ANNO VICESIMO SEXTO & VICESIMO SEPTIMO

VICTORIÆ REGINÆ.

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Cap. 1.

An Act to continue an Act for extending the Time during which the Trustees of the late Sir *Gilbert Stirling* of *Mansfield*, Baronet, were authorized to purchase Lands to be entailed in the Terms declared by certain Trust Deeds executed by him; and for other Purposes.

[22d *June* 1863.]

WHEREAS an Act was passed in the Seventeenth and Eighteenth Year of the Reign of Her present Majesty, intituled *An Act to extend the Time during which the Trustees of the late Sir* Gilbert Stirling *of* Mansfield, *Baronet, were authorized to purchase Lands to be entailed in the Terms declared by certain Trust Deeds executed by him; to enable the Trustees to purchase within any Part of* Scotland; *to regulate the Powers of borrowing conferred by the said Deeds; and for other Purposes relating thereto;* which Act proceeds on the Recital of the Trust Disposition and Deed of Settlement and Entail made and granted by the said Sir *Gilbert Stirling*, dated the Twenty-third Day of *May* One thousand eight hundred and eighteen, and recorded in the Books of Council and Session the Third Day of *March* One thousand eight hundred and forty-three, and Codicils thereto, and of the Supplementary Trust 17 & 18 Vict. c. 21.

Stirling's Estate.

Trust Deed and Settlement made and granted by the said Sir *Gilbert Stirling*, dated the Thirteenth Day of *December* One thousand eight hundred and thirty-three, and recorded in the Books of Council and Session the Third Day of *March* One thousand eight hundred and forty-three, and of the Will of the said Sir *Gilbert Stirling*, dated the Thirteenth Day of *December* One thousand eight hundred and thirty-three, and proved in the Prerogative Court of the Archbishop of *Canterbury* on the Second Day of *July* One thousand eight hundred and forty-four, and on the Recital of the Trusts, Powers, and Provisions of the said Deeds and Instruments, and, *inter alia*, of the Powers and Direction to the Trustees acting under the same to apply the Trust Funds, within the Periods specified in the said Supplementary Trust Deed, in the Purchase of such Lands and Estates as they should think eligible in the Vicinity of the Truster's Lands and Estate of *Larbert*, or in the County of *Stirling*, or any of the Counties adjoining thereto, according to such Directions as he might thereafter leave, and, failing such Directions, according to the Discretion and Judgment of his Trustees, and to dispone and convey the Estate of *Larbert* and other Lands belonging to him, and the Lands so to be purchased, to the Series of Heirs of Entail mentioned in the said Supplementary Trust Deed, and under the Conditions, Provisions, Restrictions, Limitations, Exceptions, Clauses prohibitory, irritant, and resolutive, Powers, Faculties, Declarations, and Reservations specified in the said Trust Disposition and Deed of Settlement, and referred to and held as repeated in the said Supplementary Trust Deed, and on the further Recital of the Proceedings of the Trustees acting under the said Trust Deeds, and of the Expediency of extending the Power of purchasing Lands to be entailed as aforesaid to any Part of *Scotland*, and of extending the Time for making such Purchase, and it is by the said Act, among other things, enacted that the Term within which the Trustees for the Time being of the said Sir *Gilbert Stirling* were bound to invest the Trust Funds in the Purchase of Lands and Estates, pursuant to the Trusts of the said Supplementary Trust Deed, should be prolonged and extended for the Period of Ten Years from the Thirteenth Day of *February* One thousand eight hundred and fifty-three, and that the said Trustees for the Time being should have the same Powers, Rights, and Privileges in every respect with regard to such Purchases as if such Purchases had been made within the Period limited by the said Supplementary Trust Deed; and it is thereby further enacted, that the said Trustees, in exercising the Power of purchasing Lands and Estates under the said Act, should not be confined to the County of *Stirling*, or the Counties adjoining thereto, but might purchase such Lands and Estates as they might think eligible in any Part of *Scotland*: And whereas *Thomas Dundas* Esquire, of *Carronhall*, One of the Trustees nominated by the Truster, died on the Twenty-fourth Day of *May* One thousand eight hundred

