ANNO QUADRAGESIMO SEXTO

GEORGII III. REGIS.

CAP. CLVI.

An Act for appropriating certain Balances arising from the Forfeited Estates in *Scotland* to the Use of the *British* Fisheries and the erecting a Lunatic Asylum at *Edinburgh*, and the Payment of the Officers of the late Board of annexed Estates in *Scotland*.

[23d *July* 1806.]

WHEREAS by an Act made in the Twenty-fifth Year of the Reign of His late Majesty King *George* the Second, intituled, *An Act for annexing certain forfeited Estates 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*, all and every the Lands and Estates which were then in the Hands of His Majesty, by the Attainder of *Simon* late Lord *Lovat*, and certain other Persons therein named, were declared to be unalienably annexed to the Imperial Crown of these Realms; and it was declared lawful for His Majesty, His Heirs and Successors, by Commission under the Privy Seal of *Scotland*, to authorise Commissioners and Trustees for managing the said Estates, and applying the Produce thereof: And whereas His late Majesty and His present Majesty did, in pursuance of the said Act, from Time to Time, by Commissions under the said Privy Seal of *Scotland*, authorize the Persons therein severally named as Commissioners and Trustees to manage the said Estates, and apply the Produce thereof for the better civilizing and improving the Highlands of *Scotland*, and securing the Peace and Loyalty of the Inhabitants: And whereas, by an Act passed in the Fourteenth Year of His present Majesty's Reign, intituled, *An Act to enable His Majesty to grant unto Major General* Simon Fraser *the Lands and Estate of the late* Simon *Lord* Lovat, *upon certain Terms and Conditions*, the said Act of the Twenty-fifth Year of His late Majesty was repealed, in as far as related to the Estate of *Lovat*, which formerly belonged to the late *Simon* Lord *Lovat*, which was thereby disannexed from the Crown, and was afterwards granted by His Majesty to the said Major General *Simon Fraser*: And whereas, by an Act passed in the Twenty-fourth Year of the Reign of His present Majesty, intituled, *An Act to enable His Majesty to grant to the Heirs of the former Proprietors, upon certain Terms and Conditions, the Forfeited Estates in* Scotland, *which were put under*

25 G. 2. c. 48.

14 G. 3. c. 22.

24 G. 3. c. 57.

the Management of a Board of Truſtees, by an Act paſſed in the Twenty-fifth Year of the Reign of His late Majeſty King George *the Second, and to repeal the ſaid Act*, it was enacted, that it ſhould be lawful for His Majeſty, His Heirs and Succeſſors, to give, grant, and diſpone, to the ſeveral Perſons therein named, their reſpective Heirs and Aſſignees, the ſeveral Lands and Eſtates therein mentioned, and chargeable with the ſeveral principal Sums of Money thereby made payable, or directed to be paid, into the Court of Exchequer in *Scotland*, and certain Sums, Part of the Money ſo directed to be paid into the ſaid Court of Exchequer, were appropriated by the ſaid Act for the Purpoſes and to the Uſes of the Perſons and Societies therein mentioned; and it was enacted, that in caſe the Sums to be paid into the ſaid Court in Conſideration of the ſaid annexed forfeited Eſtates being reſtored, ſhould not be exhauſted by the ſeveral Applications or Appropriations in the ſaid Act ſpecified, the Balance of the Money ſo paid in ſhould remain under the Care of the ſaid Court of Exchequer in *Scotland*, and be lodged in one or other of the Publick Banks, or Publick Funds, ſubject to the future Diſpoſition of Parliament: And whereas the Sums of Money ſo directed by the ſaid Act to be paid into the ſaid Court of Exchequer in *Scotland*, have in purſuance of the ſaid laſt recited Act been paid into the ſaid Court, and all the Applications in the ſaid Act directed to be made, have been accordingly made, as have ſeveral other Applications directed by ſubſequent Acts, made in the Twenty-ſixth, Twenty-eighth, and Twenty-ninth Years of His preſent Majeſty's Reign: And whereas the following Balances now appear to ariſe from the ſaid Forfeited Eſtates, *videlicet*, the Sum of Fifteen thouſand one hundred and twenty-five Pounds lodged in the Royal Bank of *Scotland*, bearing an Intereſt at Four Pounds *per Centum per Annum*, reſerved for Payment of the Salaries to the Officers and Servants employed under the late Board of the annexed Eſtates, allowed to them by the ſaid Act of the Twenty-fourth Year of His Majeſty's Reign, and for the Rent of an Inn at *Dalwhinnie*; the Sum of Twenty-five thouſand Pounds advanced and lent to the Company of the Proprietors of the *Crinan* Canal Navigation, by an Act paſſed in the Thirty-ninth Year of His preſent Majeſty's Reign, bearing an Intereſt at Five Pounds *per Centum per Annum*, to be applied in completing the ſaid Navigation, and for Security of which Principal and Intereſt an Aſſignment was granted of the Tolls and Rates; a like Sum of Twenty-five thouſand Pounds advanced and lent to the Provoſt and Magiſtrates of the City of *Edinburgh*, by an Act paſſed in the Thirty-ninth and Fortieth Years of His preſent Majeſty's Reign, for enlarging and improving the Harbours of *Leith*, bearing Intereſt at Five Pounds *per Centum per Annum*, and for Security of which Principal and Intereſt, a like Aſſignment was granted of the Dock or Harbour Duties; and a Balance of Twenty-two thouſand three hundred and twenty-nine Pounds Eighteen Shillings and Four-pence, on the Twenty-ſixth Day of *March* One thouſand eight hundred and ſix, of Monies depoſited by the ſaid Barons of the Exchequer, in Terms of the ſaid Act of the Twenty-fourth Year of His preſent Majeſty's Reign, in the Royal Bank of *Scotland*: And whereas the Society for extending the Fiſheries and improving the Sea Coaſts of the Kingdom, have eſtabliſhed Three different Settlements on the Weſtern Parts of *Scotland*, and are deſirous of eſtabliſhing a Settlement on the Eaſtern Coaſt of *Scotland*, at *Wick* in the County of *Caithneſs*, a Situation eminently calculated for the Extenſion of the Fiſheries, and have purchaſed Land for the Purpoſe, but by reaſon of the Want of an Harbour there, the ſame cannot be accompliſhed without the Aid of Parliament; be it therefore 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

