

SIR

ALEXANDER

MACKENZIE

OF TARBAT

ROYSTON

CROMARTY

PAULM594

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HUNTER EDINBURGH 23/11/1842 WE JOHN ABERCROMBIE AND DR ADAM HUNTER PHYSICIANS IN EDINBURGH HEREBY CERTIFY ON SOUL AND CONSCIENCE THAT WE HAVE VISITED AND DULY EXAMINED SIR JAMES SUTHERLAND MACKENZIE OF TARBET BARONET NOW RESIDING AT SAUGHTON HALL LUNATIC ASYLUM UNDER THE CHARGE OF DR SMITH AND FOUND HIM LABOURING UNDER SUCH MENTAL IMBECILITY AS TO RENDER HIM FOR THE PRESENT INCAPABLE OF MANAGING HIS OWN AFFAIRS SIGNED JOHN ABERCROMBIE ADAM HUNTER M.D. CERTIFICATE BY DR ABERCROMBIE AND DR HUNTER WE CERTIFY APON SOUL AND CONSCIENCE THAT WE HAVE VISITED AND EXAMINED SIR JAMES SUTHERLAND MACKENZIE NOW RESIDENT IN THE ASYLUM AT SAUGHTON HALL AND WHILE WE FIND HIM CONSIDERABLY IMPROVED SINCE THE DATE OF OUR LAST REPORT WE ARE OF OPINION THAT HE STILL LABOURS UNDER SUCH REMAINS OF ABBERATION OF MIND FOR THE PRESENT RENDERS HIM UNFIT FOR BEING AT LARGE OR FOR MANAGING HIS OWN AFFAIRS SIGNED JOHN ABERCROMBIE ADAM HUNTER M.D. EDINBURGH 10/3/1843

PETITION TO BE INTIMATED IN THE MINUTE BOOK SIGNED BOYLE EDINBURGH 22/5/1843 THEREBY CERTIFY THAT THE FOREGOING PETITION HAS BEEN DULY INTIMATED IN THE MINUTE BOOK JOSEPH GORDON HUGH ROSS. CS 235/INM/MISC11.1 1720 ALEXANDER MACKENZIE HAD IN THIS DEED REFERENCE THE BARONY OF TROTTERNISH ISLE OF SKYE AND IT IS THIS ALEXANDER MACKENZIE OF CONANS BAY WHO IS GRAND UNCLE TO SIR JAMES SUTHERLAND MACKENZIE WHOS DOCTOR HAD THE 2 UNGATES TROTTERNISH SKYE. THAT ALXANDER MACKENZIE OF ARDLOCH BORN 1692 ARDLOCH MARRIED MARGARET SUTHERLAND 16/09/1732 DEED REFERENCE RD4. 232 MARGARET SUTHERLAND DAUGHTER OF ROBERT SUTHERLAND OF LANGWELL 12TH IN DESCENT FROM WILLIAM DE SUTHERLAND AND PRINCESS MARGARET BRUCE SISTER OF DAVID 11 ROBERT SUTHERLAND CAN BE ENQUIRED AT REFERENCE CS238 H11.27 AND OF LANGWELL HEIR TO ESTHER SUTHERLAND HIS GRANDMOTHER. ALEXANDER MACKENZIE OF ARDLOCH DIED 21.05.1778 AND IS BROTHER TO COLONEL ALEXANDER MCKENZIE OF CONANSBAY HE HAD TITLE TO LANDS IN TROTTERNISH ISLAND OF SKYE REFERENCED IN CS235.M11.2 AN UNEXTRACTED COURT OF SESSION EXTRACT OF 1719 IN THE COSMO INNESS OFFICE AND FURTHER REFERENCES IN DEED RD2.654 YEAR 1661 AND ANOTHER IN RD_81. 78 1696 ALSO DETAILS OF RELATIONSHIPS IN SIG.2.17 DATED 6 AUGUST 1787 CONCERNING LANDS IN ASSYNT DESTINATION FROM THESE PREDECESSORS IN RD2.242.1. BY WILLIAM WEMYSS TO ALEXANDER MACKENZIE DATED 29.01.1787 AND IN RH8.1100 DATED 1727 FURTHER INFORMATION RELATING TO LAND DEVOLMENT FROM ARDLOCH MACKENZIES HEIRS MALE OF TALZIE. IT IS NOTICED THAT BROTHERS COLONEL ALEXANDER MCKENZIE OF CONANSBAY AND ALEXANDER MACKENZIE OF ARDLOCH WHO DIED 21.5.1778 ARE BROTHERS TO KENNETH MACKENZIE XV1 4TH EARL OF SEAFORTH ONE OF THE BROTHERS JOHN MACKENZIE OF ASSYNTS HEIR, HIS SON TO HIS UNCLE FIRST HELD BY SIR DONALD MCDONALD, LANDS TROTTERNISH 13.02.1727 IN THE GREAT SEAL BARONY OF MCDONALD 10.12.1754 IN FAVOUR OF SIR DONALD MCDONALD BARONET.\par \par \par \par RS38.62 INVERNESSA DISPOSITION BY HANNAH FRASER RESIDING INVERNESS INFAVOUR OF JEAN MACKAY SUTHERLAND SISTER TO ELIZABETH BAILLIE SUTHERLAND SPOUSE OF LT.COL.JAMES SUTHERLAND OF UPPAT AND JEAN MCKAY SUTHERLAND A RELATION OF ELIZABETH BAILLIE WHOS NEPHEW IS JAMES SUTHERLAND MACKENZIE\cf2\par \tab\par \tab\par \tab\par IN CS 239 M78. 7 JAMES SUTHERLAND MACKENZIE SON OF KATHARINE MACKENZIE WHO LIVED 7 INDIA STREET EDINBURGH COURT LITIGATION OF THE USE OF ARMORIAL ARMS UED BY JAMES SUTHERLAND MACKENZIE BELONGING TO HIS MOTHER KATHARINE SUTHERLAND.\par \par \tab\par \par \tab\par \tab\par \par \tab\par \par \tab\par \cf0\lang1033 GEORGE SACKVILLE SUTHERLAND MENTIONS 3 NEPHEWS IN RD5 382.180 DATED 12/3/1829 SRO EDINBURGH GEORGE THE BROTHER OF COLONEL JAMES SUTHERLAND OF UPPAT AND EWEN BAILLIE WHO WAS A MAJOR GENERAL 23RD BENGAL REGIMENT AND THE OTHER BROTHER ROBERT SUTHERLAND WHO WAS MARRIED TO A MURCHISON HER BROTHER KNOWN AS ROD ERICK MURCHISON GEORGE SACKVILLE SUTHERLAND NEPHEWS ARE DUNCAN FORBES SUTHERLAND GEORGE MCKAY SUTHERLAND AND JAMES SUTHERLAND WHO WAS MARRIED TO GEORGINA M. MACKENZIE WHERE SERVICE 1875 IS REFERENCED IN ENCLOSED ATTACHMENT.COLONEL JAMES SUTHERLAND MARRIED INTO THE BAILLIES, ELIZABETH BAILLIE OF CLYNE WHOS FATHER IS WILLIAM BAILLIE OF ROSEHALL, WILLIAM MARRIED ELIZABETH SUTHERLAND OF CLYNE A

KINSTARIE CADET SHE IS DAUGHTER OF ALEXANDER SUTHERLAND OF CLYNE.
LT.COL.JAMES SUTHERLAND HAD KATHARINE SUTHERLAND BORN 09/01/1773 GOLSPIE
SUTHERLAND WHO MARRIED COLONEL ROBERT MCKENZIE COLONEL ROBERT MARRIED
EARLIER ON 01/05/1780 HARRIET ANN MACKENZIE DAUGHTER OF DOCTOR ALEXANDER
MACKENZIE OF BAYFIELD IT WAS HARRIETS SISTER ALEXIE MACKENZIE WHO MARRIED
JANUARY 1778 TO CAPTAIN SIMON BAILLIE, MADRAS ESTABLISHMENT, HEIC AND HE IS SON
OF MAJOR WILLIAM BAILLIE AND CAN FIND IN THE COMMISSARIOT OF EDINBURGH
PROCESS OF DIVORCE PAGE 883 19.03.1788 REFERENCE X1X 12. ROBERT SUTHERLAND OF
ST VINCENT IS BROTHER TO KATHARINE SUTHERLAND AND ARE PART BAILLIES ROSEHALL
DESCENT, ROBERT SUTHERLANDS GRANDFATHER IS SON OF ALEXANDER BAILLIE OF
DOCHFUR. ROBERT SUTHERLANDS ELDER BROTHER GEORGE SACKVILLE SUTHERLAND
AND REFERENCED IN CHANCERY REGISTER UNDER LISTING C5/1/35 GREAT SEAL. \par
\tab\tab\tab\par \cf2\lang2057\par \tab\par gd.305.1.62.2\par INSTRUMENT OF SASINE
PROCEEDING APON A PRECEPT IN THE FOREGOING CHARTER IN FAVOUR OF THE SAID
KATHERINE MACKENZIE OF THE SAID TENEMENT MILLMOUNT DATED AND RECORDED
SASINES EDINBURGH. SCOTTISH RECORD OFFICE.\par \par GD.305.1.62.3\par EXTRACT
DISPOSITION BY KATHERINE SUTHERLAND/MACKENZIE IN FAVOUR OF CROMARTY HEIRS
AND THE TENEMENT MILLMOUNT DATED 10.07.1840 AND REGISTERED IN THE BOOKS OF
COUNCIL AND SESSION 05.08.1840 CONTACT REFERENCE RD5.645.63. SCOTTISH RECORD
OFFICE.\par \par GD.305.1.62.7.\par RENUNCIATION BY HENRY CHEYNE WS IN FAVOUR OF
THE FORESAID KATHERINE MACKENZIE OF MILLMOUNT DISPOSITION GRANTED BY HER TO
HIM IN SECURITY FOR \a31350 FOR MILLMOUNT HOUSE DATED 28.06.1840 AND RECORDED
GENERAL REGISTER OF SASINES EDINBURGH 20.07.1840. SEE REFERENCE RS38.2040.113
SASINE SCOTTISH RECORD OFFICE.\par \par GD.305.1.62.6\par RENUNCIATION BY
ALEXANDER STEWART IN FAVOUR OF JOSEPH GORDONFACTOR FOR THE DECEASED
ROBERT SUTHERLAND A BOND IN SECURITY DATED 19.07.1826 RECORDED GENERAL
REGISTER OF SASINES EDINBURGH 08.05.1840.\par \par BOOKS COUNCIL AND SESSION\par
DEED RECORDED 12.03.1829 BY ROBERT SUTHERLAND. SCOTTISH RECORD OFFICE
EDINBURGH.\par \par RD5.576.520 \par TRUST BY ELIZABETH BAILIE SUTHERLAND 1831.
SCOTTISH RECORD OFFICE EDINBURGH.\par \par RD5.405.415.\par ASSIGNMENT BY EWEN
BAILLIE SUTHERLAND 25.01.1830. SCOTISH RECORD OFFICE EDINBURGH.\par \par
RD5.319.132\par FACTORY BY ROBERT SUTHERLAND 02.11.1824. SCOTTISH RECORD
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15.07.1826 SCOTTISH RECORD OFFICE EDINBURGH.\par \par GD.305.1.61.8.\par INSTRUMENT
OF SASINE PROCEEDING APON THE PRECEPT OF SASINE IN FAVOUR OF THE SAID ROBERT
SUTHERLAND OF THE HOUSE AND GROUND MILLMOUNT DATED 24.12.1822 RECORDED
SASINES EDINBURGH 21.01.1823 AND IN RS3.1262.260 SASINE SCOTTISH RECORD OFICE
EDINBURGH.\par \par GD.305.1.61.11.\par DISPOSITION AND ASSIGNATION BY JOSEPH
GORDON EXECUTORS IN SCOTLAND OF THE SAID ROBERT SUTHERLAND OF ST VINCENT
AND MILLMOUNT IN FAVOUR OF KATHERINE SUTHERLAND WIDOW OF COLONEL ROBERT
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BOOKS OF COUNCIL SESSION 12.03.1824 SCOTTISH RECORD OFFICE EDINBURGH.\par \par
PUBLIC REGISTER OF SASINES PR.1801.149 REFERENCE\par MARY FREDERICA ELIZABETH
STEWART MACKENZIE OF SEAFORTH SPOUSE TO JAMES ALEXANDER STUART OF
SEAFORTH SASINE MENTIONS CASTLE STREET EDINBURGH IN SECURITY OF \a3500 BY
ELIZABETH SUTHERLAND. SCOTTISH RECORD OFFICE EDINBURGH.\par \par PUBLIC
REGISTER OF SASINES.\par ELIZABETH SUTHERLAND DATED 21.07.1797 AND 02.03.1809
AND 21.02.1810 RECORDED ALSO IN THE BOOKS OF COUNCIL AND SESSION 10.03.1809.
SCOTTISH RECORD OFFICE EDINBURGH.\par \par PUBLIC REGISTER OF SASINES.\par
SOPHIA DIROM RELICT OF GEORGE DUFF ON DISPOSITION BY ELIZABETH SUTHERLAND
RELICT OF COL JAMES SUTHERLAND OF UPPAT 04.06.1811 SCOTTISH RECORD OFFICE
EDINBURGH.\par \par BOOKS OF COUNCIL AND SESSION.\par ST VINCENT DEED RECORDED
RD5.21.273 SCOTTISH RECORD OFFICE EDINBURGH.\par \par BOOKS OF COUNCIL AND
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SCOTTISH RECORD OFFICE EDINBURGH.\par \par PUBLIC REGISTER OF SASINES\par

RS38.17 VOLUME2307 IN FAVOUR OF KATHERINE SUTHERLAND SCOTTISH RECORD OFFICE EDINBURGH\par \par PUBLIC RECORD OF SASINES\par PR.589.25 16.06.1807 FRANCIS, LORD SEAFORTH, MARY MAXWELL SUTHERLAND SPOUSE TO ALEXANDER SUTHERLAND 2 BATTALION 78TH REGIMENT FOOT AND GEORGE SACKWELL SUTHERLAND SEISED GEORGE STREET EDINBURGH AND SOUTH CASTLE STREET EDINBURGH IN \a3500 SECURITY SCOTTISH RECORD OFFICE EDINBURGH.\par \par PUBLIC REGISTER OF SASINES\par PR.589.17 DATED 16.06.1807 ELIZABETH SUTHERLAND RELICT OF JAMES SUTHERLAND OF UPPAT SCOTTISH RECORD OFFICE EDINBURGH.\par \par PUBLIC REGISTER OF SASINE\par DATED 23.12.1803 BOND BY COLONEL JAMES SUTHERLAND AND ELIZABETH BAILLIE SCOTTISH RECORD OFFICE EDINBURGH.\par \par BOOKS OF COUNCIL AND SESSION\par DALRYMPLE OFFICE RD 293.290 MARY MAXWELL SUTHERLAND DAUGHTER OF LT.COL JAMES SUTHERLAND OF UPPAT AND HUSBAND ALEXANDER SUTHERLAND 5 REGIMENT BRITISH MILITIA AND REFERENCE TO MAJOR EWAN BAILIE H.E.I.C A BOND 12.07.1803 SCOTTISH RECORD OFFICE EDINBURGH.\par \par BOOKS OF COUNCIL AND SESSION\par RD2.288 DATED 12.07.1803 A BOND BY MAJOR EVAN BAILIE TO KATHERINE SUTHERLAND ELDEST DAUGHTER OF COLONEL JAMES SUTHERLAND OF UPPAT AND ELIZABETH BAILLIE AND KATHERINE SUTHERLAND SECOND WIFE OF LIEUTENANT COLONEL ROBERT MACKENZIE H.E.I.C FATHER OF ALEXANDER MACKENZIE BROTHER OF JAMES SUTHERLAND MACKENZIE. SCOTTISH RECORD OFFICE EDINBURGH.\par \par RS38.17 DATED 23.12.1803\par COLONEL JAMES SUTHERLAND OF UPPAT AND OF SUTHERLAND FENCIBLES REGIMENT AND MAJOR GENERAL ALEXANDER OF 36 REGIMENT FOOT AND LT.COL. JAMES SUTHERLAND GRANTING \a31000 TO ELIZABETH SUTHERLAND TO FRANCIS, LORD SEAFORTH. SCOTTISH RECORD OFFICE EDINBURGH.\par \par BOOKS OF COUNCIL AND SESSION\par RD3.292 DATED 22.07.1801 FACTORY BY ROBERT SUTHERLAND SCOTTISH RECORD OFFICE EDINBURGH.\par PUBLIC REGISTER OF SASINE\par RS38.17.212 REFERENCE KATHERINE SUTHERLAND GETS LIFE FROM ELIZABETH BAILLIE SCOTTISH RECORD OFFICE EDINBURGH.\par \par PUBLIC REGISTER OF SASINES\par IN FAVOUR OF ELIZABETH BAILLIE DATED AND REGISTERED 13.08.1796 BY COLONEL MACKAY TO GEORGE SACKWELL SUTHERLAND SCOTTISH RECORD OFFICE EDINBURGH.\par \par BOOKS OF COUNCIL AND SESSION\par RD2.277 DATED 26.11.1799 BOND \a31000 PAID BY LIEUTENANT COLONEL JAMES MACKAY AND HUGH BAILIE OF ROSEHALL TO JAMES SUTHERLAND DATED 27.04.1789 AND MENTION OF \a3400 TO F.H.MACKENZIE OF SEAFORTH HIGHLANDERS 78TH REGIMENT FROM LIEUTENANT ALEXANDER SUTHERLAND SCOTTISH RECORD OFFICE EDINBURGH.\par \par BOOKS OF COUNCIL AND SESSION\par DURIE OFFICE RD3.292.907 FACTORY BY ROBERT SUTHERLAND OF ISLAND OF ST VINCENT APPOINTING ELIZABETH BAILLIE HIS MOTHER AS FACTOR AND ESTATE OF ROSEHALL GRANTED BY GEORGE LANGWELL SUTHERLAND OF UPPAT IN FAVOUR OF ELIZABETH BAILIE/SUTHERLAND SCOTTISH RECORD OFFICE EDINBURGH.\par \par BOOKS OF COUNCIL AND SESSION\par DALRYMPLE OFFICE RD2.277.418 DATED 06.09.1799 BOND DISPOSITION A SUTHERLAND TO MACKENZIE WITH CONSENT OF COLONEL MACKAY OTHERWISE KNOWN AS HUGH BAILLIE OF ROSEHALL BY BOND DATED 23.12.1790 SCOTTISH RECORD OFFICE EDINBURGH.\par \par BOOKS OF COUNCIL AND SESSION\par RD3.260.303 GEORGE SACKVILLE SUTHERLAND TO JOHN MO SCOTTISH RECORD OFFICE EDINBURGH.\par \par BOOKS OF COUNCIL AND SESSION\par AT FORTROSE 19.11.1794 BY MARY MAXWELL SUTHERLAND TO FRANCIS HUMBERSTON MACKENZIE AND BY GEORGE SACKWELL SUTHERLAND SCOTTISH RECORD OFFICE EDINBURGH.\par \par PRECEPT OF CLARE CONSTABLE\par GRANTED BY COLONEL MACKAY OTHERWISE HUGH BAILLIE OF ROSEHALL REGISTERED INVERNESS 1796 SCOTTISH RECORD OFFICE EDINBURGH.\par \par PUBLIC REGISTER OF SASINE\par RS38.13 DATED 14.08.1788 ROBERT SUTHERLAND TO ELIZABETH COUNTESS OF SUTHERLAND RECORDED INVERNESS 11.09.1779 WRITTEN BY KENNETH MACKENZIE CLERK TO ALEXANDER MACKENZIE WRITER TO THE SIGNET \tab SUBSCRIBED AT GOLSPIE 31.07.1780 BEFORE HUGH HOUSTON MERCHANT BORA AND JOHN FRASER WRITERS IN EDINBURGH. SCOTTISH RECORD OFFICE EDINBURGH.\par \par BOOKS OF COUNCIL AND SESSION\par BOND RD3.275 DATED 23.12.1790 A SUM OF \a32000 AND \a3400 TO GEORGE SACKWELL SUTHERLAND SON OF LIEUTENANT COLONEL JAMES SUTHERLAND REFERENCING IN THE \tab GREAT SEAL A CHARTER 13.07.1788 AND A SASINE \tab AT INVERNESS 28.04.1791 SCOTTISH RECORD

THEIR BODIES AND FAILING ANY ONE OR TWO\par \tab OF THEM AND THE HEIRS
WHATSOEVER OF THEIR BODIES TO THE OTHER ONE\par \tab OR TWO OF THEM EQUALLY
BETWEEN THEM IF TWO AND THE HEIRS \par \tab WHATSOEVER OF HIS OR THEIR BODIES
WHOM ALL FAILING TO MY OWN \par \tab NEAREST AND LAWFUL HEIRS AND ASSIGNEES
WHATSOEVER ALL AND \par \tab SUNDRY LANDS HERITAGES ANNUAL RENTS TEINDS
ADJUDICATIONS \par \tab REVERSIONS WOODS MILLS FISHINGS TACKS HEADING AND
POSSESSION\par \tab BELONGING TO ME OR WHICH SHALL BELONG TO ME AT MY DEATH
AS\par \tab ALSO ALL AND SUNDRY DEBTS AND SUMS OF MONEY BOTH HERITABLE AND \par
\tab MOVEABLE DUE AND OWING OR WHICH SHALL BE DUE AND OWING BY ANY\par \tab
\tab PERSON OR PERSONS TO ME AT MY DEATH BY BOND BILL DECREE ACCOUNT\par \tab
\tab PREMISE OR FACTION AS RENT OF LANDS OR ANNUAL RENTS OF MONEY OR IN \par \tab
\tab ANY OTHER MANNER OF WAY WHATSOEVER WITH THE WHOLE VOUCHERS\par \tab
\tab INSTRUCTIONS AND CONVEYANCES THEREOF WRITS AND DEEDS GRANTED\par \tab AND
DILIGENCE AND EXECUTION ISSUED AND OBTAINED FOR PAYMENT AND\par \tab SECURITY
OF THE SAME AND ALSO ALL AND SUNDRY CORNS CATTLE HORSE \par \tab SHEEP
HOUSEHOLD PLENISHINGS AND FURNITURE INCLUDING BED AND\par \tab TABLE LINEN
SILVER PLATE JEWELS TRINKETS BANK NOTES GOLD AND SILVER\par \tab COINED AND
UNCOINED AND LYING MONEY CLOATHS BOOKS AND OTHER \par \tab MOVEABLE GOODS
GEAR AND EFFECTS OF WHATSOEVER NATURE OR\par \tab DENOMINATION INCLUDING
HEIRSHIP MOVEABLE BELONGING OR THAT MAY \par \tab BELONG TO ME AT MY DEATH
WHEREVER OR IN WHOSE CUSTODY SOEVER\par \tab THE SAME MAY THEN BE DISPENSING
WITH THE GENERALITY HEREOF AND\par \tab DECLARING THESE PRESENTS TO BE
EQUALLY GOOD AND EFFECTUAL\par \tab TO ALL INTENTS AND PURPOSES AS IF THE SAID
LANDS HERITAGES\par \tab MOVEABLE DEBTS AND OTHERS HEREBY CONVEYED WERE
HEREIN \par \tab PARTICULARLY SPECIFIED AND ENUMERATED DECLARING ALWAYS AS IT
IS\par \tab WHEREBY EXPRESSLY PROVIDED AND DECLARED THAT THE SAID
ALEXANDER\par \tab MACKENZIE MY SON AND THE OTHER HEIRS SUBSTITUTES AND
SUCCESSORS\par \tab BEFORE NAMED IN THEIR ORDER SHALL BE BOUND AND OBLIGED TO
CONTENT\par \tab AND PAY MY FUNERAL EXPENSES AND ALL MY JUST AND LAWFUL
DEBTS\par \tab AND PARTICULARLY WITHOUT PREDUDICE TO THE SAID GENERALITY
THE\par \tab PREVIOUS CONTAINED IN A CONTRACT OF MARRIAGE ENTERED INTO
BETWEEN\par \tab ME ON THE ONE PART AND THE SAID KATHERINE SUTHERLAND NOW
MACKENZIE\par \tab MY WIFE ELDEST LAWFUL DAUGHTER OF THE DECEAST COLONEL
JAMES\par \tab SUTHERLAND OF UPPAT WITH THE ADVICE AND CONCENT OF CAPTAIN
GEORGE\par \tab SACKVILLE SUTHERLAND OF UPPAT HER BROTHER GERMAN ON THE
OTHER\par \tab PART DATED THE 15/07/1801 WHICH PROVISIONS WERE CONCEIVED IN
FAVOUR\par \tab OF THE SAID KATHERINE SUTHERLAND NOW MACKENZIE MY WIFE AS
WELL\par \tab OF THE CHILDREN TO BE PROCREATED OF THE MARRIAGE DECLARING
THAT\par \tab THE SAID ALEXANDER MACKENZIE MY SON SHALL BE ENTITLED TO THE
FULL\par \tab BENIFIT OF THE PROVISIONS CONTAINED IN THE SAID CONTRACT IN SO \par
\tab FAR AS THE SAME MAY BE INTERPRETED IN HIS FAVOUR OVER AND ABOVE\par \tab
\tab WHAT HE MAY DRAW FROM MY ESTATE REAL AND PERSONAL IN VIRTUE \par \tab OF THESE
PRESENTS THE SAME BEING MADE AND GRANTED WITHOUT\par \tab PREJUDICE TO THE
ABOVE MENTIONED PREVIOUS IN ANY MANNER OF WAY\par \tab AS ALSO MY SAID SON AND
THE OTHER HEIRS SUBSTITUTING AND\par \tab SUCCESSORS BEFORE MENTIONED SHALL
BE BOUND TO PAY THE\par \tab FOLLOWING LAGACIES VIZ. WHEREAS BY THE SAID
CONTRACT OF MARRIAGE\par \tab AMONG OTHER PROVISIONS CONCEIVED IN FAVOUR OF
THE SAID KATHARINE\par \tab SUTHERLAND NOW MACKENZIE MY WIFE IT WAS DECLARED
THAT IN THE EVENT\par \tab OF MY PREDECEASING THE SAID KATHERINE SUTHERLAND
NOW MACKENZIE\par \tab MY WIFE AND THAT AT THE DISSOLUTION OF THE MARRIAGE BY
MY DECEASE\par \tab OR OTHERWISE THERE SHOULD BE NO CHILD OR CHILDREN
EXISTING \par \tab THEREOF AT THE TIME THEN AND IN THAT CASE I PROVIDED HEREIN
AND\par \tab SHE WAS ENTITLED TO RECEIVE AND WAS THEREBY EMPOWERED TO\par \tab
\tab DEMAND AND RECEIVE THE INTEREST OF SIX THOUSANT POUNDS STERLING\par \tab
\tab PROVIDED TO THE CHILDREN OF THE MARRIAGE IN MANNER THEREIN\par \tab MENTIONED
NOW IN CASE THE SAID EVENTUAL PROVISION SHOULD BE\par \tab VACATED IN
CONSEQUENCE OF THE EXISTENCE OF A CHILD OR CHILDREN\par \tab PROCREATED OF

THE MARRIAGE WHO MAY SURVIVE ME THEN AND\par \tab IN THAT EVENT I HEREBY GIVE AND BEQUEATH TO THE SAID KATHARINE\par \tab SUTHERLAND NOW MACKENZIE MY WIFE THE SUM OF TWO THOUSANT\par \tab POUNDS STERLING THEN TO THE SAID HUME MACKENZIE MY NATURAL\par \tab SON I GIVE AND BEQUEATH THE SUM OF FIVE HUNDRED POUNDS STERLING\par \tab THEN TO THE SAID ROBERT MACKENZIE MY NATURAL SON THE SUM\par \tab OF THREE HUNDRED POUNDS STERLING THEN TO THE SAID MURDOCH\par \tab MACKENZIE MY NATURAL SON THE LIKE SUMOF THREE HUNDRED \par \tab POUNDS STERLING THEN TO FRANCES MACKENZIE NOW GUNN MY\par \tab NATURAL DAUGHTER THE SUM OF TWO HUNDRED POUNDS STERLING\par \tab THEN TO MARIA MACKENZIE NOW MACAULY MY NATURAL DAUGHTER\par \tab THE LIKE SUM OF TWO HUNDRED POUNDS STERLING THEN TO COLONEL\par \tab LOUIS GRANT OF ACHUINACH LATE IN THE SERVICE OF THE HONOURABLE\par \tab EAST INDIA COMPANY THE SUM OF THREE HUNDRED POUNDS STERLING\par \tab THEN TO CAPTAIN CHARLES GRANT IN THE SERVICE OF THE HONOURABLE\par \tab EAST INDIA COMPANY ON THE BENGAL ESTABLISHMENT THE LIKE\par \tab SUM OF THREE HUNDRED POUNDS STERLING THEN TO MRS ELIZABETH\par \tab SUTHERLAND WIDOW OF THE SAID COLONEL JAMES SUTHERLAND AND\par \tab MOTHER OF THE SAID KATHARINE SUTHERLAND NOW MACKENZIE\par \tab WIFE THE SUM OF FIVE HUNDRED POUNDS STERLING AND MY SAID SON\par \tab AND THE OTHER HEIRS SUBSTITUTING AND SUCCESSORS BEFORE\par \tab MENTIONED SHALL BE BOUND TO PAY THE SAID SEVERAL LAGACIES\par \tab AT THE FIRST TERM OF WHITSUNDAY OR MARTINMAS AFTER MY DEATH\par \tab WITH A FIFTH PART MORE OF PENALTY IN CASE OF FAILURE AND THE \par \tab LEGAL INTEREST OF THE SAID SUMS RESPECTIVELY FROM THE SAID\par \tab TERM OF PAYMENT UNTIL PAID DECLAIRING THAT THE JUS MARITI\par \tab AND RIGHT OF ADMINISTRATION OF THE HUSBANDS OF THE SAID\par \tab FRANCIS MACKENZIE NOW GUNN AND OF THE SAID MARIA MACKENZIE\par \tab NOW MACAULY IS HEREBY EXPRESSLY SECLUDED AND DEBARRED IN SO\par \tab FAR AS CONCERNS THE SAID LEGACIES PENALTIES AND INTEREST\par \tab AND FOR CARRYING THESE PRESENTS INTO MORE EFFECTUAL\par \tab EXECUTION I HEREBY NOMINATE AND APPOINT THE SAID ALEXANDER\par \tab MACKENZIE MY SON WHOM FAILING THE SAID KATHARINE SUTHERLAND\par \tab NOW MACKENZIE MY WIFE THE SAID GEORGE SACKVILLE SUTHERLAND\par \tab THE SAID LOUIS GRANT THE SAID CHARLES GRANT COLONEL WILLIAM\par \tab DUNCAN IN THE SERVICE OF THE HONOURABLE EAST INDIA COMPANY\par \tab CAPTAIN HENRY WHITE IN THE SERVICE OF THE HONOURABLE EAST\par \tab INDIA COMPANY ON THE BENGAL ESTABLISHMENT AND NOW OR LATELY\par \tab AIDE DE CAMP TO HIS EXELLENCY MARQUISE WELLESLEY GOVERNOR\par \tab GENERAL OF BENGAL AND COLIN MACKENZIE WRITER TO THE SIGNET\par \tab AND THE ACCEPTING SURVIVORS OR SURVIVOR OF THEM TO BE MY\par \tab SOLE EXECUTORS EXCLUDING MY NEAREST OF KIN AND ALL OTHERS \par \tab FROM THE SAID OFFICE MOREOVER AS I JUDGE IT PRUDENT TO NAME\par \tab TUTORS AND CURATORS TO THE SAID ALEXANDER MACKENZIE\par \tab MY SON OR TO ANY OTHER CHILD OR CHILDREN WHO MAY BE \par \tab PROCREATED OF THE SAID MARRIAGE BETWEEN ME AND THE\par \tab SAID KATHARINE SUTHERLAND NOW MACKENZIE AND HAVING\par \tab ENTIRE CONFIDENCE IN THE SAID KATHARINE SUTHERLAND \par \tab NOW MACKENZIE MY WIFE GEORGE SACKVILLE SUTHERLAND\par \tab LOUIS GRANT CHARLES GRANT WILLIAM DUNCAN HENRY WHITE\par \tab AND COLIN MACKENZIE DO HEREBY NOMINATE AND APPOINT\par \tab THEM AND THE ACCEPTING SURVIVORS OR SURVIVOR OF\par \tab THEM TO BE TUTORS AND CURATORS TO THE SAID ALEXANDER\par \tab MACKENZIE MY SON AND TO SUCH OTHER CHILD OR CHILDREN\par \tab AS MAY BE PROCREATED OF THE SAID MARRIAGE DURING\par \tab THE WHOLE PERIOD OF THEIR RESPECTIVE PUPILARITIES AND MINORITIES\par \tab DECLARING THAT THE MAJORITY OF THE PERSONS BEFORE NAMED\par \tab ACCEPTING AND ALIVE AT THE TIME OR ANY ONE OF THEM\par \tab ACCEPTING AND SURVIVING THE LEAST SHALL BE A QUORUM AND\par \tab DECLAIRING ALSO THAT THEY SHALL NOT AS TUTORS OR CURATORS\par \tab BE LIABLE FOR OMISSIONS NOR SINGULI IN SOLIDUM BUT EACH\par \tab ONLY FOR HIS OWN ACTUAL INTROMISSIONS AND THAT IT SHALL\par \tab BE IN THE POWER OF THE PERSONS BEFORE NAMED TO ACCEPT\par \tab THE OFFICE OF TUTOR AND RENOUNCE THE OFFICE OF CURATOR \par \tab AND I HEREBY REVOKE ALL FORMER DISPOSITION AND SETTLEMENT\par \tab LEGACIES CODICALS AND OTHER TESTAMENTARY

