ANNO SEXTO

GULIELMI IV. REGIS.

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of the said Earl *Charles*, and the Heirs Male of his Body; which failing, to the other Sons of the said deceased Master *Archibald Stuart*, successively according to their Seniority, and to the Heirs Male of their Bodies, respective and successive; which failing, (and in respect that the lawful Daughters of the said *Alexander* Earl of *Moray*, Father of the said Earl *Charles*, were all deceased without Heirs Male of their Bodies,) to the lawful Daughters to be procreate of the Body of the said Earl *Charles*, the eldest always having preference and succeeding without Division, and to the Heirs Male of their Bodies; which failing, to the Daughters of the Persons above named, successively as they stand preferred in the Course of Succession, the eldest always having preference and succeeding without Division, and to the Heirs Male of their Bodies; which failing, to the nearest and lawful Heirs and Assignees of the said *Alexander* Earl of *Moray*; which all failing, to the said *Charles* Earl of *Moray*'s own nearest and lawful Heirs and Assignees whatsoever, the eldest Heir Female and the Descendants of her Body excluding all other Heirs Portioners, and succeeding without Division, when it should happen Heirs Female to succeed, throughout the whole Course of Succession, but with and under the express Reservations, Burdens, Provisions, Conditions, Declarations, Restrictions, Limitations, and Clauses irritant and resolutive in the said Disposition and Deed of Entail contained, and usual in Settlements of Lands in strict Entail by the Law of *Scotland*, all and haill the Title of Honour and Dignity of Earl of *Moray*, Lord *Down* and *Abernethie*, *et cætera*, with all Precedencies, Immunities, Privileges, and Liberties thereto belonging, or known to pertain and belong thereto, as also all and sundry the Lands, Earldom, Lordships, Baronies, Castles, Towers, Fortalices, Milns, Woods, Fishings, Jurisdictions, Heritable Offices, Advocations, Donations, and Rights of Patronage and others particularly underwritten; *videlicet*, all and haill the Lands, Lordship, and Earldom of *Moray*, containing and comprehending all and sundry the Lands and others after mentioned, *videlicet*, the Lands of *Easterbin* and Brewlands thereof, *Kingorth*, *Little Tearie*, Forest of *Darnway*, *Kintessock*, *Meikle Tearie*, *Barley*, Fishing of *Sluepool*, *Wester Dounduff*, *Easter Dounduff*, *Carnie Croft*, *Carmonis Croft*, *Mundoil*, *Banageigh*, *Bannaferry*, *Knockalnock*, *Logiehaugh*, *Auchindare*, *Tarres*, the Brewlands thereof, *Meikle* and *Little Brumquhills*, *Craigtown*, with the Mills, Multures, Brewlands, and Crofts thereof, *Logie Urville*, *Presley*, *Drumyn*, Newlands of *Monachty*, the Brewlands of *Easter Alves*, the Brewlands of *Wester Alves*, the Brewlands of *Argy*, the Brewhouse of *Kintry*, the Grieveship of *Forres*, Nine Crofts of the Lands of *Elgin*, the Greiveship of *Elgin*, the Lands of *Peddisfield Darnway* called the *Mains*, with *Whitemire*, Gardener's Croft, and Croft behind the Orchard, *Connocavle*, *Smithslands*, *Newtown*, *Rantryfoord*, *Stalker Croft*, *Couper's Croft*, *Rives*, *Inchtellie*, *Monachty*, *Easter Alves*, *Wester Alves*, *Ardgy*, *Kintry Brewlands*, *Blackhills*, *Reidhall*, *Stynie*, *Flewers*, with the Salmon Fishings of *Findhorne*, *Spey*, *Sluepool*, and *Lossie*, with the Croft of *Darnway Forest*, Park and Shaws thereof, the Third Part of the Lands of *Duffus*, with Castles, Towers, Fortalices, Milns, Woods, Fishings, Parts, Pendicles, Tenants, Tenandries, and Service of free Tenants, Advocation and Donation of the Churches and Chaplainries of the said Lands, Lordship, and Earldom, with the Pertinents thereof, lying within the Sheriffdom of *Elgin* and *Forres*; and sicklyke, all and haill the Lands and Lordship of *Abernethy*, with Annexis, Connexis, Dependencies, Pendicles, and Pertinents thereof, lying within the

Sheriffdom of *Elgin* and *Forres ;* and in lyke Manner, all and haill the Lands and Lordship of *Strathern*, comprehending again the Lands and others underwritten, to witt, the Lands of *Pettie*, *Breckleys*, and *Strathern*, with all and sundry Outsetts, Milns, Woods, Fishings, Parts, Pendicles, and Pertinents thereof, and more particularly the said Lands and Lordship of *Pettie* which lye within the said united Parishes of *Pettie* and *Braichley*, to wit, all and haill the Manor Place of *Castle Stuart*, with Houses, Biggings, Yards, Orchards, Cunningar, Salt Water Miln lately built, Multures, Sequels, and haill Pertinents; all and haill the Town and Lands of *Wester Belnacries*, the Lands of *Easter Belnacries*, the Town and Lands of *Belnacholdigh ;* all and haill the Lands of *Newtown*, the Lands of *Over Scottack*, the Lands of *Nether Scottack*, with Kiln and Crofts, the Lands of *Termitt*, the Lands of *Urlarout*, with the Miln of *Lodden*, and Miln Lands, Multures, and Sequels thereof, the Lands of *Over Coull* and *Nether Coull*, the Lands of *Coulblair*, the Lands of *Wester Braickleys*, with the Miln, Croft, Multures, Sequels, and Pertinents thereof; all and haill the Lands of *Mid. Braickleys* and *Easter Braickleys*, the Lands of *Wester Delnayeill* and *Easter Delnayeill*, with the Crofts, the Lands of *Fishertown*, *Easter* and *Wester*, with the Fishing of Salmonds and other Fishes pertaining thereto; all and haill the Town and Lands of *Lonnie*, with the Croft thereof, with all and sundry Houses, Biggings, Brewsteads, and haill Pertinents of all and sundry the said Lands; all and haill the Superiority and Feu Duties of the Lands of *Fleemingtown*, the Superiority and Feu Duties of *Over* and *Nether Cullernies ;* all lying within the said Lordship of *Pettie* and *Braickley* and Sheriffdom of *Inverness*, with the Advocation, Donation, and Right of Patronage of the Churches of *Pettie* and *Braickley*, now united in One Parish, called the Church and Parish of *Pettie ;* and sicklyke, all and haill the Town and Lands of *Connage* and *Kerrogair*, extending to Three Ploughs Land of old Extent, with the Alehouse and Alehouse Croft, Smiddie and Smiddie Croft thereof, Kill, Killhouse, Houses, Biggings, Yards, Tofts, Crofts, Parts, Pendicles, Outsettes, Sheallings, Grassings, Mosses, Muirs, and other Pertinents thereof used and wont, with the Fishings of Salmonds and other Fishes upon the Sea and Waters adjacent and pertaining to the said Lands; moreover, all and haill the Mill of *Connage*, with the Mill Lands, Multures, and Sequels thereof, with the Teinds, Parsonage and Vicarage, great and small, of the said Lands of *Connage* and *Kerrogair*, with the Pertinents, with the Multures, Bannock, and Knaveship of all the said Lands of *Connage* and *Kerrogair*, and of all and haill the Four Ploughs of the Lands of *Delnayield*, the Croft called *Island M'Martine*, the Two Ploughs of *Fishertown* and Plough of *Lonnie*, Parts, Pendicles, and Pertinents thereof, astricted and bound sucken to the said Miln of *Connage*, to be uplifted and taken at the Miln Eye of *Connage*, together with the Multures, Bannock, and Knaveship of all Corns and Victual that shall thole Fire and Water within the Bounds of the said Lands or any Part thereof, also to be uplifted at the Miln Eye of *Connage*, excepting the Seed and Farms of the said Lands, as Use is, with the Miln House of *Connage*, and sheilling or winnowing Hill thereof, with the Milner's House, Barn, and Kill, and Miln Boys House, and universal Pertinents of the said Lands, Miln, and others above specified, as also the Tower and Fortalice of *Halhill*, with the haill Pertinents; and sicklyke, all and haill the Lands of *Cardell*, the Town and Lands of *Cullarde*, with the Tower and Fortalice thereof,

