of his Deceaſe, his Heirs and Succeſſors, ſhall be, and he and they are hereby required, under the Direction and with the Approbation of the Judges of the ſaid Court ſitting in either Diviſion thereof, to make and execute a Diſpoſition or Deed of Entail in favour of the ſaid Sir *William Gordon Cumming Gordon*, and the Heirs ſubſtituted to him in the ſaid entailed Eſtate of *Gordonſtown*, of ſuch Parts and Portions of the Lands and other Subjects ſpecified and contained in the Schedule (C.) hereunto annexed, as ſhall have been fixed and aſcertained as aforeſaid to be a ſufficient Equivalent for the Lands and other Subjects ſpecified and contained in the Schedule (B.) hereunto annexed, under all the Conditions, Proviſions, Limitations, Reſtrictions, and Clauſes prohibitory, irritant and reſolutive which are ſpecified and contained in the ſaid Deed of Entail executed by the ſaid Sir *William Gordon*, Baronet, on the Twenty-ninth Day of *Auguſt*, which was in the Year of our Lord One thouſand ſeven hundred and eighty-one, or ſuch of them as may be ſubſiſting or capable of taking Effect at the Time; and ſuch Diſpoſition and Deed of Entail ſhall be ſo conceived as to bind the Inſtitute or Diſponee therein named, as well as the ſubſequent Heirs of Entail.

To convey the Remainder to the Heirs in the Entail executed by Sir Alexander Penroſe Cumming Gordon.

IV. And be it further enacted, That the ſaid *Alexander* Duke of *Gordon*, or in caſe of his Deceaſe, his Heirs and Succeſſors, ſhall be, and he and they are hereby required, upon receiving Payment of the Balance of the ſaid Sum of Nine thouſand five hundred and fifty Pounds, agreed to be paid to them in Terms of the ſaid recited Articles of Agreement, bearing Date the Second and Sixth Days of *May*, which were in the Year of our Lord One thouſand ſeven hundred and ninety-ſix, with all Intereſt that may be due thereon, under the like Direction and Approbation as aforeſaid, to make and execute a Diſpoſition or Deed of Entail of the Remainder of the ſaid Lands and other Subjects contained in the Schedule (C.) hereunto annexed, in favour of the ſaid *Charles Lennox Cumming*, and the Heirs of Entail ſubſtituted to him under the ſaid Deed of Entail executed by the ſaid deceaſed Sir *Alexander Penroſe Cumming Gordon*, Baronet, on the Firſt Day of *November*, which was in the Year of our Lord One thouſand eight hundred and two, under all the Conditions, Proviſions, Limitations, Reſtrictions, and Clauſes prohibitory, irritant and reſolutive in the ſaid laſt-mentioned Deed of Entail ſpecified and contained, or ſuch of them as may be ſubſiſting or capable of taking Effect at the Time; and ſuch Diſpoſition or Deed of Entail ſhall be ſo conceived as to bind

bind the Inſtitute or Diſponee to be named therein, as well as the ſubſequent Heirs of Entail.

Sir William Gordon Cumming Gordon to convey certain Parts of his Entailed Eſtate to the Duke of Gordon.

V. And be it further enacted, That the ſaid Sir *William Gordon Cumming Gordon*, or in caſe of his Deceaſe, the Heir of Entail in Poſſeſſion of the ſaid Entailed Eſtate of *Gordonſtown* for the Time, ſhall be, and he is hereby authorized and required, under the like Direction and Approbation as aforeſaid, to make and execute a Diſpoſition in favour of the ſaid *Alexander* Duke of *Gordon*, and his Heirs and Aſſignees, with all uſual and neceſſary Clauſes, of the Lands and other Subjects ſpecified and contained in the Schedule (B.) hereunto annexed, and that in Fee Simple, and the ſame ſhall be valid and effectual; and the Lands and other Subjects thereby conveyed ſhall be thereupon freed and diſcharged of and from all and every the Conditions, Proviſions, Limitations, Reſtrictions, and Clauſes prohibitory, irritant and reſolutive, contained in the ſaid Deed of Entail executed by the ſaid Sir *William Gordon* Baronet, on the ſaid Twenty-ninth Day of *Auguſt*, which was in the Year of our Lord One thouſand ſeven hundred and eighty-one; and the ſaid Sir *William Gordon Cumming Gordon*, or the Heir of Entail, executing ſuch Diſpoſition as aforeſaid, ſhall not, by reaſon of executing the ſame, incur an Irritancy or Forfeiture; any Thing in the ſaid Deed of Entail contained to the contrary notwithſtanding.

The Court of Seſſion to ſettle the Lands to be exchanged between the two Entails.

VI. And be it enacted, That after the Purpoſes aforeſaid ſhall have been carried into complete Effect, according to the Directions hereinbefore contained relative thereto, it ſhall and may be competent and lawful to and for the Judges of the ſaid Court of Seſſion, (ſitting in either of the Diviſions of that Court), upon the Petition of the ſaid Sir *William Gordon Cumming Gordon*, and *Charles Lennox Cumming* (with Conſent of his Curators during his Minority), or in caſe of the Deceaſe of both or either of them, then upon the Petition of the Heir or Heirs of Entail for the Time, entitled to and in Poſſeſſion of the Eſtates reſpectively entailed by the ſaid deceaſed Sir *William Gordon*, Baronet, and Sir *Alexander Penroſe Cumming Gordon*, Baronet, as aforeſaid, preſented to either Diviſion of the ſaid Court, to enquire by legal and competent Evidence, according to the uſual Practice of that Court, if any and what Parts and Portions of the ſaid reſpective Entailed Eſtates, ſhall then remain runrig and otherwiſe intermixed, disjoined and detached in Manner before mentioned, and the reſpective Values thereof, and alſo by ſuch legal and competent Evidence as aforeſaid, to inquire into, and to fix and aſcertain the Parts and Portions of the ſaid reſpective Eſtates, being proper and ſufficient Equivalents for each other that ought to be mutually exchanged between the Heirs of Entail in Poſſeſſion of the ſaid reſpective Entailed Eſtates, for the Purpoſe of rendering the ſame more convenient and commodious, by mutual Exchanges of the Lands ſo lying runrig and otherwiſe intermixed, disjoined and detached as aforeſaid; and thereupon to pronounce ſuch Interlocutors or Judgements as to them ſhall appear to be expedient.

