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Anno Regni

GEORGI II. Regis

*Magnæ Britanniae, Franciæ, & Hiberniæ,*

VICESIMO QUINTO.

At the Parliament begun and holden at *Westminster*, the Tenth Day of *November*, *Anno Dom.* 1747, in the Twenty first Year of the Reign of Our Sovereign Lord GEORGE the Second, by the Grace of GOD, of *Great Britain, France and Ireland*, King, Defender of the Faith, &c.

And from thence continued by several Prorogations to the Fourteenth Day of *November* 1751, being the Fifth Session of this present Parliament.



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MDCCLXI.



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*thereof to the Use of His Majesty; and for ascertaining and satisfying the lawful Debts and Claims thereupon*) It is (among other Things) enacted, That in case His Majesty, His Heirs and Successors, shall not make effectual Provision for the Payment and Satisfaction of all such Debts and Claims; upon the Estates, Real and Personal, by the said Act vested in His Majesty, as shall be decreed to be just and lawful, in the Manner by the said Act directed, within the Space of Twelve Months after the same shall be respectively adjudged, then it shall be lawful for the Barons of the Court of Exchequer in *Scotland*, or any Three of them, and they are thereby required to sell, or cause to be sold, so much of the Estates of the Attainted Persons, as they shall judge necessary to be sold, for Satisfaction of the Debts and Claims affecting the same, and apply the Money, arising by the Sale thereof respectively, in Discharge of the several Debts or Claims to which they shall be adjudged to be liable: Provided nevertheless, That if His Majesty, His Heirs or Successors, shall, after the Expiration of the said Time, make effectual Provision for the Payment or Satisfaction of all the Debts or Claims upon any such Estate, and shall, before the same is sold, by Warrant or Warrants, under His or Their Sign Manual, at  
any

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any Time or Times, direct any such Estates not to be sold, then the said Barons shall not proceed in the sale of any Estates so prohibited to be sold: And whereas by another Act of the Twentieth Year of the King (intituled, *An Act for taking away the Tenure of Ward-holding in Scotland, and for converting the same into Blanch and Feu-holdings; and for regulating the Casualty of Non Entry in certain Cases; and for taking away the Casualties of Single and Life-rent Escheats incurred there, by Horning and Denunciation for Civil Causes; and for giving to Heirs and Successors there, a summary Process against Superiors; and for discharging the Attendance of Vassals at Head Courts there; and for ascertaining the Services of Tenants there; and for allowing Heirs of Tailzie there, to sell Lands to the Crown for erecting Buildings, and making Settlements in the Highlands*) upon a Recital that it hath been, and may be found necessary for the publick Service, to erect Buildings, and make Settlements in certain Places in the Highlands of *Scotland*; it is enacted, That it shall and may be lawful for any Person who is seized in, or possessed of, a Tailzied Estate in *Scotland*, to sell, dispone, or resign, *ad perpetuam remanentiam*, any Part thereof, which His Majesty, His Heirs, and Successors, shall think fit to purchase, for erecting of Buildings, or making Settlements  
D within

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within the same: And by One other Act of the same Year of the King, intituled, *An Act to enlarge the Time limited by an Act of the last Session of Parliament, for restraining the Use of the Highland Dress; and to enable Heirs of Tailzie, Guardians, Tutors, Curators and Trustees in Scotland, to sell Lands to the Crown*, upon a Recital that it may be necessary for the Preservation of the publick Peace, and the further civilizing of the Inhabitants of the Highlands of *Scotland*, that Lands should be purchased there by His Majesty, His Heirs, or Successors, which Lands may be subject to strict Tailzie, or belong to Infants, Pupils, Minors, Ideots, Lunatics, fatuous or furious Persons; it is enacted, That it shall and may be lawful for any Person, who is seised in, or possessed of, a Tailzied Estate in *Scotland*, or for any Guardian, Tutor, Curator, or Trustee, of an Infant, Pupil, Minor, Ideot, Lunatick, fatuous or furious Person, to sell, dispose, or resign, *ad perpetuam remanentiam*, the Whole or any Part of such Tailzied Estate, or the Estate of such Infant, Pupil, Minor, Ideot, Lunatick, fatuous or furious Person, which His Majesty, His Heirs, or Successors, may think fit to purchase for the Purposes aforesaid; which Lands, so purchased, shall remain in His Majesty, His Heirs, and Successors, unalienable for ever, except as to the Power of

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of granting Leases for Seven Years, with a Diminution of a Fifth Part of the usual Rent only: And whereas to prosecute more effectually the good Purposes intended by the said in Part recited Acts, in order to strengthen the Foundations of the future Tranquillity of this Kingdom, it is necessary that some farther Provisions and Regulations be made; 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 of the same, That all and every the Lands, Lordships, Baronies, Patronages, Tithes, Fishings, and other like Heritages, which became forfeited to His Majesty by the Attainder of the several Persons after named of High Treason, for their being engaged in the late unnatural and wicked Rebellion, and which were vested in His Majesty by the above mentioned Act of the Twentieth Year of His Reign; that is to say, the Lands and other Premises which became forfeited by the Attainder of *Simon* late Lord *Lovat*; *John Drummond*, taking upon himself the Stile or Title of Lord *John Drummond*, Brother to *James Drummond*, taking on himself the Title of Duke of *Perth*; *George* late Earl of *Cromarty*; and *Archibald M'Donald*, Son of Col

Certain Forfeited Estates annexed to the Crown unalienably.

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*M'Donald of Barrisdale*; as the same Lands, Lordships, Baronies, and other Premises, are more particularly enumerated and described in the Title-deeds, Rights, and Infeoffments, of the said Attainted Persons, or their Predecessors, or in the Surveys already taken, or hereafter to be taken thereof, by the Barons of Exchequer in *Scotland*, in pursuance of the Powers given to them by the aforesaid Act of the Twentieth Year of the King, by which the said Forfeited Estates were vested in His Majesty, shall, together with all the Parts and Pertinents of the same, from and after the Twenty fifth Day of *December* One thousand seven hundred and fifty two, be, and be deemed to be, annexed to the Imperial Crown of this Realm, and shall be and remain for ever unalienable from the same; and all Grants, Charters, or other Rights, made, or to be made, or granted, of all or any of the said Lands, Baronies, and other Premises, by His Majesty, His Heirs, or Successors, excepting as is herein after excepted, shall be void to all Intents and Purposes.

Right of Claims  
not injured by this  
Act.

Provided always, and be it enacted by the Authority aforesaid, That nothing in this Act contained shall extend, or be construed to extend, to take away any Right, Title, or Benefit whatsoever, which any Person or Persons are, shall, or may be entitled

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titled to, in virtue of any Claim or Claims that have been, or shall be, duly entered in the Court of Session in *Scotland*, pursuant to the aforesaid Act, or in virtue of any Decree or Decrees that hath been, or shall be, made upon such Claims.

And to the End that Payment may be made to the just and lawful Creditors on the Forfeited Estates hereby annexed to the Crown, so far as the Value of such Lands and Premises, whereupon such Claims shall have been sustained, shall respectively extend, and no further; be it enacted by the Authority aforesaid, That Actions may be brought before the Court of Session, in the Name of His Majesty's Advocate, against such Creditors, which shall and may be served against the Defendants, under the general Description of the Claimants upon such Estates, by One Edictal Citation, upon Thirty Days Notice, to be affixed on the Walls of the Inner and Outer House of the Court of Session where the Rolls of Causes in that Court are usually affixed, in order to have the Value of such Forfeited Estates ascertained, upon a Proof brought before the said Court of the Rental and Value thereof; and in every such Action it shall and may be lawful for the Creditors on the said Estates to bring a joint Proof, and the said Lords of Session are hereby authorized

Satisfaction to be  
made to lawful  
Creditors, but so  
far only as the Va-  
lue of such Lands  
shall extend.

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and required to proceed in valuing the faid Eftates fummarily, in fetting which Valuation, Regard fhall be had to the ordinary Rates, at which like Lands and Eftates have been fold in the fame County; and the faid Lords of Seflion fhall thereafter, without Lofs of Time, certify to the Barons of Exchequer in *Scotland*, the Amount of the feveral Claims on fuch Forfeited Eftates, with the Value of the Lands and Real Eftate, upon which refpectively the Claimants are juft and lawful Creditors; and in fuch Cafes where the Claims that have been fufained exceed the Value of the Lands and other Premifes, out of which they ought to be paid, that the faid Lords of Seflion fhall, at the fame Time, certify the Order of Preference by which the faid Claims ought to be paid, to the Extent of the Value that fhall be certified as aforefaid; and the faid Barons of Exchequer are hereby authorized and required to tranfmit fuch Certificate or Certificates to the High Treafurer, or Commiffioners of the Treafury for the Time being; and upon fuch Certificate or Certificates being made and tranfmitted, the Creditors refpectively fhall be paid out of the then next Aids to be granted in Parliament, according to the Order of Preference fpecified in fuch Certificate; fo that the Sum to be paid to the Creditors upon each of the faid

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faid Eftates fhall not exceed the Value of fuch Eftate certified as aforefaid.

Provided always, That out of the Value to be certified as aforefaid, it fhall and may be lawful in the firft Place to deduct or retain the Expence that fhall have been laid out by the Agents for the Crown, in raifing and profecuting the Actions of Valuation and Ranking, and adjusting the Schemes of Divifion of the Value among the Creditors, as the fame fhall have been taxed and fetled by the faid Court of Seflion.

Expences of the Agents for the Crown, to be paid out of the Valuation.