thereof, *Broadland*, with the Half of the Lands of *Holme*, with the Salmond Fishing and other Fishings upon the Water of *Ness*, and with Castles, Towers, Fortalices, Milns, Woods, Fishings, Parts, Pendicles, Tenants, Tenandries, and Service of free Tenants, Advocation and Donation of the Churches, Benefices, Chaplainries, and Hospitals thereof, with all their Pertinents, lying within the Sheriffdom of *Inverness*; and all and haill the Burghs of Barony of *Darnway* and *Fishertown* of *Pettie*, with all and sundry the Houses, Biggings, Yards, Aikers, Roods, Tofts, Crofts, Outsetts, Burrowmails, Parts, Pendicles, Privileges, Liberties, Commodities, and Pertinents whatsoever thereof, with the yearly free Fairs and weekly Mercats of the same, and all and sundry Tolls, Customs, Liberties, and Privileges of the said Fairs and Mercats, particularly specified and contained in the late Earl of *Moray*'s and his Predecessors and the said *Charles* Earl of *Moray* their Rights and Infeftments thereof; and in like Manner, all and haill the Lands, Lordship, and Barony of *Down*, comprehending therein the Lands, Castles, Fortalices, Milns, Woods, Fishings, Offices, and others respective under written; *videlicet*, all and haill the Lands of *Wester Argathy*, the Lands of *Easter* and *Wester Frews*, all and haill the Five Pound Land of *Miltown* of *Caimes*, with the Miln and Pertinents thereof, all and haill the Fourty Shilling Land of *Callebuhalzie*, the Lands of *Caldham*, all and haill the Three Pound Land of *Murdockstoun* and *Ballendernick*, all and haill the Four Merk Land of *Dowarat*, all and haill the Lands of *Greenock*, with Castles, Towers, Fortalices, Houses, Biggings, Milns, Woods, Fishings, Parts, Pendicles, Annexis, Connexis, Tenants, Tenandries, and Service of free Tenants of all and sundry the said Lands and others aforesaid, with the Pertinents thereof, lying within the Stewartrie of *Monteith* and Sheriffdom of *Perth*; as also all and haill the Five Pound Lands of Brae of *Cambs*, all and haill the Fifty Shilling Land of *Balliemorist*, all and haill the Forty Shilling Land of Ward of *Gudie*, all and haill the Forty Shilling Land of *Blairgairie*, all and haill the Lands of *Callintogill*, all and haill the Twenty Shilling Land of *Easter Bridgend*, all and haill the Two Merk Land of *Wester Bridgend*, all and haill the Two Merk Land of *Gredich*, all and haill the Six Merk Land of *Auchinhard*, all and haill the One Merk Land of *Glenmaine*, all and haill the Twenty Shilling Lands of *Cambusbeg*, all and haill the Feu Farm Duties of the Lands of *Baxtertown* alias *Boghall*, the Feu Farm Duties of the Twenty Shilling Lands of *Mackristown*, the Feu Farm Duties of the Twenty Shilling Lands of *Monachstown*, the Feu Farm Duties of the Five Merk Lands of *Mackcroanstown* and the Two Merk Land of *Murdockstown* and of the Mill of *Cessintillie*, with the Pertinents thereof, and all and haill the Lands of Carse of *Cames*, all and haill the Mains of *Doun* called *Doun Campsie* and *Bellickerath*, with the Park thereof, together with the Town and Lands of *Doun*, erected into a Burgh of Barony, with Houses, Biggings, Yards, Aikers, Roods, Tofts, Crofts, Outsetts, Parts, Pendicles, and Pertinents thereof, with all and sundry Tolls, Customs, Privileges, and Commodities pertaining thereto, all and haill the Mill of *Doun*, with the Mill Lands, Multures, and Sucken of the same, and all and haill the Lands of Brewlands of *Doun*, all and haill the Lands of *Parktown* of *Doun*, and all and haill the Office of Stuart of the Stewartrie of *Monteith*, together with the Office of keeping the Castle of *Doun*, with all Fees, Casualties, and Duties pertaining thereto, together with the keeping of the Forests and Woods of *Glenfinglass*, and of the other Woods, Forests, and Parks belonging