DEEDS MADE \par \tab OR GRANTED BY ME IN FAVOR OF WHATEVER PERSON OR PERSONS\par \tab PRECEEDING THE DATE HEREOF AND DECLARE THIS TO BE MY LAST\par \tab WILL AND TESTAMENT RESERVING ALWAYS TO MYSELF FULL\par \tab POWER AND LIBERTY AT ANY TIME OF MY LIFE\par \tab EVEN IN SICKNESS OR ON DEATHBED TO EVOKE ALTER AND INNOVATE\par \tab THESE PRESENTS IN WHOLE OR IN PART OR TO CANCEL THE SAME\par \tab AT PLEASURE BUT IF I SHALL NOT THINK FIT SO TO DO THESE PRESENTS\par \tab SHALL BE EFFECTUAL THOUGH FOUND IN MY CUSTODY OR IN THE CUSTODY\par \tab OF ANY OTHER PERSON TO WHOM I MAY ENTRUST THE SAME UNDELIVERED\par \tab AT MY DEATH WITH THE DELIVERY WHEREOF I HEREBY DISPENSE AND\par \tab CONSENT TO THE REGISTRATION HEREOF IN THE BOOKS OF COUNCIL AND \par \tab SESSION OR OTHERS COMPETENT THEREIN TO REMAIN FOR PRESERVATION\par \tab AND THERETO CONSTITUTE\par \par \tab MY PROCURATORS IN WITNESS.\par \tab WHEREOF SUBSCRIBE THESE PRESENTS WRITTEN ON THIS AND THE TWO \par \tab PRECEEDING PAGES OF STAMPED PAPER BY WILLIAM MACKENZIE CLERK TO\par \tab ALEXANDER AND COLIN MACKENZIE WRITERS TO THE SIGNET ON EACH\par \tab PAGE AT EDINBURGH THE 26/11/1802 BEFORE THESE WITNESSES THE\par \tab SAID ALEXANDER MACKENZIE WRITER TO THE SIGNET AND THE SAID \par \tab WILLIAM MACKENZIE WRITER HEREOF.\par \tab ROBERT MCKENZIE\par \tab ALEXANDER MACKENZIE \tab WITNESS\par \tab WILLIAM MACKENZIE \tab WITNESS\par }

[2]

edit SIR ALEXANDER MACKENZIE BARONET/PAULM594

{\rtf1\ansi\ansicpg1252\deff0\deflang1033{\fonttbl{\f0\froman\frq2\fcharset0 Georgia;}{\f1\fwiss\fcharset0 Arial;}} {\colortbl ;\red255\green0\blue0;\red0\green0\blue128;\red0\green0\blue255;}} {*\generator Msftedit 5.41.15.1503;} \viewkind4\uc1\pard\cf1\fs16 ASSIGNATION BY SIR JAMES SUTHERLAND MACKENZIE BT TO JOSEPH WILIAM FORBES ESQ EDINBURGH 5TH SEPTEMBER 1851 \par I SIR JAMES SUTHERLAND MACKENZIE OF TARBAT BARONET PRESENTLY RESIDING IN LONDON CONSIDERING THAT I AM INDEBTED TO JOSEPH WILLAIM FORBES ESQUIRE PRESENTLY RESIDING AT HARTFIELD COTTAGE NEAR TAIN IN THE SUM OF SIX HUNDRED AND SIXTY POUNDS STERLING AS CONTAINED IN MY PROMISSORY NOTE TO HIM OF EQUAL DATE WITH THESE PRESENTS AND PAYABLE TWELVE MONTHS AFTER DATE AND ALSO CONSIDERING THAT AS A CONDITION OF THE SAID JOSEPH WILLIAM FORBES ADVANCING THE FORESAID SUM TO ME IT WAS AGREED THAT I SHOULD GRANT TO HIM THE ASSIGNATION UNDER WRITTEN THEREFOR AND FOR THE SAID JOSEPH FORBES HIS FARTHER SECURITY OF THE PAYMENT OF THE FORESAID SUM OF SIX HUNDRED AND SIXTY POUNDS STERLING AND INTEREST THEREON AND EXPENCES AS AFTER STATED THEREBY MAKE AND CONSTITUTE THE SAID JOSEPH WILLIAM FORBES AND HIS HEIRS EXECUTORS OR ASSIGNEES MY LAWFUL SESSIONERS AND ASSIGNEES NOT ONLY IN AND TO THE SUM OF THREE THOUSAND THREE HUNDRED AND NINETEEN POUNDS AND FIVE PENCE ONE THIRD OF A PENNY STERLING CONTAINED IN A BOND DATED THE NINETEENTH DAY OF FEBRUARY AND EIGHTEENTH DAY OF MARCH BOTH IN THE YEAR EIGHTEEN HUNDRED AND THIRTY FIVE GRANTED BY JOHN HAY MACKENZIE OF CROMARTY ESQUIRE ONLY SON OF THE HONOURABLE MRS MARIA MURRAY HAY MACKENZIE AND THE SAID MRS MARIA MURRAY HAY MACKENZIE TO THE DECEASED SIR ALEXANDER MACKENZIE OF

TARBAT BARONET MY FATHER WHOM FAILING TO THE PARTIES THEREIN MENTIONED AND TO WHICH I HAVE NOW THE RIGHT AND TO THE INTEREST DUE OR THAT MAY BECOME DUE THEREON FROM AND AFTER THE TERM OF WHITSUNDAY LAST WITH LIQUIDATE PENALTY AND TERMLY FAILURES THEREIN SPECIFIED AND ALSO IN AND TO THE SUM OF ONE THOUSAND AND FIFTY POUNDS STERLING CONTAINED IN AND DUE BY A BILL DRAWN BY JOSEPH GORDON WRITER TO THE SIGNET AND ALEXANDER STUART WRITER IN EDINBURGH FOR BEHOOF OF ME AND THE HEIRS SUCCEEDING TO ME AS THEREIN STATED UPON AND ACCEPTED BY MESSIEURS J.R. BOWINE AND COMPANY PEAK ALUM WORKS THOMAS RYMER BOWINE ESQUIRE AND CHARLES LIDDEL ESQUIRE NEAR WHITBY CONJUNCTLY AND SEVERALLY WHICH BI IS DATED THE TWELVE DAY OF MAY EIGHTEEN HUNDRED AND FORTY SEVEN AND IS PAYABLE TWELVE MONTHS AFTER DATE BUT ALSO IN AND TO THE SAID BOND AND BILL THEMSELVES WHOLE TENOR AND CONTENTS THEREOF WITH ALL THAT BHAS FOLLOWED OR IS COMPETENT TO FOLLOW THEREON SURROGATING AND SUBSTITUTING THE SAID JOSEPH WILLIAM FORBES AND HIS FORESAIDS IN MY FULL RIGHT AND PLACE OF THE PREMISES WITH FULL POWER TO HIM AND THEM TO DEMAND SUE FOR AND RECOVER PAYMENT OF THE SUMS THEREBY DUE TO GRANT RECEIPTS AND DISCHARGE WHICH SHAL BE SUFFICIENT TO THE RECEIVER AND ASSIGNATIONS TRANSLATIONS AND CONVEYANCES OF THE SAID BOND AND BILL ON PAYMENT THEREOF BEING RESPECTIVELY MADE AND GENERALLY TO DO EVERY OTHER THING IN THE PREMISES WHICH I COULD HAVE DONE BEFORE GRANTING HEREOF WHICH ASSIGNATION I BIND AND OBLIGE MYSELF MY HEIRS EXECUTORS AND SUUCCESSORS TO WARRANT TO THE SAID JOSEPH WILLIAM FORBES AND HIS FORESAIDS FROM ALL FACTO AND DEEDS DONE OR TO BE DONE BY ME IN PREJUDICE HEREOF DECLAIRING ALWAYS THAT THE SAID JOSEPH WILLIAM FORBES AND HIS FORESAIDS SHALL BE BOUND AND OBLIGED AS BY ACCEPTATION HEREOF THEY BIND AND OBLIGE THEMSELVES TO HOLD JUST COUNT AND RECKONING WITH ME AND MY FORESAIDS SUMS THEY MAY RECOVER IN VIRTUE OF THE SAID BOND AND BILL RESPECTIVELLY ABOVE ASSIGNED AND TO IMPUTE THE SAME PROTANTO IN EXTINCTION OF THE FORESAID SUM OF SIX HUNDRED AND SIXTY POUNDS STERLING INTEREST WHICH MAY BECOME DUE THEREON AND EXPENCES WHICH MAY BE INCURRED BY THEM AS AFTER STATED AND FARTHER DECLARING THAT THEY SHALL BE BOUND AND OBLIGED ON THEIR RECEIVING PAYMENT IN VIRTUE OF THIS ASSIGNATION IN SECURITY OF THE WHOLE OF THE SUMS OF PRINCIPAL INTEREST AND EXPENCES AS SAID IS OR ON PAYMENT BY ME OR MY FORESAIDS TO THEM OF THE SAME AND OF ALL EXPENCES AS THE SAME MAY BE DISBURSED OR INCURRED BY THEM TO THEIR OWN AGENTS IN RECOVING PAYMENT OF THE FORESAID PRINCIPAL SUM AND INTEREST WHICH MAY BECOME DUE THEREON AND AS THE SAME SHALL BE ASCERTAINED BY THEIR WRIT OR OATH TO ME AND MY FORESAIDS AT OUR EXPENSE IN THE FULL RIGHT OF THE BOND AND BILL SUMS THEREBY DUE ASSIGNED IN SECURITY AS AFORESAID OR TO MAKE PAYMENT TO US OF ANY BALANCE THAT MAY REMAIN IN THEIR HANDS AFTER DEDUCTING THE SAID SUMS AND I BIND AND OBLIGE MYSELF AND MY FORESAIDS TO MAKE THE SAID BOND AND BILL FORTHCOMING TO THE SAID JOSEPH WILLIAM FORBES AND HIS FORESAIDS TO BE KEPT AND USED BY THEM AS THEIR OWN PROPER WRITS AND EVIDENTS IN TIME COMING AND I CONSENT TO THE REGISTRATION HEREOF IN THE BOOKS OF COUNCIL AND SESSION OR OTHERS COMPETENT THEREIN TO REMAIN FOR PRESERVATION AND IF NECESSARY THAT LETERS OF HORNING ON SIX DAYS CHARGE AND ALL OTHER LEGAL EXECUTION MAY PASS UPON A DECREET TO BE INTERPONED HERETO IN FORM AS EFFECTS AND FOR THAT EFECT I CONSTITUTE MY PROCURATORS IN WITNESS WHEREOF I HAVE SUBSCRIBBED THESE PRESENTS WRITEN ON THIS AND THE PRECEDING PAGE OF STAMPED PAPER BY ALEXANDER DAVIDSON VEITCH APPRENTICE TO WILIAM MASON SOLICITORS SUPREME COURT EDINBURGH AND HERETO SET AND AFFIXED MY SEAL AT LONDON THE TWENTY THIRD DAY OF SEPTEMBER EIGHTEEN HUNDRED AND FIFTY YEARS BEFORE THESE WITNESSES HENRY VALLANCE ESQUIRE SOLICITOR IN LONDON AND JOHN NEWSHAM HIS CLERK THE PLACE AND DATE OF SIGNING AND SEALING AND WITNESSES NAMES AND DESIGNATION BEING WRITTEN BY THE SAID JOHN NEWSHAM SIGNED \cf2 JAMES SUTHERLAND MACKENZIE SIGNED SEALED DELIVERED IN PRESENCE J.VALLANCE, SPER AND SHAND LONDON, IN. NEWSHAM HIS CLERK WITNESS\par \cf3 EDINBURGH 12 OCTOBER 1850 ON THE PART OF MESSR BOWINE

COMPANY WE ACKNOWLEDGE INTIMATION TO USE THIS INSTRUMENT PURPORTING TO BE AN ASSIGNATION OF CERTAIN SUMS CONSTITUTING THE RESIDUE OF THE PRICE OF THE ENTAILED ESTATE OF ROYSTON WE ARE NOT TO BE HELD AS ADMITTING THAT THE GRANTEE HEIR ANY RIGHT TO THE SUMS ASSIGNED BEYOND HIS LIFE INTEREST AS PRESENT HEIR UNDER THE ROYSTON ENTAIL OR THAT THIS ASSIGNMENT PRECLUDED MESSRS BOWNE AND COMPANY FROM PAYING OF THEIR BILL ON DUE NOTICE \par SIGNED\cf1 GORDON STUART CHEYNE EDINBURGH 12 OCTOBER 1850 ON BEHALF OF THE MARCHIONESS OF STAFFORD AND THE HONOURABLE MRS HAY MACKENZIE WE HOLD THIS ASSIGNATION AS DULY INTIMATED TO THEM. WALKER AND MELVILLE.\f1\fs20\par }

[3]

edit SIR ALEXANDER MACKENZIE BARONET/PAULM594

{\rtf1\ansi\ansicpg1252\deff0\deflang2057{\fonttbl{\f0\froman\prq2\fcharset0 Georgia;}} {*\generator Msftedit 5.41.15.1503;} \viewkind4\uc1\pard\b\f0\fs16\tab RD 13/149/BOX657. DATE 31/JULY 1809\par \tab DISPOSITION AND DEED OF SETTLEMENT BY COLONEL ROBERT MACKENZIE\par \tab 26 NOVEMBER 1802 WB OFFICE 31/07/1809\par \tab PRESENTED BY JOSEPH GORDON\par \tab MR THOMAS THOMSON ADVOCATE 5 SHEETS.\par \par \par \tab I COLONEL ROBERT MACKENZIE IN THE SERVICE OF THE HONOURABLE EAST \par \tab INDIA COMPANY FOR THE LOVE FAVOUR AND AFFECTION WHICH I HAVE AND\par \tab BEAR TO ALEXANDER MACKENZIE MY SON PROCREATED OF THE MARRIAGE\par \tab BETWEEN ME AND MRS KATHARINE SUTHERLAND NOW MACKENZIE MY WIFE\par \tab AND OTHER GOOD CAUSES AND CONSIDERATIONS MOVING ME DO BY THESE\par \tab PRESENTS IN THE EVENT OF MY DECEASE GIVE GRANT AND DISPONE TO AND\par \tab IN FAVOUR OF THE SAID ALEXANDER MACKENZIE MY SON AND THE HEIRS \par \tab WHATSOEVER OF HIS BODY WHOM FAILING TO THE HEIRS WHATSOEVER OF MY\par \tab BODY WHOM FAILING TO ROBERT MACKENZIE LIEUTENANT IN THE MAHRATTA\par \tab SERVICE MURDOCK MACKENZIE SON OF KATHARINE MCLEOD IN ASSYNT IN \par \tab THE COUNTY OF SUTHERLAND AND HUME MACKENZIE LIEUTENANT IN THE \par \tab SERVICE OF THE HONOURABLE EAST INDIA COMPANY ON THE MADRAS\par \tab ESTABLISHMENT ALL THREE MY NATURAL SONS EQUALLY AMONG THEM AND\par \tab THE HEIRS WHATSOEVER OF THEIR BODIES AND FAILING ANY ONE OR TWO\par \tab OF THEM AND THE HEIRS WHATSOEVER OF THEIR BODIES TO THE OTHER ONE\par \tab OR TWO OF THEM EQUALLY BETWEEN THEM IF TWO AND THE HEIRS \par \tab WHATSOEVER OF HIS OR THEIR BODIES WHOM ALL FAILING TO MY OWN \par \tab NEAREST AND LAWFUL HEIRS AND ASSIGNEES WHATSOEVER ALL AND \par \tab SUNDRY LANDS HERITAGES ANNUAL RENTS TEINDS

ADJUDICATIONS \par \tab REVERSIONS WOODS MILLS FISHINGS TACKS HEADING AND POSSESSION\par \tab BELONGING TO ME OR WHICH SHALL BELONG TO ME AT MY DEATH AS\par \tab ALSO ALL AND SUNDRY DEBTS AND SUMS OF MONEY BOTH HERITABLE AND \par \tab MOVEABLE DUE AND OWING OR WHICH SHALL BE DUE AND OWING BY ANY\par \tab PERSON OR PERSONS TO ME AT MY DEATH BY BOND BILL DECREE ACCOUNT\par \tab PREMISE OR FACTION AS RENT OF LANDS OR ANNUAL RENTS OF MONEY OR IN \par \tab ANY OTHER MANNER OF WAY WHATSOEVER WITH THE WHOLE VOUCHERS\par \tab INSTRUCTIONS AND CONVEYANCES THEREOF WRITS AND DEEDS GRANTED\par \tab AND DILIGENCE AND EXECUTION ISSUED AND OBTAINED FOR PAYMENT AND\par \tab SECURITY OF THE SAME AND ALSO ALL AND SUNDRY CORNS CATTLE HORSE \par \tab SHEEP HOUSEHOLD PLEISHINGS AND FURNITURE INCLUDING BED AND\par \tab TABLE LINEN SILVER PLATE JEWELS TRINKETS BANK NOTES GOLD AND SILVER\par \tab COINED AND UNCOINED AND LYING MONEY CLOATHS BOOKS AND OTHER \par \tab MOVEABLE GOODS GEAR AND EFFECTS OF WHATSOEVER NATURE OR\par \tab DENOMINATION INCLUDING HEIRSHIP MOVEABLE BELONGING OR THAT MAY \par \tab BELONG TO ME AT MY DEATH WHEREVER OR IN WHOSE CUSTODY SOEVER\par \tab THE SAME MAY THEN BE DISPENSING WITH THE GENERALITY HEREOF AND\par \tab DECLARING THESE PRESENTS TO BE EQUALLY GOOD AND EFFECTUAL\par \tab TO ALL INTENTS AND PURPOSES AS IF THE SAID LANDS HERITAGES\par \tab MOVEABLE DEBTS AND OTHERS HEREBY CONVEYED WERE HEREIN \par \tab PARTICULARLY SPECIFIED AND ENUMERATED DECLARING ALWAYS AS IT IS\par \tab WHEREBY EXPRESSLY PROVIDED AND DECLARED THAT THE SAID ALEXANDER\par \tab MACKENZIE MY SON AND THE OTHER HEIRS SUBSTITUTES AND SUCCESSORS\par \tab BEFORE NAMED IN THEIR ORDER SHALL BE BOUND AND OBLIGED TO CONTENT\par \tab AND PAY MY FUNERAL EXPENSES AND ALL MY JUST AND LAWFUL DEBTS\par \tab AND PARTICULARLY WITHOUT PREDJUDICE TO THE SAID GENERALITY THE\par \tab PREVIOUS CONTAINED IN A CONTRACT OF MARRIAGE ENTERED INTO BETWEEN\par \tab ME ON THE ONE PART AND THE SAID KATHERINE SUTHERLAND NOW MACKENZIE\par \tab MY WIFE ELDEST LAWFUL DAUGHTER OF THE DECEAST COLONEL JAMES\par \tab SUTHERLAND OF UPPAT WITH THE ADVICE AND CONCENT OF CAPTAIN GEORGE\par \tab SACKVILLE SUTHERLAND OF UPPAT HER BROTHER GERMAN ON THE OTHER\par \tab PART DATED THE 15/07/1801 WHICH PROVISIONS WERE CONCEIVED IN FAVOUR\par \tab OF THE SAID KATHERINE SUTHERLAND NOW MACKENZIE MY WIFE AS WELL\par \tab OF THE CHILDREN TO BE PROCREATED OF THE MARRIAGE DECLARING THAT\par \tab THE SAID ALEXANDER MACKENZIE MY SON SHALL BE ENTITLED TO THE FULL\par \tab BENIFIT OF THE PROVISIONS CONTAINED IN THE SAID CONTRACT IN SO \par \tab FAR AS THE SAME MAY BE INTERPRETED IN HIS FAVOUR OVER AND ABOVE\par \tab WHAT HE MAY DRAW FROM MY ESTATE REAL AND PERSONAL IN VIRTUE \par \tab OF THESE PRESENTS THE SAME BEING MADE AND GRANTED WITHOUT\par \tab PREJUDICE TO THE ABOVE MENTIONED PREVIOUS IN ANY MANNER OF WAY\par \tab AS ALSO MY SAID SON AND THE OTHER HEIRS SUBSTITUTING AND\par \tab SUCCESSORS BEFORE MENTIONED SHALL BE BOUND TO PAY THE\par \tab FOLLOWING LAGACIES VIZ. WHEREAS BY THE SAID CONTRACT OF MARRIAGE\par \tab AMONG OTHER PROVISIONS CONCEIVED IN FAVOUR OF THE SAID KATHARINE\par \tab SUTHERLAND NOW MACKENZIE MY WIFE IT WAS DECLARED THAT IN THE EVENT\par \tab OF MY PREDECEASING THE SAID KATHERINE SUTHERLAND NOW MACKENZIE\par \tab MY WIFE AND THAT AT THE DISSOLUTION OF THE MARRIAGE BY MY DECEASE\par \tab OR OTHERWISE THERE SHOULD BE NO CHILD OR CHILDREN EXISTING \par \tab THEREOF AT THE TIME THEN AND IN THAT CASE I PROVIDED HEREIN AND\par \tab SHE WAS ENTITLED TO RECEIVE AND WAS THEREBY EMPOWERED TO\par \tab DEMAND AND RECEIVE THE INTEREST OF SIX THOUSANT POUNDS STERLING\par \tab PROVIDED TO THE CHILDREN OF THE MARRIAGE IN MANNER THEREIN\par \tab MENTIONED NOW IN CASE THE SAID EVENTUAL PROVISION SHOULD BE\par \tab VACATED IN CONSEQUENCE OF THE EXISTENCE OF A CHILD OR CHILDREN\par \tab PROCREATED OF THE MARRIAGE WHO MAY SURVIVE ME THEN AND\par \tab IN THAT EVENT I HEREBY GIVE AND BEQUEATH TO THE SAID KATHARINE\par \tab SUTHERLAND NOW MACKENZIE MY WIFE THE SUM OF TWO THOUSANT\par \tab POUNDS STERLING THEN TO THE SAID HUME MACKENZIE MY NATURAL\par \tab SON I GIVE AND BEQUEATH THE SUM OF FIVE HUNDRED POUNDS STERLING\par \tab THEN TO THE SAID ROBERT MACKENZIE MY NATURAL SON THE

SUM\par \tab OF THREE HUNDRED POUNDS STERLING THEN TO THE SAID MURDOCH\par \tab MACKENZIE MY NATURAL SON THE LIKE SUM OF THREE HUNDRED \par \tab POUNDS STERLING THEN TO FRANCES MACKENZIE NOW GUNN MY\par \tab NATURAL DAUGHTER THE SUM OF TWO HUNDRED POUNDS STERLING\par \tab THEN TO MARIA MACKENZIE NOW MACAULY MY NATURAL DAUGHTER\par \tab THE LIKE SUM OF TWO HUNDRED POUNDS STERLING THEN TO COLONEL\par \tab LOUIS GRANT OF ACHUINACH LATE IN THE SERVICE OF THE HONOURABLE\par \tab EAST INDIA COMPANY THE SUM OF THREE HUNDRED POUNDS STERLING\par \tab THEN TO CAPTAIN CHARLES GRANT IN THE SERVICE OF THE HONOURABLE\par \tab EAST INDIA COMPANY ON THE BENGAL ESTABLISHMENT THE LIKE\par \tab SUM OF THREE HUNDRED POUNDS STERLING THEN TO MRS ELIZABETH\par \tab SUTHERLAND WIDOW OF THE SAID COLONEL JAMES SUTHERLAND AND\par \tab MOTHER OF THE SAID KATHARINE SUTHERLAND NOW MACKENZIE\par \tab WIFE THE SUM OF FIVE HUNDRED POUNDS STERLING AND MY SAID SON\par \tab AND THE OTHER HEIRS SUBSTITUTING AND SUCCESSORS BEFORE\par \tab MENTIONED SHALL BE BOUND TO PAY THE SAID SEVERAL LAGACIES\par \tab AT THE FIRST TERM OF WHITSUNDAY OR MARTINMAS AFTER MY DEATH\par \tab WITH A FIFTH PART MORE OF PENALTY IN CASE OF FAILURE AND THE \par \tab LEGAL INTEREST OF THE SAID SUMS RESPECTIVELY FROM THE SAID\par \tab TERM OF PAYMENT UNTIL PAID DECLAIRING THAT THE JUS MARITI\par \tab AND RIGHT OF ADMINISTRATION OF THE HUSBANDS OF THE SAID\par \tab FRANCIS MACKENZIE NOW GUNN AND OF THE SAID MARIA MACKENZIE\par \tab NOW MACAULY IS HEREBY EXPRESSLY SECLUDED AND DEBARRED IN SO\par \tab FAR AS CONCERNS THE SAID LEGACIES PENALTIES AND INTEREST\par \tab AND FOR CARRYING THESE PRESENTS INTO MORE EFFECTUAL\par \tab EXECUTION I HEREBY NOMINATE AND APPOINT THE SAID ALEXANDER\par \tab MACKENZIE MY SON WHOM FAILING THE SAID KATHARINE SUTHERLAND\par \tab NOW MACKENZIE MY WIFE THE SAID GEORGE SACKVILLE SUTHERLAND\par \tab THE SAID LOUIS GRANT THE SAID CHARLES GRANT COLONEL WILLIAM\par \tab DUNCAN IN THE SERVICE OF THE HONOURABLE EAST INDIA COMPANY\par \tab CAPTAIN HENRY WHITE IN THE SERVICE OF THE HONOURABLE EAST\par \tab INDIA COMPANY ON THE BENGAL ESTABLISHMENT AND NOW OR LATELY\par \tab AIDE DE CAMP TO HIS EXELLENCY MARQUISE WELLESLEY GOVERNOR\par \tab GENERAL OF BENGAL AND COLIN MACKENZIE WRITER TO THE SIGNET\par \tab AND THE ACCEPTING SURVIVORS OR SURVIVOR OF THEM TO BE MY\par \tab SOLE EXECUTORS EXCLUDING MY NEAREST OF KIN AND ALL OTHERS \par \tab FROM THE SAID OFFICE MOREOVER AS I JUDGE IT PRUDENT TO NAME\par \tab TUTORS AND CURATORS TO THE SAID ALEXANDER MACKENZIE\par \tab MY SON OR TO ANY OTHER CHILD OR CHILDREN WHO MAY BE \par \tab PROCREATED OF THE SAID MARRIAGE BETWEEN ME AND THE\par \tab SAID KATHARINE SUTHERLAND NOW MACKENZIE AND HAVING\par \tab ENTIRE CONFIDENCE IN THE SAID KATHARINE SUTHERLAND \par \tab NOW MACKENZIE MY WIFE GEORGE SACKVILLE SUTHERLAND\par \tab LOUIS GRANT CHARLES GRANT WILLIAM DUNCAN HENRY WHITE\par \tab AND COLIN MACKENZIE DO HEREBY NOMINATE AND APPOINT\par \tab THEM AND THE ACCEPTING SURVIVORS OR SURVIVOR OF\par \tab THEM TO BE TUTORS AND CURATORS TO THE SAID ALEXANDER\par \tab MACKENZIE MY SON AND TO SUCH OTHER CHILD OR CHILDREN\par \tab AS MAY BE PROCREATED OF THE SAID MARRIAGE DURING\par \tab THE WHOLE PERIOD OF THEIR RESPECTIVE PUPILARITIES AND MINORITIES\par \tab DECLARING THAT THE MAJORITY OF THE PERSONS BEFORE NAMED\par \tab ACCEPTING AND ALIVE AT THE TIME OR ANY ONE OF THEM\par \tab ACCEPTING AND SURVIVING THE LEAST SHALL BE A QUORUM AND\par \tab DECLAIRING ALSO THAT THEY SHALL NOT AS TUTORS OR CURATORS\par \tab BE LIABLE FOR OMISSIONS NOR SINGULI IN SOLIDUM BUT EACH\par \tab ONLY FOR HIS OWN ACTUAL INTROMISSIONS AND THAT IT SHALL\par \tab BE IN THE POWER OF THE PERSONS BEFORE NAMED TO ACCEPT\par \tab THE OFFICE OF TUTOR AND RENOUNCE THE OFFICE OF CURATOR \par \tab AND I HEREBY REVOKE ALL FORMER DISPOSITION AND SETTLEMENT\par \tab LEGACIES CODICALS AND OTHER TESTAMENTARY DEEDS MADE \par \tab OR GRANTED BY ME IN FAVOR OF WHATEVER PERSON OR PERSONS\par \tab PRECEEDING THE DATE HEREOF AND DECLARE THIS TO BE MY LAST\par \tab WILL AND TESTAMENT RESERVING ALWAYS TO MYSELF FULL\par \tab POWER AND LIBERTY AT ANY TIME OF MY LIFE\par \tab EVEN IN SICKNESS OR ON DEATHBED TO EVOKE ALTER AND INNOVATE\par \tab THESE PRESENTS IN WHOLE OR IN PART OR TO CANCEL

THE SAME\par \tab AT PLEASURE BUT IF I SHALL NOT THINK FIT SO TO DO THESE PRESENTS\par \tab SHALL BE EFFECTUAL THOUGH FOUND IN MY CUSTODY OR IN THE CUSTODY\par \tab OF ANY OTHER PERSON TO WHOM I MAY ENTRUST THE SAME UNDELIVERED\par \tab AT MY DEATH WITH THE DELIVERY WHEREOF I HEREBY DISPENSE AND\par \tab CONSENT TO THE REGISTRATION HEREOF IN THE BOOKS OF COUNCIL AND \par \tab SESSION OR OTHERS COMPETENT THEREIN TO REMAIN FOR PRESERVATION\par \tab AND THERETO CONSTITUTE\par \par \tab MY PROCURATORS IN WITNESS.\par \tab WHEREOF SUBSCRIBE THESE PRESENTS WRITTEN ON THIS AND THE TWO \par \tab PRECEEDING PAGES OF STAMPED PAPER BY WILLIAM MACKENZIE CLERK TO\par \tab ALEXANDER AND COLIN MACKENZIE WRITERS TO THE SIGNET ON EACH\par \tab PAGE AT EDINBURGH THE 26/11/1802 BEFORE THESE WITNESSES THE\par \tab SAID ALEXANDER MACKENZIE WRITER TO THE SIGNET AND THE SAID \par \tab WILLIAM MACKENZIE WRITER HEREOF.\par \tab ROBERT MCKENZIE\par \tab ALEXANDER MACKENZIE \tab WITNESS\par \tab WILLIAM MACKENZIE \tab WITNESS\par }

[4]

edit SIR ALEXANDER MACKENZIE BARONET/PAULM594

{\rtf1\ansi\ansicpg1252\deff0\deflang2057{\fonttbl{\f0\froman\prq2\fcharset0 Georgia;}} {*\generator Msftedit 5.41.15.1503;} \viewkind4\uc1\pard\fs16\par \tab sasine william fraser of culbokie inverness\par \tab RS2788/3. \par \tab\par \tab\par \tab AT EDINBURGH 23/5/1856 BETWEEN THE HOURS OF TWO AND THREE IN\par \tab THE AFTERNOON THE INSTRUMENT OF SASINE UNDER WRITTEN WAS BY\par \tab JAMES MASON SOLICITOR SUPREME COURTS EDINBURGH PRESENTED\par \tab FOR REGISTRATION AND IS INGROSSED IN THE TWO THOUSAND\par \tab SEVEN HUNDRED AND EIGHTY EIGHT BOOK OF THE NEW GENERAL\par \tab REGISTER OF SASINES REVERSIONS AS FOLLOWS VIZ. AT EDINBURGH\par \tab THERE WAS BY OR ON BEHALF OF WILLIAM FRASER ESQUIRE OF\par \tab CULBOKIE LATE CAPTAIN IN THE SEVENTY SIXTH REGIMENT OF\par \tab INVERNESSHIRE MILITIA PRESENTED TO ME NOTARY PUBLIC \par \tab SUBSCRIBING A CHARTER OF SALE UNDER THE SEAL NOW USED\par \tab FOR THE GREAT SEAL OF SCOTLAND AND BEARING DATE AS IN\par \tab THE PRECEPT OF SASINE AND SEALING HERINAFTER INSERTED\par \tab BY WHICH CHARTER VICTORIA BY THE GRACE OF GOD OF THE \par \tab UNITED KINGDOM OF GREAT BRITAIN AND IRELAND QUEEN DEFENDER\par \tab OF THE FAITH GAVE AND GRANTED AND DISPONED AND FOR EVER\par \tab CONFIRMED TO THE SAID WILLIAM FRASER AND HIS HEIRS AND\par \tab ASSIGNEES WHOMSOEVER HERITABLY AND IRREDEEMABLY ALL\par \tab AND WHOLE THE FOLLOWING PARTS AND PORTIONS OF THE LANDS\par \tab AND BARONY OF MACDONALD VIZ. ALL AND WHOLE THOSE PARTS\par \tab AND PORTIONS LYING TO THE NORTH OF THE MARCHS OF THE FARMS\par \tab OR LANDS OF KINGSBURGH AND SCORRIEBRECK OF THE FOLLOWING\par \tab PARTS AND PORTIONS OF THE SAID LANDS OF THE BARONY OF\par \tab MACDONALD VIZ. THE TEN PENNY LAND KILLIEVAXTER IN\par \tab TROTTERNISH WITH PARTS PENDICLES AND PERTINENTS ALL\par \tab AND WHOLE THE 80 MERKS LANDS OF