And be it further enacted by the Authority aforefaid, That every fuch Decree of the Court of Seflion concerning the Valuation of fuch Eftates, or the Ranking, or Order of Preference of the Creditors thereon, fhall be final and binding upon all Parties concerned, in cafe Thirty Days, on any of which fuch Proceedings as are ufual and competent by the Laws of *Scotland*, for reverfing or amending fuch Decrees may be had, fhall elapfe without fuch Proceedings being had, made, or commenced by either Party.

Decrees of the Court, concerning fuch Valuation, to be final.

And whereas in fuch Cafes, wherein the Claims upon the Lands, and other the Premifes hereby annexed, fhall clearly fall fhort of the Value of fuch Lands and Premifes, upon which refpectively they fhall have been entered and fufained, it will not be neceffary

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Where the Claims upon any Estate do not exceed Twenty Years Purchase, the same to be certified;

to raise and prosecute Actions of Valuation and Ranking in the Manner before prescribed; be it therefore enacted by the Authority aforesaid, That in every Case where the total Claims upon any Estate or Estates shall not exceed Twenty Years Purchase, of the clear surveyed Rental, returned into the Court of Exchequer, of such Estate or Estates, the said Lords of Session are hereby authorized and required to certify to the Barons of Exchequer the Amount of the Claims sustained upon such Estate or Estates, which do not exceed the Value as aforesaid; and the said Barons of Exchequer are hereby authorized and required to transmit such Certificate or Certificates, and also the clear annual Value of such Estate, appearing by such surveyed Rental as aforesaid, to the High Treasurer, or Commissioners of the Treasury for the Time being; and upon such Certificate or Certificates being transmitted, the Creditors respectively, whose Claims shall have been sustained, shall be paid out of the then next Aids to be granted in Parliament.

and the Creditors to be paid out of the next Aids granted in Parliament.

And whereas certain other Lands and Estates became vested in His Majesty by virtue of the before mentioned Act of the Twentieth Year of His Reign, and the Attainder of High Treason of the Persons following, namely, *Donald Cameron of Lochiel,*  
*Charles*

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*Charles Stuart of Ardsbiel, Donald M'Donald of Kenloch Moydart, Evan M'Pherson of Clunie, Francis Buchanan of Arnprior, Donald M'Donald of Lochgary, Allan Cameron of Callart, Francis Farquharson of Monaltry, and Alexander M'Donald of Keppoch;* which Lands and Estates were holden of Subject Superiors, who have entered Claims in the Court of Session to the Property thereof.

And whereas it would be highly conducive to the good Purposes intended by this Act, that the said Lands and Estates should remain with His Majesty, His Heirs and Successors; be it therefore enacted by the Authority aforesaid, 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, or any of them, concerning their Claims to the Property of the said Forfeited Estates held of them respectively, and also to treat and agree with the said Subject Superiors for the Purchase of the Superiority of the said Lands and Estates, and that the agreed Prices of such Superiorities, and also the Sums to be paid by Way of Composition for such Claims of Property, shall be from Time to Time certified by the Persons authorized to treat for the same, on the Part of the Crown, to the High

Power given to purchase the Superiority of all other Estates which were holden of Subject Superiors.

High Treasurer, or Commissioners of the Treasury, for the Time being.

Where the Superiority was subject to a strict Tailzie, the Purchase-money to be laid out as the recited Act of 20 Geo. II. directs.

Provided always, That in every Case where such Superiority was subject to a strict Tailzie, the Monies to be paid as the Price thereof shall be laid out and settled in the Manner directed by the before mentioned Act of the Twentieth Year of the King for enabling Heirs of Tailzie, and others in *Scotland*, to sell Lands to the Crown.

The said Estates to be vested in Trustees;

And be it further enacted by the Authority aforesaid, That in case the Property of any of the said Lands or Estates so claimed by such Subject Superiors as aforesaid, shall be finally determined to be forfeited to His Majesty, or such Subject Superior shall be agreed or compounded with for such Claim in Manner herein before mentioned; then and in either of the said Cases, until such Superiorities shall be purchased as aforesaid, it shall and may be lawful to His Majesty, His Heirs and Successors, to vest, in such Manner as shall be agreeable to the Laws of *Scotland*, the said Lands and Estates held of Subject Superiors, or such Parts of the Lands and other the Premises herein before annexed to the Crown, as shall appear to have been formerly held of Subject Superiors, in One or more Trustee or Trustees, their Heirs and Successors, to be renewed from Time to Time by His Majesty, His Heirs and

and Successors, and which Trustee or Trustees, their Heirs and Successors, shall, according to the Forms of the Law of *Scotland*, be from Time to Time, entered and received Vassals in the Lands, and other the Premises by the respective Superiors thereof, and shall hold the same in Trust for the Uses and Purposes of this Act; and the said Lands and Estates, with all the Rents, Issues and Profits thereof, shall be disposed of, and applied to the Uses and Purposes in this Act mentioned, and to none other, and shall be under the same Management, and subject to the same Rules, Orders and Directions, and the same Provisions for Payment of the lawful Debts thereon shall take Place, that are by this Act made concerning the other Lands and Estates hereby annexed to the Imperial Crown of this Realm.

and to be applied as this Act directs.

Provided always, That the Heirs of such Trustee or Trustees, by making up Titles to such Trust Estates, shall not incur the Passive Titles, nor represent their Predecessors universally; any Law or Custom to the contrary notwithstanding.

Heirs of such Trustees not to incur the Passive Titles, &c.

Provided also, That His Majesty, His Heirs and Successors, may change such Trustees, at His or Their Pleasure, and present new Ones, from Time to Time, who shall be received by the immediate Superiors respectively for the Time being, without Payment

Trustees may be changed.



ment of a Year's Rent, or any other Composition.

The Property of such Superiorities as shall be forfeited,

And be it further enacted by the Authority aforesaid, That whensoever the Property of any of the Lands or Estates so claimed by any Subject Superior, shall have been finally determined to be forfeited to His Majesty, or such Subject Superior shall have been agreed or compounded with for the same as aforesaid; and also the Superiority of such Lands shall have been purchased by His Majesty, His Heirs or Successors, then the Lands and Estates, whereof the Superiorities are so purchased, shall, both Property and Superiority be, from that Time, annexed to the Imperial Crown of this Realm, and shall remain for ever unalienable from the same.

or purchased, to be annexed unalienably to the Crown.

And whereas the Barony of *Strowan*, and other the Lands, Tenements and Hereditaments, which formerly belonged to *Alexander Robertson* of *Strowan*, now deceased, became forfeited to the Crown, by Decree or Sentence of Forfeiture past in the Parliament of *Scotland* in the Year One thousand six hundred and ninety, and now belong to, and remain the Property of His Majesty; be it further enacted by the Authority aforesaid, That the said Barony and Lands be, and are hereby annexed to the Imperial Crown of this Realm, and shall be and remain

The Barony of Strowan annexed to the Crown:

main for ever unalienable from the same, and the lawful Debts thereon shall be paid in the same Manner as is provided concerning the Lands and Premises before mentioned.

Debts thereon to be paid.

And be it further enacted by the Authority aforesaid, That the clear Rents and Produce of the Lands and Estates hereby annexed to the Crown, or directed to be held in Trust, as aforesaid, shall be applicable in the Manner herein after mentioned, or in such other Manner as His Majesty, His Heirs or Successors, shall, from Time to Time, by Warrants under His or Their Sign Manual, be pleased to direct, to the Purposes of civilizing the Inhabitants upon the said Estates, and other Parts of the Highlands and Islands of *Scotland*, the promoting amongst them the Protestant Religion, good Government, Industry and Manufactures, and the Principles of Duty and Loyalty to His Majesty, His Heirs and Successors, and to no other Use or Purpose whatsoever.

The Rents and Profits of the said Estates and Lands how to be applied.

And, to the End that the said Lands and Estates may be managed, and the Produce thereof applied, in the most beneficial Manner, for the Ends and Purposes aforesaid; be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for His Majesty, His Heirs and Successors, by Commission under the Privy Seal of *Scotland*,

Commissioners for managing the said Estates, to be appointed by the Crown,

Scotland, to authorise and impower such Person or Persons as His Majesty, His Heirs and Successors, shall think fit, from Time to Time, to be Commissioners and Trustees for managing the said Estates, and applying the Produce thereof for the Ends and Purposes appointed by this Act.

without any Salary for the same.

Provided always, and be it enacted by the Authority aforesaid, That no Commissioner to be appointed for executing the Trusts in this Act, as aforesaid, shall receive any Fee, Salary, Pension or Reward, for the same.

Commissioners may grant Leases thereof.

And be it further enacted by the Authority aforesaid, That the Commissioners to be appointed as aforesaid, shall have Power to grant Leases of the said Estates, or any Part thereof, for any Term not exceeding Twenty one Years; or if the Lessee shall enter into proper Covenants, to lay out upon the Premises any Sum, not less than Five Years Rent, in Buildings or other Improvements, within the Space of Seven Years from the Date of such Lease, then, and in such Case, and upon such Condition, for any Term not exceeding Forty one Years; all which Leases shall be subject to the Provisions, Conditions and Limitations, herein after mentioned, and such other as His Majesty, His Heirs and Successors, shall, from Time to Time, by His or Their Sign Manual, direct and appoint.

Provided

Provided always, That upon every such Lease there shall be reserved not less than Three Fourths of the real annual Value of the Premises so let; and that every Lease to be granted by such Commissioners, shall contain a Clause for making the same void, in case the Lessee, or his or her Heirs, shall assign or let the Premises, or any Part thereof, to any other Person, or shall suffer the same to be adjudged at the Suit of any Creditor, or shall not occupy, cultivate, and be resident upon the Premises, or shall pay, or cause to be paid, directly or indirectly, to, or for the Use of, any Person or Persons whatsoever, any Gratuity or Fine, or any annual Rent or Prestation, for or in Consideration of his obtaining or holding the Lands or other Premises comprehended in such Lease, other than the Rent in such Lease expressed and covenanted to be paid to the said Commissioners, for the Purposes in this Act directed.