belonging to His Majesty within the said Stewartrie of *Monteith*, with the Fishings of the Cruives of *Doun*, together with the Advocation, Donation, and Right of Patronage of the Chaplainrie of *St: Phillan* situate below the Castle of *Doun*, and of the Chaplainrie of *St. Phillan* situate beyond the said Castle of *Doun* upon the Bank of the Water of *Teith*, with all and sundry Lands, Houses, Biggings, Annual Rents, and Emoluments pertaining thereto, and with the Fishings of *Lochbannoquhar* and *Lochlipnock* and of the Waters of *Teith* and *Gudie*, and all and haill the Five Merk Lands of *Brockland*, with the Pertinents, together with all and sundry Castles, Towers, Fortalices, Manor Places, Milns, Woods, Fishings, Annexis, Connexis, Outsetts, Tenants, Tenandries, and Services of free Tenants of all and sundry the said Lands, Offices, and others above written, with the Pertinents, lying within the said Stewartrie of *Monteith* and Sheriffdom of *Perth* aforesaid, united in One free Lordship and Barony called the Barony of *Doun*; and in like Manner, all and sundry the Lands, Lordships, and Baronies, Teinds and others under written, with the Pertinents; to witt, all and haill the Lordship of *St. Colme*, comprehending all and sundry the Lands, Baronies, and others particularly under written, *videlicet*, all and haill the Monastrie, Mansion, and Manor Place of *St. Colme's Inch*, with all the Towers, Fortalices, Houses, Biggings, Yards, Orchards, Dovecots, and others lying within the Inclosure of the Precinct of the said Monastrie; all and haill the Island of *St. Colme* and Lands thereof, with Cunnigars, Fishings, and Pertinents of the same; as also, all and haill the Lands and Barony of *Beath*, comprehending the Lands of *Craigbeath*, *Kirkbeath*, *Beathhillocks*, the Lands called *Shealls*, *Hiltoun*, *Eastertoun*, and *Nethertoun*, *Croftgairie*, the Lands of *Brago*, the Lands of *Muirtwon*, the Lands called *Coalheugh Lands*, with the Coals thereof, the Miln of *Beath*, Miln Lands, Multures, Sequels, and Pertinents; as also, all and haill the Lands of *Whitehill*, *Easter* and *Wester*, the Lands of *Muirtoun* of *Beath*, the Lands of *Newtoun*, with the Kiln, Malt Barn, and Brewlands thereof, with the Pertinents, lying within the Sheriffdom of *Fife*; as also, all and sundry the Lands and others under written, as well Property as Tenandrie; to witt, all and haill the Lands of *Donibristle*, with the Manor Place, Houses, Biggings, Yards, Dovecots, and Pertinents; as also, all and haill the Lands of *Barnhill* and *Grange*, and *Dounan* and *Bourpray*, with the Pertinents; all and haill these Nineteen Aikers of Land, of old occupied by the particular Persons after named, to witt, One Aiker of old possessed by *Robert Warden*, Four Aikers of old occupied by *James Smith*, Two Aikers by *Magnus Anderson*, Two Aikers by *William Warden*, One Aiker by *Robert Cant*, One Aiker and an Half Aiker by *John Wemyss*, One Aiker by *James Bell*, One Aiker by *George Small*, Two Aikers by *William Alexander*, Half an Acre by *William Stobs*, and Three Aikers by *Walter Cant*, together with these Six Aikers of Land called *Cackinchcroft*, of old possessed by *Michael Muir*, with all the Pertinents thereof, lying within the Sheriffdom of *Fife* foresaid; as also, all and haill the Lands of *Easter* and *Wester Balcleves*, as well Property as Tenandrie, lying as said is; all and haill the Half of the Lands of *Knocksodrum*, with the Pertinents, of old possest by *William Spittal* of *Leuchat*, as well Property as Tenandrie, lying within the Barony and Shire last aforesaid; as also, all and haill the Lands of *Killrey*, as well Property as Tenandrie, with the Pertinents, lying in the said Shire; and sicklyke, all and haill the Lands and others underwritten, as well Property as Tenandrie; to witt, the Lands of *Cutlehill* and *Seaside*, of old possessed by

by *Andrew Raith*, and thereafter by Mr. *John Wemyss* and *Katharine Brown* his Spouse; all and haill the Lands of *Kaikinsh*, of old possest by *Michael Moncurr*, an Aiker and Half an Aiker of Land, lying at the West Side of the Bridge of *Aberdour*, of old possest by *Agnes Harrowart*; as also, all and haill the Miln of *Aberdour*, Miln Lands, Multures, and Sequels thereof, of old occupied by *Walter Cant*, together with the astricted Multures of the said Lands of *Donibristle*, *Grange*, *Barnhill*, Aikers and Roods on the West Side of *Aberdour*, *Cutlehill*, *Boupray*, *Whitehill*, *Westerside*, and *Easterside*, *Easter* and *Wester Balcleves*, *Newton*, *Inshmartine*, *Croftgarie*, *Brago*, *Kaikinsh*, and of the Lands called *Brewlands* of *Newtoun*, lying within the Barony of *Aberdour* and Sheriffdom aforesaid; and in like Manner, all and haill the Miln called *Pascarmiln*, Miln Lands, astricted Multures, and Sequels thereof, with the Pasturage of Four Cows and One Horse yearly in the Common used and wont, and with Pasturage used and wont upon the saids Lands of *Kilrie* and other Parts of the Barony of *Beath*, with all and sundry the Teinds, as well Parsonage as Vicarage, of all and sundry the Lands and others particularly above specified, to which the Lords of Erection of the Abbacy of *St. Colme's Inch* had Right by virtue of the Erection thereof, together with all and sundry the Teind Sheaves and other Teinds, as well Parsonage as Vicarage, Fruits, Rents, Emoluments, and Duties of the Parish Churches of *Aberdour*, *Dalgattie*, *Rosyth*, *Lessly*, and *Beath*, which formerly pertained to the said Abbacy of *St. Colme's Inch* as Part of the Spirituality thereof; as also, all and haill the Town of *Aberdour*, lying on the West Side of the Burn thereof, with the Privileges of a Burgh of Barony used and wont, with Parts, Pendicles, and Pertinents thereof whatsoever, lying within the Shire aforesaid; as also all and haill the Lands of *Clarmistoun*, with the Pertinents, lying within the Sheriffdom of *Edinburgh*; all and haill the Two Oxgate of Land in *Duddingstoun*, with the Tofts, Crofts, and Pertinents thereof, lying within the Sheriffdom of *Linlithgow*; as also, all and haill the Miln of *Crammond*, Miln Lands, Multures, and Pertinents thereof, lying within the Sheriffdom of *Edinburgh*; as also, all and haill these special and particular Parts and Pendicles of the said Lordship of *St. Colme* after mentioned; *videlicet*, all and haill the Lands of *Boupray*, the Lands of *Inshbardie*, the Lands of *Prinlaws*, with Parts, Pendicles, and Pertinents thereof whatsoever, the Kirkcroft of *Dalgattie*, the Kirkcroft of *Auchtertool* with the Meadow of the same, all and haill the Lands of *Inshkeirie*, the Lands of *Leuchatsbeath*, the Lands called *St. Cerot's Lands*, lying within the Barony of *Fordell*, the Lands of *Bancleiro*, the Half of the Lands of *Knocksodrum*, with the Pertinents, the Kirkcroft of *Lessly*, the Kirkcroft of *Rosyth*, the Lands called *Sisterlands*, lying on the East Side of the Burn of *Aberdour*, as also all and haill the Tenements and Roods of Lands lying on the West Side of the said Burn of *Aberdour*, which of old pertained to the said Abbacy of *St. Colme*, with the Parts, Pendicles, and Pertinents thereof whatsoever, lying within the said Sheriffdom of *Fife*; as also the Lands of *Caldside*, lying within the Barony of *Lochquharrat* and Sheriffdom of *Edinburgh*; the Lands of *Duddingstown*, lying within the Sheriffdom of *Linlithgow*; the Lands called *Coitfield*, with Tenants, Tenandries, and Service of free Tenants thereof, lying within the Territory of *Restalrig* and Sheriffdom of *Edinburgh* aforesaid; the Kirkcroft of *Tibbermuir*, lying within the Sheriffdom of *Perth*; all and haill these Two Rigs of Land lying beside the Burgh of *Haddington*; all and haill that Tenement of Land lying in the