To be thereupon mutually conveyed, &c.

VII. And be it enacted, That when ſuch ſufficient Equivalents ſhall be fixed and aſcertained as aforeſaid, the ſaid Sir *William Gordon Cumming Gordon*,

Gordon, or in caſe of his Deceaſe, the Heir of Entail for the Time, intitled to and in Poſſeſſion of the ſaid Entailed Eſtate of *Gordonſtown*, ſhall be, and he is hereby authorized and required, under the Direction, and with the Approbation of the Judges of the ſaid Court, ſitting in either Diviſion thereof, to make and execute a Diſpoſition or Deed of Entail of ſuch Parts and Portions of the ſaid Entailed Eſtate of *Gordonſtown* as the Judges of the ſaid Court ſhall have fixed and aſcertained as the Equivalent to be given from that Eſtate, to and in favour of the ſaid *Charles Lennox Cumming*, and the Heirs of Entail ſubſtituted to him under and by virtue of the ſaid Deed of Entail executed by the ſaid deceaſed Sir *Alexander Penroſe Cumming Gordon*, Baronet, on the Firſt Day of *November*, which was in the Year of our Lord One thouſand eight hundred and two, under all the Conditions, Proviſions, Limitations, Reſtrictions, and Clauſes prohibitory, irritant and reſolutive therein ſpecified and contained, or ſuch of them as may be ſubſiſting or capable of taking Effect at the Time, and the ſame ſhall be valid and effectual; and the Lands and other Subjects thereby conveyed ſhall be freed and diſcharged of, and from all and every the Conditions, Proviſions, Limitations, Reſtrictions, and Clauſes prohibitory, irritant and reſolutive, contained in the ſaid Deed of Entail, executed by the ſaid Sir *William Gordon*, Baronet, on the ſaid Twenty-ninth Day of *Auguſt*, which was in the Year of our Lord One thouſand ſeven hundred and eighty-one, and ſuch Diſpoſition or Deed of Entail ſhall be ſo conceived as to bind the Inſtitute or Diſponee therein named, as well as the ſubſequent Heirs of Entail; and in like Manner the ſaid *Charles Lennox Cumming*, or in caſe of his Deceaſe, the Heir of Entail for the Time, entitled to and in Poſſeſſion of the ſaid Entailed Eſtate, ſpecified and contained in the ſaid Deed of Entail executed by the ſaid Sir *Alexander Penroſe Cumming Gordon*, Baronet, on the Firſt Day of *November*, which was in the Year of our Lord One thouſand eight hundred and two, ſhall be and he is hereby authorized and required, under the like Direction and Approbation as aforeſaid, to make and execute a Diſpoſition or Deed of Entail, of ſuch Parts and Portions of the ſaid laſt-mentioned Entailed Eſtate, as the Judges of the ſaid Court ſhall have fixed and aſcertained, as the Equivalent to be given from that Eſtate to and in favour of the ſaid Sir *William Gordon Cumming Gordon*, and the Heirs of Entail ſubſtituted to him in the ſaid entailed Eſtate of *Gordonſtown*, under and by virtue of the ſaid Deed of Entail, executed by the ſaid deceaſed Sir *William Gordon*, Baronet, on the Twenty-ninth Day of *Auguſt*, which was in the Year of our Lord One thouſand ſeven hundred and eighty-one, under all the Conditions, Proviſions, Limitations, Reſtrictions, Clauſes prohibitory, irritant and reſolutive, therein ſpecified and contained, or ſuch of them as may be ſubſiſting or capable of taking Effect at the Time; and the ſame ſhall be valid and effectual, and the Lands and other Subjects thereby conveyed, ſhall be freed and diſcharged of and from all and every the Conditions, Proviſions, Limitations, Reſtrictions, and Clauſes prohibitory, irritant and reſolutive, contained in the ſaid Deed of Entail executed by the ſaid Sir *Alexander Penroſe Cumming Gordon*, Baronet, on the ſaid Firſt Day of *November*, which was in the Year of our Lord One thouſand eight hundred and two; and ſuch Diſpoſition or Deed of Entail ſhall be ſo conceived, as to bind the Inſtitute or Diſponee therein named, as well as the ſubſequent Heirs of Entail; and the ſaid Sir *William Gordon Cumming Gordon*, and *Charles Lennox Cumming*,

Cumming, or the Heirs of Entail executing such respective Deeds of Entail as herein-before directed, shall not incur any Irritancy or Forfeiture for or by reason of executing the same; any Thing in the said respective Deeds of Entail contained to the contrary notwithstanding.

Saving Clause.