Condition of the Leases.

Provided also, That every such Lease shall be absolutely void, unless the Lessee shall, before the making thereof, have taken the Oaths requisite by Law to qualify Persons to execute Offices of publick Trust in Scotland, at the Quarter Sessions of the County where the Premises lie, or before the Sheriff Depute, or his Substitute; and that no Person shall be capable of taking or enjoying,

Leases void, unless the Lessee take the Oaths of Qualification.

None to hold Lands above the annual Rent of 20 l.

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joying, directly or indirectly, any Lands or Tenements, other than Mines or Fishings, by virtue of fuch Lease or Leases, of greater annual Rent than Twenty Pounds at the utmost.

Commissioners may sue for the Rent, and Breach of Covenant.

And be it further enacted by the Authority aforefaid, That the faid Commissioners shall and may have Power and Authority to bring Actions in their own Names, either in the Court of Session or Sheriffs Court, not only for Payment of the Rents into the Hands of the Factors appointed for levying the fame, but also for Breach and Non Performance of the feveral Covenants contained in the Leases, under which the Lands shall be poffeffed.

Commissioners with Approbation of the Treasury may appoint Receivers.

And be it further enacted by the Authority aforefaid, That the faid Commissioners shall and may have Power, by and with the Approbation of the High Treasurer, or Commissioners of the Treasury for the Time being, to appoint Stewards, Receivers or Factors on the faid Estates, with an Allowance not exceeding Five Pounds *per Centum*, of the Rental, who shall be bound refpectively, with One or more fufficient Surety or Sureties, in a Sum not lefs than Two Years Rent of the Estate, to be put under their Collection, to account to the faid Commissioners for the full Rents of fuch Estates, and to pay in the clear Refidue thereof, to His

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His Majesty's Receiver General of the Crown Rents and Casualties in *Scotland*, after Deduction and Allowance of the publick Burthens and neceffary Charges of Management; and upon their fo accounting and paying in the Refidue of the Rent as aforefaid; the faid Commissioners are hereby impowered to grant Acquittances or Discharges to fuch Factors from Time to Time.

Factors in the Interim to be appointed.

Provided always, That the faid Commissioners shall have Power to appoint Perfons to officiate as Factors in the Interim, until the Factories granted by them shall be approved or difapproved of by the High Treasurer or Commissioners of the Treasury, as aforefaid.

Penalty on Factors taking any Gratuity from the Tenants or Possessors.

And be it further enacted by the Authority aforefaid, That if any Steward, Receiver, or Factor, on the faid Estates, shall, during the Continuance of his Office, by himfelf, or by any other Perfon whatever on his Account, directly or indirectly take, accept or receive, from any of the Tenants or Poffeffors of fuch Estates, any Money, Gift, Present, Service or other Gratuity whatsoever, to the Use of fuch Factor, he shall incur the Penalty of Fifty Pounds *Sterling, toties quoties*, One Moiety thereof to the Use of His Majesty, and the other to any Perfon who shall sue for the fame, to be

be recovered by Summary Petition or Complaint, upon Fifteen Days Notice before the Court of Session, or before the Sheriff's Court of the County.

Commissioners, with Approbation of the Treasury, may appoint Clerks and other Officers;

and cause a Survey to be made of the Lands,

the same, with all their Proceedings to be entered, and reported.

And be it further enacted by the Authority aforesaid, That the said Commissioners shall be, and are hereby impowered, by and with the Approbation of the High Treasurer, or of the Commissioners of the Treasury for the Time being, to appoint Clerks and other necessary Officers, with proper and reasonable Salaries: And that the said Commissioners shall cause such Lands to be surveyed, and proper Plans to be made thereof, setting forth the Extent and different Qualities of the Grounds, the several Advantages and Disadvantages arising from their Situation, and what Improvements may be made upon the same; which, with all other their Proceedings, shall be entered in Books to be by them kept for that Purpose, and a faithful Abstract thereof shall by them be reported annually, or oftner if required, to the High Treasurer, or the Commissioners of the Treasury for the Time being, who shall cause Copies of such Reports to be laid before both Houses of Parliament in every Session.

And be it further enacted by the Authority aforesaid, That it shall and may be lawful for His Majesty, His Heirs and Successors,

ors, where any One or more of the Estates aforesaid comprehend whole Parishes, belonging in Property to the Crown, which they shall judge to be of too large an Extent to be under the Charge of One Minister, to divide such Parishes into Two or more, by Warrant or Grant to be passed under the Privy Seal of *Scotland*, which shall prescribe the Bounds of the new erected Parishes, and grant competent Provisions to the Ministers of such Parishes, to be paid out of the present Maintenance for the Minister of the old Parish, and the Remainder out of the Rents of the said Estates, but so as the Stipend to be settled on One Minister shall not exceed Fifty Pounds *Sterling per Annum*, in Money or Value; and upon production of such Grant before the Commissioners for Plantation of Kirks and Valuation of Tythes, they are hereby required and impowered to interpose their Authority thereto, in such Manner as to render the Provision thereby made effectual to the Ministers serving the Cure in such new erected Parishes.

Where any Estates comprehend whole Parishes, the Crown may divide the same into Two or more Parishes;

with a Stipend to the Minister.

Provided always, That the Patronage of such new erected Parishes, whereof the Stipend shall be wholly, or the greater Part thereof paid out of the Rents of the said Estates, shall belong to, and for ever remain united to the Crown; saving and reserving

Patronage of such new erected Parishes to belong to the Crown, &c.

Reservation of Tythes, &c.

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to all Persons their Rights and Titles to the Tythes of fuch old Parifhes, and to the Patronage of the difjoined or new Parifhes to the Minifter whereof the old Stipend fhall be allocated, as the whole or greater Part of his Provifion; and alfo faving and referving to the Incumbent for the Time being, when fuch Divifion or new Erection fhall be made during his Incumbency, the Stipend or Maintenance he fhall then be poffeffed of, although the fame fhould exceed Fifty Pounds *Sterling* in Money or Value.

And whereas it may happen that other Persons may have Intereft or Property in fome of the Parifhes, which His Majesty, His Heirs or Succeffors, may judge proper to be divided; be it enacted by the Authority aforefaid, That all fuch new Divifions or Erections of Parifhes, in which other Persons befides His Majesty fhall have an Intereft, either as Heritors, Patrons or Titulars of the Tythes in the Parifh or Parifhes to be difjoined, or in the new Parifh to be erected, fhall be made by Authority of the Court of Commiffion for Plantation of Kirks and Valuation of Tythes in *Scotland*, upon an Action to be raifed and purfued in the Name, and at the Inftance of His Majesty's Advocate for *Scotland*, and which he is hereby enabled to raife and carry on, whether any of the other Heritors, who

The new Erections of fuch Parifhes, in which other Persons befides the Crown have an Intereft, how to be fettled.

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who have an Intereft in the faid Difjunction and new Erection fhall confent or not, and which Court of Commiffion fhall have Power, and is hereby required to fettle and determine, according to the Rules of Law and Juftice, all fuch Queftions, Debates and Controverfies, as may arife touching the faid new Erections; and every fuch Decree of the faid Court of Commiffion fhall be final and binding upon all Parties concerned, in cafe Thirty Days, on any of which fuch Proceedings as are ufual and competent by the Laws of *Scotland* for reverfing or amending fuch Decrees may be had, fhall elapfe, without fuch Proceedings being had, made, or commenced by any of the Parties therein concerned.

And be it further enacted by the Authority aforefaid, That it fhall and may be lawful to and for His Majesty, His Heirs and Succeffors, to erect publick Schools on the faid Eftates, or in other Parts of the Highlands or Iflands of *Scotland*, for inftructing young Persons in Reading and Writing the *Englifh* Language, and in the feveral Branches of Agriculture and Manufactures, and to erect Houfes for the Reception of fuch young Persons, and for carrying on fuch Manufactures by them, and for the accommodating fuch Mafters as fhall be appointed by the faid Commiffioners to in-

Crown may erect publick Schools;

struct and teach them, and to apply such Parts of the Produce of the said Estates as shall be necessary for erecting such Schools, providing competent Salaries for such Teachers, and for the Cloathing and Maintaining such young Persons, and for supplying such Schools with Utensils and Materials for Agriculture and Manufactures, and for the raising of Flax, and for such other like Uses, as by His Majesty, His Heirs or Successors, shall be thought proper for promoting the Purposes aforesaid.

and empower the Commissioners to allot or purchase Lands to the Use thereof;

And be it further enacted by the Authority aforesaid, That it shall and may be lawful for His Majesty, His Heirs and Successors, to empower the said Commissioners to allot Portions of Land out of the said Estates to the Use of such Schools as may be erected on the said Estates, or to apply such Part of the clear Rent of such Estates, as His Majesty, His Heirs and Successors, shall think proper in the Purchase of Portions of Land to be allotted to the Use of such Schools as shall be erected in other Parts of the Highlands or Islands of *Scotland*.

and to grant Lands to be held Feu of the Crown, to well affected Persons, for building Houses, and for Gardens, &c.