Town

Town of *Leith*, the Lands of *Glassmuth*, the Half of the Plough of Land at the Kirk of *St. Maringnum* called *Inshkeirie*, with the Chapel of *Bouchudlock*, now called *Eglismauldy Kinnouthen* by the righteous Meiths thereof; and sicklike, the Two *Kincairns*, *Over* and *Nether*, and Toft, in the Burgh of *Edinburgh*, and Two Tofts in the Burgh of *Haddington*, and Thirty-two Oxgates of Land in *Middletown*; as also the Lands of *Clune* called *Clun-van*, with the Milns of *Fordell*, and haill Lands pertaining thereto; the Lands called *Crossaikers*, situate in the Lands of *Otterstown*, and a Toft in *Tibbermuir*; as also the Islands of *Mickrie* and *Barkray* and *Haystack*, with the Sea Mark, with the Privileges and Liberty of Fishing and other Privileges of the Sea, formerly possest by the Abbots and Convents of *St. Colme's Insh*, with all and sundry Parts, Pendicles, Services, Feu Farm Duties, Cains, Customs, Annexis, Connexis, Dependencies, and Pertinents whatsoever of the Lands and others above written, lying as said is; as also, all and haill the annual Rents underwritten; *videlicet*, an annual Rent or annual Pension of Fourty Shillings Sterling Money yearly to be uplifted and payed out of the Lands of *Strathenrie*, and that for the Duty of One thousand Eels, Two Swine, and One Cow, of old in use to be paid out of the said Lands of *Strathenrie* to the Abbots and Convents of *St. Colme's Insh*, conform to the Tenor of the ancient Infeftments thereupon made, and One annual Rent of Twenty Shillings out of the Church of *Crammond*, One annual Rent of Eight Shillings out of *Couston* for the Multures thereof, an annual Rent of Fourteen Shillings out of *Cullelo* for the Multures thereof, an annual Rent of Ten Shillings out of *Over Balmule* for the Multures thereof and *Mountkay*, an annual Rent of Twenty Shillings Money out of *Bulledmuth*, an annual Rent of Fifteen Shillings Money out of the Miln of *Lundie*, an annual Rent of Fourteen Shillings Money out of the Miln of *Fordell*, an annual Rent of Fifty-three Shillings and Four Pennies out of the Miln of *Crammond*, an annual Rent of Three Shillings out of the Lands of *Craigen*, an annual Rent of Thirteen Shillings Four Pennies out of *Kincarden Walden*, and an annual Rent of Twelve Shillings out of the Lands of *Kingsdam* and Lordship of *Kinghorn*; which all and sundry Lands, Lordships, Earldom, Baronies, Offices, Patronages, Fishings, and others above written, with the Pertinents, with certain other Lands, Baronies, and others, were united, erected, and incorporate in One haill and free Earldom called the Earldom of *Moray*, conform to a Charter under the Great Seal made and granted by King *James* the Sixth in favours of the deceast *James* Earl of *Moray*, the said *Charles* Earl of *Moray*'s Great Grandfather, of the Date at *Roystoun* the Seventeenth Day of *April* One thousand six hundred and eleven Years, by which Charter it was ordained that the Castle of *Darnway* should be the principal Messuage of the said Earldom, and that a Seisin then to be taken at the said Castle by the said deceased *James* Earl of *Moray*, and by his Heirs Male and Assignees therein specified, in all Time thereafter, should be a sufficient Seisin to them for all and sundry the said Lands, Lordships, Earldom, and others mentioned in the said Charter, with all the Castles, Towers, Fortalices, Milns, Woods, Fishings, Tenants, Tenandries, and Service of free Tenants, Advocations, Donations, and Rights of Patronages of the Churches, Chaplainries, and Benefices, Burghs of Barony, Burrowmails, Offices, and others particularly exprest in the said Charter, with all and sundry Parts and Pendicles thereof whatsoever, and for each Part and Portion of the same, without any other special or particular Seisin to be taken

at

at any other Part or Parts thereof, notwithstanding that they lye discontigue and in diverse Shires, whereanent the said King *James* the Sixth dispensed for ever; as also containing a Dispensation ordaining the Heirs and Successors of the said deceast *James* Earl of *Moray* to be entered by Brieves of Inquest to such of all and sundry the said Lands and Earldom of *Moray* and others, above and under written, as were holden by Service of Taxt Ward and Relief, notwithstanding of their Minority, whereanent His Majesty also dispensed for ever in manner at length specified in the said Charter; moreover, all and sundry the Lands, Mills, Fishings, and others under written, *videlicet*, all and haill the Lands commonly called *Harpers Land*, the Lands of *Myreside*, the Lands of *Baxterland* in *Myreside*, the Fishing on the Water of *Lossie*, the Town and Lands of *Aldrochtie*, with all and sundry the Pertinents, lying within the Barony of *Spynie* and Sheriffdom of *Elgin* and *Forres*; and all and haill the Lands of *Kinnedder*, with the Corn Miln of *Kinnedder*, Mill Lands, Multures, and Sequels thereof, with the Cunningar of the same, and Meadow of *Kinneder*, Yard and Palace, ruinous, with the Port commonly called *Stotfauld*, and Tack Fishes of *Herne Hill* and *Caussie*, pertaining thereto, the Lands of *Newtown* and *Etlis Stotsfauld-haven*, with the Privileges, Commodities, Rights, and Pertinents thereof, the Lands of *Aikenhead*, and Brewhouses thereof, with all and sundry the Pertinents, lying within the Barony of *Kinneder* and Sheriffdom aforesaid; the Lands of *Hilltown* of *Birneth*, with the Alehouse thereof, Smiddiecroft, the Town and Lands of *Nether Birneth*, *Kirktown* of *Rothes*, the Brewhouse thereof, Miln of *Birneth*, with the astricted Multures of the Barony of *Birneth*, and Services of Tenants of the said Barony used and wont; the Lands of *Meikle Innerlochtie*; the Miln of *Little Innerlochtie*, without the astricted Multures and Sucken thereof; the Lands of *Little Innerlochtie*, with the Waulkmiln thereof; the Lands of *Whitefield*; the Lands of *Gedlock*; the Lands of *Easter* and *Middle Tullibardens*; the Lands of *Glenlatrochie*; the Lands of *Cunzieoch*; the Lands of *Blairnhall*, with all and sundry the Pertinents, lying within the Barony of *Birnie* and Sheriffdom foresaid; all and haill the Lands of *Clunie*, with the Pertinents, lying within the Regality of *Spynie*, Barony of *Rawfort*, and Sheriffdom foresaid; all and haill the Lands of *Kinmore* and Brewhouse thereof, and haill Pertinents, lying within the Sheriffdom last aforesaid; whilks Lands immediately above written, and certain other Lands formerly holden of the late Bishops of *Moray*, in manner after specified were united by virtue of the Union and Dispensation contained in the Charter granted thereof by the deceased *Patrick* Bishop of *Moray*, Abbot of *St. Colme*, and Chapter of *Moray*, to the deceased *James* Earl of *Moray*, sometime Regent of *Scotland*, the said *Charles* Earl of *Moray*'s Grandfather's Great Grandfather, ordaining a Seisin to be taken at the Castle of *Clunie* for all and sundry the said Lands and others immediately above written then holden of the said Bishop to be sufficient then and in all Time thereafter, whereanent he dispensed for ever, conform to the Charter granted thereupon of the Date the Tenth Day of *April* One thousand five hundred and sixty-eight Years; as also the Advocation, Donation, and Right of Patronage of all and sundry the Parish Churches and Benefices under written; *videlicet*, of the Churches of *Alves* and *Langbride*, of old pertaining to the Precentor of *Moray*; of the Churches of *Forres* and *Edenkeillie*, of old pertaining to the Archdeacon of *Moray*; and of the Parish Churches of *Dipple* and *Birneth*, and of all the Parsonages and