VIII. Saving always, and reserving to the King's most Excellent Majesty, His Heirs and Successors, and to all and every other Person or Persons, Bodies Politic or Corporate (excepting the said *Alexander* Duke of *Gordon*, and his Heirs and Successors, and the said Sir *William Gordon Cumming Gordon*, and *Charles Lennox Cumming*, and the Heirs of Entail respectively entitled by virtue of the before-recited respective Deeds of Entail, to succeed to and take the said respective entailed Estates), all such Right, Title, Interest, Claim, or Demand of, in, to, or out of the Lands and other Subjects herein-before mentioned, as they or any of them have or might have, claim, challenge or demand, in case this Act had never been made.

To be printed by the King's Printer.

IX. And be it further enacted, That this Act shall be printed by the Printer to the King's most Excellent Majesty, and that a Copy thereof, so printed, shall be admitted as Evidence thereof by all Judges, Justices, and others.

SCHEDULE

SCHEDULE (A.) to which this Act refers.

Specifying and containing thoſe Parts and Portions of the Entailed Lands and Eſtate of Gordonſtown, in the Pariſh of Duffus and Sheriffdom of Elgin and Forres, which lie runrig and intermixed with other Lands.

Names of Places.		Names of Occupiers.	Quantity.			Rents for Crop and Year 1809. Money and Value of Barley and Oats at Fiars Prices ſtruck for the County of Elgin.		
			A.	R.	F.	£.	s.	d.
Roſe Iſle.	Shares of Lots 1, 2, 3, and 4, formed on Roſe Iſle runrig Lands and large Plan, comprehending Parts of the Chuckey-law, the Hills, the Cairns, the Bank, the Howdales; alſo Shares of Lot A. and of the One Half of Lot B. comprehending Parts of the Gallowſides and Floors -	James Grigor James Bannerman George Scot	47	3	26	45	14	0
	Share of Lot 5, and of the other Half of Lot B comprehending Parts of the Chuckeylaw, Howdales, Bank, Hills, Cairns, Gallowſides, and Floors. -	James Collie -	16	2	23	21	7	8
	Share of Lot 6 and 7, alſo of Lot C. comprehending Parts of Chuckeylaws, Lower Fields, the ſmall Dales, the Bank, Brae above Bank. Gardens, Floors, Pierydales, and Gallowſides. - -	John Cobban -	19	3	31	21	13	6
	One-third Share of 46A. 2R. 14F. Quantity upon Parts of the Cairns, Broad Mares, Mid and Eaſter Cranlands, forming an Allotment of Common for the above Lots - - - -	The above Occupiers	16	0	10			
	Share of Lot 8, comprehending the Short Acres, the Long Acres, Part of Glowries Ward, Little Carſeward, Small Dales, Meadows, Houſes and Yards, with Paſture Grounds, betwixt Gardens and Hill	John Scot Alexander Harper John Nicol John Cobban Ann James Margaret Sutherland	10	0	6	15	0	0
	Share of Lot D. comprehending Part of Cleves, Scotland, Weſter Cranlands and Gallowſides - - -	William Scott John Hendry	11	1	14	4	14	6
	Shares of Lot 9, F and 11, comprehending Parts of the Nether Croft, Sandy Crofts, Glowries Ward, Yards, Paſture Ground, the Gallowcrook, Gladdiedales, the Four Hills, the Coral Stean, the Greenylaws, and of Carſe Wards - - -	George Forſyth Alex. Macdonald William Forſyth	52	1	39	42	5	3
	Shares of Lots 10, E and 14, comprehending the Over Crofts, Parts of the Cranlands, Cleves, Bonny Annet, Crooked Dales, Scotland, Coral Stean, Greenylaws, and Sandy Croft - - -	Alexander James	29	0	37	15	16	6
	Share of Lot 12, comprehending Parts of Gladdiedales, Gladdiedale Buſh, of the Four Hills, of Pithendry Dales, and of Coral Stean - - -	John Stephen Alex. Gordon, ſen. John Hutcheon Alexander Baxter Alex. Gordon, jun.	19	0	4	14	2	0
	Share of Lot 13, comprehending Parts of Gladdiedales, Meadowhillocks, Strife-land, and Paſture Ground - -	John Hutcheon Wm. Crammond John Ruſſell	31	2	14	15	6	0
	Shares of Lots G and H. being the Old and New Maſons Haughs - -	John Cobban -	21	0	7	2	10	2
	One third Share of the Freeſtone Quarries of Roſe Iſle - - -	John Grigor -		—		6	0	0
	One-third Share of Paſture Ground back of Roſe Iſle Hill - - -	A Common Paſture to the above -	84	0	31			