And be it further enacted by the Authority aforesaid, That it shall and may be lawful to His Majesty, His Heirs and Successors, to authorize and empower the said Commissioners to grant out in Property such Parts and Portions of Ground, not exceeding

ing Ten Acres to One Person, as may be sufficient for building convenient Dwelling-houses, Out-houses and Gardens, to Persons well affected to His Majesty's Person and Government, and who shall be duly qualified by taking the Oaths to the Government, who shall oblige themselves to erect Buildings, and make Gardens thereupon; which Portions of Ground shall be by the Grantees held Feu of His Majesty, His Heirs or Successors, for Payment of a yearly Feu Duty, equal to such a Proportion of the Rent as the said Commissioners shall find to correspond to the Ground to be feued out by them: And in respect that such small Feus cannot bear the Charges of passing the Seals, and other Charges necessary for making out the Titles of Lands held of the Crown; it shall and may be lawful to His Majesty, His Heirs and Successors, to authorize and empower the said Commissioners to grant Charters, containing Precepts of Seisin, to be held Feu of His Majesty as aforesaid, and also to grant all Charters, Precepts of *Clare Constat*, and other Writings necessary for entering their Heirs and singular Successors.

Provided always, That any Person who shall reside in any Dwelling-house created upon any Portion of Land, which shall have been granted for that Purpose in Man-

Persons residing in such Houses, may hold Leases of other Parts of the said Estates.

ner as aforefaid, fhall, during his Residence in fuch Houfe, be capable of holding a Leaf from the faid Commiffioners of any other Part of the faid Eftates, within the Dif- tance of Five Miles from fuch Houfe, fub- ject to all the other Conditions and Limi- tations of this Act; any Thing herein be- fore contained to the contrary notwith- ftanding.

Crown may erect Prifons.

And whereas it hath been found a great Obfturbation to the Courfe of Juftice in the Highlands, that many Parts thereof are far remote from any Royal Burgh or County Gaol; be it further enacted by the Autho- rity aforefaid, That it fhall and may be lawful for His Majefty, His Heirs and Suc- ceflors, by and out of the Rents and Pro- fits of the Lands and Eftates aforefaid, to caufe Prifons to be erected and maintained on fuch Parts of the aforefaid Lands, or o- ther Parts of the Highlands or Iflands of *Scotland*, as they fhall think fit, for the Cu- ftody of Prifoners for Crimes or Offences; and that fuch Prifons fo erected fhall be held to be lawful Prifons for the Purpose a- forefaid; and the Commiffioners to be nam- ed as aforefaid, are hereby impowered to appoint Gaolers for the keeping of fuch Pri- fons, and to affign them reasonable Wages, to be paid by the Factors on fuch Eftates, with proper Allowances from Time to Time,

Commiffioners may appoint Gaol- ers, with Salaries;

for

for the Maintenance of indigent Prifoners; and the faid Commiffioners are hereby fur- ther impowered to appoint Bailies over the faid Eftates, or any Village or Diftrict thereof; which Bailies fhall have all the Powers over fuch Eftates, that are now by Law competent to Baron Bailies, and fhall further have Power to commit Offenders to the next fure Prifon within the County, al- though not within the Territory of fuch Bailie himfelf.

and Bailies, with Power to commit Offenders.

And be it further enacted by the Autho- rity aforefaid, That His Majefty's Receiver- general for *Scotland* fhall referve the Monies that fhall come into his Hands out of the Rents of the faid Eftates, for answering fuch Orders as fhall be made upon him by the faid Commiffioners, in purfuance of the Powers that fhall be granted, and the War- rants and Directions that fhall be given to them, from Time to Time, by His Majefty, His Heirs and Succelors, concerning the Application of the Rents of the faid E- ftates, for the Ends and Purpofes aforefaid, and for no other Ends or Purpofes whatfo- ever.

Rents of the E- ftates to be referv- ed to answer the Orders of the Com- miffioners.

Provided always, and be it enacted by the Authority aforefaid, That until the fi- nal Determination of the Claims that have been, or fhall be, duly made, or entered, in the Court of Seflion in *Scotland*, to or upon the

Till the Claims be determined, the Treafury may ap- ply fo much of the Rents as fhall be neceffary for de- fraying the Ex- pence of managing the faid Eftates, and for difcuffing the Claims.

Anno Regni vicefimo quinto, &c.

the aforefaid Eftates, it fhall and may be lawful for the High Treafurer, or Commiffioners of the Treafury for the Time being, to caufe to be applied fo much of the Rents and Profits of the Eftates aforefaid, as they fhall find neceffary for defraying the Expences of Management thereof, and of litigating and difcuffing fuch Claims; any Thing herein contained to the contrary notwithstanding.

F I N I S

### Commiffion and Nomination

O F

TRUSTEES and COMMISSIONERS,

F O R

Managing the forfeited annexed Eftates in SCOTLAND.

**G**EORGE the Second, by the Grace of GOD, of *Great Britain, France and Ireland*, King, Defender of the Faith: WHEREAS We confidering that the Eftates of *Simon* late Lord *Lovat*, *John Drummond*, taking on himfelf the Stile and Title of Lord *John Drummond*, Brother to *James Drummond*, taking on himfelf the Title of Duke of *Perth*, *George* late Earl of *Cromarty*, and *Archibald M'Donald*, Son of *Col M'Donald* of *Barisdale*, which became forfeited to His Majesty by their Attainder of High Treafon, for their being engaged in the late unnatural and wicked Rebellion, and which were vefted in Us by an Act made in the Twentieth Year of Our Reign, intituled, *An Act for vefting in His Majesty the Eftates of certain Traitors; and for the more effectually difcovering the fame; and applying the Produce thereof to the Ufe of His Majesty;*



( 2 )

fly; and for ascertaining and satisfying the lawful Debts and Claims thereupon, are, by an Act made in the Twenty fifth Year of Our 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*, from and after the Twenty fifth Day of December One thousand seven hundred and fifty two, annexed to the Imperial Crown of this Realm, to be, and remain for ever, unalienable from the same. And considering that Provision is made by the said last mentioned Act, for ascertaining and satisfying the just and lawful Claims on the said Forfeited Estates so annexed to the Crown, and considering that it would be highly conducive to the good Purposes intended thereby, that the Lands and Estates of *Donald Cameron of Lochiel, Charles Stuart of Ardsbiel, Donald M'Donald of Kenloch Moydart, Evan M'Pberston of Clunie, Francis Buchanan of Arnprior, Donald M'Donald of Lochgary, Allan Cameron of Callart, Francis Farquharson of Monaltry, and Alexander M'Donald of Keppoch*; which Lands and Estates were holden of Subject Superiors, who

( 3 )

who have entered Claims in the Court of Session to the Property thereof, should, in like Manner, remain with Us, Our Heirs and Successors; and that for this Reason, it is by the said Act further enacted, That in case the Property of any of the said Lands or Estates, so claimed by such Subject Superiors, shall be finally determined to be forfeited to Us, or such Subject Superiors shall be agreed or compounded with for such Claim in Manner therein mentioned, then, and in either of the said Cases, until such Superiorities shall be purchased, it shall be lawful to Us, Our Heirs and Successors, to vest, in such Manner as shall be agreeable to the Laws of *Scotland*, the said Lands and Estates, held of Subject Superiors, or such Parts of the Lands, and other the Premises therein before annexed to the Crown, as shall appear to have been formerly held of Subject Superiors, in One or more Trustee or Trustees, their Heirs and Successors, in Trust, for the Uses and Purposes of the said Act; and that the said Lands and Estates, with all the Rents, Issues and Profits thereof, shall be disposed of, and applied to the Uses and Purposes in the said Act mentioned, and to none other; and shall be under the same Management, and subject to the same Rules, Orders and Directions, and the same Provisions, for Payment of the lawful Debts thereon,

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thereon, shall take Place, that are by the said Act made concerning the other Lands and Estates thereby annexed to the Imperial Crown of this Realm: And CONSIDERING also, that it is thereby further enacted, That whensoever the Property of any of the Lands or Estates so claimed by any Subject Superior, shall have been finally determined to be forfeited to Us, or such Subject Superior shall have been agreed or compounded with for the same, in Manner therein mentioned, and also the Superiority of such Lands shall have been purchased by Us, Our Heirs or Successors; then the Lands and Estates, whereof the Superiorities are so purchased, shall, both Property and Superiority, be from that Time, annexed to the Imperial Crown of this Realm, and shall remain for ever unalienable from the same: And CONSIDERING that the Barony of *Strowan*, and other the Lands, Tenements and Hereditaments, which formerly belonged to *Alexander Robertson of Strowan* deceased, and became forfeited to the Crown, by Decree or Sentence of Forfeiture, passed in the Parliament of *Scotland*, in the Year One thousand six hundred and ninety, and now belong to, and remain Our Property, are, by the said Act unalienably annexed to the Imperial Crown of this Realm; and that the lawful Debts thereon are thereby directed

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directed to be paid, in the same Manner as is provided concerning the Lands and Premises before in the said Act mentioned; for ascertaining which Debts, Provision is made by an Act made in the Twenty sixth Year of Our Reign, intituled, *An Act to explain, amend, and continue the Provisions made by Two Acts of Parliament of the Nineteenth and Twenty first Years of Our Reign, for the more effectual disarming the Highlands of Scotland, and to make Provision for the more speedy ascertaining the lawful Debts and Claims upon the Lands and Hereditaments that sometime belonged to Alexander Robertson of Strowan, which, with other Forfeited Estates, are, by an Act of the Twenty fifth Year of His Majesty's Reign, annexed to the Crown unalienable.* And considering that by the said Act made in the Twenty fifth Year of Our Reign, it is further enacted, That the clear Rents and Produce of the Lands and Estates thereby annexed to the Crown, or directed to be held in Trust, as in the said Act is directed, shall be applicable in the Manner therein mentioned, or in such other Manner as We, Our Heirs or Successors, shall, from Time to Time, by Warrants under Our or Their Sign Manual, be pleased to direct, to the Purposes of civilizing the Inhabitants upon the said Estates, and other Parts of the Highlands and Islands of *Scotland*, the promoting