Vicarages of all and sundry the Churches above written, lying within the Sheriffdom of *Elgin* and *Forres;* together with all and sundry Privileges, Liberties, and Commodities pertaining or anyways known to pertain to the Advocation, Donation, and Right of Patronage of the Churches above mentioned, Parsonages and Vicarages thereof, by the Laws and Practique of *Scotland;* and furder, all and sundry the Lands and others underwritten, and the Pertinents; *videlicet*, the Lands of *Meikle David*, with the Tower and Fortalice thereof, Tenants, Tenandries, and Service of free Tenants of the same; the Lands of *Budzet*, and with an annual Rent of Three Pounds *Scots* Money yearly, to be uplifted and taken at Two Terms in the Year, *videlicet*, *Whitsunday* and *Martinmas* in the Winter, by equal Portions, out of all and sundry the said Lands of *Budzet;* and in like Manner, all and haill the Lands of *Little David*, the Lands of *Culclachie*, *Meikle Craigie*, and *Little Craigie*, with the Fishings of all and sundry the said Lands upon the Water of *Nairn*, Parts, Pendicles, Tofts, Crofts, Outsetts, and universal Pertinents thereof whatsoever; the Lands of *Wester* and *Easter Aberchalladers;* the Lands of *Meikle* and *Little Aberarders;* the Lands of *Duncrombie;* the Lands of *Letterquhillen*, with the Croft thereof; the Lands of *Meikle* and *Little Bruine;* the Lands of *Flechtie;* the Lands of *Farr*, with the Croft and Alehouse thereof; the Lands of *Innercairnie;* the Lands of *Gask;* the Lands of *Lairg*, with the Miln thereof; the Lands of *Wester Craigie*, with the Miln thereof; the Lands of *Holme;* the Lands of *Falzie*, with the Lands of *Drumernie*, with the several and universal Pertinents thereof whatsoever, lying in the Lordship of *Strathnairn* and Sheriffdom of *Inverness;* and moreover, all and haill that Tenement or Great Lodging, with Gardens, Orchards, Office-houses, and Pertinents of the same, lying contigue in the Burgh of the *Canongate* on the South Side of the High Street thereof, bounded betwixt the Lands sometime pertaining to *John Ramsay*, Trumpeter, thereafter to *John Telfer* Writer, and the Yard sometime pertaining to *William Kae*, respective on the West, the Lands sometime pertaining to Mr. *George Heriot*, and the Lands sometime pertaining to umquhill *George Dick*, Taylor, and thereafter to his Heirs, and the Yards sometime pertaining to Sir *James Galloway*, and thereafter to *Thomas Galloway*, respective on the East, the Strand on the South, and the High Street of the said Burgh on the North Parts, together with all Right, Title, Interest, Claim of Right, Property, and Possession, petitor or possessor, which the said *Charles* Earl of *Moray*, his Heirs or Assignees, had or anyways might have, claim, or pretend thereto any manner of way howsoever: And whereas the said *Charles* Earl of *Moray*, by another Disposition and Deed of Entail, dated the said Nineteenth Day of *November*, and recorded in the Register of Tailzies on the said Eighth Day of *December*, both in the Year One thousand seven hundred and thirty, and in the Books of Council and Session the said Tenth Day of *March* One thousand eight hundred and thirty-six, bound and obliged himself and his Heirs whatsoever to make due and lawful Resignation, and granted Procuratory for resigning, and did resign and surrender, for new Infeftment to and in favour of himself and the Heirs Male of his Body; whom failing, to the said Master *Francis Stuart*, his only Brother German then in Life, and the Heirs Male of his Body; whom failing, to the said *Charles Stuart*, eldest lawful Son of the said deceased Mr. *Archibald Stuart* of *Dunearn*, and the Heirs Male of his Body; whom failing, to the other Sons of the said deceased Master *Archibald Stuart*, successively according

Deed of Entail of the Lands and Barony of Auchtertool, now called Camilla, 19th November 1730.

according to their Seniority, and the Heirs Male of their Bodies, respective and successive; which failing, to the lawful Daughters to be procreated of his the said *Charles* Earl of *Moray*'s Body, the eldest always having Preference and succeeding without Division, and to the Heirs Male of their Bodies; which failing, to the Daughters of the Persons above named, successively, as they stand thereby preferred in the Course of Succession, the eldest always having preference and succeeding without Division, and to the Heirs Male of their Bodies; which all failing, to the said *Charles* Earl of *Moray*'s own nearest and lawful Heirs and Assignees whatsoever, the eldest Heir Female and the Descendants of her Body excluding all other Heirs Portioners, and succeeding without Division, when it should happen Heirs Female to succeed, throughout the whole Course of Succession, but with and under the Reservations, Burdens, Provisions, Conditions, Restrictions, Limitations, Declarations, and Clauses irritant and resolutive in the said Disposition and Deed of Entail contained or referred to, and usual in Settlements of Land in strict Entail by the Law of *Scotland*, all and haill the Lands and Barony of *Auchtertool* under written; *videlicet*, the Lands of *Newtown* and *Craigtown* of *Auchtertool*; the Lands of *Weltown*, the Lands of *Milntown*, and Milne of *Auchtertool*; the Lands and Loch of *Hallyards*, with the Manor Place, Houses, Biggins, Orchards, and Yards thereof; and the Lands of *Easter* and *Wester Clyntrees*, with Castles, Towers, Fortalices, Manor Places, Orchards, Yards, Milns, Miln Lands, Multures, Woods, Fishings, Annexis, Connexis, Tofts, Crofts, Cottages, Outsetts, Parts, Pendicles, and universal Pertinents thereof, together with the Loch of *Locharrasburn*, and Pertinents, all lying within the Sheriffdom of *Fife*, and all united, annexed, and incorporated in an haill and free Barony called the Barony of *Auchtertool*, but now called and in all Time coming to be called the Barony of *Camilla*; and sicklike, all and hail the Burgh of Barony within the Town and Lands of *Milntown* of *Auchtertool*, with the weekly Mercats and yearly Fairs of the said Burgh of Barony, and with all and sundry Duties, Customs, Liberties, Privileges, Profits, and Commodities pertaining to the said Burgh of Barony within the said Burgh and Lands of *Milntown* of *Auchtertool* erected and created, with a Dispensation that One Seisin at the Manor Place of *Halyards* now called *Camilla*, being the principal Messuage of the said Barony of *Auchtertool* now of *Camilla*, to be taken by the said *Charles* Earl of *Moray*, and his Heirs and Assignees, in all Time coming, should stand and be a sufficient Seisin for all and haill the said Lands and Barony of *Auchtertool* now of *Camilla*, and for all and haill the said Lands, Towns, Milns, Lochs, Manor Places, Burgh of Barony, Liberties, and Privileges thereof particularly and generally before recited, notwithstanding that the same do not lye contiguous, but in diverse Places; as also, all and haill the Advocation, Donation, and Right of Patronage of the Church of *Auchtertool*, with the Teinds, Parsonage and Vicarage, thereof, with all Lands, Fruits, Teinds, Profits, Emoluments, and Duties whatsoever pertaining thereto, lying within the Diocese of *Dunkeld* and Sheriffdom of *Fife*; and sicklike, the Advocation, Donation, and Right of Patronage of the Parish Churches of *Dalgettie* and *Beath*, Teinds, Fruits, Rents, and Emoluments pertaining or known to pertain thereto; and in like Manner, all and haill the Heritable Office of Sheriff Principal of the Sheriffdom of *Elgin* and *Forres*, with full Power to the said *Charles* Earl of *Moray*, and his said Heirs Male and of Tailzie and Provision above mentioned, as oft as need