SCHEDULE (A.)—*continued.*

Names of Places.		Names of Occupiers.	Quantity.			Rents for Crop and Year 1809. Money and Value of Barley and Oats at Fiars Prices ſtruck for the County of Elgin.		
			A.	R.	F.	£	s.	d.
Bridgend.	Share of Lot 15, called Bridgend, comprehending Parts of Moſsland, Cruden, and Sextant Part Moſs - -	James Grat after James Forſyth	12	1	39	12	17	6
	Share of Lot 16, called Weſter Bridgend, comprehending Parts of the Gabert, Weſter Cruden, Yards, and Paſture Ground - - -	John Ettie James Gray after George Henry	4	1	37	6	3	6
College.	Share of that Part of Lot 17, on the North Side of an intended Line of Diviſion, being Parts of Shaw's Hillock, Muller's Land and Paſture Ground - -	James Roſe after Alex. Gregor, John Grant	2	0	15	1	14	6
Buthills and Sandymoſs.	Share of that Part of Lot 18, on the North Side of ſaid Line, comprehending Parts of Muirland, of the Muller's Land, alſo of the One-half of Carle Wards in Lot 11 - - - -	John Grant and for One Half of Carſeward, William Spence James Gregor George Forſyth	7	3	25	9	0	0
	Share of that Part of Lot 19 on the North Side of ſaid Line, comprehending Parts of the Muirlands, with Yards and Paſture Grounds - - -	Alexander Morris John Forſyth James Sutherland	4	3	31	5	5	6
	Share of that Part of Lot 20 on the North Side of ſaid Line, and comprehending the Gaberts, Newlands, Weſter Yards, and Land at Houſes, with Paſture Ground	John Stephen Alex. Gordon, ſen. John Hutcheon Alex. Gordon, jun. Alex. Baxter William Grigor Roderick Macdonald	33	2	20	38	3	6
Inchkiel and Eaſtertown.	Share of that Part of Lot 27, on North Side of ſaid Line, called Moſſwards	William Sutherland George Bannerman	2	3	30	1	17	0
	That Part of Lot 30, on North Side of ſaid Line called the Newlands and Paſture Ground - - -	Hugh Aſher John Rhind	10	0	19	3	17	3
Buthills.	Thoſe Parts of Lots 17 and 18, on large Plan of Roſe Iſle, and Ground lying on the South Side of an intended Line of Diviſion, called Shares of Muller's Land, Yards, and Ely Flat Moſs - -	John Grant -	3	3	21	2	17	0
	That Part of Lot 19, on South Side of ſaid Line, comprehending Parts of Muirland, Rainey Briggs, Mammie's Yards, and Paſture Ground - - -	Alexander Morris John Forſyth James Sutherland	7	2	24	7	5	0
Sandymoſs.	That Part of Lot 20, called Sandymoſs, with Paſture Ground, on the South Side of ſaid Line - - - -	John Stephen Alex. Gordon, ſen. John Hutcheon Alex. Gordon, jun. Alex. Baxter	13	1	7	7	6	0
Buthills.	Share of Lot 21, Part of Buthill Fields, called Rainey Briggs, Waukman's Hill, and Long Buthill, Yards, and Paſture Grounds - - - -	Robert Grant -	8	1	24	9	17	6
	Share of Lot 22, being Parts of Buthill, Gateacre, Waukman's Hill, Long Buthills, with Yards, and Paſture Grounds	James Shand -	5	1	10	6	14	2
	Share of Lot 23, being Parts of Buthills, Gateacre, Long Buthill, and of Butties	Alexander Simſon -	9	0	7	13	2	9
	Share of Lot 24, being Parts of Long Buthill, Whitehurſt, and of Wairds -	James Dow -	9	3	17	10	9	0
	Share of Lot 25, being Parts of Buthills, the Barnet, Broomhill, and Yards -	William Murdoch Robert Grant	8	2	23	10	0	2
	Share of Lot 26, Parts of Buthills, Spots of Land near the Moſs, and Parts of Ely Flat Moſs - - -	George Gray -	2	3	5	2	8	0
Inchkiel and Eaſtertown.	Share of Lot 27, on South Side of ſaid intended Line, being Part of Moſſwairds	Wm. Sutherland Geo. Bannerman	2	2	0	3	2	8
	Share of Lot 28, on South Side of ſaid Line, called the Wellbuts, Sandyfield, and Land near to the Wellbuts, and Share of Lot 29, Part of Inchkiel - - -	James Man -	8	2	19	0	15	8

SCHEDULE (A.)—*continued.*

Names of Places.		Names of Occupiers.	Quantity			Rents for Crop and Year 1809. Money and Value of Barley and Oats at Fiars Prices ſtruck for the County of Elgin.		
			A.	R.	F.	£	s.	d.
Inchkiel and Eaſtertown	Share of Lot 30, on South Side of ſaid Line of intended Diviſion, comprehending Parts of Wellbuts, Jeans Lands, Part of Fields Weſt of Houſes, and of the Laing-lands and Yards	Hugh Aſher John Rhind	6	3	6	9	14	0
	Share of Lot 31, being a Strip of the Laing-lands	John Rhind Hugh Aſher	1	0	34	1	9	3
	A Pendicle of Lot 32, Part of Eaſtertown adjoining Cormetack	James Rhind	0	1	31	0	8	8
Starwood and Standingſtone	Share of Lot 34, or Eaſt Diviſion of Starwood, being Part of White and Kemps Yards, Head Dales, Rigs, Crofts, and Paſture Ground	John Grigor	14	0	37	20	10	3
	Share of Lot 35, or Weſt Diviſion of Starwood, being Parts of the Broomach Fields, Head Rigs, and Weſter Fields, with Paſture Ground	John Grigor James Rhind	10	0	31	15	8	6
	Share of Lot 36, or North Diviſion of Standing-ſtean, being Parts of Weſter Field, Nether Yards, Eaſter Fields, and Paſture Ground	James Rhind	10	0	21	12	15	3
	Share of Lot 37, or Weſt Diviſion of Standing ſtean, being Parts of South Well Bank, the Newlands, and Paſture Ground	Alexander Rob	18	1	12	15	4	10
	Share of Lot 38, being Part of Head Rigs and Stripe Side	James Thompſon	1	2	6	1	16	3½
Little Kirkhill	Share of Lot 39, being Parts of Wairds, Bruntland, and Little Kirkhill	William Rob	35	1	16	29	2	0
	Share of Lot 40, a Pendicle of the Backhouſe Crott, Ditto	James Rob	0	1	20	0	7	8
Bruntland	Share of Lot 42, a Diviſion of Bruntland	James Gordon	5	0	14	5	7	1
	Share of Lot 44, another Diviſion of Do.	John Munro	9	3	6	10	15	2
	Share of Lot 45, another Diviſion of Do.	James Gordon, after William Kay	8	0	21	11	2	3
Wairds	Share of Lot 47, or the Wards, being Lands at the North Side, Lowland, Stinking Land, Meadow, and Paſture Ground	William Crammond John Ruſſell	22	1	5	28	17	3
	A Pendicle of Lot 48, or South Diviſion of the Wairds	Alexander Munro	0	2	6	0	9	0
Outlett and Outſucken Multures and Miln	Lot 50, called Roſe Valley, comprehending the Baby Acre, Newlands, Yards, and Paſture Grounds	M'Erick Sutherland	48	0	15	19	12	2½
	One third Share of Improvements on the North Side Outlet Loch	Wm Macknochiter, about	7	0	0	2	6	8
	Outſucken Multures of the foregoing Lands and Outlet Miln	Arthur Cant, in Biſhop Miln, South and Weſt of Line - 2 3 7½ North and Eaſt of Line - 2 1 8	-		-	4	5	3½
	Share of the Spindle Muir not in foregoing Lots	- -	15	2	0			
	One-third Share of 814 A. 3R. 9F. Amount of Bent-hills flooded Paſture, and other Paſture Grounds betwixt Burghead and the Marſh Weſt of Outlet	Common Paſture -	271	2	16			
	Share of Paſture on Muir Grounds of Kirkhill and Standingſtone	- -	6	0	0			
	Share of Moſſes	- -	52	2	3			
		Total Contents -	1063	0	35	556	17	10 4/12
Deduct Proportion of Feu Duties payable into Exchequer on foregoing, alſo Public Burdens, which, for Crop 1809, extend to						110	6	11 9/10
Nett Rent or Value of Crop 1809 extends to						446	10	10 6/10