( 6 )

ing amongst them the *Protestant* Religion, good Government, Industry and Manufactures, and the Principles of DUTY and LOYALTY to Us, Our Heirs and Successors, and to no other Use or Purpose whatsoever. And to the End that the said Lands and Estates may be managed, and the Produce thereof applied in the most beneficial Manner, for the Ends and Purposes aforesaid, it is thereby further enacted, That it shall be lawful for Us, Our Heirs and Successors, by Commission under the Privy Seal of *Scotland*, to authorize such Persons as We, Our Heirs or Successors, shall think fit, from Time to Time to be Commissioners and Trustees for managing the said Estates, and applying the Produce thereof for the Ends and Purposes appointed by the said Act: And having taken into Our Consideration, the Advantage which will accrue to the united Kingdom, from a due and faithful Management of the said Estates, have, for the Good of Our People, and pursuant to the Powers to Us given by the said Act, thought fit to CONSTITUTE and APPOINT, likeas We do hereby CONSTITUTE and APPOINT, *Archibald Duke of Argyll, John Marquis of Tweedale, James Earl of Morton, James Earl of Findlater, Hugh Earl of Marchmont, John Earl of Hopetoun, James Ogilvie Esq;* commonly called Lord *Desford,*

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*foord, Charles Lord Cathcart, James Lord Sommerville,* the Lord President of the Court of Session for the Time being, the Lord Chief Baron of the Court of Exchequer in that Part of *Great Britain* called *Scotland*, the Lord Justice Clerk for the Time being, *Charles Hope-Weir Esq; Andrew Fletcher Esq;* one of the Senators of the College of Justice, *Edward Edlin Esq;* one of the Barons of the said Court of Exchequer, *John Maule Esq;* another of the said Barons, *William Grant of Prestongrange Esq;* another of the Senators of the College of Justice, *Robert Dundas of Arniston Esq;* Advocate for *Scotland*, and the Advocate for *Scotland* for the Time being, the Commander in Chief of Our Forces in *Scotland* for the Time being, *James Oswald Esq; Andrew Mitchell Esq; Gilbert Elliot of Minto Esq; William Alexander Esq; George Drummond Esq;* Lieutenant Colonel *David Watson, Mansfieldt Cardonnell Esq; Alexander l'Grand Esq;* and *Joseph Tudor Esq;* or any Five or more of them, who are hereby declared to be a Quorum, to be Commissioners and Trustees for managing the said Estates, and applying the Produce thereof for the Ends and Purposes appointed by the said Act, GIVING, GRANTING and COMMITTING to them full Power and Authority; likeas We hereby GIVE, GRANT and COMMIT

( 8 )

MIT to them full Power and Authority to exercise the several Powers and Authorities by the said Act enacted, to be vested in the Commissioners and Trustees, so to be appointed, under such Restrictions as in the said Act are contained, and according to such Instructions, consistent with the said Act, as are or shall be given by Our Warrant, under Our Sign Manual, or shall in like Manner be given by Our Heirs or Successors; and WILL and ORDAIN, That the said Commissioners and Trustees shall, for the Purposes of executing the Powers to them given, assemble themselves at *Edinburgh*, at such Time, between the first Day of *May* and the first Day of *July* One thousand seven hundred and fifty five, and at such Place within the said City, as by the Lord President of the Court of Session for the Time being shall be appointed; of which Time and Place, Notice shall by him be given in Writing to the rest of the said Commissioners and Trustees; and the said Commissioners and Trustees shall, from thence forward, assemble at such Times and Places within the said City, as they, or any five or more of them, shall appoint: And in case of any Assembling, not held by Adjournment, at such Times and Places, within the said City, whereof publick Notice shall be given by Advertisement, to be inserted

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inserted in the *Edinburgh Courant*; or if the Publication of that Paper shall be discontinued, in any other publick News Paper, to be printed in the said City, fourteen Days at the least before such Assembling. Provided always, That before the said Commissioners and Trustees enter upon the discharge of their Office, they do take and subscribe the Oaths requisite by Law, to qualify Persons to execute Offices of publick Trust in *Scotland*; and likewise take and subscribe an Oath in the Words following,  
 “ I *A. B.* Do solemnly promise and swear,  
 “ That I will be faithful and impartial in  
 “ the Execution of the Office committed  
 “ to me by His Majesty’s Commission under the Privy Seal of *Scotland*, dated the  
 “ Day of  
 “ and in the Year of His  
 “ Reign, and granted by virtue of an Act  
 “ made in the Twenty fifth Year of His  
 “ Majesty’s Reign, intituled, *An Act for annexing certain 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.*”  
 Which Oaths, the Lord Chief Baron, or  
 F 2 any

( 10 )

any other of the Barons of the Court of Exchequer, of Us, Our Heirs and Successors, in *Scotland*, are hereby impowered to administer. And whereas Power is by the said Act given to Us, Our Heirs and Successors, where any one or more of the Estates aforesaid, comprehend whole Parishes, belonging in Property to the Crown, which they shall judge to be of too large an Extent to be under the Charge of one Minister, to divide such Parishes into Two or more, by Warrant or Grant to be passed under the Privy Seal of *Scotland*, which shall prescribe the Bounds of the new erected Parishes, and grant competent Provisions to the Ministers of such Parishes, to be paid out of the present Maintenance of the Minister of the old Parish, and the Remainder out of the Rents of the said Estates; but so as the Stipend to be settled on one Minister shall not exceed Fifty Pounds *Sterling per Annum*, in Money or Value: It is Our WILL and PLEASURE, That the said Commissioners and Trustees, or any five or more of them shall lay before Us, a List of such Parishes as they shall judge proper to be so divided, together with a Description of the Bounds of the Parishes proposed to be newly erected; to the End that when the Plan of any such Proposal shall be approved or varied by Us, Our Heirs or Successors, the  
same

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same may be, by Our or Their Warrant or Grant as aforesaid, and in Manner prescribed by the said Act, carried into Execution. AND WHEREAS by the said Act, Power is also given to Us, Our Heirs and Successors, to erect publick Schools on the said Estates, or in other Parts of the Highlands or Islands of *Scotland*, for instructing young Persons in Reading and Writing the *English* Language, and in the several Branches of Agriculture and Manufactures, and to erect Houses for the Reception of such young Persons, and for carrying on such Manufactures by them, and for the accommodating such Masters as shall be appointed by the said Commissioners to instruct and teach them, and to apply such Parts of the Produce of the said Estates as shall be necessary for erecting such Schools, providing competent Salaries for such Teachers, and for the Cloathing and Maintaining such young Persons, and for supplying such Schools with Utensils and Materials for Agriculture and Manufactures, and for the raising of Flax, and for such other like Uses, as by Us, Our Heirs and Successors, shall be thought proper for promoting the Purposes aforesaid. AND WHEREAS Power is also given by the said Act, to Us, Our Heirs and Successors, to authorize the said  
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( 12 )

Commissioners, to allot Portions of Lands out of the said Estates, to the Use of such Schools as may be erected on the said Estates, or to apply such Part of the clear Rent and Profits of such Estates, as We, Our Heirs and Successors, shall think proper in the Purchase of Portions of Lands to be allotted to the Use of such Schools as shall be erected in other Parts of the Highlands or Islands of *Scotland*, We WILL and ORDAIN, That the said Commissioners and Trustees, or any five or more of them, shall prepare and lay before Us, a Plan, or Proposal, for erecting such publick Schools and Houses, either on the said Estates, or in other Parts of the Highlands or Islands of *Scotland*, in such Places, and in such Manner and Form as they shall judge competent; together with an Estimate of the Expence thereof, and of the Sum necessary for providing competent Salaries for the Teachers of young Persons to be instructed in such Houses, in the Manner allowed by the said Act, and for the Clothing and Maintaining such young Persons, and for supplying such Schools with Utensils and Materials for Agriculture and Manufactures, and for the raising of Flax, and for such other like Uses as by the said Commissioners and Trustees shall be thought proper for promoting the Purposes

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Purposes aforesaid; to the End, That We, Our Heirs and Successors, upon the Representation of the said Commissioners and Trustees, may give such Directions as shall appear to be most conducive to the Accomplishment of the Purposes aforesaid. AND WHEREAS We are by the said Act impowered to authorize the said Commissioners and Trustees to grant out in Property, such Parts and Portions of Ground, not exceeding Ten Acres to one Person, as may be sufficient for building convenient Dwelling-houses, Out-houses and Gardens, to Persons well affected to Our PERSON and GOVERNMENT, who shall be duly qualified, by taking the Oaths to the Government, and who shall oblige themselves to erect Buildings and make Gardens thereupon; which Portions of Ground shall be, by the Grantees, held Feu of Us, Our Heirs and Successors, for Payment of a yearly Feu-duty equal to such a Proportion of the Rent as the said Commissioners shall find to correspond to the Ground to be feued out by them; and to authorize the said Commissioners to grant Charters, containing Precepts of Seisin, to be held Feu of Us as aforesaid; and also grant all Charters, Precepts of *Clare Constat*, and other Writings necessary for entering their Heirs and singular

lar Successors: It is Our WILL and PLEASURE, That the said Commissioners and Trustees, or any five or more of them, shall have, and We do hereby commit to them, full Power and Authority to grant out in Property, such Parts and Portions of Ground to such Persons, and under such Restrictions, and upon such Conditions as are described and directed in the said Act, and according to such Instructions, consistent with the said Act, as in this Behalf are or shall be given to the said Commissioners and Trustees, by Us, by Warrant under Our Sign Manual, or shall in like Manner be given by Our Heirs and Successors. And We do hereby also AUTHORIZE and IMPOWER the said Commissioners and Trustees, or any five or more of them, to grant such Charters, containing Precepts of Seisin, and all Charters, Precepts of *Clave Constat*, and other necessary Writings, as aforesaid. AND WHEREAS by the said Act it is further enacted, That it shall and may be lawful for Us, Our Heirs and Successors, by and out of the Rents and Profits of the Lands and Estates aforesaid, to cause Prisons to be erected and maintained on such Parts of the aforesaid Lands, or other Parts of the Highlands or Islands of *Scotland*, as they shall think fit, for the Custody of Prisoners,