need bees, to call, hold, fence, and affirm Courts, and the same to continue, Parties to cite, Absents and Transgessors of the Laws to punish, the Fines, Profits, Escheats, and Amerciaments of the said Courts to ingather and apply the same to their own Use, and if need be to poind and distreinzie therefor, Brieves forth of the Chancery to receive, Proclamations to make, and the same Brieves duly to serve, all Suits and Actions belonging to the said Office, or for maintaining, clearing, and defending the same, to move, prosecute, judge, decern, and determine, Clerks, Officers, and Serjeants to create and constitute, and them to output and input at their Pleasure, Deputes One or more in the said Office to nominate, constitute, and appoint, for whom they should be answerable, and generally all and sundry other Things to do, use, exercise, and perform in the said Office of Sheriffship which by the Laws and Practice of *Scotland* is known to pertain and belong thereto, or to any other such Office; moreover, all and haill the Fortification lying near the Burgh of *Inverness*, commonly called the Citadel of *Inverness*, built the Time of the Usurpation of *Oliver Cromwell*, with the Magazine House, Church, and all other Houses, Biggings, Wells, Ditches, Timberwork and Ironwork, Stones, Boundaries, Sands, Precincts, Haven and Port, Parts, Pendicles, and Pertinents thereof whatsoever, belonging or known to belong thereto, within or without the Walls of the same, or which were possest and acquired by the said Usurper, or Colonel *Thomas Fitch*, Governor of *Inverness*, in Name and for the Use of the pretended Parliament of the Commonwealth of *England*, within the haill Bounds of the said Citadel, or adjacent thereto, of whatsoever Name or Designation the same be, which Citadel was united and erected in an haill and free Regality and Burgh of Regality called the Regality and Burgh of Regality of *Kingsburgh*, with free Chapel and Chancery, and other Powers, Privileges, and Immunities, conform to a Charter by King *Charles* the Second under the Great Seal of *Scotland* in favour of *John* Earl (thereafter Duke) of *Rothes* and *William* Lord *Ballanden*, and their Heirs and Assignees, of the Date the Fifteenth Day of *July* One thousand six hundred and sixty-four Years, as also the said Regality and Burgh of Regality of *Kingsburgh*, and all the Privileges, Liberties, and Immunities pertaining or that was or might be known to pertain thereto, or to any other Regality or Burgh of Regality within *Scotland*, and more specially the Powers, Privileges, Customs, Casualties, and Immunities mentioned in the said Charter by King *Charles* the Second: And whereas *James Stuart* Esquire, eldest lawful Son of the said Master *Francis Stuart*, and who afterwards became *James* Earl of *Moray*, with the special Advice and Consent of the said *Charles* Earl of *Moray* and of the said *Francis Stuart*, by Disposition and Deed of Entail dated the Twenty-eighth Day of *February* and the Third Day of *March* in the Year One thousand seven hundred and thirty-five, and recorded in the Register of Tailzies the Fifteenth Day of *July* One thousand seven hundred and thirty-five, and in the Books of Council and Session the Twentieth Day of *October* One thousand seven hundred and sixty-four, annalzied and disponed to and in favour of himself and *Grace* Countess of *Aboyne* his dearly-beloved Wife, and longest Liver of them Two, in Life-rent during the Lifetime of the said *Charles* Earl of *Moray*, or in case of the Decease of him the said *James Stuart* before the said Earl to her the said Countess of *Aboyne* in Life-rent during all the Days of her Lifetime, and to and in favor of *Francis Stuart* Esquire, Cornet in the Regiment of Horse commanded by Colonel *Legonier*, and Third

Deed of Entail of the Lands of Pittendreich, 28th February and 3d March 1735.

Third lawful Son to the said Master *Francis Stuart*, and Brother German to the said *James Stuart*, and the Heirs Male to be procreate of his Body; whom failing, to the Heirs Male lawfully to be procreate of the Body of *John Stuart*, also Brother German to the said *James Stuart*, and Second lawful Son to the said Master *Francis*, with any other lawful Wife than *Sybella Barbour*, Daughter of the deceased *John Barbour*, Merchant in *Inverness*; whom failing, to *Archibald Stuart*, also Brother German to the said *James Stuart*, and Fourth lawful Son to the said Master *Francis*, and the Heirs Male of his Body; whom failing, to *Hary Stuart*, likewise Brother German to the said *James Stuart*, and Fifth lawful Son to the said Master *Francis*, and the Heirs Male of his Body; whom failing, to the Heirs of Entail of the Earldom of *Moray*; whom all failing, to the nearest and lawful Heirs and Assignees whatsoever of the said *James Stuart*, heritably, in Fee, but always with and under the Conditions, Provisions, Limitations, and Irritancies in the said Dispositions and Deed of Entail contained or referred to, and usual in Settlements of Land in strict Entail by the Law of *Scotland*, all and haill the Lands and others under written; *videlicet*, all and haill the Town and Lands of *Pittendreich* called the *Mains of Pittendreich*, with Houses, Biggings, Yards, Orchards, Dovecots, Parts, Pendicles, and haill Pertinents thereof used and wont, and specially the Two Seats called the *Broomhills* and Two *Kilncrooks*, together with the Miln of *Pittendreich*, Miln Lands, Multures, and Sequels thereof; and all and haill the Town and Lands of *Bracheillies*, adjacent thereto; and all and haill the Town and Lands of *Diviligreen* and *Bogside*, together with the Miln thereof, Miln Lands, Multures, Sucken, and Sequels of the same; and all and haill the Town and Lands of *Boghead*, together with the Back of the Bog adjacent thereto; all and haill the Town and Lands of *Nether Manbeins* and Haughs thereof called the *Broomtown*, and with the haill Manor Places, Houses, Biggings, Yards, Orchards, Milns, Woods, Fishings, Mosses, Muirs, Marshes, Meadows, Grass, and Pasturages, Commontie and Common Pasturage, Outsetts, Insetts, Tofts, Crofts, Annexis, Connexis, Dependencies, Tenants, Tenandries, and Service of free Tenants, Advocations, Donations, and Right of Patronage of the Chaplainries, Altarages, and Prebendaries, Parts, Pendicles, and universal Pertinents of the foresaid haill Lands and others above written, together with the Teind Sheaves and other Teinds, both great and small, as well Parsonage as Vicarage, of the said haill Towns, Lands, and others above written, lying in the Parish of *Elgin* and Sheriffdom of *Elgin* and *Forres*:

Succession of Francis Earl of Moray to the Earldom of Moray and Barony of Auchtertool or Camilla.