and

and sixty, and by Deed of Assumption dated the Fourth Day of *February* One thousand eight hundred and sixty-one the surviving and acting Trustees assumed, nominated, and appointed Colonel *Joseph Dundas* (therein named Major *Joseph Dundas*) of *Carronhall* to be a Trustee in room of the said *Thomas Dundas*: And whereas Sir *Michael Bruce* of *Stenhouse*, Baronet, One of the Trustees nominated by the Truster, died on the Fourteenth Day of *December* One thousand eight hundred and sixty-two, and by Deed of Assumption dated the Thirtieth and Thirty-first Days of *January* One thousand eight hundred and sixty-three the surviving and acting Trustees assumed, nominated, and appointed *George Cadell Bruce*, Civil Engineer, *Edinburgh*, to be a Trustee in room of the said Sir *Michael Bruce*: And whereas the Trustees, original and assumed, and now acting in the Execution of the Trust created by the said Deeds and Instruments made and granted by the said Sir *Gilbert Stirling*, are *Thomas Mansfield*, chartered Accountant in *Edinburgh*, *Alexander Mackenzie*, Merchant in *Leith*, Sir *William Gibson Craig* of *Riccarton*, Baronet, Admiral Sir *Houston Stewart*, and the said *Joseph Dundas* and *George Cadell Bruce*: And whereas the net yearly Revenues and Proceeds of the said Trust Funds and Estates have been accumulated as directed by the said Trust Deeds, and the accumulated Amount of the said Trust Funds, as at the Thirteenth Day of *February* One thousand eight hundred and sixty-three, is One hundred and seventy thousand five hundred and eighty-four Pounds Fourteen Shillings and Twopence, which Sum stands invested in Heritable and Personal Securities in the Names of the Trustees: And whereas the Trustees have been unable to find suitable Lands to be purchased and entailed in pursuance of the Purposes of the said Trust Deeds, and the Period of Ten Years limited by the recited Act having expired on the Thirteenth Day of *February* One thousand eight hundred and sixty-three, it is expedient that the Time for making such Purchase should be extended for a further Period of Ten Years; but this Object cannot be effected 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:

Time for purchasing Lands further extended.

1. The Term within which the Trustees for the Time being of the said Sir *Gilbert Stirling* were bound to invest the Trust Funds in the Purchase of Lands and Estates pursuant to the Trusts of the said Supplementary Trust Deed shall be and is hereby prolonged and extended for the further Period of Ten Years from and after the Thirteenth Day of *February* One thousand eight hundred and sixty-three; and the said Trustees shall have the same Powers, Rights, and Privileges

Privileges in every respect with regard to such Purchase within such further Period as if such Purchase had been made within the Periods limited by the said Supplementary Trust Deed or by the recited Act respectively, and the said Trustees may, during such further Period, purchase such Lands and Estates as they may think eligible in any Part of *Scotland*; and the whole Enactments and Provisions of the recited Act shall, subject to the Provisions of this Act, be and remain in full Force and Effect.

General Saving of Rights.

2. Saving and reserving always to the Queen's most Excellent Majesty, Her Heirs and Successors, and to the Heirs-at-Law and Next of Kin of the said Sir *Gilbert Stirling*, and to all other Persons or Bodies Politic and Corporate, their Heirs and Successors, Executors, Administrators, and Assigns, (save and except the Heirs and others entitled to succeed under the said Supplementary Trust Deed,) all such Right, Title, Interest, Claim, and Demand whatsoever in, to, or out of the said Lands and Estates as they or any of them had before the passing of this Act, or might claim or demand if this Act had not been passed.

Expenses of Act.

3. The Costs, Charges, and Expenses of applying for, obtaining, and passing this Act shall be paid by the said Trustees out of the Trust Funds and Estate in their Hands.

Act as printed by Queen's Printers to be Evidence.

4. This Act shall not be a Public Act, but shall be printed by the several Printers to the Queen's most Excellent Majesty duly authorized to print the Statutes of the United Kingdom, and a Copy thereof so printed by any of them shall be admitted as Evidence thereof by all Judges, Justices, and others.

LONDON:
Printed by GEORGE EDWARD EYRE and WILLIAM SPOTTISWOODE,
Printers to the Queen's most Excellent Majesty. 1863.