soners, for Crimes or Offences; and that such Prisons, so to be erected, shall be held to be lawful Prisons; We being desirous, so far as in Us lies, to remove every Obstruction to the Course of Justice in that Part of Our Kingdom, WILL and ORDAIN, That the said Commissioners and Trustees, or any five or more of them, shall enquire and certify to Us their Opinion, in what Part of the said Lands, or other Parts of the Highlands or Islands of *Scotland*, such Prisons may properly be erected; and shall also certify the Estimate of the Expence necessary for erecting the same; to the End that We, upon Consideration of their Certificate, may give Directions for erecting and maintaining such Prisons, in the Manner directed by the said Act, and that the Commissioners and Trustees thereupon may proceed to the Execution of the Powers given to them by the said Act, for appointing Gaolers, and assigning them reasonable Wages, with proper Allowances for the Maintenance of indigent Prisoners, and appointing Bailies over the said Estates, or any Village or District thereof, and that such Bailies may execute the Powers to them given by the said Act; and particularly, to commit Offenders to the next sure Prison within the County. And it is Our further WILL and PLEASURE,

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SURE, That the said Commissioners and Trustees, or any five or more of them, shall, yearly, and every Year, between the first Day of *August*, and the thirteenth Day of *November*, make up an exact and faithful Account of the Monies arising from the Rents and Profits of the said Estates, and received by Our Receiver-general of the Crown Rents and Casualties in *Scotland*, and issued either by their Orders, or by virtue of Warrants from Us, or Our Heirs and Successors, together with a faithful and true Report of their Proceedings, in the Execution of the Trust thereby reposed in them; and shall, within the Space of thirty Days, lay the said Account and Report before Us, Our Heirs or Successors; and shall, within the like Space of thirty Days, lay true Copies of the said Account and Report, before the High Treasurer, or Commissioners of the Treasury for the Time being, that he, or they, may peruse and examine the same, and lay before Us, Our Heirs and Successors, from Time to Time, such Observations as he or they shall make thereon. And it is Our further WILL and PLEASURE, That the said Commissioners and Trustees, or any five or more of them, shall, between the first Day of *August*, and the thirteenth Day of *November*, in the Year One thousand seven

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seven hundred and fifty five, or within thirty Days after, propose and lay before Us, Our Heirs and Successors, a Plan or Method for the Application and Distribution of the Rents and Profits of the said Estates, so annexed to the Crown, according to the true Intent and Meaning of the said Act: Which Plan, or Method, being approved, altered, or varied by Us, Our Heirs or Successors, by Writing under Our or Their Sign Manual, shall be in Force and put in Execution, until the same shall be altered or varied in like Manner and by like Authority. Provided nevertheless, and it is Our further WILL and PLEASURE, That the said Commissioners and Trustees, or any five or more of them, may, in any other Year between the first Day of *August*, and the thirteenth Day of *November*, or within thirty Days after, propose and lay before Us, Our Heirs and Successors, any other Plan or Method for the like Purpose; which Plan or Method, being in like Manner approved, altered, or varied by Us, Our Heirs or Successors, shall be in Force, and put in Execution, until the same shall be in like Manner altered or varied by like Authority. Given at Our Court of *St. James's*, and under Our Privy Seal of *Scotland*, the Twentieth Day of *March* One thousand seven hundred and fifty



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fifty five, in the twenty eight Year of Our  
Reign.

*Per Signaturam Manu S. D. N. Regis su-  
pra scriptam, Manibusque quorundam Do-  
minorum Commissionariorum Theaurarii  
Magne Britannie subscriptam.*

(*Sic Subscribitur*) { ARCH. STUART.  
DAVID KINLOCH.

Written to the Privy Seal, and registered  
this Tenth Day of May 1755.

(*Sic Subscribitur*) DAVID KINLOCH.

Sealed at *Edinburgh*, the Tenth Day of  
May 1755.

(*Sic Subscribitur*) ARCH. STUART.

Supercribed GEORGE R.

# INSTRUCTIONS

TO THE

COMMISSIONERS and TRUSTEES,

APPOINTED

By His MAJESTY'S Commission, for  
Managing the Forfeited Estates in  
*Scotland*, unalienably annexed to  
the Crown, by an Act of the  
Twenty fifth Year of His MAJE-  
STY'S Reign.

WHEREAS Power is given to the  
said Commissioners and Trustees  
by the said Act, to grant Leases  
of the said Estates, or any Part thereof, for  
any Term not exceeding Twenty one Years,  
and in a certain Case, for any Term not ex-  
ceeding Forty one Years; it is His Majesty's  
WILL and PLEASURE, That the said  
Commissioners and Trustees, shall be cauti-  
ous to what Persons, and for what Terms,  
they grant such Leases, and that such Leaf-  
es shall not only be subject to, and contain  
the

( 2 )

the Conditions, Provisions, Limitations and Irritancies mentioned in the said Act, but also the Provisions, Conditions and Limitations following; that is to say,

In granting Leases of such Estates, the Tenants whereof have usually been obliged to perform the Service of carrying Bark, Coals or Fuel, or any Materials for building or repairing of Houses, Kirks or Manses, or for amending High-ways, or for other public Services, it is His Majesty's WILL and PLEASURE, That the Tenants, under the Leases to be granted by the said Commissioners and Trustees, shall be obliged, by proper Covenants, to perform the same Services; and that the like Covenants, for performing the like Services, be inserted in the Leases of such other Parts of the said Estates, wherein the Performance of such Services may conveniently and reasonably be required.

AND WHEREAS the said Commissioners and Trustees are, by His Majesty's Commission, empowered to grant out in Property, certain Parts and Portions of Lands to Persons by the said Act qualified, and in Manner, and upon the Conditions therein mentioned, to be held Feu of His Majesty, His Heirs or Successors; but it may happen, that the Heirs or singular Successors of such Grantees, or the Adjudgers of the Lands so granted,

( 3 )

granted, may either not be well affected to His Majesty, His Heirs or Successors, or in other Respects not fit to continue in the Occupation of the Portions of Ground so granted, it is His Majesty's WILL and PLEASURE, That in every such Grant, a Clause be inserted to this Effect; That upon Payment of the full Value of the Lands so granted, and of the Improvements thereupon (such Value to be ascertained by a Jury of twelve Land-holders in the Shire, summoned by the Sheriff-depute, or any of his Substitutes) it shall and may be lawful to the said Commissioners and Trustees, or any five or more of them, to redeem the said Grant; and His Majesty doth hereby authorize the said Commissioners and Trustees, or any five or more of them, to direct the Application of so much Money as shall be necessary for this Purpose, out of the Rents and Profits of the said Forfeited Estates.

It is also His Majesty's WILL and PLEASURE, That in the Allotment and Distribution, as well of the Lands thus to be leased, as of the Lands thus to be granted in Property, the said Commissioners and Trustees shall have a particular Attention (as far as conveniently may be done) to the Enlargement, or new Erection, of Towns and Villages, to the End that the Inhabitants,

( 4 )

nants, by Neighbourhood and mutual Commerce, may be the better enabled to assist each other in Agriculture and Manufactures, and in securing their Property against Theft and Rapine, that Malefactors may the more easily be detected and apprehended; and that for the Advancement of true Religion and Virtue, Places of publick Worship may the more conveniently be established and frequented.

AND WHEREAS His Majesty judges it expedient, that the Factors of the said Estates should be resident thereon, either continually, or at least for a certain Number of Months in the Year; it is His Majesty's WILL and PLEASURE, That the said Commissioners and Trustees shall compel the said Factors to such Residence under Pain of being dismissed from their Employments: And His Majesty WILLS and ORDAINS, That the said Commissioners and Trustees shall cause the Penalty imposed by the said Act on such Stewards, Receivers, or Factors on the said Estates, who shall directly, or indirectly, receive from any of the Tenants, or Possessors of the said Estates, any Money, Gift, Present, Service or other Gratuity, to be sued for, and recovered, in the Manner directed by the said Act: And His Majesty commands the said Commissioners and Trustees, to take effectual

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effectual Care, That the Clerks, and other necessary Officers, whom the said Commissioners and Trustees, by and with the Approbation of the High Treasurer, or of the Commissioners of the Treasury for the Time being, are authorized to appoint, with proper and reasonable Salaries, be restrained from demanding or exacting any other Fee or Gratuity for doing their Offices, upon any Pretence whatsoever, under Pain of being dismissed from their Employments, and of such other Punishments as may by Law be inflicted on them for the said Offence. Given at His Majesty's Court at St. James's, the Twentieth Day of *March* 1755, in the Twenty eight Year of His Majesty's Reign. By His Majesty's Command,

Signed { HOLLIS NEWCASTLE.  
H. B. LEGGE.  
R. NUGENT.

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## Commission and Nomination

O F

COMMISSIONERS and TRUSTEES,

F O R

Managing the annexed Forfeited Estates in  
SCOTLAND.