And whereas *Francis* now Earl of *Moray* has succeeded as Heir of Tailzie and Provision under and by virtue of the Two foresaid Dispositions and Deeds of Entail made by the said *Charles* Earl of *Moray*, and stands infeft and seised in the said Lands, Lordship, and Earldom of *Moray*, and in the said Lands and Barony of *Auchtertool* or *Camilla*, and other Heritages, under the whole Limitations and Conditions contained in the said Two Deeds of Entail, conform to the Retour of his special Service as Heir of Tailzie and Provision to his Father, dated the Twenty-sixth Day of *January* One thousand eight hundred and eleven, Precept from Chancery dated the Sixteenth Day of *February* thereafter, and Instrument of Seisin following thereon dated the Eighteenth Day of *February*, and recorded in the General Register of Seisins the Twenty-eighth Day of *March* One thousand eight hundred and eleven: And whereas the said *Francis* Earl of *Moray* has, as Heir of Entail

of the Earldom of *Moray*, and by reason of the Failure of the prior Substitutions, succeeded as Heir of Tailzie and Provision under and by virtue of the foresaid Disposition and Deed of Entail made by *James Stuart* afterwards *James* Earl of *Moray*, and stands infeft and seised in the said Lands of *Pittendreich* and in the other Heritages therein contained, under the whole Limitations and Conditions contained in the said Deed of Entail, conform to the Retour of his special Service as Heir of Tailzie and Provision to the said *John Stuart*, who was Brother German of the said *James* Earl of *Moray*, dated the Sixteenth Day of *May* One thousand eight hundred and fifteen, Precept from Chancery dated the Eleventh Day of *August* One thousand eight hundred and fifteen, and Instrument of Seisin following thereon dated the Thirtieth Day of *August*, and recorded in the particular Register of Seisins kept at *Elgin* the Third Day of *September*, both in the Year One thousand eight hundred and fifteen: And whereas since the said *Francis* Earl of *Moray* came into Possession of the foresaid entailed Lands and Estates in the Year One thousand eight hundred and eleven he has laid out and expended large Sums upon the Improvement and Amelioration thereof, in erecting Farm Houses and Offices, in planting, draining, embanking, and inclosing the said Lands, and otherways for the permanent Benefit and Advantage of the said Estate and of the Heirs of Entail entitled to succeed thereto, which Sums so laid out in Improvements as aforesaid are set forth in Schedule (A.) hereunto annexed, and amount as follows; *videlicet*, upon the Earldom of *Moray* and the other Estates comprehended in the Disposition and Deed of Entail in the first place above recited, to the Sum of Sixty thousand and ninety-three Pounds Eleven Shillings and Eleven-pence Sterling, and upon the said Lands and Barony of *Auchtertool* and other Heritages comprehended in the Disposition and Deed of Entail in the second place above recited to the Sum of Four thousand two hundred and fifty Pounds Fourteen Shillings and Five-pence Sterling, and upon the said Lands of *Pittendreich* and others comprehended in the Disposition and Deed of Entail in the third place above recited to the Sum of One thousand seven hundred and twenty Pounds Three Shillings and One Penny, and the said Expenditure amounts in whole to the Sum of Sixty-six thousand and sixty-four Pounds Nine Shillings and Five-pence Sterling; and by means of the said Expenditure and Outlay the said several Estates have been greatly improved in Value: And whereas an Act was passed in the Tenth Year of the Reign of His Majesty King *George* the Third, intituled *An Act to encourage the Improvement of Lands, Tenements, and Hereditaments in that Part of* Great Britain *called* Scotland *held under Settlements of strict Entail*, by which a certain Relief was intended to be given to Heirs of Entail expending Money in the Improvement of their Estates, upon complying with the Regulations therein laid down; but the said Act does not in all Cases afford adequate Relief, and the Provisions thereof are frequently attended with so much Doubt, and sometimes with so much Difficulty in the Execution, as to frustrate, wholly or partly, the Object for which the said Act was passed; and the said *Francis* Earl of *Moray* cannot obtain the Relief thereby contemplated, in regard that the Regulations thereby enacted have not been complied with in respect of the Sums expended in improving the said Entailed Estates as aforesaid: And whereas the subsequent Heirs of Entail entitled to succeed to the said Estates will derive great Advantage from the Expenditure so made as aforesaid for behoof of the said Entailed Estates, and it is just and equitable that the said

Succession of Francis Earl of Moray to the Lands of Pittendreich.

Sums expended upon the Improvement of the Entailed Estates.

10 G. 3. c. 51. does not afford adequate Relief.

Advantage to subsequent Heirs of Entail from the Expenditure.

Francis Earl of *Moray* should be relieved of Three Fourth Parts of the said Expenditure: 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 the said *Francis* Earl of *Moray*, or the Heir of Entail in Possession of the said Entailed Estates at the Time, or to his or her Tutor or other Administrator in case he or she be a Minor, or otherways incapable of acting for himself or herself, to borrow and take up in Loan a Sum or Sums of Money not exceeding Forty-nine thousand five hundred and forty-eight Pounds Seven Shillings and One Penny Sterling, being Three Fourth Parts of the aforesaid aggregate Sum of Sixty-six thousand and sixty-four Pounds Nine Shillings and Five-pence Sterling, and a Sum sufficient to cover and defray the Expences of applying for, obtaining, and passing this Act, and carrying the same into execution; and it shall be lawful to the said *Francis* Earl of *Moray*, or to the Heir of Entail in Possession of the said Entailed Estates for the Time, or to his or her Tutor or other Administrator in case he or she be a Minor, or otherways incapable of acting for himself or herself, validly to secure the Payment of the Money so to be borrowed and the Interest thereof, and liquidate Penalties and Expences to be therein stipulated, by Heritable Bond or Bonds, and Disposition or Dispositions in Security, in favour of the Person or Persons who may lend such Money, disponing and conveying in the Form and with the Powers usual in similar Heritable Securities in *Scotland*, heritably, but redeemably, the Whole or any Portion or Portions of the Lands and Estates more particularly mentioned and described in the Schedule (B.) hereunto annexed, being Parts and Portions of the Lands and Estates comprised in the first of the Dispositions and Deeds of Entail before recited, in Security and for Payment of Forty-five thousand and seventy Pounds Three Shillings and Eleven-pence, being Three Fourth Parts of the aforesaid Sum of Sixty thousand and ninety-three Pounds Eleven Shillings and Eleven-pence, and in Security also of the Sum that may be sufficient to cover and defray the Expences of applying for, obtaining, and passing this Act, and carrying the same into execution and disponing and conveying the Whole or any Part of the Lands described in Schedule (C.) hereunto annexed, being the Lands comprised in the Disposition and Deed of Entail in the second place above recited, in the Form and with the Powers aforesaid, in Security and for Payment of the Sum of Three thousand one hundred and eighty-eight Pounds and Nine-pence, being Three Fourth Parts of the aforesaid Sum of Four thousand two hundred and fifty Pounds Fourteen Shillings and Five-pence Sterling, and disponing and conveying the Whole or any Part of the Lands described in Schedule (D.) hereunto annexed, being the Lands comprised in the Disposition and Deed of Entail in the third place above recited, in the Form and with the Powers aforesaid, in Security and for Payment of One thousand two hundred and ninety Pounds Two Shillings and Four-pence, being Three Fourth Parts of the aforesaid Sum of One thousand seven hundred and twenty Pounds Three Shillings and One Penny; and which Heritable Bond or Bonds and Dispositions in Security shall be good, valid, and effectual to such Creditor or Creditors, Lender or Lenders, and to his, her, and their respective Heirs, Executors, or Representatives whatsoever, or to his, her, or their Assignee or Assignees, or to any Person in right of the said

Earl of Moray or his Heirs authorized to borrow Money.

