ANNO QUINQUAGESIMO QUINTO

GEORGII III. REGIS.

CAP. CLXXXVIII.

An Act for enabling His Majesty to grant to *John Francis Erskine* of *Mar* Esquire, and his Heirs and Assigns, the Feu Duties and Quit Rents arising in the Lordship of *Stirling*, in Discharge of a Debt of greater Value created upon the said Feu Duties by a Grant from His Majesty King *George* the First.

[11th *July* 1815.]

WHEREAS an Act was passed in the First Year of the Reign of His Majesty King *George* the First, intituled *An Act for appointing Commissioners to enquire of the Estates of certain Traitors, and of Popish Recusants, and of Estates given to superstitious Uses, in order to raise Money out of them severally for the Use of the Public*: And whereas His said Majesty was, by the said Act, empowered to make Provision for the Daughter of *John* Earl of *Mar*, who was attainted for his Accession to the Rebellion in the Year One thousand seven hundred and fifteen, out of his Estates, which were forfeited to the Crown: And whereas His said Majesty *George* the First did, in pursuance of the said recited Act, in the Year of our Lord One thousand seven hundred and sixteen, grant to Lady *Frances Erskine*, the only Daughter of the said *John* Earl of *Mar*, a Portion or Sum of Ten thousand Pounds, together with the due and customary Interest for the same, to be payable 1 G. 1. c. 50.

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forth of the ſaid Earl of *Mar*'s forfeited Eſtates, beginning the firſt Term's Payment of the ſaid Intereſt at *Martinmas* One thouſand ſeven hundred and ſixteen; and in Security of the ſaid Sum and Intereſt thereof, His Majeſty diſponed the forfeited Eſtates of the ſaid Earl, and the Feu-Duties of the Lordſhip of *Stirling*, which belonged to the Crown, declaring always that the ſaid Eſtates and Feu-Duties ſhould be redeemable by the Crown, on Payment of the ſaid Portion or Sum of Money, and the Annual Rent which ſhould be due thereon at the Time of the Redemption: And whereas *John Francis Erſkine* Eſquire of *Mar*, (the Son and Heir of the ſaid Lady *Frances Erſkine*), and who now claims to be entitled to the ſaid Portion, and the Money remaining due thereon, and Intereſt thereof, has applied, by Petition, to the Lords Commiſſioners of His Majeſty's Treaſury in relation to the ſame, and for an Account to be taken of the Arrears remaining unpaid under the ſaid Grant: And whereas the Barons of His Majeſty's Court of Exchequer in *Scotland* have reported that the Earl of *Mar*'s Eſtates were ſold in the Year One thouſand ſeven hundred and twenty-four, and produced little more than ſufficient to pay off the preferable Debts thereon, and that a very ſmall Sum having been obtained towards the Extinction of the Ten thouſand Pounds, granted by His Majeſty King *George* the Firſt to the ſaid Lady *Frances Erſkine*, and that the only Security, therefore, which remained for Payment of ſuch Sum, and which was declared by the Commiſſioners of Forfeited Eſtates, to amount, on the Fifteenth Day of *Auguſt* One thouſand ſeven hundred and twenty-four, to Nine thouſand two hundred and fourteen Pounds Seven Shillings and Seven-pence Halfpenny, were the Feu-Duties of the Lordſhip of *Stirling*, which, as they belonged to the Crown, were not ſold along with the Earl of *Mar*'s Eſtates; and that ever ſince that Time the ſaid Lady *Frances Erſkine*, and the ſaid *John Francis Erſkine* Eſquire of *Mar* her Son, have continued to collect theſe Duties payable out of the Lordſhip of *Stirling*, towards Payment of the above-mentioned Sum of Nine thouſand two hundred and fourteen Pounds Seven Shillings and Seven-pence Halfpenny; but, from the Amount of theſe Feu-Duties being for many Years leſs than the legal Intereſt of the above-mentioned Sum, the Sum has increaſed very conſiderably during the long Period the ſame has been due, and if now calculated, with Intereſt, would amount to a Sum of about Twenty-eight thouſand Pounds, and which is greater than the Value of the Feu-Duties at the ordinary Rate of Purchaſe: And whereas the ſaid *John Francis Erſkine* is willing and deſirous to take the Feu-Duties of the Lordſhip of *Stirling* in full Diſcharge of the before-mentioned Sum and Intereſt thereon, and it is therefore expedient that His Majeſty ſhould be empowered to grant the Feu-Duties of the Lordſhip of *Stirling* in full Diſcharge, and in lieu of the ſaid Portion, and all Arrears thereof, upon certain Terms and Conditions: May it therefore pleaſe Your Majeſty 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 it ſhall and may be lawful for His Majeſty to give, grant, and diſpone to the ſaid *John Francis Erſkine* Eſquire of *Mar*, and to his Heirs and Aſſigns, all and whole the Feu-Duties of the Lordſhip of *Stirling*, formerly payable to the ſaid Lady *Frances Erſkine*, and to the ſaid *John Francis Erſkine*, or to the Chamberlains of the ſaid Lordſhip, by the Proprietors of Lands, Tenements, and others, lying