**G**EORGE the Third, by the Grace of  
GOD, King of *Great Britain, France*  
and *Ireland*, Defender of the Faith,  
and so forth, To all and fundry whom these  
Presents do or may concern, Greeting:  
WHEREAS the Estates of *Simon* late Lord  
*Lovat*, *John Drummond* taking on himself the  
Stile and Title of Lord *John Drummond*, Bro-  
ther to *James Drummond* taking on himself  
the Title of the Duke of *Perth*, *George* late  
Earl of *Cromarty*, and *Archibald M'Donald*  
Son of *Coll M'Donald* of *Barrisdale*, which be-  
came forfeited to Our late Royal Grandfa-  
ther, of glorious and happy Memory, by their  
Attainder of High Treason, for their being  
engaged in the late unnatural and wicked  
Rebellion, and which were vested in His  
Majesty, by an Act made in the Twentieth  
Year of His Reign, intituled, *An Act for*  
*vesting in His Majesty the Estates of certain*  
G 2 *Traitors,*

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*Traitors, and for the 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, are, by an Act made in the Twenty fifth Year of His 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, from and after the Twenty fifth Day of December One thousand seven hundred and fifty two, annexed to the Imperial Crown of this Realm, to be and remain for ever unalienable from the same. AND CONSIDERING, That Provision is made by the said last mentioned Act for ascertaining and satisfying the just and lawful Claims on the said Forfeited Estates so annexed to the Crown, AND CONSIDERING, That it would be highly conducive to the good Purposes intended thereby, that the Lands and Estates of Donald Cameron of Lochiel, Charles Stuart of Ardsbiel, Donald M'Donald of Kinloch Moydart, Evan M'Pherson of Clunie, Francis Buchanan of Arnprior, Donald M'Donald of Lochgary, Allan Cameron of Callart, Francis Farquharson*

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*Farquharson of Monaltry, and Alexander M'Donald of Keppoch, which Lands and Estates were holden of Subject Superiors who have entered Claims in the Court of Session to the Property thereof, should, in like Manner, remain with His Majesty, His Heirs and Successors; and that for this Reason, it is by the said Act further enacted, That in Case the Property of any of the said Lands and Estates so claimed by such Subject Superiors, shall be finally determined to be forfeited to the Crown, or such Subject Superior shall be agreed or compounded with, for such Claim in Manner therein mentioned, then, and in either of the said Cases, until such Superiorities shall be purchased, it shall be lawful to His Majesty, His Heirs and Successors, to vest in such Manner as shall be agreeable to the Laws of Scotland, the said Lands and Estates held of Subject Superiors, or such Part of the Lands and other the Premises therein before annexed to the Crown, as shall appear to have been formerly held of Subject Superiors, in One or more Trustee or Trustees, their Heirs and Successors in Trust, for the Uses and Purposes of the said Act: AND that the said Lands and Estates, with all the Rents, Issues and Profits thereof, shall be disposed of, and applied to the Uses and Purposes mentioned in the said Act, and to none o-*

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ther, and shall be under the same Management, and subject to the same Rules, Orders and Directions, and the same Provisions for Payment of the lawful Debts thereon shall take Place, that are by the said Act made concerning the other Lands and Estates thereby annexed to the Imperial Crown of this Realm. AND CONSIDERING also, that it is thereby further enacted, That whensoever the Property of any of the Lands, so claimed by any Subject Superior, shall have been finally determined to be forfeited to the Crown, or such Subject Superior shall have been agreed or compounded with for the same, in Manner therein mentioned; and also the Superiority of such Lands shall have been purchased by His Majesty, His Heirs or Successors, then the Lands and Estates, whereof the Superiorities are so purchased, shall, both Property and Superiority, be from that Time annexed to the Imperial Crown of this Realm, and shall remain for ever unalienable from the same. AND CONSIDERING that the Barony of *Strowan*, and other the Lands, Tenements, and Hereditaments, which formerly belonged to *Alexander Robertson* of *Strowan* deceased, and became forfeited to the Crown by a Decree or Sentence of Forfeiture, passed in the Parliament of *Scotland*, in the Year One thousand six hundred

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hundred and ninety, and now belong to, and remain the Property of the Crown, are, by the said Act, unalienably annexed to the Imperial Crown of this Realm; and that the lawful Debts thereon are thereby directed to be paid in the same Manner as is provided concerning the Lands and Premises before in the said Act mentioned; for ascertaining which Debts, Provision is made by an Act made in the Twenty sixth Year of Our late Royal Grandfather, intituled, *An Act to explain, amend and continue, the Provisions made by two Acts of Parliament of the Nineteenth and Twenty first Years of His Reign, for the more effectual disarming the Highlands of Scotland, and to make Provision for the more speedy ascertaining the lawful Debts and Claims upon the Lands and Hereditaments that some Time belonged to Alexander Robertson of Strowan, which, with other Forfeited Estates, are, by an Act of the Twenty fifth Year of His said Majesty's Reign, annexed to the Crown unalienably: And considering that by the said Act, made in the Twenty fifth Year of His Reign, it is further enacted, That the clear Rents and Produce of the Lands and Estates thereby annexed to the Crown, or directed to be held in Trust as in the said Act is directed, shall be applicable in the Manner therein mentioned, or in such other Manner as His Majesty,*

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jefty, His Heirs or Successors, shall, from Time to Time, by Warrants under His or Their Sign Manual, be pleased to direct to the Purposes of civilizing the Inhabitants upon the said Estates, and other Parts of the Highlands and Islands of *Scotland*, the promoting among them the *Protestant* Religion, good Government, Industry and Manufactures, and the Principles of DUTY and LOYALTY to His Majesty, His Heirs and Successors, and to no other Use or Purpose whatsoever. And to the End that the said Lands and Estates may be managed, and the Produce thereof applied in the most beneficial Manner for the Ends and Purposes aforesaid, it is thereby further enacted, That it shall be lawful for His Majesty, His Heirs and Successors, by Commission under the Privy Seal of *Scotland*, to authorize such Persons as His Majesty, His Heirs or Successors, shall think fit from Time to Time, to be Commissioners and Trustees for managing the said Estates, and applying the Produce thereof, for the Ends and Purposes appointed by the said Act. And, WHEREAS Our said Royal Grandfather having taken into His Consideration, the Advantage which would accrue to the united Kingdom, from a due and faithful Management of the said Estates; DID, for the Good of His People, and pursuant

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to the Powers to Him given by the said Act; think fit, by His Commission under the Privy Seal of *Scotland*, bearing Date, the Twentieth Day of *March*, One thousand seven hundred and fifty five; in the Twenty eight Year of His Reign, to constitute and appoint the Persons therein named, or any Five or more of them, who are thereby declared to be a Quorum, to be Commissioners and Trustees, with the several Powers and Authorities therein mentioned, for Managing the said Estates, and applying the Produce thereof, for the Ends and Purposes appointed by the said Act: AND WHEREAS Our late Royal Grandfather, by Warrant under His Sign Manual, given at *St. James's*, the Twentieth Day of *March*, One thousand seven hundred and fifty five, in the Twenty eighth Year of His Reign, did give several Directions and Instructions to the said Commissioners and Trustees, to be observed and followed by them in the Exercise of their Office and Trust; AND WE, being willing and desirous to strengthen the Foundations of the future Tranquillity of this Kingdom, by ratifying, confirming and approving the several Powers and Authorities contained in the said Commission, and the Directions contained in the said Instructions of Our Royal Grandfather, and to make a new

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Nomination of Commissioners and Trustees, to whom the Execution thereof shall belong for the future; WE DO THEREFORE hereby RATIFY, CONFIRM and APPROVE the several Powers and Authorities contained in the said Commission, and the Directions contained in the said Instructions of Our Royal Grandfather, in as full and ample Manner, as if the said several Powers, Authorities and Instructions, were herein particularly specified and renewed at large. And to the End, the same may be carried into due Execution, We do hereby NOMINATE, CONSTITUTE and APPOINT, *John Marquis of Tweeddale, James Earl of Morton, James Earl of Finlater, Hugh Earl of Marchmont, John Earl of Hopetoun, James Ogilvy Esq; commonly called Lord Deskfoord, Charles Lord Cathcart, James Lord Sommerville, James Stuart M'Kenzie Esq; Charles Hope Weir Esq;* the President of the Court of Session for the Time being; The Chief Baron of the Court of Exchequer, in that Part of *Great Britain*, called *Scotland*, for the Time being; the Lord Justice Clerk for the Time being; *Andrew Fletcher Esq;* one of the Senators of the College of Justice; Sir *Gilbert Elliot* Baronet, another of the Senators of the College of Justice; *John Maule Esq;* one of

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of the Barons of the said Court of Exchequer; *William Grant Esq;* another of the Senators of the said College of Justice; *Henry Home Esq;* another of the Senators of the College of Justice; *Andrew Pringle Esq;* another of the Senators of the College of Justice; *William Mure Esq;* another Baron of the said Court of Exchequer; *George Winn Esq;* another Baron of the said Court of Exchequer; *Thomas Miller Esq;* Advocate for *Scotland*; and the Advocate for *Scotland*, for the Time being; Lord *George Beauclerk, James Montgomery Esq;* one of the Solicitors General for *Scotland*; *Francis Garden Esq;* another of the said Solicitors; Sir *David Dalrymple* Baronet, *James Oswald Esq;* *Gilbert Elliot Esq;* *Andrew Mitchel Esq;* *John Swinton Esq;* Sherriff Depute for the Shire of *Perth*; *John Campbell Esq;* Sheriff Depute for the Shire of *Forfar*; *George Drummond Esq;* one of the Commissioners of Excise, *Mansfeldt Cardonnel Esq;* *Alexander Legrand Esq;* and *Joseph Tuder Esq;* to be COMMISSIONERS and TRUSTEES, with full Power to them, or any Five of them, who are hereby declared to be a Quorum, to execute the several Powers and Authorities contained in the said Commission, and the Directions contained in the said Instructions of Our Royal Grandfather, in  
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as full and ample Manner, as the same were, or could have been done by the Commissioners and Trustees named by Our said Royal Grandfather: PROVIDED, That each of the said Commissioners and Trustees, before entering upon the Discharge of the said Office of Commissioner and Trustee, do take, and subscribe the Oaths requisite by Law, to qualify Persons to execute Offices of Publick Trust in *Scotland*; and likewise the Oath *de fidei administratione*, prescribed to be taken by the aforesaid Commission of Our Royal Grandfather. And We do hereby DETERMINE and REVOKE the Nomination of said Commissioners and Trustees so made by Our Royal Grandfather. And We WILL and ORDAIN, That the Commissioners, and Trustees now nominated and appointed by Us, shall, for the Purposes of executing the Powers to them given, assemble themselves at *Edinburgh*, upon the First Monday of *August* next, within the Publick Office where the former Commissioners and Trustees have most usually met: And the said Commissioners and Trustees shall, from thence forward, assemble by Adjournment, at such Times and Places within the said City, as they, or any Five or more of them, shall appoint: And, in case of any assembling, not held by Adjournment at such

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such Times and Places within the said City, whereof Publick Notice shall be given by Advertisement, to be inserted in the *Edinburgh Courant*; or, if the Publication of that Paper shall be discontinued, in any other Publick News Paper, to be printed in the said City, Fourteen Days at the least before such Assembling. Given at Our Court at St. James's, and under Our Privy Seal of *Scotland* at *Edinburgh*, the Twenty fifth Day of *July* One thousand seven hundred and sixty one, in the first Year of Our Reign.