DONᴰ SMITH.

SCHEDULE (B.) to which this Act refers.

Specifying and containing thoſe Parts and Portions of the Entailed Lands and Eſtate of Gordonſtown which lie in the Pariſh of Rothes and Sheriffdom of Elgin and Forres.

Names of Places.	Names of Occupiers.	Quantity.			Rents for Crop and Year 1809. Money and Value of Barley and Oatmeal at Fiars Prices ſtruck for the County of Elgin.
			A.	R. F.	£ s. d.
Gerboytaa -	Robert Gordon -	Arable	143	2 1	
		Paſture	25	2 20	
		Hill and Moor	435	0 23	
		Moſs Grounds	10	3 35	
				A. R. F. 615 2 9	130 10 0
		Total Common		20 0 0	
Inchberry and Elie Lands and Houſes.	Alexander Allan William Stronach John Allan Alexander Geddes John Ruſſell Robert Milne Robert Munro John Roy Alexander Jupp William Brown William Sutherland Alexander Kerr Iſobel Younie Alex. Greig Alex. Menzies Margaret Roy James Clark William and John Simſon D. M'Lean's Relict Helen Black Chriſtian Mackenzie George Gillin William Newlands	Arable -	99	0 15	
		Paſture Ground	72	2 18	
		Hill and Moor	444	2 16	
		Moſs Ground	27	0 0	
				643 1 9	115 3 6
Fiſhing of Inchberry	Meſſrs. Forbes and Company Proportion of Cumulo. Rent upon haill Fiſhings occupied in Spey by them from Duke of Gordon	- - - - - - - -			103 0 0
				1,278 3 18	348 13 6
Deduct Publick Burdens extending for Crop and Year 1809, to Value of. - -					29 8 0
Net Rent for Crop 1809, extends to - - - -					319 5 6

DON^{D} SMITH.

SCHEDULE (C.) to which this Act refers.

Specifying and containing the Lands belonging to Alexander Duke of Gordon, which lie in the Parish of Duffus and Sheriffdom of Elgin and Forres.

Names of Places.	Names of Occupiers.	Quantity.	Rents for Crop and Year 1809. Money and Value of Barley and Oats at Fiars Prices struck for the County of Elgin.
		A. R. F.	£ s. d.
Rose Isle. — Shares of Lots 1, 2, 3, and 4, formed on Rose Isle unrig Lands and large Plan, comprehending Parts of the Chuckeylaws, the Hills, the Cairns, the Bank, the Howdales; also Shares of Lot A, and of the Half of Lot B, comprehending Parts of the Gallowsides, the Floors, the Cairns	James Grigor James Bannerman George Scot	103 2 27	101 17 6
Shares of Lot 5, and the other Half of Lot B, comprehending Parts of the Chuckeylaws, Howdales, Bank, Hills, Cairns, Gallowsides, and Floors - -	James Collie - -	23 0 10	24 13 10
Shares of Lot 6 and 7, also of Lot C. comprehending Parts of Chuckeylaws, Lower-reld, Smalldales, the Bank, Brae above Bank, Gardens, Floors, Pierydale and Gallowsides - -	John Cobban -	54 1 26	59 11 6
Two third Shares of 46 Acres, 2 Roods, and 14 Falls, Quantity upon Parts of the Cairns, Broadman's, Mid, and Easter Cranlands, forming an Allotment of Common for the above Lots - -	The above Occupiers	30 2 4	
Shares of Lot 8, comprehending the Short and Long Acres, Parts of Glowrie' Waird, Little Carfward, Smalldales, Meadows, Houses and Yards, with Pasture Grounds betwixt Gardens and the Granary, and from thence up the Hill -	William Forsyth Janet Russel Alex. Harper John Nichol Janet Cumming Margery Laing William Scott Robert Hendry John Hendry John Thompson Robert Mason Archibald Watson John Laing Duncan Macdonald John Cobban William Bannerman	34 0 9	60 18 1 6/12
Shares of Lot D, comprehending Parts of Cleves, Scotland, Wester Cranlands, and Gallowsides - -	William Scott John Hendry	21 0 13	8 15 6
Shares of Lot 9, F. and 11, comprehending Parts of the Nether Crofts, Sandycrofts, of Glowrie's Wards, Yards, Pasture Ground, Gallowcrook, of Gladdiedales, of the Four Hills, of the Coral Stean, of the Greenylaws, and of Carse Wards	William Scott George Forsyth Alex. Macdonald William Forsyth	105 1 37	78 9 3
Shares of Lots 10, E. and 14, comprehending the Over-crofts, Parts of the Cranlands, Cleves, Bonny Annat, Crooked dales, Scotland, Coral Stean, Greenylaws, and of Sandy Crofts - - -	Alexander James Margaret Scott	79 1 11	64 10 6
Shares of Lot 12, comprehending Parts of Gladdiedales, Gladdiedale-bush, of the Four Hills, of Pithendry Dales, and of Coral Stean - - -	John Stephen Alex. Gordon, sen. John Hutcheon Alexander Baxter Alex. Gordon, jun.	36 1 32	27 10 0