TROTTERNISH WITH CASTLE \par \tab TOWERS FORTALICES MANOR PLACES MILLS
MULTURES WOODS\par \tab FISHING AS WELL OF SALMON AND AS WELL IN SALT WATER AS
IN FRESH\par \tab WATER MOUNTAINS HILLS MUIRS MARSHES COMMONTIES
PRIVILEGES\par \tab PASTURAGES PARTS PENDICLES ANNEXIS CONNEXIS OUTSETS\par \tab
COMPREHENDING OR CONSISTING THE SAID LANDS AND OTHERS\par \tab OF THE ENTIRE
OR ALMOST THE ENTIRE PARISH OF KILMUIR AND PART OF\par \tab THE PARISH OF
SNIGZORT IN THE ISLE OF SKYE OF SKYE ALL AS\par \tab DESCRIBED IN THE ARTICLES AND
CONDITIONS OF ROUP THEREOF\par \tab DATED 30/5/1855 YEARS AND WHICH NOT
WITHSTANDING THE\par \tab DESCRIPTION THEREIN AND ABOVE GIVEN FROM THE TITLE
DEEDS\par \tab OF THE ESTATE IT IS BY SAID CHARTERS AS IT WAS BY THE\par \tab SAID
ARTICLES AND CONDITIONS OF ROUP DECLARED SHOULD\par \tab BE HELD TO
COMPREHEND AND TO CONSIST OF THOSE PARTS\par \tab AND PORTIONS OF THE SAID
LANDS AND BARONY OF MCDONALD\par \tab IN THE THE PARISHES OF KILMUIR AND
SNZORT AND ISLAND\par \tab OF SKYE SITUATED AND LYING TO THE NORTH OF THE
PRESENT\par \tab MARCHES OF THE FARMS OF KINGSBURGH AND SCORRIEBRECK\par \tab
AS IN THE SAID FARMS ARE NOW POSSESSED BY MR DONALD\par \tab MCLEOD THE
PRESENT TENANT THEREOF AS THE SAID LINES\par \tab OF MARCH WERE SOMETIME
MARKED AND PITTED OFF BY ALEXANDER\par \tab KENNETH MACKINNON ESQ. THE
FACTOR FOR THE RIGHT HONOURABLE\par \tab GODFREY WILLIAM WENTWORTH LORD
MACDONALD AND NO OTHER\par \tab LANDS AND THAT FREE FROM THE FETTERS OF THE
CONTRACT OR DEED\par \tab OF ENTAIL OF THE LANDS AND BARONY OF MCDONALD
DATED THE \par \tab 07/9/ AND 08/11/1726 AND REGISTERED IN THE REGISTER OF
TALZIES\par \tab ON THE 23/6/1836 MADE AND GRANTED BY AND BETWEEN MR KENNETH\par
\tab MACKENZIE ADVOCATE OF THE ONE PART AND ALEXANDER MACDONALD\par \tab ONLY
SON THEN IN LIFE OF THE DECEASED JAMES MACDONALD BROTHER\par \tab TO THE LATE
SIR DONALD MACDONALD OF THAT ILK OF THE OTHER\par \tab PART AND FREE OF ALL
DEBTS DILEGENCES AND INCUMBRANCES\par \tab AFFECTING THE SAID LANDS AND
OTHERS ABOVE DESCRIBED UNDER\par \tab ALL THE CONDITIONS PROVISIONS AND
DECLARATIONS SPECIFIED\par \tab AND CONTAINED IN THE ARTICLES AND CONDITIONS OF
ROUP BEFORE\par \tab MENTIONED WHICH ARE IN SAID CHARTER SPECIALLY REFERED
TO\par \tab BREVITATIS CAUSA AND WHICH TEN PENNY LAND OF KILLEVAXTER\par \tab AND
EIGHTY MERK LANDS OF TROTTERNISH AND OTHERS ABOVE\par \tab DESCRIBED ARE
PART OF THE LANDS AND BARONY OF MACDONALD \par \tab CONTAINED IN A PRECEPT
FROM CHANCERY DATED SEVENTH MAY\par \tab EIGHTEEN HUNDRED AND THIRTY THREE
FOR INFETTING THE SAID\par \tab RIGHT HONORABLE GODFREY WILLIAM WENTWORTH
LORD MCDONALD\par \tab THEREIN DESIGNED THE RIGHT HONOURABLE LORD GODFREY
WILLIAM\par \tab WENTWORTH MACDONALD OF THE ISLES BARONET OF MACDONALD\par
\tab LORD OF SLATE BARON MACDONALD IN THE SAID LANDS AND BARONY\par \tab OF
MACDONALD AS ELDEST SON AND NEAREST AND LAWFUL HEIR OF \par \tab TALZIE AND
PROVISION IN SPECIAL OF LIEUTENANT GENERAL LORD\par \tab GODFREY BOSVILLE
MACDONALD OF THE ISLES BARONET OF MACDONALD\par \tab LORD OF SLATE BARON
MACDONALD HIS FATHER AND INSTRUMENT OF\par \tab SASINE FOLLOWING THEREON IN
FAVOUR OF THE SAID RIGHT HONOURABLE\par \tab GODFREY WILLIAM WENTWORTH LORD
MACDONALD IN THE SAID LANDS\par \tab AND BARONY OF MACDONALD DATED 15/05/1833
AND RECORDED IN THE\par \tab GENERAL REGISTER OF SASINES AT EDINBURGH THE
11/07/1833 AND\par \tab WHICH LANDS AND OTHERS ABOVE DESCRIBED ARE BY THE SAID
CHARTER\par \tab DISUNITED FROM ALL AND SUNDRY EARLDOMS LORDSHIPS BARONIES
AND\par \tab OTHERS WHATSOEVER WHEREUNTO THEY WERE FORMERLY UNITED AND\par
\tab ANNEXED OR WHEREOF THEY WERE PARTS AND PERTINENTS TO BE HOLDEN\par \tab
THE SAID LANDS AND OTHERS OF THE CROWN IN FREE BLENCH FARM\par \tab FEE AND
HERITAGE FOR EVER FOR PAYMENT THEREFOR OF A PENNY SCOTS\par \tab AT
WHITSUNDAY YEARLY OF BLENCH DUTY IF ASKED ONLY WHICH CHARTER\par \tab ONLY
WHICH CONTAINS A PRECEPT OF SASINE IN THE FOLLOWING TERMS\par \tab MOREOVER
WE DESIRE ANY NOTARY PUBLIC TO WHOM THIS CHARTER\par \tab MAY BE PRESENT TO
GIVE TO THE SAID WILLIAM FRASER OR HIS FORESAIDS\par \tab SASINE OF THE LANDS AND
OTHERS ABOVE DESCRIBED AND THAT FREED \par \tab FROM THE FETTERS OF THE
CONTRACT OR DEED OF ENTAIL ABOVE\par \tab REFERRED TO AND OF ALL DEBTS

DILEGENCE AND INCUMBRANCES\par \tab AFFECTING THE SAME IN WITNESS WHEREOF WE
HAVE ORDERED THE SEAL\par \tab NOW USED FOR THE GREAT SEAL OF SCOTLAND TO BE
APPENDED HERETO\par \tab OF THIS DATE AND THE SAME IS ACCORDINGLY APPENDED AT
EDINBURGH\par \tab THE 16/05/1856 YEARS. ARCHIBALD MCNEILL DIRECTOR OF
CHANCERY\par \tab F.W.L.GORDON SUBSTITUTE KEEPER OF THE SEAL 24 POUNDS
SCOTTS\par \tab MONEY IN VIRTUE OF WHICH PRECEPT I HERBY GIVE SASINE TO THE
SAID\par \tab WILLIAM FRASER OF THE LANDS AND OTHERS ABOVE DESCRIBED AND
THAT\par \tab FREED FROM THE FETTERS OF THE SAID CONTRACT OR DEED OF ENTAIL \par
\tab BEFORE REFERED TO AND OF ALL DEBTS DILEGENCES AND INCUMBRANCES\par \tab
AFFECTING THE SAME IN WITNESS WHEREOF I HAVE SUBSCRIBED THESE\par \tab
PRESENTS WRITEN APON THIS AND THE TWO PRECEEDING PAGES\par \tab BY ALEXANDER
ARCHIBALD APPRENTICE TO JAMES MASON SOLICITOR\par \tab SUPREME COURTS
EDINBURGH BEFORE THESE WITNESSES THE SAID\par \tab JAMES MASON AND ALEXANDER
ARCHIBALD BOTH ABOVE DESIGNED\par \tab PEIEGI WILLIAM MASON NOTARY PUBLIC
JAMES MASON WITNESS\par \tab ALEXANDER WITNESS COLLATED BY JAMES LINDSAY
WRITTEN BY\par \tab GEORGE Y. RUTHERFORD.\par \par \par \tab\par }

[5]

edit SIR ALEXANDER MACKENZIE BARONET/PAULM594

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5.41.15.1507;}\viewkind4\uc1\pard\fs20 C26/6 REFERENCE CHANCERY DIVISION A BRIEF
REGISTERED TO THE SCOTTISH RECORD OFFICE\par \par GENERAL SERVICE OF
ALEXANDER MACKENZIE HEICS TO SIR KENNETH MACKENZIE 1826\par GREAT GRANDSON
OF THE FATHER OF\par \par BRIEF FOR ALEXANDER MACKENZIE PRESENTLY IN THE
MILITARY SERVICE OF THE HONORABLE EAST INDIA COMPANY ELDEST LAWFUL SON OF
THE DECEASED COLONEL ROBERT MACKENZIE OF THE SAME SERVICE WHO WAS ELDEST
LAWFUL SURVIVING SON OF ALEXANDER MACKENZIE OF ARDLOCH THE ELDEST LAWFUL
SON OF JOHN MACKENZIE OF ARDLOCH WHO WAS ELDEST LAWFUL SON OF ALEXANDER
MACKENZIE OF ARDLOCH YOUNGER BROTHER GERMAN OF SIR GEORGE MACKENZIE OF
TARBAT BARONET AFTERWARDS VISCOUNT TARBAT LORD MCLEOD AND CASTLEHAVEN
AND EARL OF CROMARTY ELDEST SON OF SIR JOHN MACKENZIE OF TARBAT AS NEAREST
AND LAWFUL HEIR MALE IN GENERAL OF SIR KENNETH MACKENZIE SECOND LAWFUL SON
OF KENNETH MACKENZIE AFTERWARDS DESIGNED SIR KENNETH SECOND LAWFUL SON
OF THE SAID SIR GEORGE MACKENZIE OF TARBAT BARONET AFTERWARDS VISCOUNT
TARBAT LORD MCLEOD AND CASTLEHAVEN AND EARL OF CROMARTY IN AND CONFORM
TO THE DESTINATION IN TERMS OF A ROYAL CHARTER OR PATENT 29 APRIL 1704 OF THE
TITLE OF BARONET OF NOVA SCOTIA IN FAVOUR OF THE SAID KENNETH MACKENZIE
SECOND LAWFUL SON OF THE SAID SIR GEORGE MACKENZIE OF TARBAT BART
AFTERWARDS VISCOUNT TARBAT LORD MCLEOD AND CASTLEHAVEN AND EARL OF
CROMARTY AND HIS HEIRS MALE FOR EVER \par SHERIFF OF ROSS\par }

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**edit SIR ALEXANDER MACKENZIE
BARONET/PAULM594**

{\rtf1\ansi\ansicpg1252\deff0\deflang1033{\fonttbl{\f0\fswiss\fcharset0 Arial;}} {*\generator Msftedit 5.41.15.1507;} \viewkind4\uc1\pard\f0\fs20 SCOTTISH RECORD OFFICE REFERENCE C22/101 CROSS REFERENCE TO ORIGINAL RETOURS C24/103 NO 33\par \par THIS ENQUIRY WAS MADE IN THE CURIA COURT OF THE VICE-COUNTY OF ROSS ON THE SIXTEENTH DAY OF THE MONTH OF SEPTEMBER IN THE YEAR OF THE LORD ONE THOUSANT EIGHT HUNDRED AND NINE BEFORE THE HONOURABLE MAN JOHN BARCLAY VICE-COUNTY OF ROSS AND THROUGH OR BY THESE HONEST FAITHFUL MEN WHOS PATRNYMS ARE SIGNED BELOW TO WIT GEORGE SACKVILLE SUTHERLAND RESIDENT OF RHIVES MISTER GEORGE MURRAY MERCHANT IN TAIN MISTER WILLIAM MURRAY MERCHANT IBID JAMES TAYLOR MERCHANT IBID S OR LAUCHLAN MCINTOSH MERCHANT IBID DUNCAN ROSS MERCHANT IBID HUGO OR HUGH MACKENZIE MERCHANT IBID DONALD ROSS MERCHANT IBID JAMES ROSS MERCHANT IBID DONALD ROSS JUNIOR MERCHANT IBID DRUM MANSER MERCHANT IBID JOHN MCPHERSON MERCHANT IBID MISTER JOHN BLACK SCRIBE CLERK IBID JAMES ROBERTSON SURGEON IBID LIEUTENANT JOHN MUNRO RESIDENT IBID THESE PERSONS HAVING BEEN SWORN IN MAGNO SACRAMENTO INTERVENIENTE DECLARED THAT A CERTAIN LIETENANT-COLONEL ROBERT MACKENZIE IN THE SERVICE OF THE HONOURABLE SOCIETY OF THE MERCHANTS OF THE EAST INDIES IS THE FATHER OF ALEXANDER MACKENZIE PRESENTER OF THESE PRESENT PETITION THE SAID LT-COL. ROBERT MACKENZIE WAS THE LEGITIMATE FIRST BORN SON OF THE LATE ALEXANDER MACKENZIE LATELY OF ARDLOCH WHO WAS THE LEGITIMATE FIRST BORN SON OF THE ALSO DEFUNCT JOHN MACKENZIE OF ARDLOCH WHO WAS THE LEGITIMATE FIRST BORN SON OF THE ALSO DEFUNCT ALEXANDER MACKENZIE WHO WAS THE LEGITIMATE SON OF LORD JOHN MACKENZIE OF TARBAT AND GERMAIN BROTHER OF GEORGE VICE-COUNT OF TARBAT AND LATER EARL OF CROMARTY BOTH WHOM ARE DEAD AND WHO WAS MALE HEIR TALLICE TALLIAE ET PROVISIONIS DESERVITUS ET RETORNATUS TO A CERTAIN KENNETH MACKENZIE LAST OF CROMARTIE WHO WAS HEIR DESERVITUS ET RETOR NATUS TO LORD KENNETH MACKENZIE DE GRANDVILLE WHO WAS HEIR DESERVITUS ET RETORNATUS TO LORD GEORGE MACKENZIE DE GRANDVILLE HIS ELDER BROTHER WHO WAS THE ELDEST SON OF LORD KENNETH MACKENZIE OF CROMARTIE SECOND LEGITIMATE SON OF THE SAID GEORGE VICE-COUNT OF TARBAT AND AFTERWARDS EARL OF CROMARTIE WHO DIED WITHOUT LEGITIMATE MALE CHILD MALE HEIRS PROCREATED FROM THE BODY OF THE SAID GEORGE VICE-COUNT OF TARBAT FAILING THEY NOW EXIST IN PERSON OF LIEUTENANT-COLONEL ROBERT MACKENZIE GREAT-GRAND-SON OF THE SAID ALEXANDER MACKENZIE ONLY BROTHER OF THE SAID GEORGE VICE-COUNT OF TARBAT AND LATER EARL OF CROMARTY FROM WHOS BODY MALE HEIRS WERE THEN IN EXISTENCE HE THEREFORE HAD THE RIGHT OF RECEIVING THE SUCCESSION UNDER THE DISPOSITION AND CHARTER OF TALLIA CONTAINING SUBSTITUTION PROVISIONS CONDITIONS AND NULLIFYING CLAUSES THEREIN SPECIFIED MADE AND EXPRESSED BY THE SAID GEORGE VICE-COUNT OF TARBAT LORD OF MACLEOD AND CASTLEHAVEN AFTERWARDS EARL OF CROMARTY GIVEN ON THE TWENTY-EIGHTH DAY OF THE MONTH OF NOVEMBER IN THE YEAR OF THE LORD ONE THOUSAND SIX HUNDRED AND EIGHTY-EIGHT BY THE TITLE DEED THEREIN SPECIFIED HE GAVE AND DISPOSED TO ALL AND INTEGRALLY THE LANDS AND BARONY OF ROYSTON INCLUDING THE PARTICULAR LANDS ETCETERA THEREIN SPECIFIED LYING IN THE VICE-COUNTY OF EDINBURGH TO MASTER

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PRESENTS 16TH DECEMBER 1809 THOMAS SUTOR CLERK.\par }

[7]

**edit SIR ALEXANDER MACKENZIE
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\rtf1\ansi\ansicpg1252\deff0\deflang1033{\fonttbl{\f0\fswiss\fcharset0 Arial;}} {*\generator Msftedit 5.41.15.1507;}\viewkind4\uc1\pard\f0\fs20 SCOTTISH RECORD OFFICE REFERENCE C22/101 CROSS REFERENCE TO ORIGINAL RETOURS C24/103 NO 33\par \par THIS ENQUIRY WAS MADE IN THE CURIA COURT OF THE VICE-COUNTY OF ROSS ON THE SIXTEENTH DAY OF THE MONTH OF SEPTEMBER IN THE YEAR OF THE LORD ONE THOUSANT EIGHT HUNDRED AND NINE BEFORE THE HONOURABLE MAN JOHN BARCLAY VICE-COUNTY OF ROSS AND THROUGH OR BY THESE HONEST FAITHFUL MEN WHOS PATRNYMS ARE SIGNED BELOW TO WIT GEORGE SACKVILLE SUTHERLAND RESIDENT OF RHIVES MISTER GEORGE MURRAY MERCHANT IN TAIN MISTER WILLIAM MURRAY MERCHANT IBID JAMES TAYLOR MERCHANT IBID S OR LAUCHLAN MCINTOSH MERCHANT IBID DUNCAN ROSS MERCHANT IBID HUGO OR HUGH MACKENZIE MERCHANT IBID DONALD ROSS MERCHANT IBID JAMES ROSS MERCHANT IBID DONALD ROSS JUNIOR MERCHANT IBID DRUM MANSEN MERCHANT IBID JOHN MCPHERSON MERCHANT IBID MISTER JOHN BLACK SCRIBE CLERK IBID JAMES ROBERTSON SURGEON IBID LIEUTENANT JOHN MUNRO RESIDENT IBID THESE PERSONS HAVING BEEN SWORN IN MAGNO SACRAMENTO INTERVENIENTE DECLARED THAT A CERTAIN LIETENANT-COLONEL ROBERT MACKENZIE IN THE SERVICE OF THE HONOURABLE SOCIETY OF THE MERCHANTS OF THE EAST INDIES IS THE FATHER OF ALEXANDER MACKENZIE PRESENTER OF THESE PRESENT PETITION THE SAID LT-COL. ROBERT MACKENZIE WAS THE LEGITIMATE FIRST BORN SON OF THE LATE ALEXANDER MACKENZIE LATELY OF ARDLOCH WHO WAS THE LEGITIMATE FIRST BORN SON OF THE ALSO DEFUNCT JOHN MACKENZIE OF ARDLOCH WHO WAS THE LEGITIMATE FIRST BORN SON OF THE ALSO DEFUNCT ALEXANDER MACKENZIE WHO WAS THE LEGITIMATE SON OF LORD JOHN MACKENZIE OF TARBAT AND GERMAIN BROTHER OF GEORGE VICE-COUNT OF TARBAT AND LATER EARL OF CROMARTY BOTH WHOM ARE DEAD AND WHO WAS MALE HEIR TALLICE TALLIAE ET PROVISIONIS DESERVITUS ET RETORNATUS TO A CERTAIN KENNETH MACKENZIE LAST OF CROMARTIE WHO WAS HEIR DESERVITUS ET RETOR NATUS TO LORD KENNETH MACKENZIE DE GRANDVILLE WHO WAS HEIR DESERVITUS ET RETORNATUS TO LORD GEORGE MACKENZIE DE GRANDVILLE HIS ELDER BROTHER WHO WAS THE ELDEST SON OF LORD KENNETH MACKENZIE OF CROMARTIE SECOND LEGITIMATE SON OF THE SAID GEORGE VICE-COUNT OF TARBAT AND AFTERWARDS EARL OF CROMARTIE WHO DIED WITHOUT LEGITIMATE MALE CHILD MALE HEIRS PROCREATED FROM THE BODY OF THE SAID GEORGE VICE-COUNT OF TARBAT FAILING THEY NOW EXIST IN PERSON OF LIEUTENANT-COLONEL ROBERT MACKENZIE GREAT-GRAND-SON OF THE SAID ALEXANDER MACKENZIE ONLY BROTHER OF THE SAID GEORGE VICE-COUNT OF TARBAT AND LATER EARL OF CROMARTY FROM WHOS BODY MALE HEIRS WERE THEN IN EXISTENCE HE THEREFORE HAD THE RIGHT OF RECEIVING THE SUCCESSION UNDER THE DISPOSITION AND CHARTER OF TALLIA CONTAINING SUBSTITUTION PROVISIONS CONDITIONS AND NULLIFYING CLAUSES THEREIN SPECIFIED MADE AND EXPRESSED BY THE SAID GEORGE VICE-COUNT OF TARBAT LORD OF MACLEOD AND CASTLEHAVEN AFTERWARDS EARL OF CROMARTY GIVEN ON THE TWENTY-EIGHTH DAY OF THE MONTH OF NOVEMBER IN THE YEAR OF THE LORD ONE THOUSAND SIX HUNDRED AND EIGHTY-EIGHT BY THE TITLE DEED THEREIN SPECIFIED HE GAVE AND DISPOSED TO ALL AND INTEGRALLY THE LANDS AND BARONY OF ROYSTON INCLUDING THE PARTICULAR LANDS ETCETERA THEREIN SPECIFIED LYING IN THE VICE-COUNTY OF EDINBURGH TO MASTER

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[8]

edit **SIR ALEXANDER MACKENZIE
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\rtf1\ansi\ansicpg1252\deff0\deflang1033{\fonttbl{\f0\fswiss\fcharset0 Arial;}} {*\generator Msftedit 5.41.15.1507;} \viewkind4\uc1\pard\fs20 AT SCOTTISH RECORD OFFICE EDINBURGH A SERVICE OF HEIR TO JAMES SUTHERLAND MACKENZIE YOUNGER BROTHER OF THE DEFUNCT CAPTAIN ALEXANDER MACKENZIE REFERENCE C22/159 CROSS REFERENCE TO ORIGINAL RETOUR C24/135.\par \par THIS ENQUIRY WAS HELD IN THE COURT OF THE BAILIES OF THE TOWN OF EDINBURGH ON THE SEVENTEENTH DAY OF THE MONTH OF SEPTEMBER IN THE YEAR OF THE LORD ONE THOUSAND EIGHT HUNDRED AND FORTY ONE BEFORE THE HONOURABLE MAN WILLIAM JOHNSTON ONE OF THE BAILIES OF THE SAID TOWN BY THESE HONEST AND TRUE MEN OF THE FATHERLAND LISTED BELOW VIZ ROBERT LOCKHART DYMOCH ARMIGER SOLICITOR IN EDINBURGH JOSEPH GORDON ARMIGER CLERK SIGNETO REGIS THOMAS POTTS ROBERT MORHAM WILLIAM ELIOT BUIST WILLIAM HORN THOMAS MCMILLAN JAMES TURNBULL WILLIAM SHANKS ROBERT BEATSON AND GORDON CLUNES CLERK IN EDINBURGH ALEXANDER DEUCHAR ENGRAVER OF SEALS IBID JOHN CHAMBERS ARCHITECT IBID DAVID LAWSON LICTOREM DECANI GILDAE IBID AND ROBERT LATTA LIE TACKSMAN IBID THESE HAVING TAKEN THE SOLEMN OATH STATED THAT A CERTAIN LORD ALEXANDER MACKENZIE OF TARBAT BARONET CAPTAIN IN THE 48TH REGIMENT CALLED THE BENGAL NATIVE INFANTRY ONLY BROTHER OF LORD JAMES SUTHERLAND MACKENZIE OF TARBAT BARONET BEARER OF THE PRESENT PETITION DIED IN THE FAITH AND PEACE OF OUR SOVEREIGN QUEEN THAT THE SAID DEFUNCT CAPTAIN LORD ALEXANDER MACKENZIE OF TARBAT BARONET WAS THE ELDEST LEGITIMATE SON AND MALE HEIR TALLIAE ET PROVISIONIS DESERVITUS ET RETORNATUS OF LIEUTENANT-COLONEL ROBERT MACKENZIE ERSWHILE IN THE SERVICE OF THE HONOURABLE EAST INDIA COMPANY WHO WAS LEGITIMATE ELDEST SON OF THE DEFUNCT ALEXANDER MACKENZIE LATE OF ARDLOCH WHO WAS THE LEGITIMATE ELDEST SON OF ALEXANDER MACKENZIE OF ARDLOCH WHO WAS LEGITIMATE SON OF LORD JOHN MACKENZIE OF TARBAT BARONET AND YOUNGER BROTHER GERMAIN OF LORD GEORGE MACKENZIE OF TARBAT BARONET AND LATER VICE-COUNT TARBAT LORD MACLEOD AND CASTLEHAVEN AND EARL OF CROMARTY BOTH OF WHOM ARE DEAD AND THAT HE THE SAID LIEUTENANT-COLONEL ROBERT MACKENZIE WAS MALE HEIR TALLIAE ET PROVISIONIS DESRVITUS ET RETORNATUS AD KENNETH MACKENZIE OF CROMARTY WHO WAS HEIR DESERVITUS ET RETORNATUS OF LORD KENNETH MACKENZIE OF GRANDVILLE WHO WAS HEIR DESERVITUS ET RETORNATUS OF GEORGE MACKENZIE OF GRANDVILLE HIS ELDER BROTHER WHO WAS LEGITIMATE ELDEST SON OF LORD KENNETH MACKENZIE OF CROMARTY LEGITIMATE SECOND SON OF THE SAID LORD GEORGE MACKENZIE OF TARBAT AND LATER VICE-COUNT TARBAT LORD MCLEOD AN CASTLEHAVEN AND EARL OF CROMARTY AT THE DEATH OF WHOM OF THE SAID KENNETH MACKENZIE OF CROMARTY WITHOUT LEGITIMATE MALE ISSUE HE PROCREATED A MALE HEIR FROM THE BODY OF LORD GEORGE MACKENZIE OF TARBAT LATER VICE-COUNT TARBAT LORD MCLEOD AND CASTLEHAVEN AND EARL OF CROMARTY FAILING THE SAID LIEUTENANT-COLONEL ROBERT MACKENZIE GREAT-GRANDSON PRONEPOS OF THE SAID ALEXANDER MACKENZIE OF ARDLOCH ONLY BROTHER OF THE SAID LORD GEORGE MACKENZIE OF TARBAT LORD MCLEOD AND CASTLEHAVEN AND EARL OF CROMARTY FROM WHOSE BODY MALE HEIRS ARE NOW IN EXISTENSE HAD RIGHT OF RECEIVING THE SUCCESSION WHICH SUCCESSION HAD OPENED BY THE DEATH OF THE SAID KENNETH MACKENZIE OF CROMARTY UNDER

THE DISPOSITION AND WRITTEN DOCUMENT SYNGRATHA OF TALLIA CONTAINING THE PROVISION CONDITIONS AND IRRITANT CLAUSES AND RESOLUTIONS THEREIN SPECIFIED MADE AND DRAWN UP BY THE SAID LORD GEORGE MACKENZIE OF TARBAT BARONET THEN VICE-COUNT TARBAT LORD MCLEOD AND CASTLEHAVEN LATER EARL OF CROMARTY GIVEN ON THE TWENTY EIGHTH DAY OF THE MONTH OF NOVEMBER IN THE YEAR OF THE LORD ONE THOUSANT SIX HUNDRED AND EIGHTY EIGHT BY WHICH DISPOSITION AND WRITTEN DOCUMENT OF TALLIA HE THE SAID LORD GEORGE MACKENZIE GAVE AND DISPOSED THE TOTAL INTEGRAL LANDS AND BARONY OF ROYSTON INCLUDING PARTICULAR LANDS THEREIN MENTIONED LYING WITHIN THE VICE-COUNTY OF EDINBURGH TO MASTER JAMES MACKENZIE HIS LEGITIMATE THIRD BORN SON AFTERWARDS LORD JAMES MACKENZIE OF ROYSTON AND ONE OF THE LORDS OF SESSIONS AND TO THE LEGITIMATE MALE HEIRS PROCREATED FROM HIS BODY WHOM FAILING TO THE ABOVE NAMED LORD KENNETH MACKENZIE OF CROMARTY THERIN DESIGNATED AS MASTER KENNETH MACKENZIE HIS SECOND SON WHO LATER BECAME LORD KENNETH MACKENZIE OF TARBAT BARONET AND TO HIS MALE HEIR LEGITIMATELY BEGOTTEN FROM HIS BODY WHOM FAILING TO JOHN MASTER OF TARBAT HIS ELDEST SON LATER EARL OF CROMARTY AND TO THE MALE HEIRS FROM HIS BODY WHOM FAILING TO THE MALE HEIRS BEGOTTEN OR TO BE BEGOTTEN FROM THE BODY OF THE SAID EARL WHOM FAILING TO ANY OTHER PERSON OR PERSONS NAMED BY HIM IN THE MANNER MENTIONED IN THE SAID WRIT OF TALLIE SYNGRAPHA TALLIAE WHOM FAILING TO OTHER MALE HEIRS OF THE SAID EARL WHO ALL FAILING TO HIS NEAREST HEIRS AND ASSIGNS WHOMSOEVER IN HERITAGE AND FOREVER IRREDIMABILITER WHEREFORE THE SAID DEFUNCT CAPTAIN LORD ALEXANDER MACKENZIE OF TARBAT BARONET WAS THE NEAREST AND LEGITIMATE MALE HEIR OF THE SAID LORD GEORGE MACKENZIE OF TARBAT BARONET AND LATER VICE-COUNT TARBAT LORD MCLEOD AND CASTLEHAVEN AND EARL OF CROMARTY BROTHER OF THE SAID ALEXANDER MACKENZIE OF ARDLOCH HIS GREAT-GRAND-UNCLE ABAVUS AND WHO ALSO THE SAID DEFUNCT CAPTAIN LORD ALEXANDER MACKENZIE OF TARBAT BARONET WAS THE NEAREST AND LEGITIMATE MALE HEIR OF THE PROVISIONS IN GENERAL OF LORD KENNETH MACKENZIE THIRD LEGITIMATE SON OF THE SAID KENNETH MACKENZIE LATER LORD KENNETH MACKENZIE SECOND LEGITIMATE SON OF THE SAID GEORGE MACKENZIE OF TARBAT BARONET LORD MCLEOD AND CASTLEHAVEN AND EARL OF CROMARTY ELDEST LEGITIMATE SON OF LORD JOHN MACKENZIE OF TARBAT GREAT-GRANDSON PRONEPOS OF ALEXANDER MACKENZIE OF ARDLOCH GREAT-GRAND-FATHER ABAVUS OF THE SAID CAPTAIN LORD ALEXANDER MACKENZIE BARONET AND THAT THE SAID LORD JAMES SUTHERLAND MACKENZIE PRESENTER OF THIS PETITION IS THE NEAREST AND LEGITIMATE MALE HEIR OF TALLIAE ET PROVISIONIS UNDER THE SAID DISPOSITION AND WRIT OF TALLIA AND ALSO HE IS THE NEAREST AND LEGITIMATE MALE HEIR TO THE GENERAL PROVISIONS OF THE SAID LORD ALEXANDER MACKENZIE HIS ONLY BROTHER AND THAT HE IS OF LEGITIMATE LEGAL AGE IN WITNESS TO THESE THINGS THE SIGNATURE OR SEAL OF SEVERAL OF THOSE WHO WERE CONCERNED IN THE SAID ENQUIRY WITH THE BREVI REGIS DEBITE EXCUTO INCLUSO AND THE SEAL OF THE SAID BAILLIE ARE HEREUNTO APPENDED TO THE PRESENT DOCUMENT IN THE PLACE AND ON THE DAY MONTH AND YEAR AFOREMENTIONED EXTRACT MADE FROM THE BOOKS OF THE ACTS OF COURT OF THE SAID BURGH BY ME CARLYLE BELL CONJ. CLERK EIGHTH OCTOBER 1841. \par }