His Majeſty may grant to Mr. Erſkine all the Feu-Duties of the Lordſhip of Stirling.

within the Sheriffdoms of *Stirling*, *Perth*, and *Clackmannan*, and all Arrears due thereon, he the ſaid *John Francis Erſkine*, or his Heirs or Aſſigns, giving to His Majeſty, His Heirs and Succeſſors, a full and complete Diſcharge and Acquittance of the ſaid principal Sum of Nine thouſand two hundred and fourteen Pounds, Seven Shillings and Seven-pence Halfpenny, and all Arrears of Intereſt due, or which may be claimed thereon, in ſuch Form as ſhall be directed and approved by the Chief Baron and Barons of His Majeſty's Court of Exchequer in *Scotland;* and which Diſcharge and Acquittance ſhall be entered and enrolled in the Offices of the King's Remembrancer and Lord Treaſurer's Remembrancer, and in ſuch other Offices in the ſaid Court as the Barons ſhall direct.

Proprietors of Lands in the Lordſhip of Stirling, not to be ſubject to higher Feu-Duties than at preſent.

II. Provided always, and be it further enacted, That nothing in this Act, or in any ſuch Grant contained, ſhall ſubject the Proprietors or Feuars of the Lands within the Lordſhip of *Stirling* to the Payment of any higher or other Feu-Duties than have hitherto been payable or paid, or ſhall by Law be payable in reſpect thereof, or in any Manner to prejudice the Feuars of ſuch Lands; and that the ſaid Feu-Duties be recovered by the Proceſs of the ſaid Court of Exchequer, and all Queſtions relating to the Amount or Mode of Payment thereof be determined by the Barons of the ſaid Court, as heretofore.

General Saving.

III. Saving always to the King's moſt Excellent Majeſty, and His Royal Succeſſors, the Compoſitions on Signatures and Tacks of Teinds of the Lands of the ſaid Lordſhip, paſſed in Exchequer, as well as Relief and Non-entry Duties, and other Caſualties of Superiority thereof, and all other Rights, except thoſe which are authorized by the preſent Act to be given away, and to the ſaid Proprietors and Vaſſals of Lands, Tenements, and Hereditaments of the ſaid Lordſhip, all Right and Privileges of Property and Superiority as heretofore, and ſaving alſo to the Governor of *Stirling* Caſtle, now and for the Time being, all his Rights in and Emoluments ariſing out of the Feu-Duties of the ſaid Lordſhip.

Public Act.

IV. And be it further enacted, That this Act ſhall be deemed and taken to be a Public Act, and ſhall be judicially taken Notice of as ſuch by all Judges, Juſtices, and others, without being ſpecially pleaded.

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