Anno tricesimo primo

Georgii II. Regis.

An Act to enforce and render more effectual an Act made in the Twenty fifth Year of His present Majesty's Reign, intituled, *An Act for annexing certain forfeited Estates in* Scotland *to the Crown unalienably; and for making Satisfaction to the lawful Creditors thereupon; and to establish a Method of managing the same, and applying the Rents and Profits thereof, for the better civilizing and improving the Highlands of* Scotland, *and preventing Disorders there for the future.*



WHEREAS the Lands, Lordships, Baronies, Patronages, Tythes, Fishings, and other like Heretages of Donald Cameron of Lochiel, Charles Stewart of Ardsheil, Donald Mack Donald of Kinlochmoydart, Evan Macpherson of Clunie, Francis Buchanan of Amprior, Donald Mack Donald of Lochgarry, Allan Cameron of Callart, Francis Farquharson of Monaltree, and Alexander Mack Donald of Keppoch, by their Attainders of High Treason for their being engaged in the late unnatural and wicked Rebellion, became forfeited Preamble, reciting Clauses in Act.

and vested in his Majesty, by virtue of an Act made in the Twentieth Year of his Majesty's Reign, intituled,
20 Geo. II. An Act for vesting in His Majesty the Estates of certain Traitors, and for more effectually discovering the same, and applying the Produce thereof to the Use of His Majesty, and for ascertaining and satisfying the lawful Debts and Claims thereupon: And whereas by an Act made in the Twenty fifth Year of his Majesty's Reign, intituled,
25 Geo. II. An Act for annexing certain forfeited Estates in *Scotland* to the Crown unalienably; and for making Satisfaction to the lawful Creditors thereupon; and to establish a Method of managing the same, and applying the Rents and Profits thereof, for the better civilizing and improving the Highlands of *Scotland*, and preventing Disorders there for the future; reciting, That the Lands and Estates of the said Donald Cameron of Lochiel, and the several other Persons therein before-mentioned, which by virtue of the before-mentioned Act of the Twentieth Year of his Majesty's Reign, and of the said Persons Attainder of High Treason, became vested in his Majesty, were holden of Subject Superiors, who had entered Claims in the Court of Session to the Property thereof; it is, amongst other Things, enacted, That it shall and may be lawful for his Majesty, his Heirs, and Successors, by proper Persons to be appointed for that Purpose, under his or their Sign Manual, to transact or compound with such Subject Superiors, concerning their Claims to the Property of the said forfeited Estates held of them respectively: And whereas his Majesty has been pleased, by his Royal Sign Manual dated the Twentieth Day of March, One thousand seven hundred and fifty five, to appoint James West and Nicholas Harding, Esquires; to transact and compound with the said Subject Superiors, and considerable Progress has been made therein: And whereas Claims have been entered in the Court of Session, in Terms of the said Act of the Twentieth Year of his Majesty's Reign, by sundry Creditors of the said forfeiting Persons, upon the said forfeited Estates: And whereas the said Transactions and Compositions cannot be concluded, and the Price to be paid to the Subject Superiors ascertained, until the said Claims, entered in the Court of Session by the Creditors of the said forfeiting Persons, are enquired into, and the Extent

of them ascertained, which cannot be done without the Authority and Interposition of Parliament: For Remedy whereof, and for rendering effectual the good and valuable Purposes intended by the said in Part recited Act made in the Twenty fifth Year of His Majesty's Reign; be it enacted by the King's most Excellent Majesty, by and with the Advice of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Court of Session in Scotland, shall, and is hereby authorized and required to proceed upon and determine all Claims entered, or that shall be entered, by virtue of and in Terms of the before-mentioned Act of the Twentieth Year of His Majesty's Reign, by the Creditors of the said Donald Cameron of Lochiel, Charles Stewart of Ardsheil, Donald Mack Donald of Kinlochmoydart, Evan Macpherson of Clunie, Francis Buchanan of Amprior, Donald Mack Donald of Lochgarry, Allan Cameron of Callart, Francis Farquharson of Monaltry, and Alexander Mack Donald of Keppoch, upon the Lands and Estates of the said forfeiting Persons, or upon any other Lands and Estates vested in His Majesty by the aforesaid Act of the Twentieth Year of His Majesty's Reign, held of Subject Superiors, according to the Rules and Regulations, and in the Manner and Form prescribed by the above-mentioned Act of the Twentieth Year of His Majesty's Reign, for determining Claims entered upon the Estates of forfeiting Persons holding of the Crown.

Court of Session to proceed on and determine all Claims entered by the Creditors of the forfeited Estates.

And whereas it is necessary to determine and ascertain the annual Produce or Value of the said Estates; be it further enacted by the Authority aforesaid, That Actions may be brought before the Court of Session, at the Instance of His Majesty's Advocate, for proving the said annual Value and Rental, and also the Value of the said Lands and real Estates; which Actions shall be served against the Defendants, and shall otherways be proceeded in before the Court of Session, in the same Way and Manner, and agreeable to the Rules and Regulations prescribed by the said Act of the Twenty fifth Year of His Majesty's Reign, concerning the Valuation of the other forfeited Estates annexed to the Crown.

Actions may be brought before the Court for proving the annual Rental and Value.

7

Decree of the Court to be final, unless Application for reversing the same be made within a limited Time.

And be it further enacted by the Authority aforesaid, That every Decree or Determination of the Court of Session in the said Matters and Things, shall be final and binding upon the Subject Superiors, and all other Persons and Parties concerned, in case Application for reversing or amending such Decrees is not duly made in the Manner prescribed, and within the Time limited, by the said last-mentioned Act of the Twenty fifth Year of His Majesty's Reign.

Subject Superiors may appear in Court, and object, when the Claims are entered, or Actions of Valuation heard.

And, to the End that the Interest of the Subject Superiors may no ways be prejudged, it is hereby further enacted by the Authority aforesaid, That it shall and may be lawful to the said Subject Superiors, by themselves, or by their Counsel, to appear in the said Court when the Claims entered upon the said Estates respectively held of them, or when the said Actions of Valuation are heard and determined, and to object thereto as they shall see Cause.

Rights of the Crown and of the Subject Superiors reserved.

Provided always, and be it enacted by the Authority aforesaid, That nothing in this Act shall be construed to hurt or prejudice the Right accruing to His Majesty, by the Forfeiture of the foresaid Persons, or to invalidate or destroy the Claim of the said Subject Superiors duly entered in the Court of Session to the Property of the said Estates.

5

FINIS.