[9]

edit **SIR ALEXANDER MACKENZIE
BARONET/PAULM594**

{\rtf1\ansi\ansicpg1252\deff0\deflang1033{\fonttbl{\f0\fswiss\fcharset0 Arial;}} {*\generator Msftedit 5.41.15.1507;} \viewkind4\uc1\pard\f0\fs20 MILITARY HONOURABLE EAST INDIA COMPANY BENGAL COMPANY 48TH NATIVE INFANTRY\par L/MIL/10/26 GOVERNMENT OF INDIA RECORDS\par \par SIR ALEXANDER MACKENZIE BART NOMINATED BY J. BAILLIE ESQ AT THE RECOMMENDATION OF CADETS MOTHER WIDOW OF COL.R.MACKENZIE FORMERLY OF THE MADRAS SERVICE BORN 16TH MAY 1802 ARRIVED 10TH AUGUST 1824 G.O. 18TH THE COURT ASSEMBLED AT MADRAS TO INQUIRE INTO THE CONDUCT OF CERTAIN PASSENGERS ON THE DUKE OF BEDFORD FIND THAT HE MADE USE OF GROSS AND INDESCENT LANGUAGE HE THE COM. IN CHIEF WILL NOTICE HIS CONDUCT 12TH MAY 1826 NOs 41 AND 2 LEAVE FOR 1 MONTH TO PRESIDENCY ON S.C.G.O. 8TH NOV.1824 LEAVE FOR 6 MONTHS TO PRESIDENCY ON P.A.G.O. 10TH APRIL 1828 HIS CLAIM TO THE TITLE OF BARONET RECOGNISED CONS 11TH OCT.1828NO.70 LEAVE CONTENTED FOR REMAINING AT THE PRESIDENCY PREPARATORY TO APPLYING FOR FURLO G.O. 10TH NOV. 1828 APP.DEP.PAYMASTER AT BENARES G.O. 12TH FEB. 1829 HIS APPOINTMENT AS DEP. PAYMASTER AT DINAPORE HAVING BEEN CANCELLED BY THE REAPPOINTMENT OF CAPTAIN THOMSON TO THAT SITUATION HE IS PLACED AT THE COM. IN CHIEFS DISPOSAL FOR REGIMENTAL DUTY G.O. 7TH JULY 1830 SEE GOV.GEN. MINUTE ON CONS 2ND JULY 1830 NO 29 GRANTED LEAVE TO PRESIDENCY FOR 4 MONTHS TO SETTLE HIS PUBLIC ACCOUNTS G.O. 6TH AUG 1830 PERMITTED TO PROCEED TO EUROPE ON FURLO FOR ONE YEAR ON U.P.A.G.O. 27TH SEPT 1830 ABSENT WITHOUT PAY G.O. 11TH OCT 1830 FURLO COMMENCED 21ST OCT 1830 \{A.L.\} FORWARD A MEMORIAL FROM HIM COMPLAINING OF THE LOSS OF HIS STAFF SITUATION MIL. LETTER FROM BENGAL 14TH OCT.1830 \{3\}. REPORTS HIS ARRIVAL IN ENGLAND. M OF O 22 APRIL 1831 SUBMITTS FOR COURTS FAVORABLE CONSIDERATION THE CIRCUMSTANCES UNDER WHICH HE HAS BEEN DEPRIVED OF A VALUABLE STAFF SITUATION AND HIS ELIGIBILITY FOR FURTHER DETACHED EMPLOY AND PRAYS TO BE RESTORED TO SUCH BENEFIT M. OF C. 4TH MAY 1831 NEGATIVED M. OF C. 8TH JUNE 1831 SOLICITS TO BE RESTORED TO THE STAFF SITUATION OF DEPUTY PAYMASTER AT DINAPORE M. OF C. 6TH JULY 1831 NEGATIVED M. OF C. 3 AUG 1831 REQUESTS PERMISSION TO REMAIN M. OF C. 26TH OCT 1831 FURLO EXTENDED FOR 3 MONTHS M. OF C. 26TH OCT 1831 REQUESTS PERMISSION TO REMAIN M. OF C. 20TH MARCH 1832 PERMITTED TO REMAIN UNTIL THE DEPARTURE OF THE EUPHRATES ABOUT THE MIDDLE OF APRIL M. OF C. 22ND MARCH 1832 TRANSMITS LETTER FROM MADURA ON HIS RETURN TO HIS DUTY REQUESTING TO BE FURNISHED WITH A SPECIAL AUTHORITY FOR HIS READMISSION TO THE SERVICE SHOULD SUCH DOCUMENT BE NECESSARY M. OF C. 19TH JUNE 1832 ARRIVED AT FORT WILLIAM FROM ENGLAND 14TH SEPT 1832 G.O. 8TH OCT. 1832 AQUITTED BY COURT MARTIAL ON A CHARGE OF GROSSLY DISRESPECTFUL AND INSULTING CONDUCT TOWARDS HIS COMMANDING OFFICER G.O. 22 FEB. 1839 DECLARED QUALIFIED TO DISCHARGE THE DUTIES OF INTERPRETER IN A NATIVE CORPS AND EXEMPTED FROM FURTHER EXAMINATION IN THE NATIVE LANGUAGES EXCEPT BY THE EXAMINER OF THE COLLEGE OF FORD WILLIAM G.O. 13 JUNE 1840 APPOINTED TO THE COMMISARIOT DEPARTURE IN AFFGHANISTAN G.O. NOV.1840 LEAVE FROM MARCH TO 15TH MAY 1840 TO VISIT THE PRESIDENCY ON S.C.G.O. MARCH 1841\par

DIED 28TH APRIL 1841 CALCUTTA 5 MAY 1841 NO 202.\par }

[10]

[edit](#) SIR ALEXANDER MACKENZIE BARONET/PAULM594

\rtf1\ansi\ansicpg1252\deff0\deflang1033{\fonttbl{\f0\fswiss\fcharset0 Arial;}} {*\generator Msftedit 5.41.15.1507;} \viewkind4\uc1\pard\f0\fs20 MILITARY HONOURABLE EAST INDIA COMPANY BENGAL COMPANY 48TH NATIVE INFANTRY\par L/MIL/10/26 GOVERNMENT OF INDIA RECORDS\par \par SIR ALEXANDER MACKENZIE BART NOMINATED BY J. BAILLIE ESQ AT THE RECOMMENDATION OF CADETS MOTHER WIDOW OF COL.R.MACKENZIE FORMERLY OF THE MADRAS SERVICE BORN 16TH MAY 1802 ARRIVED 10TH AUGUST 1824 G.O. 18TH THE COURT ASSEMBLED AT MADRAS TO INQUIRE INTO THE CONDUCT OF CERTAIN PASSENGERS ON THE DUKE OF BEDFORD FIND THAT HE MADE USE OF GROSS AND INDESCENT LANGUAGE HE THE COM. IN CHIEF WILL NOTICE HIS CONDUCT 12TH MAY 1826 NOs 41 AND 2 LEAVE FOR 1 MONTH TO PRESIDENCY ON S.C.G.O. 8TH NOV.1824 LEAVE FOR 6 MONTHS TO PRESIDENCY ON P.A.G.O. 10TH APRIL 1828 HIS CLAIM TO THE TITLE OF BARONET RECOGNISED CONS 11TH OCT.1828NO.70 LEAVE CONTENTED FOR REMAINING AT THE PRESIDENCY PREPARATORY TO APPLYING FOR FURLO G.O. 10TH NOV. 1828 APP.DEP.PAYMASTER AT BENARES G.O. 12TH FEB. 1829 HIS APPOINTMENT AS DEP. PAYMASTER AT DINAPORE HAVING BEEN CANCELLED BY THE REAPPOINTMENT OF CAPTAIN THOMSON TO THAT SITUATION HE IS PLACED AT THE COM. IN CHIEFS DISPOSAL FOR REGIMENTAL DUTY G.O. 7TH JULY 1830 SEE GOV.GEN. MINUTE ON CONS 2ND JULY 1830 NO 29 GRANTED LEAVE TO PRESIDENCY FOR 4 MONTHS TO SETTLE HIS PUBLIC ACCOUNTS G.O. 6TH AUG 1830 PERMITTED TO PROCEED TO EUROPE ON FURLO FOR ONE YEAR ON U.P.A.G.O. 27TH SEPT 1830 ABSENT WITHOUT PAY G.O. 11TH OCT 1830 FURLO COMMENCED 21ST OCT 1830 \{A.L.\} FORWARD A MEMORIAL FROM HIM COMPLAINING OF THE LOSS OF HIS STAFF SITUATION MIL. LETTER FROM BENGAL 14TH OCT.1830 \{3\}. REPORTS HIS ARRIVAL IN ENGLAND. M OF O 22 APRIL 1831 SUBMITTS FOR COURTS FAVORABLE CONSIDERATION THE CIRCUMSTANCES UNDER WHICH HE HAS BEEN DEPRIVED OF A VALUABLE STAFF SITUATION AND HIS ELIGIBILITY FOR FURTHER DETACHED EMPLOY AND PRAYS TO BE RESTORED TO SUCH BENIFIT M. OF C. 4TH MAY 1831 NEGATIVED M. OF C. 8TH JUNE 1831 SOLICITS TO BE RESTORED TO THE STAFF SITUATION OF DEPUTY PAYMASTER AT DINAPORE M. OF C. 6TH JULY 1831 NEGATIVED M. OF C. 3 AUG 1831 REQUESTS PERMISSION TO REMAIN M. OF C. 26TH OCT 1831 FURLO EXTENDED FOR 3 MONTHS M. OF C. 26TH OCT 1831 REQUESTS PERMISSION TO REMAIN M. OF C. 20TH MARCH 1832 PERMITTED TO REMAIN UNTIL THE DEPARTURE OF THE EUPHRATES ABOUT THE MIDDLE OF APRIL M. OF C. 22ND MARCH 1832 TRANSMITS LETTER FROM MADURA ON HIS RETURN TO HIS DUTY REQUESTING TO BE FURNISHED WITH A SPECIAL AUTHORITY FOR HIS READMISSION TO THE SERVICE SHOULD SUCH DOCUMENT BE NECESSARY M. OF C. 19TH JUNE 1832 ARRIVED AT FORT WILLIAM FROM ENGLAND 14TH SEPT 1832 G.O. 8TH OCT. 1832 AQUITTED BY COURT MARTIAL ON A CHARGE OF GROSSLY DISRESPECTFUL AND INSULTING CONDUCT TOWARDS HIS COMMANDING OFFICER G.O. 22 FEB. 1839 DECLARED QUALIFIED TO DISCHARGE THE DUTIES OF INTERPRETER IN A NATIVE CORPS AND EXEMPTED FROM FURTHER EXAMINATION IN THE NATIVE LANGUAGES EXCEPT BY THE EXAMINER OF THE COLLEGE OF FORD WILLIAM G.O. 13 JUNE 1840 APPOINTED TO THE COMMISARIOT DEPARTURE IN AFFGHANISTAN G.O. NOV.1840 LEAVE FROM MARCH TO 15TH MAY 1840 TO VISIT THE PRESIDENCY ON S.C.G.O. MARCH 1841\par

DIED 28TH APRIL 1841 CALCUTTA 5 MAY 1841 NO 202.\par }

[11]

[edit](#) **SIR ALEXANDER MACKENZIE
BARONET/PAULM594**

{\rtf1\ansi\ansicpg1252\deff0\deflang1033{\fonttbl{\f0\fswiss\fcharset0 Arial;}} {*\generator Msftedit 5.41.15.1507;} \viewkind4\uc1\pard\f0\fs20 C26/6 REFERENCE CHANCERY DIVISION A BRIEF REGISTERED TO THE SCOTTISH RECORD OFFICE\par \par GENERAL SERVICE OF ALEXANDER MACKENZIE HEICS TO SIR KENNETH MACKENZIE 1826\par GREAT GRANDSON OF THE FATHER OF\par \par BRIEF FOR ALEXANDER MACKENZIE PRESENTLY IN THE MILITARY SERVICE OF THE HONORABLE EAST INDIA COMPANY ELDEST LAWFUL SON OF THE DECEASED COLONEL ROBERT MACKENZIE OF THE SAME SERVICE WHO WAS ELDEST LAWFUL SURVIVING SON OF ALEXANDER MACKENZIE OF ARDLOCH THE ELDEST LAWFUL SON OF JOHN MACKENZIE OF ARDLOCH WHO WAS ELDEST LAWFUL SON OF ALEXANDER MACKENZIE OF ARDLOCH YOUNGER BROTHER GERMAN OF SIR GEORGE MACKENZIE OF TARBAT BARONET AFTERWARDS VISCOUNT TARBAT LORD MCLEOD AND CASTLEHAVEN AND EARL OF CROMARTY ELDEST SON OF SIR JOHN MACKENZIE OF TARBAT AS NEAREST AND LAWFUL HEIR MALE IN GENERAL OF SIR KENNETH MACKENZIE SECOND LAWFUL SON OF KENNETH MACKENZIE AFTERWARDS DESIGNED SIR KENNETH SECOND LAWFUL SON OF THE SAID SIR GEORGE MACKENZIE OF TARBAT BARONET AFTERWARDS VISCOUNT TARBAT LORD MCLEOD AND CASTLEHAVEN AND EARL OF CROMARTY IN AND CONFORM TO THE DESTINATION IN TERMS OF A ROYAL CHARTER OR PATENT 29 APRIL 1704 OF THE TITLE OF BARONET OF NOVA SCOTIA IN FAVOUR OF THE SAID KENNETH MACKENZIE SECOND LAWFUL SON OF THE SAID SIR GEORGE MACKENZIE OF TARBAT BART AFTERWARDS VISCOUNT TARBAT LORD MCLEOD AND CASTLEHAVEN AND EARL OF CROMARTY AND HIS HEIRS MALE FOR EVER \par SHERIFF OF ROSS\par }

[12]

**edit SIR ALEXANDER MACKENZIE
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\rtf1\ansi\ansicpg1252\deff0\deflang1033{\fonttbl{\f0\fswiss\fcharset0 Arial;}} {*\generator Msftedit 5.41.15.1507;}\viewkind4\uc1\pard\f0\fs20 SCOTTISH RECORD OFFICE REFERENCE C22/101 CROSS REFERENCE TO ORIGINAL RETOURS C24/103 NO 33\par \par THIS ENQUIRY WAS MADE IN THE CURIA COURT OF THE VICE-COUNTY OF ROSS ON THE SIXTEENTH DAY OF THE MONTH OF SEPTEMBER IN THE YEAR OF THE LORD ONE THOUSANT EIGHT HUNDRED AND NINE BEFORE THE HONOURABLE MAN JOHN BARCLAY VICE-COUNTY OF ROSS AND THROUGH OR BY THESE HONEST FAITHFUL MEN WHOS PATRNYMS ARE SIGNED BELOW TO WIT GEORGE SACKVILLE SUTHERLAND RESIDENT OF RHIVES MISTER GEORGE MURRAY MERCHANT IN TAIN MISTER WILLIAM MURRAY MERCHANT IBID JAMES TAYLOR MERCHANT IBID S OR LAUCHLAN MCINTOSH MERCHANT IBID DUNCAN ROSS MERCHANT IBID HUGO OR HUGH MACKENZIE MERCHANT IBID DONALD ROSS MERCHANT IBID JAMES ROSS MERCHANT IBID DONALD ROSS JUNIOR MERCHANT IBID DRUM MANSER MERCHANT IBID JOHN MCPHERSON MERCHANT IBID MISTER JOHN BLACK SCRIBE CLERK IBID JAMES ROBERTSON SURGEON IBID LIEUTENANT JOHN MUNRO RESIDENT IBID THESE PERSONS HAVING BEEN SWORN IN MAGNO SACRAMENTO INTERVENIENTE DECLARED THAT A CERTAIN LIETENANT-COLONEL ROBERT MACKENZIE IN THE SERVICE OF THE HONOURABLE SOCIETY OF THE MERCHANTS OF THE EAST INDIES IS THE FATHER OF ALEXANDER MACKENZIE PRESENTER OF THESE PRESENT PETITION THE SAID LT-COL. ROBERT MACKENZIE WAS THE LEGITIMATE FIRST BORN SON OF THE LATE ALEXANDER MACKENZIE LATELY OF ARDLOCH WHO WAS THE LEGITIMATE FIRST BORN SON OF THE ALSO DEFUNCT JOHN MACKENZIE OF ARDLOCH WHO WAS THE LEGITIMATE FIRST BORN SON OF THE ALSO DEFUNCT ALEXANDER MACKENZIE WHO WAS THE LEGITIMATE SON OF LORD JOHN MACKENZIE OF TARBAT AND GERMAIN BROTHER OF GEORGE VICE-COUNT OF TARBAT AND LATER EARL OF CROMARTY BOTH WHOM ARE DEAD AND WHO WAS MALE HEIR TALLICE TALLIAE ET PROVISIONIS DESERVITUS ET RETORNATUS TO A CERTAIN KENNETH MACKENZIE LAST OF CROMARTIE WHO WAS HEIR DESERVITUS ET RETORNATUS TO LORD KENNETH MACKENZIE DE GRANDVILLE WHO WAS HEIR DESERVITUS ET RETORNATUS TO LORD GEORGE MACKENZIE DE GRANDVILLE HIS ELDER BROTHER WHO WAS THE ELDEST SON OF LORD KENNETH MACKENZIE OF CROMARTIE SECOND LEGITIMATE SON OF THE SAID GEORGE VICE-COUNT OF TARBAT AND AFTERWARDS EARL OF CROMARTIE WHO DIED WITHOUT LEGITIMATE MALE CHILD MALE HEIRS PROCREATED FROM THE BODY OF THE SAID GEORGE VICE-COUNT OF TARBAT FAILING THEY NOW EXIST IN PERSON OF LIEUTENANT-COLONEL ROBERT MACKENZIE GREAT-GRAND-SON OF THE SAID ALEXANDER MACKENZIE ONLY BROTHER OF THE SAID GEORGE VICE-COUNT OF TARBAT AND LATER EARL OF CROMARTY FROM WHOS BODY MALE HEIRS WERE THEN IN EXISTENCE HE THEREFORE HAD THE RIGHT OF RECEIVING THE SUCCESSION UNDER THE DISPOSITION AND CHARTER OF TALLIA CONTAINING SUBSTITUTION PROVISIONS CONDITIONS AND NULLIFYING CLAUSES THEREIN SPECIFIED MADE AND EXPRESSED BY THE SAID GEORGE VICE-COUNT OF TARBAT LORD OF MACLEOD AND CASTLEHAVEN AFTERWARDS EARL OF CROMARTY GIVEN ON THE TWENTY-EIGHTH DAY OF THE MONTH OF NOVEMBER IN THE YEAR OF THE LORD ONE THOUSAND SIX HUNDRED AND EIGHTY-EIGHT BY THE TITLE DEED THEREIN SPECIFIED HE GAVE AND DISPOSED TO ALL AND INTEGRALLY THE LANDS AND BARONY OF ROYSTON INCLUDING THE PARTICULAR LANDS ETCETERA THEREIN SPECIFIED LYING IN THE VICE-COUNTY OF EDINBURGH TO MASTER

JAMES MACKENZIE HIS LEGITIMATE THIRD SON WHO LATER BECAME LORD JAMES MACKENZIE OF ROYSTON AND ONE OF THE LORDS OF SESSION AND TO HIS MALE HEIRS LEGITIMATELY BEGOTTEN FROM HIS BODY FAILING WHICH TO THE ABOVE NAMED LORD KENNETH MACKENZIE OF CROMARTY SECOND LEGITIMATE SON OF THE SAID VICE-COUNT AND TO THE LEGITIMATE MALE HEIRS BEGOTTEN FROM HIS BODY FAILING WHICH TO JOHN EARL OF CROMARTIE THEREIN DESIGNATED AS JOHN MASTER OF TARBAT ELDEST LEGITIMATE SON OF THE SAID VICE-COUNT AND TO HIS MALE HEIRS PROCREATED OR TO BE PROCREATED FROM HIS BODY FAILING WHICH TO THE OTHER MALE HEIRS LEGITIMATELY BEGOTTEN OR TO BEGOTTEN FROM THE BODY OF THE NOBLE VICE-COUNT HIMSELF FAILING WHICH FINALLY TO OTHER PERSON OR PERSONS TO BE NAMED BY HIM IN THE SAME MANNER IN THE ABOVE SAID CHARTER OF TALLIA THEY FAILING TO OTHER MALE HEIRS OF THE SAID GEORGE VICE-COUNT OF TARBAT WHOSOEVER FAILING ALL THESE HEIRS AND ASSIGNS WHOSOEVER OF THE SAID VIC-COUNT THE INHERITANCE WILL DIE OUT IRREDEEMABLY AND GO TO THE FAITH TRUST AND PEACE OF S.N.D.REGIS OUR SOVEREIGN LORD THE KING AND WHEREBY THE SAID ALEXANDER MACKENZIE PRESENTER OF THE PRESENT PETITION IS THE LEGITIMATE AND NEAREST MALE HEIR OF TALLIE AND PROVISIONIS UNDER THE SAID CHARTER OF TALLIA OF HIS FATHER THE SAID LIEUTENANT-COLONEL ROBERT MACKENZIE AND IS OF LEGAL LEGITIMATE AGE IN CUJUS REI IN WITNESS TO THIS THING THE SIGNATURES OF THOSE CONCERNED IN THIS INQUIRY TOGETHER WITH THE BREVIS REGIS DEBITE EXECUTO INCLUSO AND THE SEAL OF THE COMUNE AND ALSO THE SIGNATURE SIGN MANUAL OF THOMAS SUTOR PRINCIPAL CLERK OF THE SAID VICE-COUNTY SPECIALLY CONSTITUTED ARE APPENDED TO THESE PRESENTS 16TH DECEMBER 1809 THOMAS SUTOR CLERK.\par }

[13]

**edit SIR ALEXANDER MACKENZIE
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[14]

**edit SIR ALEXANDER MACKENZIE
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AND NINE BEFORE THE HONOURABLE MAN JOHN BARCLAY VICE-COUNTY OF ROSS AND THROUGH OR BY THESE HONEST FAITHFUL MEN WHOS PATRNYMS ARE SIGNED BELOW TO WIT GEORGE SACKVILLE SUTHERLAND RESIDENT OF RHIVES MISTER GEORGE MURRAY MERCHANT IN TAIN MISTER WILLIAM MURRAY MERCHANT IBID JAMES TAYLOR MERCHANT IBID S OR LAUCHLAN MCINTOSH MERCHANT IBID DUNCAN ROSS MERCHANT IBID HUGO OR HUGH MACKENZIE MERCHANT IBID DONALD ROSS MERCHANT IBID JAMES ROSS MERCHANT IBID DONALD ROSS JUNIOR MERCHANT IBID DRUM MANSER MERCHANT IBID JOHN MCPHERSON MERCHANT IBID MISTER JOHN BLACK SCRIBE CLERK IBID JAMES ROBERTSON SURGEON IBID LIEUTENANT JOHN MUNRO RESIDENT IBID THESE PERSONS HAVING BEEN SWORN IN MAGNO SACRAMENTO INTERVENIENTE DECLARED THAT A CERTAIN LIETENANT-COLONEL ROBERT MACKENZIE IN THE SERVICE OF THE HONOURABLE SOCIETY OF THE MERCHANTS OF THE EAST INDIES IS THE FATHER OF ALEXANDER MACKENZIE PRESENTER OF THESE PRESENT PETITION THE SAID LT-COL. ROBERT MACKENZIE WAS THE LEGITIMATE FIRST BORN SON OF THE LATE ALEXANDER MACKENZIE LATELY OF ARDLOCH WHO WAS THE LEGITIMATE FIRST BORN SON OF THE ALSO DEFUNCT JOHN MACKENZIE OF ARDLOCH WHO WAS THE LEGITIMATE FIRST BORN SON OF THE ALSO DEFUNCT ALEXANDER MACKENZIE WHO WAS THE LEGITIMATE SON OF LORD JOHN MACKENZIE OF TARBAT AND GERMAIN BROTHER OF GEORGE VICE-COUNT OF TARBAT AND LATER EARL OF CROMARTY BOTH WHOM ARE DEAD AND WHO WAS MALE HEIR TALLICE TALLIAE ET PROVISIONIS DESERVITUS ET RETORNATUS TO A CERTAIN KENNETH MACKENZIE LAST OF CROMARTIE WHO WAS HEIR DESERVITUS ET RETORNATUS TO LORD KENNETH MACKENZIE DE GRANDVILLE WHO WAS HEIR DESERVITUS ET RETORNATUS TO LORD GEORGE MACKENZIE DE GRANDVILLE HIS ELDER BROTHER WHO WAS THE ELDEST SON OF LORD KENNETH MACKENZIE OF CROMARTIE SECOND LEGITIMATE SON OF THE SAID GEORGE VICE-COUNT OF TARBAT AND AFTERWARDS EARL OF CROMARTIE WHO DIED WITHOUT LEGITIMATE MALE CHILD MALE HEIRS PROCREATED FROM THE BODY OF THE SAID GEORGE VICE-COUNT OF TARBAT FAILING THEY NOW EXIST IN PERSON OF LIEUTENANT-COLONEL ROBERT MACKENZIE GREAT-GRAND-SON OF THE SAID ALEXANDER MACKENZIE ONLY BROTHER OF THE SAID GEORGE VICE-COUNT OF TARBAT AND LATER EARL OF CROMARTY FROM WHOS BODY MALE HEIRS WERE THEN IN EXISTENCE HE THEREFORE HAD THE RIGHT OF RECEIVING THE SUCCESSION UNDER THE DISPOSITION AND CHARTER OF TALLIA CONTAINING SUBSTITUTION PROVISIONS CONDITIONS AND NULLIFYING CLAUSES THEREIN SPECIFIED MADE AND EXPRESSED BY THE SAID GEORGE VICE-COUNT OF TARBAT LORD OF MACLEOD AND CASTLEHAVEN AFTERWARDS EARL OF CROMARTY GIVEN ON THE TWENTY-EIGHTH DAY OF THE MONTH OF NOVEMBER IN THE YEAR OF THE LORD ONE THOUSAND SIX HUNDRED AND EIGHTY-EIGHT BY THE TITLE DEED THEREIN SPECIFIED HE GAVE AND DISPOSED TO ALL AND INTEGRALLY THE LANDS AND BARONY OF ROYSTON INCLUDING THE PARTICULAR LANDS ETCETERA THEREIN SPECIFIED LYING IN THE VICE-COUNTY OF EDINBURGH TO MASTER JAMES MACKENZIE HIS LEGITIMATE THIRD SON WHO LATER BECAME LORD JAMES MACKENZIE OF ROYSTON AND ONE OF THE LORDS OF SESSION AND TO HIS MALE HEIRS LEGITIMATELY BEGOTTEN FROM HIS BODY FAILING WHICH TO THE ABOVE NAMED LORD KENNETH MACKENZIE OF CROMARTY SECOND LEGITIMATE SON OF THE SAID VICE-COUNT AND TO THE LEGITIMATE MALE HEIRS BEGOTTEN FROM HIS BODY FAILING WHICH TO JOHN EARL OF CROMARTIE THEREIN DESIGNATED AS JOHN MASTER OF TARBAT ELDEST LEGITIMATE SON OF THE SAID VICE-COUNT AND TO HIS MALE HEIRS PROCREATED OR TO BE PROCREATED FROM HIS BODY FAILING WHICH TO THE OTHER MALE HEIRS LEGITIMATELY BEGOTTEN OR TO BEGOTTEN FROM THE BODY OF THE NOBLE VICE-COUNT HIMSELF FAILING WHICH FINALLY TO OTHER PERSON OR PERSONS TO BE NAMED BY HIM IN THE SAME MANNER IN THE ABOVE SAID CHARTER OF TALLIA THEY FAILING TO OTHER MALE HEIRS OF THE SAID GEORGE VICE-COUNT OF TARBAT WHOSOEVER FAILING ALL THESE HEIRS AND ASSIGNS WHOSOEVER OF THE SAID VIC-COUNT THE INHERITANCE WILL DIE OUT IRREDEEMABLY AND GO TO THE FAITH TRUST AND PEACE OF S.N.D.REGIS OUR SOVEREIGN LORD THE KING AND WHEREBY THE SAID ALEXANDER MACKENZIE PRESENTER OF THE PRESENT PETITION IS THE LEGITIMATE AND NEAREST MALE HEIR OF TALLIE AND PROVISIONIS UNDER THE SAID CHARTER OF TALLIA OF HIS FATHER THE SAID LIEUTENANT-COLONEL ROBERT MACKENZIE AND IS OF LEGAL LEGITIMATE AGE IN CUJUS

REI IN WITNESS TO THIS THING THE SIGNATURES OF THOSE CONCERNED IN THIS INQUIRY TOGETHER WITH THE BREVIS REGIS DEBITE EXECUTO INCLUSO AND THE SEAL OF THE COMUNE AND ALSO THE SIGNATURE SIGN MANUAL OF THOMAS SUTOR PRINCIPAL CLERK OF THE SAID VICE-COUNTY SPECIALLY CONSTITUTED ARE APPENDED TO THESE PRESENTS 16TH DECEMBER 1809 THOMAS SUTOR CLERK.\par }

[15]

[edit](#) **SIR ALEXANDER MACKENZIE
BARONET/PAULM594**

{\rtf1\ansi\ansicpg1252\deff0\deflang1033{\fonttbl{\f0\fswiss\fcharset0 Arial;}} {\colortbl ;\red255\green0\blue0;\red0\green0\blue0;} {*\generator Msftedit 5.41.15.1507;}\viewkind4\uc1\pard\f0\fs20 ALEXANDER MACKENZIES BIRTH COPY FROM ST ANDREWS CHURCH EDINBURGH \par COURT OF DIRECTORS HELD ON WEDNESDAY THE 17TH NOVEMBER 1819\par RESOLVED THAT THE CADETS AND ASSISTANT SURGEONS BE

DIRECTED TO PRESENT THEMSELVES AT THE CADET OFFICE WITH THERE CERTIFICATES PROPERLY FILLED UP AND SIGNED BY TEN O CLOCK IN THE MORNING OR SOON AFTER AS POSSIBLE IN ORDER THAT THEY MAY FILL UP THEIR PETITIONS AND HAVE THEIR NOMINATIONS PREPARED AGAINST THE COMMITTEE MEET OR THE NOMINATING DIRECTOR ARRIVES\par \par THE FOLLING PRINTED FORMS OF CERTIFICATES MUST BE PROPERLY FILLED UP AND SIGNED BY ALL THE PARTIES THEREIN ALLUDED TO BEFORE THE CADET ATTENDS TO BE PASSED OTHERWISE HE WILL EXPERIENCE MUCH DELAY IN GETTING THROUGH THE NECESSARY FORMS TO INSURE HIS EARLY EMBARCATION\par \par THESE FORMS ARE PRINTED EXPRESSLY FOR THE PURPOSE OF THE BLANKS BEING PROPERLY FILLED UP AND SIGNED PREVIOUS TO THE CADETS BEING PASSED\par \par \fs40 FIRST\par \fs16\par \fs20 EXTRACT FROM THE REGISTER BOOK OF BIRTHS AND BAPTISMS OF THE PARISH OF ST ANDREWS IN THE CITY OF EDINBURGH COLONEL ROBERT MCKENZIE SOMETIMES IN THE SERVICE OF THE HONOURABLE THE EAST INDIA COMPANY AND MRS KATHARINE SUTHERLAND HIS SPOUSE A SON BORN THE SIXTEENTH DAY OF MAY EIGHTEEN HUNDRED AND TWO ST ANDREWS PARISH AND BAPTISED BY THE REVERENT DOCTOR MOODIE NAMED ALEXANDER EXPANDED BY ROBERT BOW SESSION CLERK 16TH JANUARY 1824 ANDREW GRANT MINISTER WALTER COOP ELDER WAL DICKSON ELDER\par \par NB THE ABOVE EXTRACT MUST BE SIGNED BY THE RESIDENT CLERGYMAN AND COUNTERSIGNED BY THE CHURCH WARDENS OR IF IN SCOTLAND BY THE SESSION CLERK AND TWO ELDERS\par \par \fs40 SECOND\fs20\par \par THE PARENTS OR GUARDIANS CERTIFICATE\par \par I DO HEREBY CERTIFY THAT THE FOREGOING EXTRACT FROM THE REGISTER OF BIRTHS AND BAPTISMS OF THE PARISH OF ST ANDREWS IN THE COUNTY IN THE CITY OF EDINBURGH CONTAINS THE DATE OF THE BIRTH AND BAPTISM OF MY SON ALEXANDER MACKENZIE WHO IS THE BEARER OF THIS AND NOMINATED A CADET ON THE BENGAL ESTABLISHMENT BY COLONEL JOHN BAILLIE AND I DO FURTHER DECLARE THAT I RECEIVED THE SAID APPOINTMENT FOR MY SON ALEXANDER MACKENZIE FRM COLONEL BAILLIE GRATUITOUSLY AND THAT NO MONEY OR OTHER VALUABLE CONSIDERATION HAS BEEN OR IS TO BE PAID EITHER DIRECTLY OR INDIRECTLY FOR THE SAME AND THAT I WILL NOT PAY OR CAUSE TO BE PAID EITHER BY MYSELF BY MY SON OR BY THE HANDS OF ANY OTHER PERSON ANY PECUNIARY OR VALUABLE CONSIDERATION WHATSOEVER TO ANY PERSON OR PERSONS WHO HAVE INTERESTED THEMSELVES IN PROCURING THE SAID NOMINATION FOR MY SON FROM THE DIRECTOR ABOVE MENTIONED\par \par WITNESS MY HAND THIS SIXTEENTH DAY OF JANUARY IN THE YEAR OF OUR LORD EIGHTEEN HUNDRED AND TWENTY FOUR\par \par THE PARENT OR NEAREST OF KIN OR GUARDIAN TO SIGN AT FULL LENGTH \cf1\fs32 KATHARINE MACKENZIE \par \par \cf2\fs20 ST ANDREWS AND ST GEORGE ON THE NORTH SIDE OF GEORGE STREET IS A DISTINCTIVE BUILDING IN THE REFINED CLASSICAL STYLE WITH A PEDIMENTED PORTICO AND SPIRE 168 FEET HIGH THE CHURCH THE FIRST OVAL BUILDING FOR WORSHIP IN BRITAIN WAS BUILT BY WILLIAM PIRNIE TO THE DESIGN OF MAJOR ANDREW FRAZER OF THE ENGINEERS AND OPENED ON 12TH DECEMBER 1784 THE SPIRE DESIGNED BY WILLIAM SIBBALD WAS READY BY 1789 WHEN BELLS WERE INSTALLED THE VESTRY ON THE NORTH-WEST SIDE WAS ORIGINALLY A SESSION ROOM BUILT AT THE EXPENSE OF JOHN YOUNG ARCHITECT IN 1788 THE PULPIT WHICH REPLACED THE ORIGINAL IN 1952 IS ON THE CENTRE OF THE NORTH SIDE ON A RAISED PLATFORM THE COMMUNION TABLE CAME FROM ST GEORGES THE ORGAN WELLS-KENNEDY 2-MANUAL (1984) IS IN THE GALLERY ON THE SOUTH SIDE ROUND THE BACK OF THE CHURCH ARE BOX PEWS AND THE CENTRE AREA HAS CHAIRS THE CHURCH IS DECORATED WITH ADAM DESIGN AND CEILING IS PARTICULARLY BEATIFUL THE STAINED GLASS IN THE WINDOWS DATES FROM 1890 BELOW THE CHURCH IS THE UNDERCROFT A SUITE OF HALLS OFFICE AND CHAPEL OPENED IN MAY 1975 THE BUILDING IS A-LISTED THE MANSE IS AT 12 HERRIOT ROW THE CHURCH HAS FOUR COMMUNION CUPS 1785 THE BAPTISMAL BOWL IS DATED 1837 BY 1780 IT WAS APPARENT THAT A CHURCH WOULD BE REQUIRED FOR THE INCREASING POPULATION OF THE NEW TOWN OF EDINBURGH AND ON 25TH APRIL OF THAT YEAR JAMES HUNTER BLAIR LATER LORD PROVOST PROPOSED THE ERECTION OF A NEW CHURCH AND PARISH THE TOWN COUNCIL UNANIMOUSLY SO RESOLVED ON 31ST JANUARY 1781 THE FOUNDATION STONE WAS LAID ON 21ST MARCH 1781 AND THE CHURCH OPENED ON 12TH DECEMBER 1784 IT COST \a37000 AND HAD APPROXIAMATELY 1000 SITINGS IN THE PEAL OF EIGHT BELLS BY