SCHEDULE (C.)—*continued.*

Names of Places.		Names of Occupiers.	Quantity.			Rents for Crop and Year 1809. Money and Value of Barley and Oats at Fiars Prices struck for the County of Elgin.		
			A.	R.	F.	£	s.	d.
Rose Isle -	Shares of Lot 13, comprehending Parts of Gladdiedales, Meadow-hillocks, Strifeland, and Pasture Ground - - -	John Hutcheon Wm. Crammond John Russell	61	1	10	27	8	6
	Shares of Lots G. and H. being the old and new Mason's Haughs - - -	John Cobban	41	1	31	4	16	10
	Two-thirds of the Freestone Quarries - -	John Grigor -	-	-		12	0	0
	Two-third Shares of Pasture Ground, Back of Rose Isle Hill - - - -	A Common Pasture to the above	168	1	23			
Bridgend.	Shares of Lot 15, called Bridgend, comprehending Parts of Mosland, the Cruden, Cornhill of Inchkiel, and Parts of Spindle Moor	James Gray Successor to James Forsyth	25	0	33	17	12	6
	Shares of Lot 16, called Wester Bridgend, comprehending Parts of the Lochs, the Gaber, Wester Cruden, Twelve Dales, Mosswards, with Houses and Pasture Ground -	John Ertle and for Part of G. Henries, James Rose, for Part of ditto James Gray for Part of ditto Jean Richie	26	0	34	39	1	6
College -	Shares of Lot 17, on North Side of an intended Line of Division, and comprehending the Little Carsewards, Part of Shaw's Hillock, Part of Muller's Land, and Pasture Grounds	James Rose after Alex. Grigor John Grant	17	0	37	21	18	6
Buthills -	Shares of that Part of Lot 18, on North Side of said intended Line, and comprehending Parts of the Muir Lands, of Muller's Land, with Tofts, Houses and Yards - -	John Grant Lewis Kay of College Tibby Nicol John James	9	0	19	7	18	6
	Shares of that Part of Lot 19, lying on the North Side of the said Line, and comprehending Parts of Muirland, Yards, Houses, and Pasture Ground - - -	Alexander Morris John Forsyth James Sutherland Jean Geddes Alexander Forsyth James Richie Isobel Collie	8	0	24	9	18	6
Sandiemoss -	Shares of that Part of Lot 20, lying on the North Side of the said intended Line, and comprehending the old Lands, Yards, and Pasture Grounds - - - -	John Stephen Alex. Gordon, sen. John Hutcheon Alex. Gordon, jun. Alexander Baxter	14	3	30	6	1	0
Inchkiel -	Share of that Part of Lot 27, lying on the North Side of said Line, and called the Cornhill Crofts, Parts of the Twelve Dales, and Pendicle East of the last, with Pasture Ground	Wm. Sutherland George Bannerman	29	3	32	40	13	0
	Share of that Part of Lot 28 on the North Side of said Line, being a Part of Crofts -	James Man	1	1	28	1	4	0
	Reversion of Spindle Muir, not included in the foregoing - - - -	- - - -	30	2	2			
Buthills -	Those Parts of Lots 17 and 18 formed on large Plan of Rose Isle, and on the Ground lying on the South Side of an intended Line of Division, called Shares of the Muller's Land, Mammiesland, Ely Flat Moss and Pasture	John Grant	10	3	18	7	2	6
	That Part of Lot 19, on the South Side of said Line, comprehending Parts of Muirland, Rainey Brigs, Mammie's Yards and Pasture Ground - - - -	Alexander Morris John Forsyth James Sutherland	30	3	21	36	13	0
Sandiemoss -	That Part of Lot 20, on the South Side of said Line, being Parts of Sandiemoss - -	John Stephen Alex. Gordon, sen. John Hutcheon Alex. Gordon, jun. Alexander Baxter	28	0	2	18	6	6
Buthills -	Share of Lot 21, being Parts of Buthills, Rainey Brigs, Waukmanshill, Longbuthill, Yards and Pasture Grounds - -	Robert Grant -	10	1	29	10	8	0
	Share of Lot 22, being Parts of Buthills, of Gate Acre, Waukmanshill, and Longbuthill, with Houses and Pasture Grounds. - -	James Shand -	13	3	28	16	16	4
	Share of Lot 23, being Parts of Buthills, the Gate Acre, Longbuthill, and Butties -	Alexander Simson -	12	2	25	16	13	9