Heritable Bond or Bonds and Disposition or Dispositions in Security for the Time, in the same Manner as if the same were granted by a Fee Simple Proprietor, and shall effectually burden either the Whole or such Parts of the said Lands and others contained in the said Schedules (B.), (C.), and (D.) as shall be included in and disponed by such Heritable Bonds and Dispositions in Security, and shall be effectual against all the Heirs of Entail who may be entitled to succeed to the said Entailed Estates, and the said Heritable Bonds and Dispositions in Security shall be freed of all the Fetters of the said Entails and Investitures; and the said Creditor or Creditors, Lender or Lenders, shall have every Remedy competent by the Laws of *Scotland* for the Recovery of the Sums so lent, Interest and Penalties, as is competent to any other Creditor by Heritable Bond or Bonds and Disposition in Security.

If the Earl of Moray dies before borrowing Money hereby permitted to be borrowed, his Heirs to be Debtors for the same.

II. And be it further enacted, That if the said *Francis* Earl of *Moray* shall happen to die before borrowing the Money hereby permitted to be borrowed, or the whole thereof, the Heirs succeeding to him by virtue of the Dispositions and Deeds of Entail aforesaid shall be Debtors to the Executors, Trustees, or other Representatives of the said *Francis* Earl of *Moray* for such Sum as the said *Francis* Earl of *Moray* is hereby permitted to borrow but may not have borrowed, and shall be obliged to pay the same, with Interest from the Death of the said *Francis* Earl of *Moray*, to his Executors, Trustees, or other Representatives, such succeeding Heirs having Power to charge and burden the Estates as aforesaid.

Application of borrowed Money.

III. And be it further enacted, That the Money hereby permitted to be borrowed shall be applied by the said *Francis* Earl of *Moray*, or his Executors, Trustees, or other Representatives, towards Repayment of the Monies advanced by the said *Francis* Earl of *Moray* as aforesaid; and being so applied, the Entailed Lands and Estates aforesaid, and the Heirs of Entail therein, shall be for ever freed and relieved of and from any Claim or Demand for any Sum or Sums of Money expended by the said *Francis* Earl of *Moray* in the Improvement of the said Entailed Estates.

Dispositions and Deeds of Entail before recited not to be altered.

IV. And be it further enacted, That nothing in this Act contained shall be held or construed to alter, innovate, change, or defeat the aforesaid Dispositions and Deeds of Entail herein-before recited, or the Order of Succession therein and thereby established, and in the subsequent Titles respectively contained, except in so far as is necessary to carry into effect the Purposes of this Act.

Application of Money not to affect the Lenders.

V. And be it further enacted, That the Lenders of any Sum or Sums of Money under this Act shall be in nowise concerned with the Application or the Misapplication of the Money to be lent by them.

General Saving.

VI. Saving and reserving always to the King's most Excellent Majesty, and to His Heirs and Successors, and to all others (save and except the said *Francis* Earl of *Moray*, and all and every the other Heirs of Entail called or entitled to take under the Entails herein-before recited), all such Right, Title, Interest, Claim, and Demand whatever in, to, and out of the said Lands and Estates as they have, or might claim, challenge, or demand,

demand, and that in the same Manner and as amply as if this Act had never been passed.

Act to be printed by the King's Printers.

VII. And be it enacted, That this Act shall be printed by the several Printers to the King'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.

SCHE-

SCHEDULE (A.) to which the foregoing Act refers;

BEING

A LIST of the SUMS expended by Francis Earl of Moray for the Benefit of the Entailed Estates.

I. Upon the Lands comprehended within the Lands, Lordships, and Earldom of Moray, and upon the other Lands contained in the same Entail with the Earldom.					£	s.	d.
1. In building and repairing Houses and Steadings:							
In the County of Moray	-	-	£	14,150	3	5½	
In the County of Inverness		-		6,340	16	8½	
In the County of Fife	-	-		15,932	8	1	
In the County of Perth	-	-		3,634	18	0	
						40,058	6 3
All per particular Accounts and Vouchers.							
2. In draining, trenching, and planting:							
In the County of Moray	-	-		2,528	11	0¼	
In the County of Inverness	-	-		1,980	17	7½	
In the County of Fife	-	-		3,630	5	8	
In the County of Perth	-	-		2,539	13	5	
						10,679	7 8¾
All per particular Accounts and Vouchers.							
3. In making Roads and in inclosing:							
In the County of Moray	-	-		2,949	0	2½	
In the County of Inverness		-		1,663	19	11¼	
In the County of Fife	-	-		2,957	17	0	
In the County of Perth	-	-		1,785	0	9½	
						9,355	17 11¼
All per particular Accounts and Vouchers.							
Sum of all these	-	-				60,093	11 11
II. Upon the Lands and Barony of Auchtertool and the other Lands contained in the Second Deed of Entail mentioned in the foregoing Act.							
1. In building and repairing Houses and Steadings	-	-	-	-	4,109	1	2
2. In making Roads and in inclosing				-	141	13	3
All per particular Accounts and Vouchers.							
Sum of all these	-	-				4,250	14 5
Forward	-	-	£			64,344	6 -

	£	s.	d.	£	s.	d.
Sum brought forward - -				64,344	6	4
III. Upon the Lands of Pittendreich and the other Lands contained in the Third Deed of Entail mentioned in the foregoing Act.						
1. In building and repairing Houses and Steadings - - - -	1,279	19	1			
2. In draining, trenching, and planting -	440	4	0			
All per particular Accounts and Vouchers.						
Sum of these - -				1,720	3	1
Total Sum expended -				66,064	9	5
Three Fourth Parts whereof amount to the Sum of				49,548	7	1

SCHEDULE (B.) to which the foregoing Act refers.

The Lands, Lordship, and Barony of Doune lying in the County of Perth.

SCHEDULE (C.) to which the foregoing Act refers.

The Lands and Barony of Auchtertool or Camilla lying in the County of Fife.

SCHEDULE (D.) to which the foregoing Act refers.

The Town and Lands of Pittendreich, with the Pertinents, and the Town and Lands of Manbein, with the Pertinents, lying in the Sheriffdom of Elgin and Forres.

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