MEARS RUNG IN THE ENGLISH MANNER WAS INSTALLED THESE INSPIRED LADY NAIRNS
CALLER HERRIN THE NEW TOWN AREA HAD BEEN DETACHED FROM THE PARISH OF ST
CUTHBERTS AND ADDED TO THE PARISH OF EDINBURGH AND NOW WAS GIVEN TO ST
ANDREWS AS AN AREA OF RESPONSIBILITY THE STIPEND WAS PROVIDED FROM THAT OF
THE SECOND CHARGE OF TRINITY COLLEGE IN 1880 A PETER CONACHER 3-MANUAL
ORGAN WAS INSTALLED IN THE EARLY YEARS OF THE 19TH CENTURY ST ANDREWS WAS
THE MOST INFLUENTIAL CHURCH IN EDINBURGH UNTIL THAT HONOUR PASSED TO ST
GEORGES IN THE MINISTRY OF ANDREW MITCHEL THOMSON THERE WAS A SECOND
CHARGE FROM 1801 UNTIL 1860 THE GENERAL ASSEMBLIES OF 1841 1842 AND 1843 WERE
HELD IN ST ANDREWS AND IT WAS THE SCENE OF THE DISRUPTION THE SECEDING
MINISTERS AND ELDERS WALKED DOWN HANOVER STREET DUNDAS STREET AND PITT
STREET TO TNFIELD HALL AT CANON MILLS JOHN BRUCE MINISTER OF ST ANDREWS
JOINED THE FREE CHURCH SOMEWHAT HESITANTLY WITH ONE ELDER AND 200 OR 300 OF
THE CONGREGATION THEY FORMED FREE ST ANDREWS AND WORSHIPED FROM MAY 1844
IN A CHURCH BUILT ON THE BACK GREEN OF 80 GEORGE STREET\par 1787 WILIAM MOODIE
FROM KIRKCALDY PROF. HEBREW IN CONJUNCT 1793 DD 1798 MOD. GA 1799 ORIENTAL
SCHOLAR AND GOOD PASTOR DIED 1812 (FES I 88)\par \par 1801 DAVID RICHIE ASSISTANT
MINISTER 1798 MINISTER OF KILMARNOCK 1800-1 MINISTER OF SECOND CHARGE 1801
INTELLECTUAL PREACHER MODERATE JUNIOR CLERK GA 1802-8 PROF. OF LOGIC IN
CONJUNCT 1808-36 DD 1813 MOD GA 1814 DIED 1844 (FESI 90)\par \par 1813 ANDREW GRANT
DD MOD GA 1808 FROM TRINITY COLLEGE CHAPLAIN TO GEORGE III GEORGE IV WILLIAM IV
DEAN OF CHAPEL ROYAL 1820 JOINT COLLECTOR OF WIDOWS FUND 1827 SOLE
COLLECTOR 1835 DIED 1836 (FES I 89) \par \par \fs28 PARISH EDINBURGH DISTRICT 685
MIDLOTHIAN\par \fs24 EXTRACT OF ENTRIES IN AN OLD PAROCHIAL REGISTER PARISH OF
EDINBURGH COUNTY OF MIDLOTHIAN\par REGISTRATION OF BIRTH\par ST ANDREWS
PARISH OPR VOLUME 685/55 PAGE 308 FRAME 2791 PAGE 308 EDINBURGH 1 SEPTEMBER
1820\par COLONEL ROBERT MCKINZIE SOMETIME OF THE SERVICE OF THE HONORABLE
THE EAST INDIA COMPANY AND MRS CATHERINE SUTHERLAND HIS SPOUSE A SON BORN
THE 16TH MAY 1802 ST ANDREWS PARISH AND BAPTISED BY THE REVERENT DR MOODIE
NAMED ALEXANDER\par A DAUGHTER BORN 16TH JUNE 1803 SAME PARISH NAMED
ELIZABETH BAILLIE\par \par \fs32 IGI INTERNATIONAL GENEALOGICAL INDEX\par \fs24 BATCH
SHEET ENTRY NUMBER 7202657 09\par SOURCE CALL NUMBER 820191\par TYPE FILM\par
ALEXANDER MCKINZIE\par SEX MALE\par EVENT CHRISTENING 2 SEPTEMBER 1820
EDINBURGH MIDLOTHIAN SCOTLAND\par FATHER ROBERT MCKINZIE\par MOTHER
CATHERINE MRS. SUTHERLAND\par \par \fs32 IGI INTERNATIONAL GENEALOGICAL INDEX\par
\fs24 BATCH SHEET ENTRY NUMBER 7202657\par SOURCE CALL NUMBER 0820191\par SHEET
09\par TYPE FILM ALEXANDER MCKINZIE\par SEX MALE\par EVENT BIRTH 16TH MAY 1809\par
CHRISTENING 02 SEPTEMBER 1820 EDINBURGH MIDLOTHIAN SCOTLAND\par PARENTS\par
FATHER ROBERT MCKINZIE\par MOTHER CATHERINE MRS.SUTHERLAND\par \par \fs32 IGI
INTERNATIONAL GENEALOGICAL INDEX\par \fs24 BATCH SHEET NUMBER C119835\par
SOURCE CALL NUMBER 1066691, 0103041\par PRINT CALL OUT NUMBER 6900814\par TYPE
FILM\par YEAR 1820-27\par ALEXANDER MCKINZIE\par SEX MALE\par EVENT BIRTH 16 MAY
1802 EDINBURGH PARISH EDINBURGH MIDLOTHIAN SCOTLAND\par PARENTS\par FATHER
ROBERT COLONEL MCKINZIE\par MOTHER CATHERINE SUTHERLAND\par \par \fs32 IGI
INTERNATIONAL GENEALOGICAL INDEX\par \fs24 BATCH SHEET NUMBER C110692\par
SOURCE CALL NUMBER 0990585\par PRINT CALL NUMBER 6902449\par TYPE FILM\par
ALEXANDER MCKENZIE\par SEX MALE\par EVENT BIRTH 16TH MAY 1802 KILMUIR-EASTER
ROSS AND CROMARTY SCOTLAND\par PARENTS\par FATHER ROBERT MCKENZIE\par
MOTHER KATHRINE SUTHERLAND\par \par \fs32 PARISH EASTER-KILMUIR DISTRICT 69/1\par
\fs24 EXTRACT OF ENTRIES KILMUIR-EASTER COUNTY ROSS AND CROMARTY\par OLD
PAROCHIAL REGISTER\par BIRTHS \par MCKENZIE AND SUTHERLAND\par 4TH NOVEMBER
1811 THE FOLLOWING ARE THE DATES OF THE BIRTHS OF THE CHILDREN OF COLONEL
ROBERT MCKENZIE OF MILLMOUNT\par 16TH MAY 1802 COLONEL ROBERT MCKENZIE OF
MILLMOUNT HAD BY HIS SPOUSE KATHRINE SUTHERLAND A CHILD BAPTISED NAMED
ALEXANDER BORN IN CASTLE STREET EDINBURGH\par 16TH JUNE 1803 COLONEL ROBERT
MCKENZIE OF MILLMOUNT HAD BY HIS SPOUSE MRS KATHRINE SUTHERLAND A CHILD
BAPTISED NAMED ELIZABETH BAILLIE BORN IN GEORGE STREET EDINBURGH\par 16TH

AUGUST 1804 COLONEL ROBERT MCKENZIE OF MILLMOUNT HAD BY HIS SPOUSE MRS KATHRINE SUTHERLAND A CHILD BAPTISED NAMED MARGARET SUTHERLAND BORN AT MILLMOUNT IN THIS PARISH\par 21ST JULY 1805 COLONEL ROBERT MCKENZIE OF MILN MOUNT HAD BY HIS SPOUSE MRS KATHRINE SUTHERLAND A CHILD BAPTISED NAMED JAMES SUTHERLAND BORN AT MILLMOUNT IN THIS PARISH\par ATTESTED BY DONALD MCKENZIE S.C.\par \par \cf1\fs32\par \cf0\fs20\par }

[16]

**edit SIR ALEXANDER MACKENZIE
BARONET/PAULM594**

{\rtf1\ansi\ansicpg1252\deff0\deflang1033{\fonttbl{\f0\fswiss\fcharset0 Arial;}} {\colortbl ;\red255\green0\blue0;\red0\green0\blue0;} {*\generator Msftedit 5.41.15.1507;}\viewkind4\uc1\pard\fs20 MILITARY HONOURABLE EAST INDIA COMPANY BENGAL COMPANY 48TH NATIVE INFANTRY\par L/MIL/10/26 GOVERNMENT OF INDIA

RECORDS\par \par SIR ALEXANDER MACKENZIE BART NOMINATED BY J. BAILLIE ESQ AT THE RECOMMENDATION OF CADETS MOTHER WIDOW OF COL.R.MACKENZIE FORMERLY OF THE MADRAS SERVICE BORN 16TH MAY 1802 ARRIVED 10TH AUGUST 1824 G.O. 18TH THE COURT ASSEMBLED AT MADRAS TO INQUIRE INTO THE CONDUCT OF CERTAIN PASSENGERS ON THE DUKE OF BEDFORD FIND THAT HE MADE USE OF GROSS AND INDESCENT LANGUAGE HE THE COM. IN CHIEF WILL NOTICE HIS CONDUCT 12TH MAY 1826 NOs 41 AND 2 LEAVE FOR 1 MONTH TO PRESIDENCY ON S.C.G.O. 8TH NOV.1824 LEAVE FOR 6 MONTHS TO PRESIDENCY ON P.A.G.O. 10TH APRIL 1828 HIS CLAIM TO THE TITLE OF BARONET RECOGNISED CONS 11TH OCT.1828NO.70 LEAVE CONTENDED FOR REMAINING AT THE PRESIDENCY PREPARATORY TO APPLYING FOR FURLO G.O. 10TH NOV. 1828 APP.DEP.PAYMASTER AT BENARES G.O. 12TH FEB. 1829 HIS APPOINTMENT AS DEP. PAYMASTER AT DINAPORE HAVING BEEN CANCELLED BY THE REAPPOINTMENT OF CAPTAIN THOMSON TO THAT SITUATION HE IS PLACED AT THE COM. IN CHIEFS DISPOSAL FOR REGIMENTAL DUTY G.O. 7TH JULY 1830 SEE GOV.GEN. MINUTE ON CONS 2ND JULY 1830 NO 29 GRANTED LEAVE TO PRESIDENCY FOR 4 MONTHS TO SETTLE HIS PUBLIC ACCOUNTS G.O. 6TH AUG 1830 PERMITTED TO PROCEED TO EUROPE ON FURLO FOR ONE YEAR ON U.P.A.G.O. 27TH SEPT 1830 ABSENT WITHOUT PAY G.O. 11TH OCT 1830 FURLO COMMENCED 21ST OCT 1830 \{A.L.\} FORWARD A MEMORIAL FROM HIM COMPLAINING OF THE LOSS OF HIS STAFF SITUATION MIL. LETTER FROM BENGAL 14TH OCT.1830 \{3\}. REPORTS HIS ARRIVAL IN ENGLAND. M OF O 22 APRIL 1831 SUBMITTS FOR COURTS FAVORABLE CONSIDERATION THE CIRCUMSTANCES UNDER WHICH HE HAS BEEN DEPRIVED OF A VALUABLE STAFF SITUATION AND HIS ELIGIBILITY FOR FURTHER DETACHED EMPLOY AND PRAYS TO BE RESTORED TO SUCH BENEFIT M. OF C. 4TH MAY 1831 NEGATED M. OF C. 8TH JUNE 1831 SOLICITS TO BE RESTORED TO THE STAFF SITUATION OF DEPUTY PAYMASTER AT DINAPORE M. OF C. 6TH JULY 1831 NEGATED M. OF C. 3 AUG 1831 REQUESTS PERMISSION TO REMAIN M. OF C. 26TH OCT 1831 FURLO EXTENDED FOR 3 MONTHS M. OF C. 26TH OCT 1831 REQUESTS PERMISSION TO REMAIN M. OF C. 20TH MARCH 1832 PERMITTED TO REMAIN UNTIL THE DEPARTURE OF THE EUPHRATES ABOUT THE MIDDLE OF APRIL M. OF C. 22ND MARCH 1832 TRANSMITS LETTER FROM MADURA ON HIS RETURN TO HIS DUTY REQUESTING TO BE FURNISHED WITH A SPECIAL AUTHORITY FOR HIS READMISSION TO THE SERVICE SHOULD SUCH DOCUMENT BE NECESSARY M. OF C. 19TH JUNE 1832 ARRIVED AT FORT WILLIAM FROM ENGLAND 14TH SEPT 1832 G.O. 8TH OCT. 1832 AQUITTED BY COURT MARTIAL ON A CHARGE OF GROSSLY DISRESPECTFUL AND INSULTING CONDUCT TOWARDS HIS COMMANDING OFFICER G.O. 22 FEB. 1839 DECLARED QUALIFIED TO DISCHARGE THE DUTIES OF INTERPRETER IN A NATIVE CORPS AND EXEMPTED FROM FURTHER EXAMINATION IN THE NATIVE LANGUAGES EXCEPT BY THE EXAMINER OF THE COLLEGE OF FORD WILLIAM G.O. 13 JUNE 1840 APPOINTED TO THE COMMISARIOT DEPARTMENT IN AFGHANISTAN G.O. NOV.1840 LEAVE FROM MARCH TO 15TH MAY 1840 TO VISIT THE PRESIDENCY ON S.C.G.O. MARCH 1841\par DIED 28TH APRIL 1841 CALCUTTA 5 MAY 1841 NO 202.\par \par SIR ALEXANDER MACKENZIE SIXTH BARONET (1802-1841) CAPTAIN 48TH N.I. BORN EDINBURGH 16TH MAY 1802 CADET 1823 ARRIVED INDIA 10 AUGUST 1824 ENSIGN 10 FEBRUARY 1824 LIETENANT 13 MAY 1825 CAPTAIN 1 MARCH 1840 DIED CALCUTTA INDIA BURIED OLD CIRCULAR ROAD 28TH APRIL 1841\par \par 6TH BARONET OF TARBAT SERVED HEIR MALE TO HIS GREAT-GREAT-GRANDUNCLE GEORGE 1ST EARL OF CROMARTY 17TH AUGUST 1826 ASSUMED THE DORMANT BARONETCIES OF TARBAT OF GRANDVILLE AND CROMARTY AND OF ROYSTON 20 OCTOBER 1826 ELDER SON OF ROBERT MACKENZIE OF MILNMOUNT Q.V. AND KATHARINE HIS 2ND WIFE EDUCATED EDINBURGH HIGH SCHOOL\par \par SERVICES: POSTED ENSIGN TO 48TH NATIVE INFANTRY DEPUTY PAYMASTER AT BENARES 12 FEBRUARY 1829 TILL 7TH JULY 1830 FURLOW P.A. 21 OCTOBER 1830 TILL 14 SEPTEMBER 1832 FIRST AFGHAN WAR 1839-40 CAPTURE OF GHAZNI 1839 LIEUTENANT 48TH NATIVE INFANTRY APPOINTED TO COMMISSARIOT DEPARTMENT AFGHANISTAN 26TH NOVEMBER 1840 LEAVE S.C. TO CALCUTTA 1 MARCH 1841\par \par REFERENCES BURKES PEERAGE 1923 PAGE 1472 S.N. MACKENZIE BARONET OF SCATWEL COUNTY ROSSHIRE ASIATIC JOURNAL NEW SERIOUS XXIX GENTLEMANS MAGAZINE 1841 ii 334 M.I. CIRCULAR ROAD CEMETARY CALCUTTA NEW BURIAL GROUND CIRCULAR ROAD PAGE 280 MONUMENTAL INSCRIPTIONS CALCUTTA \cf1 IN MEMORY OF SIR ALEXANDER MACKENZIE OF TARBAT AND

ROYSTON KNIGHT BARONET CAPTAIN IN THE 48TH REGIMENT NATIVE INFANTRY BORN MAY 16TH 1802 DIED APRIL 28TH 1841\par \par \cf2 ENTRY NUMBER 553 INDIA GOVERNMENT PAPERS\par FROM ACTING THE ADJUTANT GENERAL OF THE ARMY TO THE SECRETARY TO THE GOVERNMENT OF INDIA IN THE MILITARY DEPARTMENT CALCUTTA 29TH APRIL 1841 SIR I HAVE THE HONOUR TO REPORT FOR THE INFORMATION OF THE GOVERNMENT THE DEATH AT CALCUTTA ON THE 28TH INSTANT OF CAPTAIN SIR ALEXANDER MACKENZIE BARONET OF THE 48TH REGIMENT OF NATIVE INFANTRY AND TO SUBMIT THE ANNEXED MEMORANDUM OF THE CONSEQUENT PROMOTION I HAVE THE HONOR TO BE SIR YOUR OBEDIENT SERVANT SIGNED ACTING ADJUTANT GENERAL OF THE ARMY\par MEMORANDUM (GENERAL ORDERS ENTRY NO 111 OF 5 MAY 1841)\par THE RIGHT HONOURABLE THE GOVERNOR GENERAL OF INDIA IN COUNCIL IS PLEASED TO MAKE THE FOLLOWING PROMOTIONS\par 48TH NATIVE INFANTRY LIEUTENANT HENRY DAVID VANHOMIGH TO BE CAPTAIN OF A COMPANY ENSIGN THEOPHILIS GREEN TO BE LIEUTENANT FROM THE 28TH APRIL 1841 IN SUCCESSION TO CAPTAIN SIR ALEXANDER MACKENZIE BARONET DECEASED SIGNED ACTING ADJUTANT GENERAL OF THE ARMY REPORTS THE DEATH OF CAPTAIN SIR ALEXANDER MACKENZIE BART 48TH NATIVE INFANTRY AND ANNEXES A MEMORANDUM OF THE CONSEQUENT PROMOTIONS. REPORT 30TH APRIL 1841\par \par SERVICE RECORD GOVERNMENT OF INDIA PAGE 540.\par \par \fs32 GENERAL ORDERS\par \fs24 BY HIS EXCELLENCY THE COMMANDER IN CHIEF\par \fs20 HEAD QUARTERS CALCUTTA 26TH NOVEMBER 1840 \par BY THE RIGHT HONORABLE THE GOVERNMENT GENERAL OF INDIA IN COUNCIL\par FORT WILLIAM 24TH NOVEMBER 1840\par \par NO. 249 OF 1840---- CAPTAIN WILLIAM MCDOWEL HOPER OF THE 57TH REGIMENT NATIVE INFANTRY IS PERMITTED TO PROCEED TO THE CAPE OF GOOD HOPE ON MEDICAL CERTIFICATE AND TO BE ABSCENT FRO BENGAL ON THAT ACCOUNT FOR TWO YEARS\par SIGNED J.STUART LIEUTENANT. COLONEL\par SECRETARY TO THE GOVERNMENT OF INDIA MILITARY DEPARTMENT\par \par \fs32 BY THE COMMANDER IN CHIEF\fs20\par \par THE FOLLOWING ORDERS ARE WITH THE SANCTION OF THE RIGHT HONORABLE THE GOVERNOR GENERAL OF INDIA IN COUNCIL CONFIRMED\par \par THE ORDERS BY MAJOR GENERAL SIR W. COTTON G.C.B. AND K.C.H. COMMANDING THE BRITISH TROOPS IN AFGHANISTAN DATED THE 18TH ULTIMO DIRECTING LIEUTENANT J.N.RINO OF THE 37TH REGIMENT OF NATIVE INFANTRY TEMPORARY ARRANGEMENT TO CONDUCT THE COMMISSARIOT DUTIES WITH FORCE UNDER THE ORDRS OF MAJOR GENERAL SIR R.H. SALE K.C.B. ON THE DEMISE OF CAPTAIN R.RABAN OF THE 48TH NATIVE INFANTRY\par \par THE ORDERS BY MAJOR GENERAL SIR W. COTTON G.C.B. AND K.G.H. COMMANDING THE BRITHISH TROOPS IN AFGHANISTAN DATED THE 18TH ULTIMO APPOINTING CAPTAIN SIR ALEXANDER MACKENZIE BART OF THE 48TH REGIMENT OF NATIVE INFANTRY TO THE COMMISSARIAT DEPARTMENT IN AFGHANISTAN VICE CAPTAIN RABAN DECEASED\par \par THE ORDER BY CAPTAIN S.F. HANNAY COMMANDING THE ASSAM LIGHT INFANTRY BATTALION DATED THE 10TH ULTIMO APPOINTING AS A TEMPORARY MEASURE LIEUTENANT W.O.HARRIS TO ACT AS 2ND IN COMMAND TO THE CORPS\par \par THE DETACHMENT ORDER BY LIEUTENANT COLONEL R.E.CHAMBERS DATED THE 22ND ULTIMO DIRECTING THE COMMISSARIAT TO SUPPLY 2 FOUR BULLOCK HACKERIES FOR THE CARRIAGE TO FEROZEPURE OF THE CLOTHING AND COMPANY OF MEN OF THE 5TH REGIMENT OF LIGHT CAVALRY ON FURLOUGH\par \par THE FOLLOWING ORDERS ARE CONFIRMED\par THE AGRA GARRISON ORDER OF THE FIRST INSTANCE DIRECTING HOSPITAL APPRENTICE J.GOODALL TO ACT AS ASSISTANT APOTHECARY TO THE DEPOT OF THE 1ST EUROPEAN REGIMENT DURING ITS MARCH TO CAWNPORE AND REQUIRING APPRENTICE M.TWOOMY TO DO DUTY THE DEPOT\par \par THE STATION ORDER BY CAPTAIN H.J.HUXON COMMANDING AT ALLYGURH DATED THE 4TH INSTANT DIRECTING LIEUTENANT AND ACTING ADJUTANT W.B.LEGARD OF THE LEFT WING 31ST REGIMENT OF NATIVE INFANTRY TO ACT AS STATION STAFF\par \par THE ORDER BY BRIGADIER J.SHELTON COMMANDING AT FEROZEPURE DATED THE 7TH INSTANT APPOINTING AS A TEMPORARY ARRANGEMENT CAPTAIN W.MACKINTOSH OF THE 5TH REGIMENT OF NATIVE INFANTRY TO ACT AS BRIGADE MAJOR AT THE STATION VICE CAPTAIN GRANT\par \par 2ND LIEUTENANT R.B.SMITH OF THE CORPS OF ENGINEERS WHO WAS DIRECTED TO JOIN THE 6TH COMPANY OF SAPPERS AND MINERS AT DACCA IN THE GENERAL ORDERS OF THE 28TH OF SEPTEMBER LAST WILL PROCEED WITH IT FROM THAT STATION TO BENARES BY

WATER WHERE THE COMPANY WILL BE DISEMBARKED AND AFTERWARDS MARCHED TO THE HEAD QUARTERS OF THE CORPS\par \par \fs28 FORT WILLIAM\par \fs20 18TH MARCH 1839\par 48TH REGIMENT NATIVE INFANTRY\par CHARGE\par \par WITH CONDUCT HIGHLY UNLIKE AN OFFICER AND AS A GENTLEMAN AND GROSSLY DISREPECTFUL INSULTING TO MAJOR R.A.THOMAS OF THE SAME REGIMENT HIS THEN IMMEDIATE COMMANDING OFFICER ON THE MORNING OF THE 13TH OF JANUARY 1839 THE MAJOR BEING IN COMMAND OF A WING OF THE SAID REGIMENT AND IN CHARGE OF MEASURE THEN IN CAMP WITH THE 1ST BRIGADE 1ST DIVISION BENGAL COLOMN ARMY OF THE INDIES IN THE FOLLOWING INSTANCES\par 1ST INSTANCE IN HAVING WHEN ASKED BY THE MAJOR WHERE LIEUTENANT BIRD WAS REPLIED WHERE THE HELL OR DEVIL SHOULD HE BE BUT IN HIS \par OR WORD TO SUCH EFFECT\par \par 2ND INSTANCE IN HAVING ON THE SAME MORNING WHEN ASKED BY MAJOR TO MAKE THE ----- ASSISTANT IN LOADING THE SAID ----- UPON CAMELS REPLIED THAT HE THE SAID MAJOR WAS A DAMNED BEAST A ----- AND IF HE WAS NOT SUCH AN OLD MAN HE THE LIEUTENANT SHOULD HAVE LIKED TO HAVE GIVEN HIM THE MAJOR A GOOD KICKING OR WORDS TO SUCH EFFECT \par \par THE WHOLE OR ANY PART OF THE ABOVE CONDUCT BEING IN BREACH OF THE ARTICLES OF WAR UPON WHICH CHARGE THE COURT CAME TO THE FOLLOWING DECISION\par \par FINDING THAT THE COURT ARE OF THE OPINION THAT LIEUTENANT SIR ALEXANDER MACKENZIE BARONET OF THE 48TH REGIMENT NATIVE INFANTRY IS NOT GUILTY OF THE CHARGE EXHIBITING AGAINST HIM AND DO ACQUIT HIM OF THE SAME\par \par \fs32 FORT WILLIAM\par \fs20 18TH MARCH 1839\par MILITARY DEPARTMENT NO 226\par OF THE COARSE OF THE KALLEE RIVER FROM OOLEAH GHAUT TO BUHM DEO THEREWITH RECEIVED A COPY HAVING BEEN TAKEN FOR RECORD IN THIS DEPARTMENT \par SIGNED W.CABBITT MAJOR \par SECRETARY TO THE GOVERNMENT OF INDIA IN THE MILITARY DEPARTMENT\par \par DEPUTY JUDGE ADVOCATE GENERAL PRESIDENCY NO 30 ENTRY.\par \par FROM DEPUTY JUDGE ADVOCATE GENERAL IN CHARGE OF THE JUDGE ADVOCATE GENERALS OFFICE\par \par TO MAJOR W.CUBITT OFFICIATING SECRETARY TO THE GOVERNMENT OF INDIA IN THE MILKITARY DEPARTMENT NO 227 AND 227A ENTRIES DATED 16TH MARCH 1839\par \par SIR\par I HAVE THE HONOR TRANSMIT TO YOU THE ACCOMPANYING COPY OF THE PROCEEDINGS OF AN EUROPEAN GENERAL COURT MARSHAL HELD IN CAMP NEAR ROSEE ON THE LEFT BANK OF THE INDIES ON THE TRIAL OF LIEUTENANT SIR ALEXANDER MACKENZIE BARONET 48TH NATIVE INFANTRY\par \par I HAVE THE HONOR TO BE---- SIGNED H.BIRCH DEPUTY JUDGE ADVOCATE GENERAL IN CHARGE JUDGE ADVOCATE GENERALS OFFICE PRESIDING OF FORT WILLIAM 16TH MARCH 1839\par \par ENLOSURE NO 227A ENTRY\par EXTRACT FROM THE PROCEEDINGS OF A GENERAL COURT MARCHAL HELD ON THE 26TH JANUARY 1839 FOR THE TRIAL OF LIEUTENANT SIR ALEXANDER MACKENZIE BARONET OF THE 48TH NATIVE INFANTRY\par \par \fs32 FORT WILLIAM\par \fs20 18TH MARCH 1839\par REVISED FINDING\par THE COURT HAVING ATTENTIVELY CONSIDERED THE ABOVE LETTER FROM THE DEPUTY ADJUTANT GENERAL OF THE ARMY TO THE PRESIDENT BEG TO STATE THAT BY NO MEANS INTEND TO IMPUNE THE CREDIBILITY OF MAJOR THOMSONS EVIDENCE BUT BEING OF OPINION THAT THE MAJOR MIGHT HAVE MISAPPREHENDED THE WORDSACCUSED BY LIEUTENANT SIR ALEXANDER MACKENZIE OWING TO THE HURRY AND CONFUSION OF THE MOMENT THE COURT WITH THE ABOVE QUALIFICATION ADHERE TO THERE FINDING OF ACQUITTAL WHICH FINDING HAS BEEN CONFIRMED BY MAJOR GENERAL SIR WILLENGHBY COTTON H.C.B. D.AND C.H. COMMANDING THE BENGAL COLUMN OF THE ARMY OF THE INDIAS\par \par BY ORDER OF THE COMMANDER OF THE FORCE\par SIGNED J.R.LUMLEY M.G. ADJUTANT GENERAL OF THE ARMY\par \par ENTRY NO 376 FROM THE REVEREND J.MACQUEEN SEC. MILITARY ORPHAN SOCIETY\par TO MAJOR W.CUBITT OFFICIATING SECRETARY TO THE GOVERNMENT OF INDIA IN THE MILITARY DEPARTMENT FORT WILLIAM DATED 12TH MARCH 1839\par \par SIR\par IN REPLY TO YOUR LETTER NO 97 OF THE 4TH INSTANT REQUESTING TO BE FURNISHED WITH A PRINTED COPY OF THE RULES AND REGULATIONS OF THE MILITARY ORPHAN SOCIETY FOR THE TRANSMISSION TO THE CEYLON GOVERNMENT I HAVE THE HONOR TO FORWARD HEREWITH A PRINTED COPY OF THE LAST EDITION OF THE ABOVE RULEWS AND REGULATIONS\par KUDDESPORE 12 MARCH 1839\par SIGNED J.MACQUEEN\cf0\par }

[17]

[edit](#) **SIR ALEXANDER MACKENZIE
BARONET/PAULM594**

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;\red255\green0\blue0;} {*\generator Msftedit 5.41.15.1507;}\viewkind4\uc1\pard\fs20
ALEXANDER MACKENZIES BIRTH COPY FROM ST ANDREWS CHURCH EDINBURGH \par
COURT OF DIRECTORS HELD ON WEDNESDAY THE 17TH NOVEMBER 1819\par RESOLVED
THAT THE CADETS AND ASSISTANT SURGEONS BE DIRECTED TO PRESENT THEMSELVES

AT THE CADET OFFICE WITH THERE CERTIFICATES PROPERLY FILLED UP AND SIGNED BY TEN O CLOCK IN THE MORNING OR SOON AFTER AS POSSIBLE IN ORDER THAT THEY MAY FILL UP THEIR PETITIONS AND HAVE THEIR NOMINATIONS PREPARED AGAINST THE COMMITTEE MEET OR THE NOMINATING DIRECTOR ARRIVES\par \par THE FOLLING PRINTED FORMS OF CERTIFICATES MUST BE PROPERLY FILLED UP AND SIGNED BY ALL THE PARTIES THEREIN ALLUDED TO BEFORE THE CADET ATTENDS TO BE PASSED OTHERWISE HE WILL EXPERIENCE MUCH DELAY IN GETTING THROUGH THE NECESSARY FORMS TO INSURE HIS EARLY EMBARKATION\par \par THESE FORMS ARE PRINTED EXPRESSLY FOR THE PURPOSE OF THE BLANKS BEING PROPERLY FILLED UP AND SIGNED PREVIOUS TO THE CADETS BEING PASSED\par \par \fs40 FIRST\par \fs16\par \fs20 EXTRACT FROM THE REGISTER BOOK OF BIRTHS AND BAPTISMS OF THE PARISH OF ST ANDREWS IN THE CITY OF EDINBURGH COLONEL ROBERT MCKENZIE SOMETIMES IN THE SERVICE OF THE HONOURABLE THE EAST INDIA COMPANY AND MRS KATHARINE SUTHERLAND HIS SPOUSE A SON BORN THE SIXTEENTH DAY OF MAY EIGHTEEN HUNDRED AND TWO ST ANDREWS PARISH AND BAPTISED BY THE REVERENT DOCTOR MOODIE NAMED ALEXANDER EXPANDED BY ROBERT BOW SESSION CLERK 16TH JANUARY 1824 ANDREW GRANT MINISTER WALTER COOP ELDER WAL DICKSON ELDER\par \par NB THE ABOVE EXTRACT MUST BE SIGNED BY THE RESIDENT CLERGYMAN AND COUNTERSIGNED BY THE CHURCH WARDENS OR IF IN SCOTLAND BY THE SESSION CLERK AND TWO ELDERS\par \par \fs40 SECOND\fs20\par \par THE PARENTS OR GUARDIANS CERTIFICATE\par \par I DO HEREBY CERTIFY THAT THE FOREGOING EXTRACT FROM THE REGISTER OF BIRTHS AND BAPTISMS OF THE PARISH OF ST ANDREWS IN THE COUNTY IN THE CITY OF EDINBURGH CONTAINS THE DATE OF THE BIRTH AND BAPTISM OF MY SON ALEXANDER MACKENZIE WHO IS THE BEARER OF THIS AND NOMINATED A CADET ON THE BENGAL ESTABLISHMENT BY COLONEL JOHN BAILLIE AND I DO FURTHER DECLARE THAT I RECEIVED THE SAID APPOINTMENT FOR MY SON ALEXANDER MACKENZIE FRM COLONEL BAILLIE GRATUITOUSLY AND THAT NO MONEY OR OTHER VALUABLE CONSIDERATION HAS BEEN OR IS TO BE PAID EITHER DIRECTLY OR INDIRECTLY FOR THE SAME AND THAT I WILL NOT PAY OR CAUSE TO BE PAID EITHER BY MYSELF BY MY SON OR BY THE HANDS OF ANY OTHER PERSON ANY PECUNIARY OR VALUABLE CONSIDERATION WHATSOEVER TO ANY PERSON OR PERSONS WHO HAVE INTERESTED THEMSELVES IN PROCURING THE SAID NOMINATION FOR MY SON FROM THE DIRECTOR ABOVE MENTIONED\par \par WITNESS MY HAND THIS SIXTEENTH DAY OF JANUARY IN THE YEAR OF OUR LORD EIGHTEEN HUNDRED AND TWENTY FOUR\par \par THE PARENT OR NEAREST OF KIN OR GUARDIAN TO SIGN AT FULL LENGTH \cf1\fs32 KATHARINE MACKENZIE\cf0\fs20\par }

[18]

**edit SIR ALEXANDER MACKENZIE
BARONET/PAULM594**

{\rtf1\ansi\ansicpg1252\deff0\deflang1033{\fonttbl{\f0\fswiss\fcharset0 Arial;}} {\colortbl ;\red255\green0\blue0;\red0\green0\blue0;} {*\generator Msftedit 5.41.15.1507;}\viewkind4\uc1\pard\fs20 ALEXANDER MACKENZIES BIRTH COPY FROM ST ANDREWS CHURCH EDINBURGH \par COURT OF DIRECTORS HELD ON WEDNESDAY THE 17TH NOVEMBER 1819\par RESOLVED THAT THE CADETS AND ASSISTANT SURGEONS BE