SCHEDULE (C.)—*continued.*

Names of Places.	Names of Occupiers.	Quantity.	Rents for Crop and Year 1809. Money and Value of Barley and Oats at Fiars Prices ſtruck for the County of Elgin.
		A. R. F.	£ s. d.
Buthills - Share of Lot 24, being Parts of Longbuthill, of Whitehurſt, and Part of Wairds - -	James Dow - Alexander Grant -	19 3 18	23 12 0
Buthills - Share of Lot 25, being Parts of Buthills, Barnet, Broomhills, and Yards - -	William Murdoch - Robert Grant -	17 3 15	21 6 4
Buthills - Shares of Lot 26, being Parts of Buthills, Broomfield, and Part of Ely Flat Moſs - -	George Gray -	15 0 26	14 7 10
Inchkiel - That Part of Lot 27, lying on the South Side of ſaid Line, comprehending Parts of Cornhill and Moſs Wards - - -	William Sutherland Geo. Bannerman - Alexander Sim -	15 2 19	21 4 0
Inchkiel - That Part of Lot 28, lying on the South Side of ſaid Line, called the Well Buts, Sandyfield, and Land near to the Well Butts - -	James Man -	8 3 37	11 2 0
Inchkiel - Share of Lot 29, being Part of Cormietack, and improved Land - - -	George Gray -	2 3 37	4 10 11
Northfield or Cormietack - Share of Lot 31, being Parts of Inchkiel and Cormytack, Lainglands, the Northfield and Paſture Ground - - -	Alexander Roſs - Jane Bannerman - John Rhind - Hugh Aſher -	13 2 2	14 18 3
Northfield or Cormietack - Shares of Lot 32, the Lands of Cormietack, Northfield, and Broomachfield - -	James Rhind - William Davidſon -	18 2 23	24 0 3
Northfield or Cormietack - Share of Lot 33, the Weſt Diviſion of Northfield	John Anderſon -	14 1 9	13 17 9
Northfield or Cormietack - Share of Lot 34, Part of Eaſt Diviſion of Starwood, a Pendicle of Northfield - -	John Grigor -	1 0 7	2 0 3
Northfield or Cormietack - Share of Lot 35, Part of Weſt Diviſion of Starwood, called Broomachfield Head Rigs and Yards - -	John Grigor - James Rhind -	3 0 16	5 4 0
Standingſtone - Share of Lot 36, or North Diviſion of Standingſtean, being Parts of Weſterfield, Nether Yards, and Eaſterfield - -	James Rhind -	11 3 20	15 19 10
Standingſtone - Shares of Lot 37, or Weſt Diviſion of Standingſtean, being Parts of South Wellbank, the Newlands, and Paſture Grounds -	Alexander Rob -	15 3 18	14 3 7
Longhillock - Share of Lot 38, or Longhillock, comprehending Muirybuts, Standingſtone Land, Rogin Hill, Part of Broomach Head Rigs, Yards, Paſture Grounds, and Cay's Yards - -	James Thomſon -	94 3 13	71 18 4
Meikle Kirkhill - Share of Lot 39, a Pendicle of Meikle Kirkhill Lands - - -	William Rob -	0 0 20	0 2 6
Meikle Kirkhill - Share of Lot 40, comprehending the Northfield, Back of Houſe Croft, the Height Back of the Hill, Lands below South and Eaſt of Houſes, Eaſterfield and Moor; alſo the Lot 41, Part of Bruntland - - -	James Rob - -	89 2 29	72 6 10
Bruntlands - Share of Lot 43, Part of Ditto - -	James Gordon -	9 2 8	10 8 2
Bruntlands - Share of Lot 44, Part of Ditto - -	John Munro - Tibby Donaldſon -	4 0 24	4 14 6
Bruntlands - Share of Lot 45, and all of Lot 46, Parts of Bruntland - - -	James Gordon after William Kay -	13 3 25	15 2 3
Wairds - Share of Lot 47, Wairds, comprehending Land adjoining Northſide, the Park, low wet Land, Meadow and Paſture Ground - -	John Ruſſell - William Crammond	19 3 18	20 15 9
Outlett - Share of Lot 48, or South Diviſion of Wairds of Outlet, comprehending Wairds, Newlands, Lochwoods, Bruntland, Tofts, and Yards, with Paſture Ground, Quantity 70 Acres 2 Roods Lot 49, or Weſter Part of Outlet, Part of Lochwoods Wairds, Meikle Hillock Buts, Newlands, Clackylands, and Paſture Grounds, 77 A. 3 P. 27 F. - - -	Francis Robertſon, Three-fourths Alexander Munro, One-fourth	148 1 37	107 6 6
Outlett - Two-third Shares of Improvement at Outlet Loch and on North Side thereof, beſides Paſture Ground, which form Part of Common Paſture - - -	Wm. Macknochiter -	14 0 0	4 13 4

SCHEDULE (C.)—*continued.*

Names of Places.		Names of Occupiers.	Quantity.			Rents for Crop and Year 1809. Money and Value of Barley and Oats at Fiars Prices ſtruck for the County of Elgin.		
			A.	R.	F.	£	s.	d.
Outlett -	Two Third Shares of 814A. 3R. 9F. Amount of Benthills, flooded Paſture, and other Paſture Grounds 'twixt Burghead and the Marſh, Weſt of Outlett, after deducting for Portions included in the foregoing Lots - -	Common Paſture -	543	0	33		—	
	Shares of Kirkhill and ſtanding Stone Muirs -	- - -	12	0	0		—	
	Do. of Moſſes and other Muiriſh or Paſture Grounds - - - -	- - -	166	2	0		—	
Feu Duties of	Cormietack - - - - -	Proprietor of Roſe Iſle	-		-	6	5	$6\frac{8}{12}$
	Starwood - - - -							
Total Contents - -			£2,303	3	9	1,220	19	$10\frac{2}{12}$
Deduct Public Burdens extending for Crop 1809 to - -			-		-	13	9	11
Net Rental for Crop and Year 1809 extends to - -			-		-	1,207	9	$11\frac{2}{12}$

DONᴰ SMITH.