Authority of the ſame, That it ſhall and may be lawful for the Lord Chief Baron and Barons of His Majeſty's Exchequer in *Scotland*, or any Three of them, for the Time being, and they are hereby directed and required by and out of the unexhauſted Balance or Surplus of the Monies ſo directed by the ſaid recited Act, paſſed in the Twenty-fourth Year of His ſaid preſent Majeſty's Reign, to be paid into the ſaid Court by the Perſons therein named, over and above what ſhall ſatisfy the Purpoſes and Appropriations directed by the ſaid recited Acts, to pay or cauſe to be paid into the Hands of the Treaſurer or Caſhier of the ſaid Society for extending the Fiſheries and improving the Sea Coaſts of the Kingdom, or into the Hands of any other Perſon or Perſons whom the ſaid Society ſhall appoint to receive the ſame, towards the erecting and conſtructing an Harbour at *Wick* in the ſaid County of *Caithneſs*, the Sum of Seven thouſand five hundred Pounds free of all Deductions whatſoever, and the Receipt or Receipts of the ſaid Treaſurer or Caſhier, or of the Perſon or Perſons ſo to be appointed by the ſaid Society for the ſaid Sum of Seven thouſand five hundred Pounds, or for any Part thereof, ſhall be a ſufficient Voucher to the Barons for the Sum or Sums thereby acknowledged to be paid, and be taken as Evidence of their having iſſued and expended ſo much of the Money paid into Court, in purſuance of the ſaid Act in all Caſes whatſoever; and for that Purpoſe the ſaid Barons, or any Three of them, ſhall from Time to Time iſſue their Warrants to the Bank or Banks, or to the Perſon or Perſons in whoſe Hands the ſaid Money ſhall happen to have been, or is now lodged or depoſited, after having been paid into Court as aforeſaid.

The Barons of Exchequer in Scotland ſhall, out of the Surplus of the Money directed by the recited Act, 24 G. 3. c. 57. to be paid in to the Court, pay to the Treaſurer of the Society for extending the Fiſheries, &c. 7,500l. towards erecting a Harbour at Wick.