DIRECTED TO PRESENT THEMSELVES AT THE CADET OFFICE WITH THERE CERTIFICATES PROPERLY FILLED UP AND SIGNED BY TEN O CLOCK IN THE MORNING OR SOON AFTER AS POSSIBLE IN ORDER THAT THEY MAY FILL UP THEIR PETITIONS AND HAVE THEIR NOMINATIONS PREPARED AGAINST THE COMMITTEE MEET OR THE NOMINATING DIRECTOR ARRIVES\par \par THE FOLLING PRINTED FORMS OF CERTIFICATES MUST BE PROPERLY FILLED UP AND SIGNED BY ALL THE PARTIES THEREIN ALLUDED TO BEFORE THE CADET ATTENDS TO BE PASSED OTHERWISE HE WILL EXPERIENCE MUCH DELAY IN GETTING THROUGH THE NECESSARY FORMS TO INSURE HIS EARLY EMBARKATION\par \par THESE FORMS ARE PRINTED EXPRESSLY FOR THE PURPOSE OF THE BLANKS BEING PROPERLY FILLED UP AND SIGNED PREVIOUS TO THE CADETS BEING PASSED\par \par \fs40 FIRST\par \fs16\par \fs20 EXTRACT FROM THE REGISTER BOOK OF BIRTHS AND BAPTISMS OF THE PARISH OF ST ANDREWS IN THE CITY OF EDINBURGH COLONEL ROBERT MCKENZIE SOMETIMES IN THE SERVICE OF THE HONOURABLE THE EAST INDIA COMPANY AND MRS KATHARINE SUTHERLAND HIS SPOUSE A SON BORN THE SIXTEENTH DAY OF MAY EIGHTEEN HUNDRED AND TWO ST ANDREWS PARISH AND BAPTISED BY THE REVERENT DOCTOR MOODIE NAMED ALEXANDER EXPANDED BY ROBERT BOW SESSION CLERK 16TH JANUARY 1824 ANDREW GRANT MINISTER WALTER COOP ELDER WAL DICKSON ELDER\par \par NB THE ABOVE EXTRACT MUST BE SIGNED BY THE RESIDENT CLERGYMAN AND COUNTERSIGNED BY THE CHURCH WARDENS OR IF IN SCOTLAND BY THE SESSION CLERK AND TWO ELDERS\par \par \fs40 SECOND\fs20\par \par THE PARENTS OR GUARDIANS CERTIFICATE\par \par I DO HEREBY CERTIFY THAT THE FOREGOING EXTRACT FROM THE REGISTER OF BIRTHS AND BAPTISMS OF THE PARISH OF ST ANDREWS IN THE COUNTY IN THE CITY OF EDINBURGH CONTAINS THE DATE OF THE BIRTH AND BAPTISM OF MY SON ALEXANDER MACKENZIE WHO IS THE BEARER OF THIS AND NOMINATED A CADET ON THE BENGAL ESTABLISHMENT BY COLONEL JOHN BAILLIE AND I DO FURTHER DECLARE THAT I RECEIVED THE SAID APPOINTMENT FOR MY SON ALEXANDER MACKENZIE FRM COLONEL BAILLIE GRATUITOUSLY AND THAT NO MONEY OR OTHER VALUABLE CONSIDERATION HAS BEEN OR IS TO BE PAID EITHER DIRECTLY OR INDIRECTLY FOR THE SAME AND THAT I WILL NOT PAY OR CAUSE TO BE PAID EITHER BY MYSELF BY MY SON OR BY THE HANDS OF ANY OTHER PERSON ANY PECUNIARY OR VALUABLE CONSIDERATION WHATSOEVER TO ANY PERSON OR PERSONS WHO HAVE INTERESTED THEMSELVES IN PROCURING THE SAID NOMINATION FOR MY SON FROM THE DIRECTOR ABOVE MENTIONED\par \par WITNESS MY HAND THIS SIXTEENTH DAY OF JANUARY IN THE YEAR OF OUR LORD EIGHTEEN HUNDRED AND TWENTY FOUR\par \par THE PARENT OR NEAREST OF KIN OR GUARDIAN TO SIGN AT FULL LENGTH \cf1\fs32 KATHARINE MACKENZIE \par \par \cf2\fs20 ST ANDREWS AND ST GEORGE ON THE NORTH SIDE OF GEORGE STREET IS A DISTINCTIVE BUILDING IN THE REFINED CLASSICAL STYLE WITH A PEDIMENTED PORTICO AND SPIRE 168 FEET HIGH THE CHURCH THE FIRST OVAL BUILDING FOR WORSHIP IN BRITAIN WAS BUILT BY WILLIAM PIRNIE TO THE DESIGN OF MAJOR ANDREW FRAZER OF THE ENGINEERS AND OPENED ON 12TH DECEMBER 1784 THE SPIRE DESIGNED BY WILLIAM SIBBALD WAS READY BY 1789 WHEN BELLS WERE INSTALLED THE VESTRY ON THE NORTH-WEST SIDE WAS ORIGINALLY A SESSION ROOM BUILT AT THE EXPENSE OF JOHN YOUNG ARCHITECT IN 1788 THE PULPIT WHICH REPLACED THE ORIGINAL IN 1952 IS ON THE CENTRE OF THE NORTH SIDE ON A RAISED PLATFORM THE COMMUNION TABLE CAME FROM ST GEORGES THE ORGAN WELLS-KENNEDY 2-MANUAL (1984) IS IN THE GALLERY ON THE SOUTH SIDE ROUND THE BACK OF THE CHURCH ARE BOX PEWS AND THE CENTRE AREA HAS CHAIRS THE CHURCH IS DECORATED WITH ADAM DESIGN AND CEILING IS PARTICULARLY BEATIFUL THE STAINED GLASS IN THE WINDOWS DATES FROM 1890 BELOW THE CHURCH IS THE UNDERCROFT A SUITE OF HALLS OFFICE AND CHAPEL OPENED IN MAY 1975 THE BUILDING IS A-LISTED THE MANSE IS AT 12 HERRIOT ROW THE CHURCH HAS FOUR COMMUNION CUPS 1785 THE BAPTISMAL BOWL IS DATED 1837 BY 1780 IT WAS APPARENT THAT A CHURCH WOULD BE REQUIRED FOR THE INCREASING POPULATION OF THE NEW TOWN OF EDINBURGH AND ON 25TH APRIL OF THAT YEAR JAMES HUNTER BLAIR LATER LORD PROVOST PROPOSED THE ERECTION OF A NEW CHURCH AND PARISH THE TOWN COUNCIL UNANIMOUSLY SO RESOLVED ON 31ST JANUARY 1781 THE FOUNDATION STONE WAS LAID ON 21ST MARCH 1781 AND THE CHURCH OPENED ON 12TH DECEMBER 1784 IT COST \a37000 AND HAD APPROXIAMATELY 1000 SITINGS IN THE PEAL OF EIGHT BELLS BY

MEARS RUNG IN THE ENGLISH MANNER WAS INSTALLED THESE INSPIRED LADY NAIRNS
CALLER HERRIN THE NEW TOWN AREA HAD BEEN DETACHED FROM THE PARISH OF ST
CUTHBERTS AND ADDED TO THE PARISH OF EDINBURGH AND NOW WAS GIVEN TO ST
ANDREWS AS AN AREA OF RESPONSIBILITY THE STIPEND WAS PROVIDED FROM THAT OF
THE SECOND CHARGE OF TRINITY COLLEGE IN 1880 A PETER CONACHER 3-MANUAL
ORGAN WAS INSTALLED IN THE EARLY YEARS OF THE 19TH CENTURY ST ANDREWS WAS
THE MOST INFLUENTIAL CHURCH IN EDINBURGH UNTIL THAT HONOUR PASSED TO ST
GEORGES IN THE MINISTRY OF ANDREW MITCHEL THOMSON THERE WAS A SECOND
CHARGE FROM 1801 UNTIL 1860 THE GENERAL ASSEMBLIES OF 1841 1842 AND 1843 WERE
HELD IN ST ANDREWS AND IT WAS THE SCENE OF THE DISRUPTION THE SECEDING
MINISTERS AND ELDERS WALKED DOWN HANOVER STREET DUNDAS STREET AND PITT
STREET TO TINFIELD HALL AT CANON MILLS JOHN BRUCE MINISTER OF ST ANDREWS
JOINED THE FREE CHURCH SOMEWHAT HESITANTLY WITH ONE ELDER AND 200 OR 300 OF
THE CONGREGATION THEY FORMED FREE ST ANDREWS AND WORSHIPED FROM MAY 1844
IN A CHURCH BUILT ON THE BACK GREEN OF 80 GEORGE STREET\par 1787 WILIAM MOODIE
FROM KIRKCALDY PROF. HEBREW IN CONJUNCT 1793 DD 1798 MOD. GA 1799 ORIENTAL
SCHOLAR AND GOOD PASTOR DIED 1812 (FES I 88)\par \par 1801 DAVID RICHIE ASSISTANT
MINISTER 1798 MINISTER OF KILMARNOCK 1800-1 MINISTER OF SECOND CHARGE 1801
INTELLECTUAL PREACHER MODERATE JUNIOR CLERK GA 1802-8 PROF. OF LOGIC IN
CONJUNCT 1808-36 DD 1813 MOD GA 1814 DIED 1844 (FESI 90)\par \par 1813 ANDREW GRANT
DD MOD GA 1808 FROM TRINITY COLLEGE CHAPLAIN TO GEORGE III GEORGE IV WILLIAM IV
DEAN OF CHAPEL ROYAL 1820 JOINT COLLECTOR OF WIDOWS FUND 1827 SOLE
COLLECTOR 1835 DIED 1836 (FES I 89) \par \par \fs28 PARISH EDINBURGH DISTRICT 685
MIDLOTHIAN\par \fs24 EXTRACT OF ENTRIES IN AN OLD PAROCHIAL REGISTER PARISH OF
EDINBURGH COUNTY OF MIDLOTHIAN\par REGISTRATION OF BIRTH\par ST ANDREWS
PARISH OPR VOLUME 685/55 PAGE 308 FRAME 2791 PAGE 308 EDINBURGH 1 SEPTEMBER
1820\par COLONEL ROBERT MCKINZIE SOMETIME OF THE SERVICE OF THE HONORABLE
THE EAST INDIA COMPANY AND MRS CATHERINE SUTHERLAND HIS SPOUSE A SON BORN
THE 16TH MAY 1802 ST ANDREWS PARISH AND BAPTISED BY THE REVERENT DR MOODIE
NAMED ALEXANDER\par A DAUGHTER BORN 16TH JUNE 1803 SAME PARISH NAMED
ELIZABETH BAILLIE\par \par \fs32 IGI INTERNATIONAL GENEALOGICAL INDEX\par \fs24 BATCH
SHEET ENTRY NUMBER 7202657 09\par SOURCE CALL NUMBER 820191\par TYPE FILM\par
ALEXANDER MCKINZIE\par SEX MALE\par EVENT CHRISTENING 2 SEPTEMBER 1820
EDINBURGH MIDLOTHIAN SCOTLAND\par FATHER ROBERT MCKINZIE\par MOTHER
CATHERINE MRS. SUTHERLAND\par \par \fs32 IGI INTERNATIONAL GENEALOGICAL INDEX\par
\fs24 BATCH SHEET ENTRY NUMBER 7202657\par SOURCE CALL NUMBER 0820191\par SHEET
09\par TYPE FILM ALEXANDER MCKINZIE\par SEX MALE\par EVENT BIRTH 16TH MAY 1809\par
CHRISTENING 02 SEPTEMBER 1820 EDINBURGH MIDLOTHIAN SCOTLAND\par PARENTS\par
FATHER ROBERT MCKINZIE\par MOTHER CATHERINE MRS.SUTHERLAND\par \par \fs32 IGI
INTERNATIONAL GENEALOGICAL INDEX\par \fs24 BATCH SHEET NUMBER C119835\par
SOURCE CALL NUMBER 1066691, 0103041\par PRINT CALL OUT NUMBER 6900814\par TYPE
FILM\par YEAR 1820-27\par ALEXANDER MCKINZIE\par SEX MALE\par EVENT BIRTH 16 MAY
1802 EDINBURGH PARISH EDINBURGH MIDLOTHIAN SCOTLAND\par PARENTS\par FATHER
ROBERT COLONEL MCKINZIE\par MOTHER CATHERINE SUTHERLAND\par \par \fs32 IGI
INTERNATIONAL GENEALOGICAL INDEX\par \fs24 BATCH SHEET NUMBER C110692\par
SOURCE CALL NUMBER 0990585\par PRINT CALL NUMBER 6902449\par TYPE FILM\par
ALEXANDER MCKENZIE\par SEX MALE\par EVENT BIRTH 16TH MAY 1802 KILMUIR-EASTER
ROSS AND CROMARTY SCOTLAND\par PARENTS\par FATHER ROBERT MCKENZIE\par
MOTHER KATHRINE SUTHERLAND\par \par \fs32 PARISH EASTER-KILMUIR DISTRICT 69/1\par
\fs24 EXTRACT OF ENTRIES KILMUIR-EASTER COUNTY ROSS AND CROMARTY\par OLD
PAROCHIAL REGISTER\par BIRTHS \par MCKENZIE AND SUTHERLAND\par 4TH NOVEMBER
1811 THE FOLLOWING ARE THE DATES OF THE BIRTHS OF THE CHILDREN OF COLONEL
ROBERT MCKENZIE OF MILLMOUNT\par 16TH MAY 1802 COLONEL ROBERT MCKENZIE OF
MILLMOUNT HAD BY HIS SPOUSE KATHRINE SUTHERLAND A CHILD BAPTISED NAMED
ALEXANDER BORN IN CASTLE STREET EDINBURGH\par 16TH JUNE 1803 COLONEL ROBERT
MCKENZIE OF MILLMOUNT HAD BY HIS SPOUSE MRS KATHRINE SUTHERLAND A CHILD
BAPTISED NAMED ELIZABETH BAILLIE BORN IN GEORGE STREET EDINBURGH\par 16TH

AUGUST 1804 COLONEL ROBERT MCKENZIE OF MILLMOUNT HAD BY HIS SPOUSE MRS KATHRINE SUTHERLAND A CHILD BAPTISED NAMED MARGARET SUTHERLAND BORN AT MILLMOUNT IN THIS PARISH\par 21ST JULY 1805 COLONEL ROBERT MCKENZIE OF MILN MOUNT HAD BY HIS SPOUSE MRS KATHRINE SUTHERLAND A CHILD BAPTISED NAMED JAMES SUTHERLAND BORN AT MILLMOUNT IN THIS PARISH\par ATTESTED BY DONALD MCKENZIE S.C.\par \par \cf1\fs32\par \cf0\fs20\par }

[19]

[edit](#) **SIR ALEXANDER MACKENZIE
BARONET/PAULM594**

{\rtf1\ansi\ansicpg1252\deff0\deflang2057{\fonttbl{\f0\fswiss\prq2\fcharset0 Arial;}} {*\generator Msftedit 5.41.15.1507;}\viewkind4\uc1\pard\fs16\par GD305/1/133/17 \par ASSIGNATION BY THE TRUSTEES OF THE LATE JOHN BAIN IN FAVOUR OF HIS GRACE\par THE DUKE OF SUTHERLAND.\par OF A BOND BY THE LATE JOHN HAY MACKENZIE AND MRS MURRAY HAY

MACKENZIE\par HIS MOTHER FOR \a33319\par \par WE ALEXANDER WATSON WEMYSS
ESQUIRE OF PILKENNY ALEXANDER SMITH MERCHANT\par IN ST ANDREWS ALEXANDER
KYD LINDESAY ESQUIRE OF BALMUNGO AND WILLIAM WOODCOCK\par WRITER IN SAINT
ANDREWS SURVIVING AND ACTING TRUSTEES NOMINATED AND APPOINTED BY\par THE
NOW DECEASED JOHN BAIN AGENT FOR THE BANK OF SCOTLAND AT SAINT ANDREWS IN
HIS\par TRUST DISPOSITION AND SETTLEMENT DATED THE THIRTY FIRST DAY OF JANUARY
EIGHTEEN HUNDRED \par AND FORTY AND CODICILS THERTO DATED RESPECTIVELY THE
FIRST DAY OF JANUARY EIGHTEEN HUNDRED \par AND FORTY AND CODICILS THERETO
DATED RESPECTIVELY THE FIRST DAY OF JANUARY EIGHTEEN \par HUNDRED AND FORTY
FOUR AND SEVENTH DAY OF AUGUST EIGHTEEN HUNDRED AND FORTY NINE AND ALL\par
REGISTERED IN THE SHERIFF COURT BOOKS OF FIFE AT CUPAR THE FIFTH DAY OF MARCH
EIGHTEEN \par HUNDRED AND FIFTY CONSIDERING THAT BY A BOND BEARING DATE THE
NINETEENTH DAY OF FEBRUARY\par AND EIGGHTEEN DAY OF MARCH BOTH IN THE YEAR
EIGHTEEN HUNDRED AND THIRTY FIVE MADE AND \par GRANTED BY JOHN HAY MACKENZIE
OF CROMARTY NOW DECEASED AND BY THE HONOURABLE\par MRS MARIA MURRAY HAY
MACKENZIE OF CROMARTY MOTHER PROCEEDING ON THE NARRATIVE\par THEREIN SET
FORTH THEY ACKNOWLEDGED CONFESSED AND DECLARED THEMSELVES\par AND THE
HEIRS OF TALZIE SUCCEEDING TO THEM IN THE LANDS AND ESTATE OF CROMARTY\par
TO BE JUSTLY ADDEBTED AND RESTING OWING TO SIR ALEXANDER MACKENZIE OF
TARBAT\par BARONET THEN IN THE SERVICE OF THE HONOURABLE EAST INDIA COMPANY
WHO WAS THE ELDEST\par AND ONLY BROTHER OF SIR JAMES SUTHERLAND MACKENZIE
OF ROYSTON BARONET AND OTHER\par HEIRS OF ENTAIL OF ROYSTON AS THEREIN AND
HEREAFTER MENTIONED THE PRINCIPLE SUM\par OF THREE THOUSANT THREE HUNDRED
AND NINETEEN POUNDS FIVEPENCE AND ONE THIRD OF \par A PENNY STERLING WITH THE
LAWFUL INTEREST THEREOF FROM AND SINCE THE TERM OF WHITSUNDAY\par THEN LAST
EIGHTEEN TO THE NEAREST HEIRS AND ASSIGNEES WHATSOEVER OF THE SAID
GEORGE\par VISCOUNT OF TARBAT AFTERWARDS EARL OF CROMARTY THE LEGAL
INTEREST OF THE SAID PRINCIPAL\par SUM OF THREE THOUSAND THREE HUNDRED AND
NINETEEN POUNDS FIVE PENCE AND ONE THIRD OF A\par PENNY STERLING FROM THE
SAID TERM OF WHITSUNDAY EIGHTEEN HUNDRED AND THIRTY FOUR TO THE\par SAID
TERM OF PAYMENT OF THE PRINCIPAL SUM AND THEREAFTER SO LONG AS THE SAID
PRINCIPAL \par SUM REMAINED UNPAID AT TWO TERMS IN THE YEAR WHITSUNDAY AND
MARTIMAS BY EQUAL PORTIONS\par BEGINNING THE FIRST TERMS PAYMENT OF THE SAID
INTEREST AT THE TERM OF MARTIMAS \par EIGHTEEN HUNDRED AND THIRTY FOUR AND
THE NEAREST TERMS PAYMENT THEREOF AT THE TERM OF\par WHITSUNDAY EIGHTEEN
HUNDRED AND THIRTY FIVE AND SO FORTH HALF YEARLY AT THE SAID TERMS\par DURING
THE NOT PAYMENT OF THE SAID PRINCIPAL AND THAT AT EDINBURGH IN THE OFFICE OF
THE BANK\par OF SCOTLAND WITH ONE FIFTH PART MORE OF THE SAID INTEREST OF
LIQUIDATE PENALTY IS FOR EACH\par TERMS FAILURE IN PAYMENT OF THE SAID INTEREST
AT THE TERMS ABOVE MENTIONED AS THE SAID\par BOND CONTAINING A CERTAIN
DECLARATION IN THE END THEREOF IN ITSELF BEARS: AND FURTHER\par CONSIDERING
THAT THE SAID SIR JAMES SUTHERLAND MACKENZIE ACQUIRED RIGHT TO THE
FORESAID\par BOND AND SUMS OF MONEY THEREBY DUE CONFORM TO RETOUR OF HIS
SERVICE AS NEAREST AND \par LAWFUL HEIR MALE OF TALZIE AND PROVISION UNDER THE
SAID DISPOSITION AND DEED OF ENTAIL \par OF THE ESTATE OF ROYSTON AND ALSO AS
NEAREST AND LAWFUL HEIR MALE AND NEAREST\par AND LAWFUL HEIR MALE AND
NEAREST AND LAWFUL HEIR MALE IN GENERAL OF PROVISION\par OF THE SAID
ALEXANDER MACKENZIE HIS ONLY BROTHER WHICH SERVICE WAS EXPEDE BEFORE\par
THE BAILIES OF THE BURGH OF EDINBURGH ON THE 17 DAY OF SEPTEMBER EIGHTEEN
HUNDRED\par AND FORTY ONE AND DULY RETOURED TO CHANCERY AND WITHER
CONSIDERING BY A CONTRACT\par OF SALE BEARING DATE SEALED AND DELIVERED THE
TWELFTH DAY OF OCTOBER EIGHTEEN HUNDRED \par AND FIFTY ENTERED INTO BETWEEN
THE SAID SIR JAMES SUTHERLAND MACKENZIE AND EDWARD\par SUTHERLAND STEWARD
AND STOREKEEPER OF THE ROYAL HOSPITAL CHELSEA CAPTAIN UNATTACHED\par THE
SAID SIR JAMES SUTHERLAND MACKENZIE IN CONSIDERATION OF THE PRICE THEREIN
STIPULATED\par AND WITH AND UNDER THE CONDITIONS PROVISIONS DECLARATIONS AND
RESERVATIONS THEREIN\par WRITTEN INTER ALIA SOLD TO THE SAID EDWARD

SUTHERLAND AND HIS HEIRS EXECUTERS AND \par ASSIGNEES WHOMSOEVER ALL AND WHOLE THE AFORESAID SUM OF THREE THOUSAND THREE \par HUNDRED AND NINETEEN POUNDS FIVE PENCE AND ONE THIRD OF A PENNY STERLING WITH INTEREST\par AND PENALTIES AS CONTAINED IN AND DUE BY THE BOND ABOVE RECITED WITH THE INTEREST\par THEREON FROM THE TERM OF WHITSUNDAY EIGHTEEN HUNDRED AND FIFTY AND PENALTIES\par SAME TERMLY FAILURES IF INCURRED TOGETHER WITH ALL RIGHT TITLE AND INTEREST AND CLAIM\par OF RIGHT INTEREST AND PROPERTY WHICH THE SAID SIR JAMES SUTHERLAND MACKENZIE OR HIS\par ANCESTORS PREDECESSORS AUTHORS OR HEIRS AND SUCCESSORS HAD OR COULD ANYWISE \par CLAIM OR PRETEND TO THE SAID SUM AND DOCUMENT OF DEBT OR TO ANY PART OR PORTION\par OF THE SAME AND THE SAID SIR JAMES SUTHERLAND MACKENZIE BY THE SAID CONTRACT OF\par SALE BOUND AND OBLIGED HIMSELF AND HIS HEIRS AND SUCCESSORS IN THE SAID SUM AND\par DOCUMENT OF DEBT UPON HIS RIGHT TO SELL AND ALIENATE THE SAID SUM AND OTHERS THEREIN\par BEING FINALLY ASCERTAINED AND DETERMINED IN ONE OR OTHER OF THE WAYS THEREIN MENTIONED\par AND UPON RECEIVING PAYMENT OF THE PRICE OF THE SAID SUMS DOCUMENTS AND OTHERS\par AS THEREIN STIPULATED TO EXECUTE AND DELIVER A FORMAL AND VALID DISPOSITION AND ASIGNATION\par OR OTHER SUITABLE DEED OF CONVEYANCE OF THE SAID SUM DOCUMENT AND OTHERS TO THE SAID\par EDWARD SUTHERLAND AND HIS FORESAIDS CONTAINING CLAUSE OF ABSOLUTE WARRANDICE SO FAR\par AS REGARDS THE TITLE OF THE SAID SIR JAMES SUTHERLAND MACKENZIE AND CLAUSE OF WARRANDICE\par FROM FACT AND DEED ONLY SO FAR AS REGARDS THE SAID DEBT AND ASSIGNATION TO THE ANNUAL\par RENTS THEREOF FROM AND AFTER THE TERM OF WHITSUNDAY EIGHTEEN HUNDRED AND FIFTY\par ASSIGNATION TO THE WRITS AND EVEDENTS OF THE SAID SUM AND OTHER USUAL AND NECESSARY\par CLAUSES AND THE SAID SIR JAMES SUTHERLAND MACKENZIE BY THE SAID CONTACT OF SALE\par ENGAGED AND THEREBY BOUND HIMSELF IMMEDIATELY AFTER THE EXECUTION THEREOF TO\par INSTITUTE AN ACTION OF DECLARATION OR OTHER JUDICIAL PROCEEDING FOR ASCERTAINING\par HIS RIGHT TO SELL THE SAID SUM AND OTHERS AND TO RECEIVE AND DISCHARGE THE PRICE\par THEREOF AND TO CITE AS PARTIES THERETO THE WHOLE EXISTING HEIRS OF ENTAIL SO FAR\par AS KNOWN TO HIM CALLED TO SUCCEED AFTER HIM TO THE SAID SUMS DOCUMENTS AND OTHERS \par BY THE DEED OF ENTAIL CHARTERS AND OTHER WRITINGS AND INVESTETURES THEREOF AND\par INTERESTED THEREIN IN VIRTUE OF THE SAID ENTAIL AND ON THE OTHER HAND THE SAID EDWARD\par SUTHERLAND BY THE SAID CONTRACT OF SALE BOUND AND OBLIGED HIMSELF AND HIS HEIRS \par EXECUTERS SUCCESSORS AND REPRESENTATIVES WHATSOEVER TO PAY TO\par THE SAID SIR JAMES SUTHERLAND MACKENZIE AND HIS HEIRS EXECUTERS OR ASSIGNEES EXCLUDING\par ALWAYS HIS HEIRS OF TAILZIE AND PROVISION IN THE SUMS AND DOCUMENTS THEREIN\par DESCRIBED INCLUDING INTER ALIA THE SAID SUM OF THREE THOUSANT THREE HUNDRED AND \par NINETEEN POUNDS FIVE PENCE AND ONE THIRD OF A PENNY THE SUM OF FOUR THOUSANT ONE\par HUNDRED POUNDS STERLING AS THE AGREED ON PRICE OF THE SAID SUMS DOCUMENTS AND\par OTHERS AND THAT AS AT THE TERM OF WHITSUNDAY EIGHTEEN HUNDRED AND FIFTY WITH A FIFTH\par PART MORE OF THE SAID PRICE OF PENALTY IN CASE OF FAILURE IN PAYMENT THEREOF AND THE \par INTEREST OF THE SAID PRICE AT THE RATE OF THREE AND ONE QUARTER PER ANNUM FROM THE SAID\par TERM OF WHITSUNDAY EIGHTEEN HUNDRED AND FIFTY UNTIL THE FIRST TERM OF WHITSUNDAY\par OR MARTINMAS AFTER THE RIGHT OF THE SAID SIR JAMES SUTHERLAND MACKENZIE AND OTHERS\par SHOULD BE FINALLY ASCERTAINED AND DETERMINED IN ONE OR OTHER OF THE WAYS THEREIN\par MENTIONED AND THE LEGAL INTEREST OF THE SAID PRICE THEREAFTER DURING THE NOT PAYMENT\par AND WHICH INTEREST SHOULD BE PAYABLE AT TWO TERMS IN THE YEAR WHITSUNDAY AND \par MARTINMAS BY EQUAL PORTIONS IN MANNER THEREIN MENTIONED AS THE SAID CONTRACT OF SALE\par CONTAINING SUNDRY OTHER CONDITIONS AND DECLARATIONS IN ITSELF BEARS AND FUR:\par SUTHERLAND MACKENZIE RAISED AN ACTION OF DECLARATION AT THE INSTANCE BEFORE THE LORDS\par OF COUNCIL AND SESSION THE SUMMONS IN WHICH IS DATED AND SIGNED THE THIRTIETH DAY OF\par OCTOBER EIGHTEEN HUNDRED AND FIFTY AGAINST THE SAID EDWARD SUTHERLAND AND ALSO \par AGAINST JOHN MACKENZIE ESQUIRE TACKSMAN OF

ACHTO NEAR BONAR BRIDGE IN THE \par SHERIFFDOM OF SUTHERLAND ROYSTONE MACKENZIE ESQUIRE RESIDING AT BARRA IN THE \par ISLAND OF SKYE AND KENNETH MACKENZIE AND WILLIAM MACKENZIE SONS OF THE SAID ROYSTONE\par MACKENZIE AS ADMINISTRATOR IN LAW FOR HIS SAID SONS WHO WERE MINORS AND THEIR TUTORS\par AND CURATORS IF THEY ANY HAD FOR THEIR INTEREST BEING THE WHOLE KNOWN AND EXISTING\par HEIRS SUBSTITUTE TO THE SAID LANDS AND BARONY OF ROYSTONE AND OTHERS AND INTER\par ALIA TO THE FORESAID SUM OF THREE THOUSAND THREE HUNDRED AND NINETEEN POUNDS FIVE\par PENNCE AND ONE THIRD OF A PENNY AND HAVING AN INTEREST IN THE SAME HEIRS OF TAILZIE\par UNDER THE SAID DISPOSITION AND DEED OF ENTAIL AND ALSO AGAINST CERTAIN OTHER\par PERSONS IN THE SAID SUMMONS FOR THEIR INTEREST WITH WHICH SUMMONS AND ACTION\par A PROCESS OF SUSPENSION OF A THREATENED CHARGE AT THE INSTANCE OF THE SAID\par EDWARD SUTHERLAND WAS CONJOINED AND IN WHICH CONJOINED PROCESS THE LORDS\par OF COUNCIL AND SESSION UPON THE 24/6/1851 PRONOUNCED A DECREE WHEREBY THEY\par FOUND DESCERNED AND DECLAIRED THAT THE DISPOSITION AND DEED OF TAILZIE OF THE\par LANDS AND BARONY OF ROYSTON LIBELLED WAS INVALID AND INEFFECTUAL AS REGARDS THE\par PROHIBITION AGAINST SALE OR ALIENATION THE SAME NOT HAVING BEEN FENCED BY A VALID\par OR SUFFICIENT IRRITANT CLAUSE AND FOUND THAT THE SAID TAILZIE BEING INVALID AND\par INEFFECTUAL AS REGARDS THE PROHIBITION AGAINST SALE OR ALIENATION MUST IN TERMS\par OF THE STATUTE ELEVENTH AND TWELFTH VICTORIA CHAPTER THIRTY SIX BE DEMED AND TAKEN TO\par BE INVALID AND INEFFECTUAL AS REGARDS ALL THE PROHIBITIONS AGAINST ALIENTATION \par CONTRACTION OF DEBT AND ALTERATION ALTERATION OF THE ORDER OF SUCCESSION\par AND FOUND THAT INTER ALIA THE SAID SUM OF THREE THOUSAND THREE HUNDRED AND \par NINETEEN POUNDS FIVE PENCE AND ONE THIRD OF A PENNY SET FORTH IN THE SAID \par SUMMONS WAS TO BE DEALT WITH IN ALL RESPECTS AS THE SAID LANDS AND BARONY OF\par ROYSTON AND OTHERS MIGHT HAVE BEEN DEALT WITH UNDER THE SAID TAILZIE OR AS \par ANY OTHER LANDS MIGHT HAVE BEEN DEALT WITH IF SUCH LANDS HAD BEEN PURCHASED\par WITH THE SAID SEVERAL SUMS AND HAD BEEN ENTAILED IN TERMS OF THE SAID TAILZIE \par THEREFOR THE SAID LORDS FOUND AND DECLARED THAT THE SEVERAL SUMS THEREIN MENTIONED\par AND THE BONDS BILLS AND DOCUMENTS CONNECTED THERE WITH INCLUDING THE AFORESAID \par SUM OF THREE THOUSAND THREE HUNDRED AND NINETEEN POUNDS FIVE PENCE AND ONE\par THIRD OF A PENNY AND THE BOND THEREFOR ABOVE RECITED NOW BELONG TO THE SAID SIR\par JAMES SUTHERLAND MACKENZIE AS HEIR UNDER THE SAID TAILZIE SUBJECT AND LIABLE TO\par HIS DEBTS AND DEEDS AND THAT NO ACTION OF FORFEITURE WAS NOW OR SHOULD BE \par COMPETENT AT THE INSTANCE OF THE DEFENDERS CALED IN THE SAID ACTION OR ANY OTHER HEIRS\par SUBSTITUTE UNDER THE SAID DISPOSITION AND DEED OF TALZIE AGAINST THE SAID SIR JAMES\par SUTHERLAND MACKENZIE AS HEIR IN POSSESSION BY REASON OF HIS HAVING CONTRAVENED\par OR OF HIS THEREAFTER CONTRVENING ALL OR ANY OF THE PROHIBITIONS CONTAINED IN THE\par SAID DISPOSITION AND DEED OF TAILZIE ALSO FOUND DESCERNED AND DECLARED THAT THE \par SAID SIR JAMES SUTHERLAND MACKENZIE HAD AND HAS FULL RIGHT TO SELL THE WHOLE OR ANY\par PART OF THE LANDS AND BARONY OF ROYSTON AND OTHERS COMPREHENDED IN THE SAID\par DEED OF ENTAIL AND THE SEVERAL SUMS OF MONEY AND OTHERS THEREIN MENTIONED\par INCLUDING AFORESAID SUM OF THREE THOUSAND THREE HUNDRED AND NINETEEN POUNDS FIVE\par PENCE AND ONE THIRD OF A PENNY AS SURROGATED AND SUBSTITUTED THEREFOR\par AND IN PARTICULAR THAT THE SAID SIR JAMES SUTHERLAND MACKENZIE HAD AND HAS RIGHT TO SELL\par THE SEVERAL SUMS BOND AND OTHERS THEREIN ENUMERATED TO THE SAID EDWARD SUTHERLAND\par AND THAT THE SAID SIR JAMES SUTHERLAND MACKENZIE HAD PERFECT POWER AND SUFFICIENT TITLE\par TO GRAND A VALID DISPOSITION ASSIGNATION AND CONVEYANCE OF THE SAME TO THE SAID EDWARD\par SUTHERLAND AND THE SAID EDWARD SUTHERLAND WAS FOUND TO ACCEPT SUCH DISPOSITION AND\par ASSIGNATION OR CONVEYANCE AND PAY THE STIPULATED PRICE TO THE SAID SIR JAMES SUTHERLAND\par MACKENZIE ACCORDINGLY AND FURTHER FOUND DISCERNED AND DECLARED THAT BY GRANTING\par SAID DISPOSITION AND ASSIGNATION OR CONVEYANCE TO THE SAID