*Per Signaturam Manu S. D. N. Regis  
suprascriptam, et Manibus quorundam  
Dominorum Commissionariorum Thesaurarii  
Magne Britanniae, necnon manibus  
Domini capitalis Baronis aliorumque  
Baronum Scaccarii Scotiae subscriptam.*

Written to the Privy Seal, and registered the Third Day of *August* One thousand seven hundred and sixty one.

(Signed) JOHN SYME *Dept.*

Sealed at *Edinburgh*, the Third Day of *August* One thousand seven hundred and sixty one.

(Signed) ANDREW STUART *Subst.*

## Approbation and Instructions

TO THE

COMMISSIONERS and TRUSTEES,

FOR

Managing the annexed Forfeited Estates in  
SCOTLAND.

GEORGE R.

**T**RUSTY and Well-beloved, We greet you well. Having taken into Our Consideration your Report, dated the Eight Day of *December* One thousand seven hundred and sixty, recapitulating your Proceedings since the Commencement of your Management of the annexed Forfeited Estates in *Scotland*, in the Year One thousand seven hundred and fifty five, and bearing Reference to the annual Reports by you formerly made, and transmitted to Our Royal Grandfather of glorious and happy Memory; and likewise the particular Account contained in the Schedule annexed to the said Report, whereby it appears, That, at the Date thereof, there remained in the Hands of the Receiver-general, from the Issues and Profits of the Estates under your Management, a Balance of Six thousand

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and one Pounds eight Shillings and a Penny nine twelfths of a Penny *Sterling*, We are graciously pleased to approve of all such of your Proceedings with Regard to the general Management of the said Estates as have been as yet reported to Us or to Our Royal Grandfather; and also of the Application of such Monies issued by your Order as have been stated in the several Schedules annexed to the Reports abovementioned.

And it appearing to Us, That one great and principal Purpose of the Act of the Twenty fifth Year of the Reign of Our Royal Grandfather, *for annexing certain Forfeited Estates in Scotland to the Crown unalienably, &c.* was to substitute profitable Leases, to continue for a certain limited Term, in the Room of the dependant and precarious Possessions which formerly prevailed on these Estates.

We are also pleased to approve of your Conduct in granting Leases to Persons properly qualified, and under such Conditions as appear most agreeable to the End and Intention of the said Act.

And We being fully persuaded, that no other Method will tend so effectually to reclaim the Inhabitants of these Estates from their long Habits of Sloth and Inactivity, and reconcile them to the Love of Labour,  
Industry,

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Industry and good Order, do in a particular Manner recommend to you, the carrying this Part of the Act into a full and speedy Execution: And We do require you to transmit, for Our further Satisfaction, to the Commissioners of Our Treasury, or Our High Treasurer for the Time being, to be laid before Us, Lists of all such Leases as have already been granted, pursuant to the Directions of the said Act, and of such as shall from Time to Time be so granted; specifying in such Lists, the Names of the Lessees, the Terms of the Continuance of such Leases, and the Rents reserved in the same, accompanied with a short Abstract of the several Conditions contained in the said Leases.

And having also taken under Consideration, your general Proposals for applying Part of the Money in the Receiver General's Hands, to the laudable Purposes of further improving and civilizing the *Highlands*, by instructing and training up their Youth in the early Knowledge and Practice of the several Branches of Husbandry, Manufactures, and other necessary Arts.

We are pleased to approve thereof; and do for those Ends impower and authorize you, to lay out a Sum of Money, not exceeding Two hundred Pounds yearly, for binding Apprentices to Farmers in the *Low*  
H Country,

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*Country*, the Sons of such of the most substantial Tenants upon the annexed Estates, as shall discover the greatest Genius in Agriculture, in Order to their being properly instructed therein; and for binding Apprentices, a certain Number of Children of the poorer Sort of Inhabitants, to Smiths, Plough-wrights, Wheel-wrights, and other Artificers, in Order to the said Children their returning to their own Country when properly instructed; and that they may have Premiums to enable them to set up, and carry on their Business, that thereby the good Ends mentioned in your Proposal may be attained.

And We do hereby authorize you, to lay out a Sum, not exceeding Two hundred Pounds, for defraying the Expence of bringing over a Foreigner, skilled in the manufacturing of *Cashube Ashes*, or for doing any other Thing you shall see proper for introducing or establishing that useful Manufacture in the *Highlands*.

And We do also authorize you, to lay out a Sum, not exceeding Two hundred Pounds *per annum*, for establishing School-masters in the remote Parts of the *Highlands*, for the Education of the Children, for building School-houses, and dwelling-houses for School-masters, and for such other Ends and Uses, as you shall judge necessary;

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necessary; that the rising Generation of those remote Parts may receive early Impressions of the Principles of the Protestant Religion, Good Government, Loyalty and Industry.

And We do also impower you, to lay out a Sum, not exceeding Five hundred Pounds, for building Bridges in the *Highlands*, agreeable to your Proposal, and in such Places as you shall judge most proper, in Order to give the Inhabitants free Access to Churches and Markets, and a ready and a certain Intercourse with their Neighbours.

Having also taken into our Consideration the several Settlements by you proposed to be established, at *New Tarbet*, *Callendar*, *Kinloch-Rannoch*, and *Bewlie*; We are pleased to declare Our Approbation of the general Ends and Purposes, which those Settlements are calculated to promote. And that We may be better enabled to form a distinct and precise Judgment, how far those Settlements, as well as such others as may hereafter be proposed, are or may be properly adapted and proportioned in Point of Situation, Expence, and Species of Manufacture, to the Nature, Extent, Populoufness, and Produce of the said Estates on which they are, or shall be proposed to be established, it is Our Will

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and Pleasure, That you do transmit to Our Commissioners of the Treasury, or Our High Treasurer for the Time being, the following necessary Informations; *To wit,*

I. Copies of the Plans of the said Estates, which have been taken from actual Surveys.

II. Copies of the Rentals of the several Estates, which have been properly authenticated to you, omitting the Proof or Evidence by which they have been so authenticated.

III. Abstracts of the Reports made by the Factors, taking Care that the said Abstracts contain the chief Heads or Articles in the said Reports.

IV. And in Order that the full Rents of each particular Estate may appear in a clear and distinct Manner, as well as the clear Residue thereof, which after Deduction, and Allowance of the publick Burthens, and necessary Charges of Management, ought to be paid to the Receiver General, Our Will and Pleasure is, That in Schedules to be annexed to your annual Reports, you do state the full Amount of the Rents of each Estate, from the judicial Rentals thereof, as a Charge against each Factor respectively; deducting and allowing the publick Burthens and necessary Charges of Management, in Order to  
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shew the clear Residue of each Estate: And that you do likewise state, not only such Part of the said clear Residue as shall have been paid in to the Receiver General; but likewise, what Part of the same shall remain in the Hands of the Tenants as Arrears, or in the Hands of the said Factors.

And in Order that your publick Management, and the Execution of the Plans proposed by your said Report hereby approved of, may meet with no Hinderance or Obstruction, it is Our Royal Will, and We do hereby authorize and require the Receiver General to answer and satisfy out of the Issues and Profits of the said Estates now in his Hands, or which he shall hereafter receive, all such Precepts as you shall from Time to Time draw upon him, either for Payment of Officers Salaries, necessary and incidental Charges of Management, Annuities, or for the litigating and contesting Claims of Debt on the said Estates; but also such Precepts as shall be drawn by you for defraying the Expence of all or any of the Plans hereby approved of; and this, together with your Precepts to follow hereupon, and the Receipts of the Persons to whom the Sums contained in these Precepts shall be severally made payable, or of any having Power from them,  
shall

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shall be to you for issuing such Precepts,  
and to the said Receiver General for pay-  
ing the several Sums therein to be contain-  
ed, a sufficient Authority and Exoneration.  
And so We bid you heartily farewell:  
Given at Our Court at St. James's, the  
Twenty fifth Day of July 1761, in the  
First Year of Our Reign. By His Ma-  
jesty's Command.

Signed { HOLLIS NEWCASTLE.  
BARRINGTON.  
JAMES OSWALD.  
GILB<sup>T</sup>. ELLIOT.

*To our Trusty and Well-beloved, The Com-  
missioners and Trustees appointed for  
managing the forfeited Estates in Scot-  
land, unalienably annexed to the Crown.*

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