SCHEDULE (D.) to which this Act refers,

Specifying and containing thoſe Parts and Portions of the entailed Lands and Eſtate of Roſe Iſle, which lie runrig and intermixed with certain Parts and Portions of the Lands ſpecified and contained in the Schedule (A.) hereunto annexed.

Names of Places.		Names of Occupiers.	Quantity.			Rents for Crop an Year 1809. Money and Value of Barley and Oats at Fiars Prices ſtruck for the County of Elgin.		
			A.	R.	F.	£	s.	d.
Lands of Eaſtertown and Lands of Cormietack or Northfield, acquired from Sir Archibald Dunbar of Northfield, Baronet.	Parts of Eaſtertown	Share of that Part of Lot 30 upon the large Plan of Roſe Iſle, and on the Ground lying on the North Side of an intended Line of Diviſion called Part of the Newlands of Eaſtertown, with Proportion of Paſture Grounds -						
		Hugh Aſher -	2	1	5	3	5	$4\frac{1}{2}$
		John Rhind -	2	1	5	3	5	$4\frac{1}{2}$
		That Share of Lot 26 on large Plan of Roſe Iſle, and the Ground on South Side of the above Line, called the William's Haugh, with Paſture Ground and Part of the Elie Flat Moſs - -						
		George Gray -	5	2	25	5	18	5
		Share of that Part of Lot 27 lying on South Side of ſaid Line, called Parts of the Moſs Wards, alſo Taylor's Hillock - -						
		William Sutherland - George Bannerman -	5	2	17	6	12	10
		Share of that Part of Lot 28 on South Side of ſaid Line, called Parts of Wellbuts, Sandyfield, and Land next Wellbuts - -						
		James Man -	9	2	28	10	12	1

SCHEDULE (D.)—*continued.*

Names of Places.			Names of Occupiers.	Quantity.	Rents for Crop and Year 1809. Money and Value of Barley and Oats at Fiars Prices ſtruck for the County of Elgin.
				A. R. F.	£ s. d.
Lands of Eaſtertown and Lands of Cormietack or Northfield, acquired from Sir Archibald Dunbar of Northfield, Baronet.	Parts of Eaſtertown.	Share of Lot 29, being Parts of Cormietack and the William's Haugh - - -	George Gray - } James Man - }	4 3 13	5 18 7
		Share of that Part of Lot 30 on South Side of ſaid Line of intended Diviſion, comprehending Wellbuts, Jeanſland, large Field Weſt of Houſes, Laingland's Yards, and Paſture Ground - -	Hugh Aſher - } John Rhind - }	52 3 12	45 4 0
	Parts of Eaſtertown alſo Cormietack or Northfield.	Share of Lot 31, being Parts of Cormietack, Northfield, and Laingland's Yards and Paſture Grounds - -	Alexander Roſs - } Janet Bannerman - } John Rhind - } Hugh Aſher - }	10 0 23	10 7 6
		Share of Lot 32, comprehending Cormietack Fields, North Field, and Broomach Field, in Parts - -	James Rhind - } William Davidſon - }	19 0 6	24 6 1
		Share of Lot 33, or Part of Weſt Diviſion of North Field and Yards - -	John Anderſon -	13 2 2	13 12 9
	Bruntland of Cormietack.	Share of Lot 44, a Diviſion of Bruntland - -	John Munro -	4 0 17	4 17 4
		Share of Moſs and Muir -	- - -	7 3 37	- - -
	Starwood.	Share of Lot 34, or Eaſt Diviſion of Starwood, being Parts of White and Kemp's Yards, Kiln Hill, Head Dales, Rigg's Crofts and Paſture Grounds - -	John Gregor -	13 3 7	21 18 9
		Share of Lot 35, or Weſt Diviſion of Starwood, being Parts of Broomach Field, Headrigs and Weſterfield, with Paſture Grounds -	John Gregor - } James Rhind - }	9 3 22	15 15 0
		Share of Lot 36, being Part of Weſterfield, in the North Diviſion of Standingſtone -	James Rhind -	1 2 20	2 4 8
		Share of Lot 37, being Part of Weſterfield, in the Weſt Diviſion of Standingſtone -	Alexander Rob -	2 0 18	2 4 7
		Share of Lot 38, being Parts of Headrigs and Stripeſide, in Lot of Longhillock -	James Thomſon -	1 3 17	2 3 $10\frac{1}{2}$
		Shares of Lots 42 and 43, Two Diviſions of Bruntland -	James Gordon -	5 2 33	5 8 3
		Share of the Spindle Moor -	- - -	4 0 0	- - -
		Share of Moſs and Muir -	- - -	1 2 13	- - -
				178 2 0	183 15 $5\frac{6}{12}$
Deduct Feu Duties out of Cormietack and Starwood, Value for Crop 1809 - -				£6 5 $6\frac{8}{12}$	35 18 $1\frac{11}{12}$
Public Burdens, extending for Crop 1809 to - -				29 12 $7\frac{3}{12}$	
					147 17 $3\frac{3}{10}$

DON$_D$ SMITH.

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