EDWARD SUTHERLAND THE\par SAID SIR JAMES SUTHERLAND MACKENZIE SHOULD NOT BE LIABLE TO ANY FORFEITURE AT THE\par INSTANCE OF ANY HEIR SUBSTITUTE IN SAID DEED AND FURTHER FOUND AND DECLARED THAT THE\par SAID SIR JAMES SUTHERLAND MACKENZIE AND HIS DISPONEE OR ASSIGNEE ARE AND WERE \par ENTITLED TO UPLIFT AND UPON PAYMENT DISCHARGE THE SAID SEVERAL SUMS INCLUDING\par THE SAID SUM OF THREE THOUSANT THREE HUNDRED AND NINETEEN POUNDS FIVE PENCE AND\par ONE THIRD OF A PENNY AND TO GRAND DISCHARGES THERFOR WHICH DISCHARGES SHOULD\par BE VALID AND SUFFICIENT TO THE RECEIVERS TO AL INTENT AND PURPOSES WHATSOEVER\par AND THAT THE DEBTORS IN THE SAID SEVERAL SUMS THEREIN SET FORTH WERE BOUND\par APON RECEIVING SUCH DISCHARGE RESPECTIVELY TO MAKE PAYMENT OF THE SAID SEVERAL\par SUMS AND OF ALL INTEREST DUE THEREON TO THE SAID SIR JAMES SUHERLAND MACKENZIE \par OR HIS SAID ASSIGNEE AS THE SAID DECRET IN ITSELF BEARS AND FURTHER CONSIDERING\par THAT WE AS TRUSTEES FORESAID HAVE NOW ACQUIRED RIGHT TO THEFORESAID BOND\par AND SUMS OF MONEY THEREBY DUE AND INTEREST AND PENALTIES THEREIN CONTAINED\par CONFORM TO ASSIGNATION DATED 23/08/1851 MADE ND GRANTED BY THE SAID SIR JAMES \par SUTHERLAND MACKENZIE WITH THE SPECIAL ADVICE OF THE SAID EDWARD SUTHERLAND\par AND THE SAID EDWARD SUTHERLAND FOR HIMSELF HIS OWN RIGHT AND INTEREST\par AND THEM BOTH WITH ONE CONSCENT TO AND IN FAVOUR OF US THE SAID\par ALEXANDER WATSON WEMYSS, ALEXANDER SMITH, ALEXANDER KYD LINDESAY, \par AND WILLIAM WOODCOCK AND MRS JEAN SMITH BAIN RELICK OF THE SAID JOHN BAIN\par AND JAMES BAIN FACTOR TO THE EARL OF ROSSLYN AT DYSART BOTH NOW DECEASED\par AS TRUSTES FORESAID AND THE SURVIVORS OR SURVIVOR OF US OR OF THE SURVIVORS OF US\par AND NOW SEEING THAT HIS GRACE GEORGE GRANDVILLE SUHERLAND LEVESON GOWER \par DUKE AND EARL OF SUTHERLAND KNIGHT OF THE MOST NOBLE OF THE GARTER HAS MADE\par PAYMENT TO US THE SAID ALEXANDER WATSON WEMYSS ALEXANDER SMITH\par ALEXANDER KYD LINDESAY AND WILLIAM WOODCOCK SURVIVING AND ACCEPTING TRUSTEES\par FORESAID OF THE SAID SUM OF THREE THOUSAND THREE HUNDRED AND NINETEEN POUNDS \par FIVE PENSE AND ONE THIRD OF A PENNY STERLING OF WHICH WE HEREBY ACKNOWLEDGE\par THE RECEIPT RENOUNCING ALL EXCEPTIONS TO THE CONTRARY THEREFOR WE AS TRUSTEES\par FORESAID IN CONSIDERATION THEREOF DO HEREBY SELL DISPONE ASSIGN CONVEY AND\par MAKE OVER TO AND IN FAVOUR OF THE SAID DUKE AND EARL OF SUTHERLAND ALL AND\par WHOLE THE AFORESAID PRINCIPAL SUM OF THREE THOUSAND THREE HUNDRED AND\par NINETEEN POUNDS FIVE PENCE AND ONE THIRD OF A PENNY STERLING WITH ONE FIFTH PART\par MORE OF LIQUIDATE PENALTY IN CASE OF FAILURE AND THE LEGAL INTEREST OF THE SAID\par PRINCIPAL SUM FROM THE TERM OF WHITSUNDAY EIGHTEEN HUNDRED AND SIXTY AND\par IN TIME COMING DURING THE NOT PAYMENT WITH ONE FIFTH PART MORE OF THE SAID\par INTEREST OF LIQUIDATE PENALTY FOR EACH TERMS FAILURE IN PAYMENT THEREOF\par WHICH PRINCIPAL SUM INTEREST AND PENALTIES ARE ALL CONTAINED IN AND DUE\par BY AND PAYABLE UNDER THE BOND ABOVE RECITED AS ALSO WE DO HEREBY ASSIGN \par CONVEY AND MAKE OVER FROM US AS TRUSTEES FORESAID AND OUR FORESAIDS\par TO AND IN FAVOUR OF THE SAID DUKE AND EARL OF SUTHERLAND THE FORESAID \par BOND ABOVE RECITED WITH THE WHOLE SUMS OF MONEY PRINCIPAL INTEREST\par AND LIQUIDATE PENALTY CONTAINED IN AND DUE THEREBY WITH THE FORESAID\par RETOUR OF THE SERVICE OF THE SAID SIR JAMES SUTHERLAND MACKENZIE\par AND THE AFORESAID CONTRACT OF SALE AND ALSO ALL THE RIGHT AND INTEREST\par OF THE SAID EDWARD SUTHERLAND UNDER THE SAME AND ALSO THE AFORESAID\par DECREE OF DECLARATION IN SO FAR AS THE SUMS OF MONEY HEREBY ASSIGNED\par AND CONVEYED AND ALSO THE AFORESAID ASSIGNATION BY THE SAID SIR JAMES\par SUTHERLAND MACKENZIE AND EDWARD SUTHERLAND IN OUR FAVOUR AS TRUSTEES\par FORESAID AND ALL THAT HAS FOLLOWED OR MAY BE COMPETENT TO FOLLOW ON THESE\par WRITS SURROGATING AND SUBSTITUTING OUR SAID ASSIGNES IN FULL RIGHT AND PLACE OF\par THE PREMISES WITH FULL POWER TO HIM TO ASK MOVE AND UPLIFT THE SUMS OF MONEY\par PRINCIPAL INTEREST AND PENALTY HEREBY ASSIGNED AND CONVEYED AND ON PAYMENT\par TO GRANT DISCHARGE OR CONVEYANCES THEREOF EITHER IN WHOLE OR IN PART\par AND

GENERALLY TO DO EVERYTHING IN THE PREMISES WHICH WE AS TRUSTEES \par COULD HAVE DONE BEFORE GRANTING HEREOF WHICH ASSIGNATION AND CONVEYANCE \par ABOVE WRITTEN OURSELVES AS TRUSTEES FORESAID AND THE HEIRS AND REPRESENTATIVES \par OF THE SAID JOHN BAIN TO WARRANT FROM ALL FACTS AND DEEDS DONE OR TO BE DONE BY US \par OR THEM IN PREJUDICE HEREOF AND WE HAVE HEREWITH DELIVERED UP THE AFORESAID\par BOND AND RETOUR AND EXTRACT OF THE SAID CONTRACT OF THE SALE AND DECREE AND THE SAID\par ASSIGNATION OUR ASSIGNEE BEING BOUND BY ACCEPTANCE HEREOF HE BINDS HIMSELF\par TO MAKE THE SAID RETOUR FURTHCOMING TO THE SAID SIR JAMES SUTHERLAND MACKENZIE\par AND THE SAID EDWARD SUTHERLAND OR SUCH OTHER PERSONS AS MAY HAVE AN INTEREST\par IN THE SAME ON A RECEIPT AND OBLIGATION FOR REDELIVERY WITHIN A REASONABLE TIME AND\par UNDER A SUITABLE PENALTY AND WE CONCENT TO THE REGISTRATION HEREOF IN THE \par BOOKS OF COUNCIL SESSION FOR PRESERVATION AND THERETO CONSTITUTE OUR \par PROCURATORS IN WITNESS WHEREOF THESE PRESENTS WRITTEN ON THIS AND THE TEN\par PRECEDING PAGES OF STAMPED PAPER BY COLIN MACKENZIE APPRENTICE TO \par JAMES HAY MACKENZIE WRITER TO THE SIGNET DECLARING THE WORDS "OF CROMARTY"\par TO BE INTERLINED BETWEEN THE TWENTY FIRST AND TWENTY SECOND\par LINES OF PAGE FIRST COUNTINGB FROM THE TOP BEFORE SUBSCRIPTION ARE SUBSCRIBED\par BY US THE SAID ALEXANDER WATSON WEMYSS ALEXANDER SMITH ALEXANDER\par KYD LINDESAY AND WILLIAM WOODCOCK AS SURVIVING AND ACCEPTING TRUSTEES \par OF THE SAID JOHN BAIN AT ST ANDREWS ON THE 28/4/1860 BEFORE THESE WITNESSES\par GEORGE KIRK AND ALEXANDER MARJORIBANKS BOTH APPRENTICES IN THE BANK OF SCOTLANDS\par OFFICE AT SAINT ANDREWS.\par \par \par \par }

[20]

[edit](#) **SIR ALEXANDER MACKENZIE
BARONET/PAULM594**

{\rtf1\ansi\ansicpg1252\deff0\deflang1033{\fonttbl{\f0\fswiss\fcharset0 Arial;}} {*\generator Msftedit 5.41.15.1507;}\viewkind4\uc1\pard\f0\fs20 SCOTTISH RECORD OFFICE REFERENCE C22/101 CROSS REFERENCE TO ORIGINAL RETOURS C24/103 NO 33\par \par THIS ENQUIRY WAS MADE IN THE CURIA COURT OF THE VICE-COUNTY OF ROSS ON THE SIXTEENTH DAY OF THE MONTH OF SEPTEMBER IN THE YEAR OF THE LORD ONE THOUSANT EIGHT HUNDRED AND NINE BEFORE THE HONOURABLE MAN JOHN BARCLAY VICE-COUNTY OF ROSS AND THROUGH OR BY THESE HONEST FAITHFUL MEN WHOS PATRNYMS ARE SIGNED BELOW TO WIT GEORGE SACKVILLE SUTHERLAND RESIDENT OF RHIVES MISTER GEORGE MURRAY MERCHANT IN TAIN MISTER WILLIAM MURRAY MERCHANT IBID JAMES TAYLOR MERCHANT IBID S OR LAUHLAN MCINTOSH MERCHANT IBID DUNCAN ROSS MERCHANT

IBID HUGO OR HUGH MACKENZIE MERCHANT IBID DONALD ROSS MERCHANT IBID JAMES ROSS MERCHANT IBID DONALD ROSS JUNIOR MERCHANT IBID DRUM MANSER MERCHANT IBID JOHN MCPHERSON MERCHANT IBID MISTER JOHN BLACK SCRIBE CLERK IBID JAMES ROBERTSON SURGEON IBID LIEUTENANT JOHN MUNRO RESIDENT IBID THESE PERSONS HAVING BEEN SWORN IN MAGNO SACRAMENTO INTERVENIENTE DECLARED THAT A CERTAIN LIETENANT-COLONEL ROBERT MACKENZIE IN THE SERVICE OF THE HONOURABLE SOCIETY OF THE MERCHANTS OF THE EAST INDIES IS THE FATHER OF ALEXANDER MACKENZIE PRESENTER OF THESE PRESENT PETITION THE SAID LT-COL. ROBERT MACKENZIE WAS THE LEGITIMATE FIRST BORN SON OF THE LATE ALEXANDER MACKENZIE LATELY OF ARDLOCH WHO WAS THE LEGITIMATE FIRST BORN SON OF THE ALSO DEFUNCT JOHN MACKENZIE OF ARDLOCH WHO WAS THE LEGITIMATE FIRST BORN SON OF THE ALSO DEFUNCT ALEXANDER MACKENZIE WHO WAS THE LEGITIMATE SON OF LORD JOHN MACKENZIE OF TARBAT AND GERMAIN BROTHER OF GEORGE VICE-COUNT OF TARBAT AND LATER EARL OF CROMARTY BOTH WHOM ARE DEAD AND WHO WAS MALE HEIR TALLICE TALLIAE ET PROVISIONIS DESERVITUS ET RETORNATUS TO A CERTAIN KENNETH MACKENZIE LAST OF CROMARTIE WHO WAS HEIR DESERVITUS ET RETORNATUS TO LORD KENNETH MACKENZIE DE GRANDVILLE WHO WAS HEIR DESERVITUS ET RETORNATUS TO LORD GEORGE MACKENZIE DE GRANDVILLE HIS ELDER BROTHER WHO WAS THE ELDEST SON OF LORD KENNETH MACKENZIE OF CROMARTIE SECOND LEGITIMATE SON OF THE SAID GEORGE VICE-COUNT OF TARBAT AND AFTERWARDS EARL OF CROMARTIE WHO DIED WITHOUT LEGITIMATE MALE CHILD MALE HEIRS PROCREATED FROM THE BODY OF THE SAID GEORGE VICE-COUNT OF TARBAT FAILING THEY NOW EXIST IN PERSON OF LIEUTENANT-COLONEL ROBERT MACKENZIE GREAT-GRAND-SON OF THE SAID ALEXANDER MACKENZIE ONLY BROTHER OF THE SAID GEORGE VICE-COUNT OF TARBAT AND LATER EARL OF CROMARTY FROM WHOS BODY MALE HEIRS WERE THEN IN EXISTENCE HE THEREFORE HAD THE RIGHT OF RECEIVING THE SUCCESSION UNDER THE DISPOSITION AND CHARTER OF TALLIA CONTAINING SUBSTITUTION PROVISIONS CONDITIONS AND NULLIFYING CLAUSES THEREIN SPECIFIED MADE AND EXPRESSED BY THE SAID GEORGE VICE-COUNT OF TARBAT LORD OF MACLEOD AND CASTLEHAVEN AFTERWARDS EARL OF CROMARTY GIVEN ON THE TWENTY-EIGHTH DAY OF THE MONTH OF NOVEMBER IN THE YEAR OF THE LORD ONE THOUSAND SIX HUNDRED AND EIGHTY-EIGHT BY THE TITLE DEED THEREIN SPECIFIED HE GAVE AND DISPOSED TO ALL AND INTEGRALLY THE LANDS AND BARONY OF ROYSTON INCLUDING THE PARTICULAR LANDS ETCETERA THEREIN SPECIFIED LYING IN THE VICE-COUNTY OF EDINBURGH TO MASTER JAMES MACKENZIE HIS LEGITIMATE THIRD SON WHO LATER BECAME LORD JAMES MACKENZIE OF ROYSTON AND ONE OF THE LORDS OF SESSION AND TO HIS MALE HEIRS LEGITIMATELY BEGOTTEN FROM HIS BODY FAILING WHICH TO THE ABOVE NAMED LORD KENNETH MACKENZIE OF CROMARTY SECOND LEGITIMATE SON OF THE SAID VICE-COUNT AND TO THE LEGITIMATE MALE HEIRS BEGOTTEN FROM HIS BODY FAILING WHICH TO JOHN EARL OF CROMARTIE THEREIN DESIGNATED AS JOHN MASTER OF TARBAT ELDEST LEGITIMATE SON OF THE SAID VICE-COUNT AND TO HIS MALE HEIRS PROCREATED OR TO BE PROCREATED FROM HIS BODY FAILING WHICH TO THE OTHER MALE HEIRS LEGITIMATELY BEGOTTEN OR TO BEGOTTEN FROM THE BODY OF THE NOBLE VICE-COUNT HIMSELF FAILING WHICH FINALLY TO OTHER PERSON OR PERSONS TO BE NAMED BY HIM IN THE SAME MANNER IN THE ABOVE SAID CHARTER OF TALLIA THEY FAILING TO OTHER MALE HEIRS OF THE SAID GEORGE VICE-COUNT OF TARBAT WHOSOEVER FAILING ALL THESE HEIRS AND ASSIGNS WHOSOEVER OF THE SAID VIC-COUNT THE INHERITANCE WILL DIE OUT IRREDEEMABLY AND GO TO THE FAITH TRUST AND PEACE OF S.N.D.REGIS OUR SOVEREIGN LORD THE KING AND WHEREBY THE SAID ALEXANDER MACKENZIE PRESENTER OF THE PRESENT PETITION IS THE LEGITIMATE AND NEAREST MALE HEIR OF TALLIE AND PROVISIONIS UNDER THE SAID CHARTER OF TALLIA OF HIS FATHER THE SAID LIEUTENANT-COLONEL ROBERT MACKENZIE AND IS OF LEGAL LEGITIMATE AGE IN CUJUS REI IN WITNESS TO THIS THING THE SIGNATURES OF THOSE CONCERNED IN THIS INQUIRY TOGETHER WITH THE BREVIS REGIS DEBITE EXECUTO INCLUSO AND THE SEAL OF THE COMUNE AND ALSO THE SIGNATURE SIGN MANUAL OF THOMAS SUTOR PRINCIPAL CLERK OF THE SAID VICE-COUNTY SPECIALLY CONSTITUTED ARE APPENDED TO THESE

PRESENTS 16TH DECEMBER 1809 THOMAS SUTOR CLERK.\par }

[21]

**edit SIR ALEXANDER MACKENZIE
BARONET/PAULM594**

{\rtf1\ansi\ansicpg1252\deff0\deflang1033{\fonttbl{\f0\fswiss\fcharset0 Arial;}} {*\generator Msftedit 5.41.15.1507;} \viewkind4\uc1\pard\f0\fs20 SCOTTISH RECORD OFFICE REFERENCE C22/125 SERVICE OF HEIR CAPTAIN ALEXANDER MACKENZIE HEIC\par MONTHLY NUMBER 30 AND CROSS REFERENCED TO C24/120 FROM ORIGINAL RETOUR.\par \par THIS ENQUIRY WAS HELD IN THE COURT CURIA OF VICE-COUNTY OF ROSS BEFORE THE HONOURABLE MEN DONALD MCLEOD ARMIGER DEPUTY ADVOCATE IN VICE-COUNTY OF ROSS AND CROMARTY AND DAVID ROSS ARMIGER VICE-COUNT SUBSTITUTE OF THE SAID VICE-COUNTY ON SEVENTEENTH DAY OF THE MONTH OF AUGUST IN THE YEAR OF THE LORD ONE THOUSAND EIGHT HUNDRED AND TWENTY-SIX BY THESE TRUE AND FAITHFUL MEN OF THE FATHERLAND WRITTEN BELOW VIZ HUGO ROSE ARMIGER OF GLASKILLICH

ALEXANDER FRASER ARMIGER OF INCHCOULTER DONALD MACKENZIE ARMIGER OF NEWHALL WALTER ROSS ARMIGER OF NIGG HUGO HUGHES A.I.MUNRO ARMIGER OF NOVAR RODERICK MCKENZIE ARMIGER OF KINCRAIG RODERICK MCLEOD ARMIGER JUNIOR OF CADBOLL ADVOCATE CHARLES C. ROSS ARMIGER JUNIOR OF SHANDWICK JOHN GRANT ARMIGER OF GLADFIELD GEORGE MURRAY ARMIGER OF WESTFIELD LINE LEGATUM WILLIAM CLUNAS OF CRAIGACH WILLIAM MURRAY ARMIGER OF ROSEMOUNT JOHN ROSS ARMIGER ARGENTARIUM TAIN WILLIAM MURRAY JUNIOR ARMIGER ARGENTARIUM IBID JOHN ROSS ARMIGER RESIDENT OF RHIVES THESE HAVING BEEN SOLEMNLY SWORN IN SAID THAT A CERTAIN LORD GEORGE MACKENZIE OF TARBAT BARONET AND LATER VICE-COUNT TARBAT OF MCLEOD AND CASTLEHAVEN AND EARL OF CROMARTY ELDEST SON OF LORD JOHN MACKENZIE OF TARBAT BARONET WHO WAS ELDEST SON OF LORD RODERICK MACKENZIE COIGACH KNIGHT BROTHER OF GREAT-GRAND-FATHER ALEXANDER MACKENZIE AT PRESENT IN THE SERVICE MILITARY OF THE HONOURABLE COMPANY OF MERCHANTS IN THE EAST INDIES AND PRESENTER OF THIS PETITION ELDEST SON OF THE DEFUNCT COLONEL ROBERT MACKENZIE IN THE SERVICE OF THE SAID HONOURABLE COMPANY ELDEST SURVIVING SON OF ALEXANDER MACKENZIE OF ARDLOCH ELDEST SON OF JOHN MACKENZIE OF ARDLOCH WHO WAS ELDEST SON OF ALEXANDER MACKENZIE YOUNGER GERMAIN BROTHER OF THE SAID LORD GEORGE MACKENZIE OF TARBAT BARONET AND LATER VICE-COUNT TARBAT LORD OF MCLEOD AND CASTLEHAVEN AND EARL OF CROMARTY DIED IN THE FAITH AND PEACE OF OUR SOVEREIGN LORD KING AND THAT THE SAID ALEXANDER MACKENZIE PRESENTER OF THIS PETITION IS THE NEAREST AND LEGITIMATE MALE HEIR OF THE SAID CERTAIN LORD GEORGE MACKENZIE OF TARBAT BARONET AND LATER VICE-COUNT TARBAT LORD MCLEOD AND CASTLEHAVEN AND EARL OF CROMARTY BROTHER OF HIS GREAT-GRANDFATHER AND THAT HE IS OF LEGITIMATE LEGAL AGE IN WITNESS TO THIS THING THE SIGNATURES SEALS OF SOME OF THOSE WHO WERE INVOLVED IN THIS ENQUIRY TOGETHER WITH THE SMALL SEAL OF OUR SOVEREIGN LORD THE KING AND ALSO THE SEAL AND SIGNATURE OF ALEXANDER ROSS SUTO CLERK OF THE SAID VICE-COUNTY ARE APPENDED GIVEN AT TAIN ON THE SEVENTEENTH DAY OF THE MONTH OF AUGUST IN THE YEAR OF THE LORD ABOVE WRITTEN SIGNED ALEX ROSS SUTOR\par }

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[edit](#) SIR ALEXANDER MACKENZIE BARONET/PAULM594

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DIED 2/10/1909 AT FOK ASYLUM CUPAR\par \tab\tab\tab\tab\tab AGE 60 AND LIVED AT 100 ST. CLAIR STREET\par \tab\tab\tab\tab\tab KIRKCALDY. AT THE MARRIAGE TO JOHN\par \tab\tab\tab\tab\tab HE WAS AGE 20 LIVED 20 HIGH STREET\par \tab\tab\tab\tab\tab KIRKCALDY HIS PARENTS ANDREW FOSTER\par \tab\tab\tab\tab\tab FISHERMAN AND JANET WALKER HIS WIFE\par \tab\tab\tab\tab\tab AT THAT TIME MARY LIVED 13 THISTLE STREET\par \tab\tab\tab\tab\tab KIRKCALDY AGE GIVEN 18 JANET WITNESS.\par \par \tab\tab\tab\tab\tab JOHN FOSTER DIED 23/10/1909 AGE 62 LIVED\par \tab\tab\tab\tab\tab AT 100 ST.CLAIR STREET SINCLAIRTOWN DYSART\par \tab\tab\tab\tab\tab SON SIGNED DEATH EXTRACT 115 LINKS STREET\par \tab\tab\tab\tab\tab KIRKCALDY.\par \par \par \tab\tab\tab\tab\tab\cf1 ANDREW FOSTER BORN KIRKCALDY ACCORDING\par \tab\tab\tab\tab\tab TO SERVICE RECORD 10/9/1868 PARENTS\par \tab\tab\tab\tab\tab JOHN AND MARY BIRTH SIGNED BY FATHER.\par \pardfi-568\li568\ri-53\tab\tab\tab\tab\tab ANDREW FOSTER LIVED 64 NICOL STREET KIRKCALDY\par \tab\tab\tab\tab\tab 1870\par \tab\tab\tab\tab\tab ANDREW FOSTER LIVED 12 ELGIN COTTAGES KDY\par \tab\tab\tab\tab\tab 1881\par \tab\tab\tab\tab\tab ANDREW FOSTER LIVED 12 ELGIN COTTAGES KDY\par \tab\tab\tab\tab\tab 1891\par \tab\tab\tab\tab\tab ANDREW FOSTER LIVED 173 HIGH STREET KDY\par \tab\tab\tab\tab\tab 1893\par \tab\tab\tab\tab\tab ANDREW FOSTER LIVED 19 NICOL STREET KDY\par \tab\tab\tab\tab\tab 1896\par \tab\tab\tab\tab\tab ANDREW FOSTER LIVED 122 LINKS STREET KDY\par \tab\tab\tab\tab\tab 1903\par \tab\tab\tab\tab\tab ANDREW FOSTER LIVED 17 GLASSWORK STREET KDY\par \tab\tab\tab\tab\tab 1925 HIS SON\par \tab\tab\tab\tab\tab ANDREW FOSTER LIVED 11 PRATT STREET KDY\par \tab\tab\tab\tab\tab ANDREW FOSTER LIVED 91/2 PRATT STREET KDY\par \par \tab\tab\tab\tab\tab ANDREW FOSTER MARRIED 30/12/1892 KIRKCALDY\par \tab\tab\tab\tab\tab STAYED 12 ELGIN COTTAGES DYSART PARENTS\par \tab\tab\tab\tab\tab JOHN AND MARY MARRIED TO ELIZA JANE\par \tab\tab\tab\tab\tab HENDERSON OF 13 WEST FERGUS PLACE\par \tab\tab\tab\tab\tab KIRKCALDY PARENTS ANDREW HENDERSON\par \tab\tab\tab\tab\tab AND ALISON BROWN MOTHER\par \par \par \tab\tab\tab\tab\tab ANDREW FOSTER DIED 22/10/1915 SON OF\par \tab\tab\tab\tab\tab JOHN FOSTER AND ELIZA FOSTER OF 17\par \tab\tab\tab\tab\tab GLASSWORK STREET KIRKCALDY\par \tab\tab\tab\tab\tab BLACKWATCH 3509 7TH BN AGE 46\par \tab\tab\tab\tab\tab OR ROYAL HIGHLANDERS REGIMENT\par \par \tab\tab\tab\tab\tab BURIED LAIR O242 BENOCHY CEMETRY\par \tab\tab\tab\tab\tab KIRKCALDY TRANSFERED TO ALDRINGTON\par \tab\tab\tab\tab\tab CENTRAL HOSPITAL DUE TO SICKNESS\par \tab\tab\tab\tab\tab PRIOR TO DYING.\par \par \par \par \tab\tab\tab\tab\tab\cf2 ELIZA JANE HENDERSON BORN 10/10/1869\par \tab\tab\tab\tab\tab OVERGATE KINGHORN PARENTS ALISON\par \tab\tab\tab\tab\tab BROWN BORN 1840 MARRIED 3/6/1864\par \tab\tab\tab\tab\tab DIED 27/8/1909 AGE 69 BURIED TOGETHER\par \tab\tab\tab\tab\tab LAIR 276 AND LIVED 122 LINKS STREET\par \tab\tab\tab\tab\tab ABBOTSHALL ANDREW HENDERSON DIED \par \tab\tab\tab\tab\tab 1909.\par \par \par \tab\tab\tab\tab\tab ELIZA JANE HENDERSON AT HER MARRIAGE\par \tab\tab\tab\tab\tab AGE 23 UNITED PRESBYTERIAN KIRKCALDY\par \tab\tab\tab\tab\tab ELIZA DIED 22/11/1943 KIRKCALDY\par \tab\tab\tab\tab\tab 82 HIGH STREET AGE 74.\par \par \par \par \tab\par \pardfi-568\li568\tab\tab\tab\tab\tab\cf0\par

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editSIR ALEXANDER MACKENZIE BARONET/PAULM594

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10/4/1849 KINGLASSIE\par \tab\tab\tab\tab\tab DAUGHTER OF ABOVE DONALD AND HELEN\par \tab\tab\tab\tab\tab MARRIED 10/4/1868 KINGLASSIE JOHN FOSTER\par \tab\tab\tab\tab\tab MARY DIED 2/10/1909 AT FOK ASYLUM CUPAR\par \tab\tab\tab\tab\tab AGE 60 AND LIVED AT 100 ST. CLAIR STREET\par \tab\tab\tab\tab\tab KIRKCALDY. AT THE MARRIAGE TO JOHN\par \tab\tab\tab\tab\tab HE WAS AGE 20 LIVED 20 HIGH STREET\par \tab\tab\tab\tab\tab KIRKCALDY HIS PARENTS ANDREW FOSTER\par \tab\tab\tab\tab\tab FISHERMAN AND JANET WALKER HIS WIFE\par \tab\tab\tab\tab\tab AT THAT TIME MARY LIVED 13 THISTLE STREET\par \tab\tab\tab\tab\tab KIRKCALDY AGE GIVEN 18 JANET WITNESS.\par \par \tab\tab\tab\tab\tab JOHN FOSTER DIED 23/10/1909 AGE 62 LIVED\par \tab\tab\tab\tab\tab AT 100 ST.CLAIR STREET SINCLAIRTOWN DYSART\par \tab\tab\tab\tab\tab SON SIGNED DEATH EXTRACT 115 LINKS STREET\par \tab\tab\tab\tab\tab KIRKCALDY.\par \par \par \tab\tab\tab\tab\tab\cf1 ANDREW FOSTER BORN KIRKCALDY ACCORDING\par \tab\tab\tab\tab\tab TO SERVICE RECORD 10/9/1868 PARENTS\par \tab\tab\tab\tab\tab JOHN AND MARY BIRTH SIGNED BY FATHER.\par \pard\fi-568\li568\ri-53\tab\tab\tab\tab\tab ANDREW FOSTER LIVED 64 NICOL STREET KIRKCALDY\par \tab\tab\tab\tab\tab 1870\par \tab\tab\tab\tab\tab ANDREW FOSTER LIVED 12 ELGIN COTTAGES KDY\par \tab\tab\tab\tab\tab 1881\par \tab\tab\tab\tab\tab ANDREW FOSTER LIVED 12 ELGIN COTTAGES KDY\par \tab\tab\tab\tab\tab 1891\par \tab\tab\tab\tab\tab ANDREW FOSTER LIVED 173 HIGH STREET KDY\par \tab\tab\tab\tab\tab 1893\par \tab\tab\tab\tab\tab ANDREW FOSTER LIVED 19 NICOL STREET KDY\par \tab\tab\tab\tab\tab 1896\par \tab\tab\tab\tab\tab ANDREW FOSTER LIVED 122 LINKS STREET KDY\par \tab\tab\tab\tab\tab 1903\par \tab\tab\tab\tab\tab ANDREW FOSTER LIVED 17 GLASSWORK STREET KDY\par \tab\tab\tab\tab\tab 1925 HIS SON\par \tab\tab\tab\tab\tab ANDREW FOSTER LIVED 11 PRATT STREET KDY\par \tab\tab\tab\tab\tab ANDREW FOSTER LIVED 91/2 PRATT STREET KDY\par \par \tab\tab\tab\tab\tab ANDREW FOSTER MARRIED 30/12/1892 KIRKCALDY\par \tab\tab\tab\tab\tab STAYED 12 ELGIN COTTAGES DYSART PARENTS\par \tab\tab\tab\tab\tab JOHN AND MARY MARRIED TO ELIZA JANE\par \tab\tab\tab\tab\tab HENDERSON OF 13 WEST FERGUS PLACE\par \tab\tab\tab\tab\tab KIRKCALDY PARENTS ANDREW HENDERSON\par \tab\tab\tab\tab\tab AND ALISON BROWN MOTHER\par \par \par \tab\tab\tab\tab\tab ANDREW FOSTER DIED 22/10/1915 SON OF\par \tab\tab\tab\tab\tab JOHN FOSTER AND ELIZA FOSTER OF 17\par \tab\tab\tab\tab\tab GLASSWORK STREET KIRKCALDY\par \tab\tab\tab\tab\tab BLACKWATCH 3509 7TH BN AGE 46\par \tab\tab\tab\tab\tab OR ROYAL HIGHLANDERS REGIMENT\par \par \tab\tab\tab\tab\tab BURIED LAIR O242 BENOCHY CEMETRY\par \tab\tab\tab\tab\tab KIRKCALDY TRANSFERED TO ALDRINGTON\par \tab\tab\tab\tab\tab CENTRAL HOSPITAL DUE TO SICKNESS\par \tab\tab\tab\tab\tab PRIOR TO DYING.\par \par \par \par \tab\tab\tab\tab\tab\cf2 ELIZA JANE HENDERSON BORN 10/10/1869\par \tab\tab\tab\tab\tab OVERGATE KINGHORN PARENTS ALISON\par \tab\tab\tab\tab\tab BROWN BORN 1840 MARRIED 3/6/1864\par \tab\tab\tab\tab\tab DIED 27/8/1909 AGE 69 BURIED TOGETHER\par \tab\tab\tab\tab\tab LAIR 276 AND LIVED 122 LINKS STREET\par \tab\tab\tab\tab\tab ABBOTSHALL ANDREW HENDERSON DIED \par \tab\tab\tab\tab\tab 1909.\par \par \par \tab\tab\tab\tab\tab ELIZA JANE HENDERSON AT HER MARRIAGE\par \tab\tab\tab\tab\tab AGE 23 UNITED PRESBYTERIAN KIRKCALDY\par \tab\tab\tab\tab\tab ELIZA DIED 22/11/1943 KIRKCALDY\par \tab\tab\tab\tab\tab 82 HIGH STREET AGE 74.\par \par \par \par \tab\par \pard\fi-568\li568\tab\tab\tab\tab\tab\cf0\par }