II. And whereas it would be of great Advantage to the Highlands of *Scotland* in particular and to the Kingdom in general, if a further Sum of Money was to be advanced out of the ſaid Balance to the Highland Society of *Scotland*, the better to enable them to carry into Execution the laudable Purpoſes of their Inſtitution; be it enacted, That it ſhall and may be lawful in the ſame Manner for the ſaid Lord Chief Baron and Barons of His Majeſty's Court of Exchequer in *Scotland*, or any Three of them for the Time being, and they are hereby directed and required, by and out of the unexhauſted Balance or Surplus of the ſaid Monies ſo directed by the ſaid recited Act to be paid into the ſaid Court, to advance and pay, after what ſhall ſatisfy the Purpoſes and Appropriations before mentioned, the Sum of Eight hundred Pounds annually for the Space of Ten Years, the Firſt Payment commencing on the Firſt Day of *Auguſt* One thouſand eight hundred and ſix, to the ſaid Highland Society, or to their Treaſurer or Caſhier, or to ſuch other Perſon or Perſons as they ſhall appoint to receive the ſame for the Uſe of the ſaid Society; and the Receipt or Receipts of the ſaid Treaſurer or Caſhier, or of the Perſon or Perſons ſo to be appointed by the ſaid Society to receive the ſame, ſhall be a ſufficient Voucher to the Barons of the Sum or Sums thereby acknowledged to be received, and be taken as Evidence of their having iſſued and expended ſo much of the Money paid into Court in purſuance of the ſaid Act in all Caſes whatſoever; and for that Purpoſe the ſaid Barons, or any Three of them, ſhall from Time to Time iſſue their Warrants to the Banks, or to the Perſon or Perſons in whoſe Hands the ſaid Money ſhall happen to have been lodged or depoſited after having been paid into Court as aforeſaid: Provided always, that at or before paying any Part of the ſaid annual Sum of Eight hundred Pounds, the Barons of the ſaid Court of Exchequer ſhall take from the ſaid Society ſuch Obligation or Engagement in Writing as ſhall appear to the Barons or to any Three of them neceſſary and proper for the ſaid Society's paying the Salaries or Annuities to the Officers of the late Board of Truſtees of the Forfeited Eſtates during the ſaid Period of Ten Years.

The Barons of Exchequer ſhall, out of the ſame Balance, pay 800l. per Annum for 10 Years, to the Highland Society.

Highland Society to pay the Salaries of the Board of Truſtees of the Forfeited Eſtates.

The Barons of Exchequer shall also pay, out of the said Balance, 2,000 l. to the City of Edinburgh, towards erecting a Lunatick Hospital.

III. And whereas an Asylum or Hospital for Lunaticks has long been wanted in the City of *Edinburgh*; the Place where Lunaticks are at present confined being incommodious and unfit for the Number of Persons who are sent from different Parts of *Scotland* to the Capital of that Part of the United Kingdom; and the Magistrates of the said City have purchased Ground proper for the erecting such an Asylum, but from their present Funds without the Aid of Parliament the same cannot be accomplished; be it therefore enacted, That it shall and may be lawful for the said Lord Chief Baron, and Barons of His Majesty's Court of Exchequer in *Scotland*, or any Three or more of them for the Time being, and they are hereby directed and required by and out of the said unexhausted Balance or Surplus Monies over and above what shall satisfy the Purposes and Appropriations before directed by this Act, to pay or cause to be paid into the Hands of the Chamberlain of the City of *Edinburgh*, or into the Hands of any other Person or Persons whom the Lord Provost and Magistrates of the City of *Edinburgh* shall appoint to receive the same, towards erecting an Asylum or Lunatick Hospital in the said City, the Sum of Two thousand Pounds, free of all Deductions whatsoever; and the Receipt or Receipts of the said Chamberlain, or of the Person or Persons so to be appointed by the said Lord Provost and Magistrates, for the said Sum of Two thousand Pounds, or for any Part thereof, shall be a sufficient Voucher to the Barons for the Sum or Sums thereby acknowledged to be received and be taken in Evidence of their having issued and expended so much of the Money paid into the Court, in pursuance of the said Act, and for that Purpose the said Barons, or any Three of them, shall from Time to Time issue their Warrants to the Bank or Banks, or to the Person or Persons in whose Hands the said Money shall happen to have been, or is now lodged or deposited, after having been paid into Court as aforesaid.

Annuities to the Board of annexed Estates to be secured on 25,000 l. due by the City of Edinburgh, instead of the 15,125 l. now in the Royal Bank for that Purpose.

IV. And whereas the Sum of Fifteen thousand one hundred and twenty-five Pounds has been lodged in the Royal Bank, and the Interest thereof at the Rate of Four Pounds *per Centum per Annum*, reserved for Payment of the Annuities to the Officers of the late Board of annexed Estates: And whereas it is expedient that the said Sum should be no longer charged therewith, but that such Annuities should be secured upon the Sum of Twenty-five thousand Pounds due by the Lord Provost and Magistrates of the City of *Edinburgh* as aforesaid, be it enacted, That the said Annuities shall be charged upon and secured by the said Sum of Twenty-five thousand Pounds, and that the said Sum of Fifteen thousand one hundred and twenty-five Pounds shall be applied towards Payment of the Sum granted in this Session of Parliament for taking down and rebuilding the Chambers and Offices of the Court of Exchequer, and the other Sums of Money hereby granted.

Expences of Act how to be paid.

V. And be it enacted, That before satisfying any of the Payments hereby or by any other Act of this Session directed to be paid out of the Balances herein-before mentioned, the said Lord Chief Baron and Barons, or any Three of them, shall issue their Warrant for Payment of the Expences of passing this Act out of the said Monies now in their Hands, and lodged in the Royal Bank of *Scotland*.

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