[24]

[edit](#) **SIR ALEXANDER MACKENZIE
BARONET/PAULM594**

{\rtf1\ansi\ansicpg1252\deff0\deflang2057{\fonttbl{\f0\froman\prq2\fcharset0 Georgia;}} {\colortbl ;\red255\green0\blue0;\red0\green0\blue0;\red0\green0\blue255;} {*\generator Msftedit 5.41.15.1503;} \viewkind4\uc1\pard\fo\fs16\tab MINUTES EARL OF SUTHERLAND AG MCKENZIE OF ARDLOCH\par \tab J.K.K. 1742. L OF DRUMMORE.\par \tab\cf1 CS 229/MC1/127.\par \par \tab 14 JULY 1742 L OF DRUMORE MINUTE WILLIAM EARL OF SUTHERLAND\par \tab\tab\tab\tab AGAINST\par \tab\tab ALEXANDER MACKENZIE OF ARDLOCK\par \par \cf2 \tab ACTION.\par \tab\par \tab CHA. ERSKINE FOR THE CHARGES REPEATS THE CHARGES ON THE SUPERIORS OWN ACCEPTED BILL FOR \tab 2965\par \tab MERKS DRAWN APON HIM BY \cf1 LADY ASSINT \cf2 AND INDORSED TO THE CHARGES FOR VALUE AND CAUSE THE\par \tab LETTERS MIGHT BE FOUND IN DULY -----\par \par \par \tab KEN.HOME FOR THE SUSPENSION REPEATS THE REASONS OF SUSPENSION THAT THE BILL CHARGED ON BEING \par \tab DRAWN BY A LADY WITH A HUSBAND THE SAME RULES UNDER THE \tab HUSBAND \cf1 JUS MA\par \tab\cf2 AND THEREFOR CANNOT BE\tab\tab\tab\tab\tab\tab\tab\par \tab THE BILL IS OF AN OLD DATE VIS. MAY THE THIRD 1736 AND PAYABLE ONLY AT \tab MARTIMAS 1741 AND ANY\par \tab MONEY IN EFFECTS RESTING BY THE SUSPENSION TO MCKENZIE OF ASSYNT JUNIOR TO MY INDIGNATION\par \tab WAS ARRESTED IN THE SUSPENSION BINDS----- THE CAUSE OF ACCEPTING THE BILL WAS FOR \tab PART\par \tab OF THE AGREED PRICE OF A PROROGATION OF A WADSETT RIGHT OF CERTAIN LANDS\par \tab TO THE UNDER BELONGING TO MCKENZIE OF ASSINT AND AS AN EVIDENCE THEREOF THE PROROGATION AND\par \tab BILL THE MUCH ABOUT THE SAME DATE BESIDES THE FACT WILL NOT BE DEEMED BY THE LADY \tab ASSINT \tab WHO\par \tab IS PRESENTLY IN TOWN AND IS FURTHER INSTRUCTED BY THIS ADVICE AND CIRCUMSTANCE THAT THE \tab SUMMONS\par \tab CHARGED FOR TOGETHER WITH 1025 MERKS MORE CONTAINED IN ANOTHER BILL OF THE SAME DATE AND\par \tab WHEREOF THE----- HAS ALREADY CLAIMED SUSPENSION WHICH IS PRESENTLY \tab BEFORE MY LORD-----\par \tab WHEN ADDED TOGETHER ANSWERS PRECISELY TO THE SUM AGREED TO BE PAID IN THE \tab PROROGATION\par \tab VIZ. 4000 MERKS AND TIME IT IS THAT ASSINT HIMSELF NOT ONLY GUARDS AND HATH ACTUALLY PAYED\par \tab REDUCTION AND IMPROBATION OF THE SUPERIOR RIGHTS OF WADSETT AND OF THE FORSAID PROROGATION\par \tab THEMSELF BUT HUGH MCLEOD OF GENIES A CREDITOR AND ASSIGNEE TO ALEXANDER MCKENZIE OF\par \tab FRASERDALE AND THE PREFERABLE CREDITORS HAVE OBTAINED DECREETS OF MAILS AND DUTIES\par \tab AGAINST THE ----- AND SUCCESSORS OF THE ESTATE TO THAT THE BILL \tab CHARGED ON THE\par \tab GRANTED-----\par \par \par \par \tab CHA. ERSKINE ANSWERS TO THE FIRST AND SECOND THAT HIS NOTION AND THE LADY ASSINT WAS FACTOR\par \tab AND MANAGER FOR HER AND DID MANAGE ALL HIS AFFAIRS WITH REGARD TO \tab HIS\par \tab ESTATE AND RENTS THEREOF AND AS THE SUSPENSION HAS A CURATIVE WADSETT BY THE SAID PROROGATION\par \tab THE BILL BEING INDORSED TO THE CHARGES FOR VALUE HE OUGHT TO MAKE PAY TO THE THIRD THAT \tab THERE\par \tab IS NO EVICTION OF THE WADSETT RIGHT OR PROROGATION THEREOF AND AS TO ASSINT OWN \tab GRANTING\par \tab THE WADSETT RIGHT THAT REDUCTION AND IMPROBATION AT HIS INSTANCE IS ----- SLEEPING AND AS TO \par \tab MCLEOD OF GENIES AND MCKENZIE OF FRASERDALE THEIR PRETENDED RIGHT THERE PROCESSES \tab ARE LIKENESS\par \tab SLEEPING AND AS THERE IS NO EVICTION THE SUSPENSION HAS NO PRETENSE WHY HE OUGHT NOT TO PAY HIS\par \tab OWN ACCEPTED BILL WHICH CAME IN PLACE OF THE PROROGATION THE BENIFIT WHEREOF THE \tab SUSPENSION\par \tab PRESENTS -----\par \par \par \tab THE LORD ORDINARY HAVING CONFINDED THE DEBATE BEFORE AND EVER ORDAINS THE SAID CHARGES----\par \tab CURATORS TO PRODUCE THE FACTORY TO THE LADY ASSINT AND ORDAIN THE \tab SUSPENDERS PROCURATOR\par \tab TO CONDESCEND MORE PARTICULARLY ON THE GROUNDS OF EVICTION.\par \par \par \tab HEW DALR-----\par \par \par \tab\par \tab\cf0 GR 12 8 INVERNESS 13/3/1871\par \tab DR \cf1 ADAM HUNTER SURGEON EDINBURGH\cf2 HAD 2 UNGATES OF\par \tab LAND EXTENDING TO 8 MERKS TROTTERNISH ONCE BELONGING\par \tab TO MCNEIL OF BARRA PART OF THE ESTATE OF MACDONALD\par \tab DR ADAM HUNTER CERTIFICATE FOR THE COMMITAL OF\par \tab SIR JAMES SUTHERLAND MACKENZIE BROTHER OF ALEXANDER\par \tab MACKENZIE BARONET OF THE 48TH NATIVE INFANTRY BENGAL\par \tab WHOS MOTHER IS KATHARINE MACKENZIE AND BY HER BELOW\par \tab PETITION CLAIMS

1720 ANSWERS FOR MR ALEXANDER MACKENZIE ONE OF THE PRINCIPAL CLERKS OF SESSION THE PETITION OF THE COMMISSIONERS AND TRUSTEES FOR SALE OF FORFEITED ESTATES

THE SAID COMMISSIONERS AND TRUSTEES HAVE EXHIBITED A PETITION AGAINST THE SAID MR ALEXANDER MACKENZIE COMPLAINING OF HIS REFUSEING TO GIVE THEM AN EXTRAIT OF A DECREET PRONOUNCED ON AN EXEPTION OF KENNETH MACKENZIE OF ASSINT AND COLLONEL ALEXANDER MACKENZIE OF CONASBAY HIS CURATOR AS SUPERIOR OF THE LANDS OF TROTTERNESS LATE THE PROPERTY OF THE LATE SIR DONALD MACDONALD. AND CRAVEING THAT HE AND HIS SERVANT MAY BE EXAMINED UPON THE MATTER CONTAINED IN THE SAID PETITION AND THAT HE MAY BE ORDAINED TO GIVE AN EXTRACT OF THE PROCESS OR TO SECURE THE TRUSTEES AGAINST FUTURE EXTRAITES AND TO ORDAIN HIM TO FIND CAUTION FOR SUCH DAMAGES AS MAY ARISE TO THE TRUSTEES AND THAT HE MAY BE CENSURED AND TO PRODUCE THE GROUNDS AND WARRANTS OF THE PROCESS THE SAID MR ALEXANDER MACKENZIE WILL WITH GREAT EASE MAKE ANSWER TO WHAT IS CHARGED UPON HIM AND FIRST HE SAYS THERE WAS AN EXEPTION AS TO THE LANDS OF TROTTERNISH EXHIBITED IN THE MANNER MENTIONED IN THE PETITION AND THAT THERE WERE ANSWERS PUTT IN BY THE COMMISSIONERS TO THE SAID EXCEPTION BUT THEN HE SAYS THAT THERE WAS NO SUCH INTERLOQUITORY SENTENCE AS MENTIONED IN THE PETITION PRONOUNCED BY THE COURT NOR DID HE DELIVER A COPIE OF SUCH AN INTERLOQUITOR TO THOMAS FORDYCE AGENT AND DOER FOR THE TRUSTEES NOR DOES HE BELIEVE THAT EDWARD CALLENDER HIS SERVANT DID DELIVER ANY SUCH INTERLOQUITOR OR DECREE IN THE TERMS MENTIONED IN THE PETITION THAT WHAT ENDEVOURS WERE USED FOR OBTAINING AN EXTRACT WAS A FRUITLESS LABOUR FOR REASONS FORESAID

HE AFFIRMS THAT ASSINT WHO PRESENTED THE EXEPTION DID AGAIN WITHDRAW HIS EXCEPTION AND QUITT ANY CLAIM HE THEREBY AND THIS APPEARS BY WHAT IS WRITT ON THE BACK OF THE EXCEPTION HE IS ALTOGETHER UNCONCERNED WHAT MAY BE THE CONSEQUENCE OF THE PETITIONERS WANT OF AN EXTRACT OF A SENTENCE THAT WAS NEVER GIVEN THAT HE NEITHER HAS ANY SUCH INTERLOQUITOR NOR DOES BELIEVE THAT ANY SUCH EVER WAS PRONOUNCED THAT HE WAS WILLING TO PRODUCE AND LAY BEFORE YOUR LORDSHIPS AS NOW HE HAS DONE THE PRINCIPAL EXCEPTION WITH THE ANSWER DELIVERED NOR IS HE CONCERNED IN THE REASONING PART OF THE PETITION WHERE THE PETITIONERS WOULD FORM AN ARGUMENT AGAINST HIM AS IF IT WERE INCREDIBLE THAT ASSINT WOULD MOVE AN OBJECTION AGAINST HIMSELF THOUGH HE BELIEVES THE TRUE REASON WAS THAT WHEN ASSINTES PROCURATORS CAME TO LOOK INT THE DEIT OF MAILLS AND DUTIES OBTAINED AT HIS INSTANCE AGAINST THE VASSALLS THEY FOUND THAT SIR DONALDS TENNENTS WERE NOT CALLED THEREIN NOR HAD HE OBTAINED HIMSELF INFEFT IN THE SAID LANDS IN THE TERME OF THE ACT FOR ENCOURAGEING SUPERIORS ETC AND IT IS SOMEWHAT TOO SUBTILL TO SAY THAT IF ASSINT HAS WITHDRAWN ANYTHING TIS SUSPECTED TO BE SIGNED INTERLOQUITOR FOR BY THE TERM " WITHDRAWN" HERE NOTHING ELSE COULD BE MEANT BUT THAT ASSINT HAD WAVED OR PASSED FROM HIS EXCEPTION HE SAYS THAT HE HAD NOT WITHDRAWN THE PROCESS NOR ANY PART OF THE PROCESS ALL IS STILL EXTANT AND IS HEREWITH PRODUCED.

CS 235/11/MISC- 4 AS TO WHAT IS ALLEGED THAT THE INTERLOQUITOR WAS ACTUALLY SIGNED UPON AN AGREEMENT ADDUCED FROM THE ACT OF REGULATION 1672 THAT DOES NOT CONCERNE HIM NO DOUBT THE COMMISSIONERS MIGHT HAVE OBTAINED PROTESTATION BUT THEY DO NOT PRETENT THAT THE SAME WAS SOUGHT AND THEY MIGHT HAVE GOT NOTTICE FROM THE PROCURATORS COMPEARING FOR THEM THAT THE EXCEPTANT DID WAVE HIS CLAIM WITHOUT ANY OPPOSITION ON THEIRSIDE NOR IS IT HIS BUSINESS MUCH TO NOTICE WHAT IS

ARGUED\par \tab FROM THE PRESIDENTES ROLL IT IS SUFFICIENT FOR HIS \par \tab
EXONERATION TO SAY THAT NO SUCH INTERLOQUITOR\par \tab WAS SIGNED BY THE
PRESEDENT AND THEREFORE HE IS NOT\par \tab FARTHER CONCERNED\par \par \tab HE
SUBMITTS HIMSELF TO ONE EXAMINATION AND TO YOUR\par \tab LORDSHIPS JUDGEMENTS
AFTER THE EXAMINATION IS MADE\par \tab AND HOPES THAT AFTER TRIAL THE PETITION
WILL BE FOUND\par \tab GROUNDLESS ONLY THIS HE MUST OBSERVE THAT SEEING\par \tab
THE PETITIONERS PRETEND TO HAVE A COPY OF THE \par \tab INTERLOQUITOR UNDER \cf1
EDWARD CALENDERS \cf2 HAND THE SAME\par \tab OUGHT TO HAVE BEEN PRODUCED AND
TILL IT BE PRODUCED \par \tab HE WILL BEG LEAVE TO SAY THAT HE HAS GREAT
DIFFERENCE\par \tab THEREOF.\par \par \tab\par \tab\cf1 YOUR LORDSHIPS MAY PROCEED TO
EXAMINATION\par \tab\par \tab AND TRYALL WHEN YOU PLEASE MR MACKENZIE\par \tab
\tab\par \tab IS READY TO MAKE ANSWERS BUT IN THE MEAN\par \tab\par \tab TIME HE EXPECTES
THAT YOUR LORDSHIPS WILL\par \tab\par \tab ORDAIN THE COPIE OF THE
INTERLOQUITOR\par \tab\par \tab MENTIONED IN THE PETITION TO BE EXHIBITED WHICH\par
\tab\par \tab HE FIRMLY BELEIVES WAS NOT DELIVERED TO \cf2 THOMAS\par \tab\par \tab
FORDYCE \cf1 THE AGENT\cf2\par \par \tab\par \tab\par \tab\par \tab\par \tab ALEXANDER HAY.\par \par
\par \tab UPON THE FIRST DAY AUGUST 1M [1000] VIJC [700] AND NINETEEN\par \tab YEARS I
THOMAS GRAME ONE OF THE MACERS BEFORE THE RIGHT\par \tab HONOURABLE THE
LORDS OF COUNCIL AND SESION BY VIRTUE\par \tab OF AND IN OBEDIENCE TO THE SAID
LORDS THEIR ACT OF SEDERUNT\par \tab DATED THE FOURTEENTH OF JULY LAST FOR
RECORDING EXEPTIONS\par \tab IN A PARLAR REGISTER CONFORM TO THE ACT OF
PARLIAMENT\par \tab QUINTO GEORGII IN THE FIFTH OF GEORGE\par \par \tab DID PASS
WITH THE WITNESSES AFTERNAMED AND HERETO SUBSCRIBING\par \tab TO THE OFFICE
WITHIN THE PARLIAMENT CLOSS OF THE COMMISSIONERS\par \tab OF INQUIRE AND
TRUSTEES FOR DISPOSING OF FORFEITED ESTATES\par \par \tab AND THEN AND THERE DID
INTIMATE TO THE COMMISSIONERS AND TRUSTEES\par \tab THAT THE EXCEPTIONS FOR
\cf1 KENNETH MCKENZIE OF ASSINT \cf2 AND HIS \par \tab CURATORS FOR THE INTEREST
EXCIPIENTS WERE UPON THE THIRTY \par \tab FIRST DAY OF JULY LAST PRESENTED TO
THE SAID LORDS OF SESSION\par \tab\par \par \tab TO THE INTENT THE SAID EXCIPIENTS
THEIR RIGHT AND TITLE TO THE\par \tab\cf1 FOURSORE MERK LANDS OF TROTTERNESS
\cf2 MIGHT BE ASCERTAINED AND\par \tab DECLARED NOTWITHSTANDING OF THE
ATTAINER OR CONVICTION OF\par \tab\cf1 SIR DONALD MACDONALD OF SLATE \cf2 AND
LATE \cf1 EARL OF SEAFORTH\cf2\par \par \tab AND WITH THE VOUCHERS AND
INSTRUCTIONS THEREOF ARE LODGED\par \tab AND IN THE OFFICE OF MR \cf1 ALEXANDER
MACKENZIE\cf2 ONE OF THE\par \tab PRINCIPAL CLERKS OF SESSION WHERE THE SAME
ARE TO BE SEEN\par \tab\par \par \tab THIS I DID BY LEAVING WITH AND DELIVERING A
FULL DOUBLE OF\par \tab THE SAID EXCEPTIONS AN AUTHENTICK COPY HEREOF
THERETO\par \tab SUBJOINED WITHIN THE SAID OFFICE TO \cf1 ALEXANDER MONRO\par
\tab\cf2 HOUSEKEEPER IN ABSENCE OF THE SAID COMMISSIONERS AFTER\par \tab I
ENQUIRED IF ANY OF THEM WERE PRESENT AND IN THE OFFICE\par \tab AT THAT TIME
BEFORE AND IN PRESENCE OF ARCHIBALD AND\par \tab DUGALD CAMPBELLS BOTH
WRITERS IN EDINBURGH AND\par \tab FOR THE MORE VERIFICATION HEREOF I THE SAID
WITNESSES\par \tab SUBSCRIBED THESE PRESENTS DAY AND DATE SAID.\par \par \par \par
\tab\cf1 CS 235/11/MISC- 5\cf2\par \tab\par \tab COPY INTERLOQUITOR ASSINT AGAINST SIR
DONALD MCDONALD\par \tab LANDS \cf1 TROTTERNISH 1719\cf2\par \par \tab 3 SEPTEMBER
1719\par \par \tab THE LORDS HAVING ADVISED THE EXCEPTIONS PRESENTED BY \cf1\par
\tab KENNETH MCKENZIE OF ASSINT AND COLLONEL ALEXANDER\par \tab MCKENZIE OF
CANNASBY \cf2 HIS CURATOR ACTS OF PARLIAMENT\par \tab REFERED TO THEREIN
ANSWERS FOR THE PUBLIC WITH THE\par \tab WRITS PRODUCED AND DEBAITE\par \par \tab
THEY FIND THAT THE EXCEPTANT HATH RIGHT TO THE PROPERTY\par \tab OF \cf1
FOURSORE MARK LAND OF TROTTERNESS \cf2 LYING WITHIN\par \tab THE PAROCHIAL
DISTRICT AND SHERIFDOM OF -----\par \tab WHICH WERE HOLDEN OF THE
EXIPIENT AS SUPERIOR BY THE\par \tab LATE \cf1 SIR DONALD MCDONALD \cf2 WHO WAS
ATTAINED OF HIGH\par \tab TREASON BY AN ACT 1 GEORGII OF THE 1ST OF GEORGE\par
\tab INTITLED AN ACT FOR THE ATTAINER OF \cf1 GEORGE EARL MARSHALL\par \tab ETC\par
\par \tab\cf2 AND FIND THE EXCEPTANT HATH RIGHT TO THE RENTS PROFITS AND \par \tab
ISSUES PAYABLE FOR THE SAID LANDS FROM AND SINCE THE 27TH\par \tab OF JUNE 1715

WITH THE BURDEN OF PROPORTION OF THE DEBTS IN
THE TERMS OF THE ACT OF PARLIAMENT 5 GEORGII OF THE 5TH
OF GEORGE INTITLED ACT FOR ENLARGING THE TIME TO DETERMINE
CLAIMS ON FORFEIT ESTATES AND THAT THE PUBLIC HATH NO
RIGHT THERE TO AND FIND DECERN AND DECLARE ACCORDINGLY
SIC SUB SCRIB ITUR THUS IT IS SUBSCRIBED
JAMES ERSKINE
4TH FEBRUARY 1720
LORD PENCAILLAND
THIS IS THE COPY OF THE ALLEGED INTERLOQUITOR STO WHICH
ALEXANDER MCKENZIE ONE OF THE CLERKS OF SESSION HIS
OATH OF THIS DATE RELATES
J.HAMILTON
CS 235/11/MISC- 6
ANSWERS FROM MR ALEXANDER MACKENZIE TO THE PETITION
GIVEN IN BY THE TRUSTEES TO FORFEITED ESTATE 1720
4 FEBRUARY 1720
IN THE PRESENCE OF THE LORD PENCAILLAND COMPEARED ALEXANDER
MCKENZIE ONE OF THE CLERKS OF SESSION
AND BEING SOLEMNLY SWORN EXAMINED AND INTERROGAT IN TERMS
OF THE INTERLOQUITOR OF THIS DATE
DISPONES THAT THE DEPONENT DID NEVER WRITE ANY INTERLOQUITOR
SUSTAINING THE EXEPTION AT THE INSTANCE OF
KENNETH MCKENZIE
OF ASSINT AND HIS CURATORS AGAINST THE PUBLIC FINDING THAT
THE EXEPTANT HAD RIGHT TO THE PROPERTY OF THE LANDS OF
TROTTERNISH WHICH WERE HOLDEN BY THE LATE
SIR DONALD MCDONALD OF THE EXCEPTANT.
AND THAT IT DOES NOT CONSIST WITH HIS KNOWLEDGE THAT
ANY SUCH INTERLOQUITOR WAS WRITE BY ANY OTHER OF THE CLERKS
OF SESSION AS MENTIONED IN THE PETITION AND COMPLAINT
OFFERED IN NAME OF THE COMMISSIONERS AND TRUSTEES FOR
THE SALE OF FORFEITED ESTATES AN ALLEDGED COPY
WHEREOF IS PRESENTLY PRODUCED AND MARKED BY THE
LORD EXAMINATOR
AND THAT THE DEPONENT DID NEVER SEE ANY SUCH INTERLOQUITOR
SIGNED BY THE LORD GRANGE THEN PRESIDENT OF THE COURT
OF SESSION WHICH BEARS TO BE DATED THE THIRD DAY OF SEPTEMBER
LAST
AND THAT THE DEPONENT DOES NOT REMEMBER THAT ANY SUCH
INTERLOQUITOR PAST IN THE SAID COURT OF SESSION
AND FURTHER PRODUCED THE PRINCIPAL EXCEPTION WHICH
HAS NO SIGNED INTERLOQUITOR UPON IT EXCEPT THAT OF THE
LAST OF JULIE ORDERING THE SAME TO BE INTIMATED AT THE
ENQUIRIE OFFICE
AND APON THE BACK OF THE SAID EXEPTION THERE IS WRITEN
THE WORD "WITHDRAWN" WITH THE DEPONENTS OWN HAND
AND THAT IT WAS NOT ORDINARY IN OTHER CASES TO SIGN
THAT WORD "WITHDRAWN" WHEN THERE WAS NO MORE
UPON IT
HE ALSO PRODUCES THE EXECUTION OF THE SAID EXCEPTION WITH
TWO ANSWERS GIVEN IN BY PUBLIC TO THE EXCEPTION
ALEXANDER MACKENZIE
J.HAMILTON
PRESENTED BY
MCKENZIE OF ASSINT
AND HIS CURATORS ONE DATED
TENTH OF AUGUST AND THE OTHER THE THIRD SEPTEMBER LAST
WHICH ARE THE ONLY ANSWERS GIVEN IN BY THE COMMISSIONERS
TO THE HAILL EXCEPTIONS PRESENTED BY
ASSINT
AND DEPONES HE HAS NO OTHER GROUNDS OR WARRADS
IN RELATION TO THE SAID INTERLOQUITOR NOR DOES
HE REMEMBER THAT THERE WERE ANY WRITES PRODUCED
RELATING TO THE LANDS MENTIONED IN THE SAID EXCEPTION
EXCEPT SUCH AS WERE PRODUCED BY THE EXCEPTANTS
AND TAKEN UP BY THEM OR THEIR DOERS
AND THIS IS THE TRUTH AS HE SHALL ANSWER TO GOD
ALEXANDER MACKENZIE
J.HAMILTON
CS 235/11/MISC- 7
23 FEBRUARY 1720
EDWARD CALLENDER
SERVITOR TO
MR ALEXANDER MCKENZIE
ONE OF THE CLERKS OF SESSION AND BEING SOLEMNLY SWORN
EXAMINED AND INTERROGATED IN THE TERMS OF THE INTERLOQUITOR
OF THE 4 TH FEBRUARY INSTANT
DEPONES THAT HE DID NOT DELIVER TO
MR FORDYCE
OR TO ANY
OTHER DOER FOR THE COMMISSIONERS OR TRUSTEES FOR FORFEITTED
ESTATES THE COPY OF THE INTERLOQUITOR MENTIONED IN THE SAID
TRUSTEES THEIR PETITION DATED TWENTY FIRST JANUARY LAST
FINDING THAT
KENNETH MCKENZIE OF ASSINT AND COLLONEL
MCKENZIE
HIS CURATOR HAD RIGHT AS SUPERIORS TO THE

PROPERTY OF THE LANDS OF TROTTERNISH WHICH HELD OF HIM BY THE LATE SIR DONALD MCDONALD IN SO FAR AS THE DEPONENT REMEMBERS AND THAT HE KNOWS NOTHING OF THE GIVING OUT DOUBLE OF THE SAID INTERLOQUITOR TO THE SAID COMMISSIONERS OR THEIR DOERS WHICH COPY OF THE SAID INTERLOQUITOR AS MENTIONED IN THE SAID PETITION IS MARKED BY THE LORD EXAMINATOR AND BEING EXAMINED AND INTERROGATED BY THE PROCURATORS OF THE SAID TRUSTEES IF THE PAPER PRESENTLY PRODUCED BY THEM AND MARKED BY THE ORDINARY WHICH CONTAINS AN INTERLOQUITOR IN FAVOUR OF KENNETH MCKENZIE IN RELATION TO THE PROPERTY OF THE LANDS AND ESTATE OF APPLECROSS WHICH HE CLAIMED AS SUPERIOR OF THE SAID LANDS EDWARD CALLENDER J.HAMILTON AND TO WHICH IS ADJECTED A MEMORIAL IN THESE TERMS VIZ. THE LIKE INTERLOQUITOR IS APON THE OTHER EXCEPTIONS AGAINST THE VASSALS MUTATIS MUTANDIS NECESSARY CHANGES BEING MADE EXCEPT THESE AGAINST WHOM THE CONDISCENDANCE WAS GIVEN AND WHEREON THEY ARE ALLOWED A DILLIGENCE TO PROVE THAT THE LANDS HOLD OF ASSINT IF THE SAID PAPERS MARKED AS SAID IS WAS THE HAND WRITING OF THE DEPONENT AND DELIVERED BY HIM TO THE SAID THOMAS AND DEPONES THAT HE DID DELIVERED THE SAID PAPER TO THE BEST OF THE DEPONENTS MEMORY TO THE SAID THOMAS FORDYCE OR HIS SERVANT AS DOERS FOR THE SAID COMMISSIONERS AND DEPONES THAT HE DID NEVER DELIVER ANY OTHER COPY OF AN INTERLOQUITOR IN RELATION TO ASSINT RIGHT OF PROPERTY TO THE LATE SIR DONALD MCDONALD LANDS TROTTERNISH OR THE OTHER VASSALS OF THE LATE EARL OF SEAFORTH EXCEPT WHAT IS ABOVE DEPONED ON TO THE BEST OF THE DEPONENTS MEMORE AND BEIND INTERROGATED IF THE DATES WRITEN ON THE MARGINS OF THE SAID PAPER BE THE TRUE DATES DEPONES HE DOES NOT KNOW BUT IS WILLING TO PRODUCE THE PRINCIPAL WARANDS THEMSELVES AND THAT ORDINARLY THE COMMISSIONERS DOERS GET COPIES OF THE INTERLOQUITORS BEFORE THE SAME WERE SIGNED BY THE LORD PRESIDENT AND THIS IS THE TRUTH AS HE SHALL ANSWER TO GOD EDWARD CALLENDER J.HAMILTON MR CARDEN PROCURATOR OR FOR THE SAID TRUSTEES DECLAIRED THAT HE HAS CONCLUDED HIS PROBATION BY THE ABOVE OATHS THE LORD ORDINARY IS TO REPORT THE SAME TO THE LORD WITH HIS FIRST CONVENIENCE AND ALLOWS TH SAID PROCURATORS IN THE MEAN TIME TO SEE THE INTERLOQUITOR AS TO THE PROPERTY OF APPLECROSS TO THE END THEY MAY KNOW THE DATE THEREOF J.HAMILTON CS235/11/MISC-1 EXCEPTIONS FOR KENNETH MACKENZIE OF ASSINT AND HIS CURRATORS ANENT THE LANDS OF TROTTERNISH BELONGING TO THE DECEASED SIR DONALD MACDONALD WITHDRAWN 1719 MCKENZIE CLERK T.G. THOM.GRAEM AD & DC SIGNED EXCEPTIONS FOR KENNETH MACKENZIE OF ASSINT AND COLLONEL ALEXANDER MACKENZIE OF CONANSBAY HIS CURATOR FOR HIS INTEREST AGAINST THE POSSESSION TAKEN OR TO BE TAKEN OF THE FOURSCORE MERK LAND TROTTERNISH SURVEYED BY ORDER OF THE COMMISSIONERS AND TRUSTEES APPOINTED FOR FORFEITED ESTATES HUMBLY PRESENTED IN PURSUANCE OF THE ACT QUINTO GEORGII IN THE FIFTH YEAR OF GEORGE ENTITLED ACT FOR ENLARGEING THE TIME TO DETERMINE CLAIMS ON THE FORFEITED ESTATES TO THE RIGHT HONOURABLE THE LORDS OF COUNCIL AND SESSION TO THE INTENT HIS RIGHT AND TITLE TO THE SAID FOURSCORE MERK LANDS TROTTERNISH HOLDEN BY SIR DONALD MCDONALD LATE OF SLATE OF THE SAID EXCIPIENT AS SUPERIOR THEREOF MAY IN THE TERMS OF TH ACT OF THE FIRST OF THE KING ENTITLED ACT FOR ENCOURAGEING ALL SUPERIORS VASSALS ETC BE ASCERTAINED BY THE FORESAID ACT OF

THE FIRST OF THE KING ENTITLED ACT FOR ENCOURAGING ALL SUPERIOR VASSALLS LANDLORDS AND TENANTS IN SCOTLAND IT IS AMONGS OTHER THINGS ENACTED THAT IF ANY SUBJECT OF GREAT BRITAIN HOLDING LANDS OF A SUBJECT SUPERIOR IN SCOTLAND HAS BEEN OR SHALL BE GUILTY OF SUCH HIGH TREASON OR TREASONS AS ARE MENTIONED IN THE SAID ACT EVERY SUCH OFFENDER WHO SHALL BE THEREOF DUELY CONVINCED AND ATTAINED SHALL BE LIABLE TO THE PAINS PENALTIES AND FORFEITURES OF HIGH TREASON AND HIS LANDS OR TENEMENTS HELD OF ANY SUBJECT SUPERIOR IN SCOTLAND SHALL RECOGNISE AND RETURN INTO THE HANDS OF THE SUPERIOR AND THE PROPERTY SHALL BE AND IS HEREBY CONSOLIDATED WITH THE SUPERIORITY IN THE SAME MANNER AS IF THE LANDS OR TENEMENTS HAD BEEN BY THE VASSAL RESIGNED INTO THE LANDS OF THE SUPERIOR AD PERPETUAM REMANENTIAM REMAINING THERE FOR EVER AND IT IS FURTHER ENACTED THAT IF THE SUPERIORS TO WHOM THE LANDS AND TENEMENTS ABOVE MENTIONED ARE DECLARED AND ORDAINED TO BELONG SHALL NOT WITHIN SIX MONTHS TO BE RECKONED FROM THE TIME OF THE ATTAINDER OF THE OFFENDERS RESPECTIVELY OBTAIN THEMSELVES INFEFT OR DO DILLIGENCE REALLY AND WITHOUT COLLUSION FOR ATTAINING POSSESSION IN EVERY SUCH CASE THE FORFEITURES SHALL BELONG TO HIS MAJESTY HIS HEIRS AND SUCCESSORS BY A SUBSEQUENT ACT OF THE SAME YEAR OF HIS MAJESTYS REIGN ENTITLED ACT FOR THE ATTAINDER OF GEORGE EARL OF MARISHAL WILLIAM EARL OF SEAFORTH AND OTHERS OF HIGH TREASON UNLESS THEY SHALL SURRENDER THEMSELVES TO JUSTICE BY A DAY CERTAIN HEREIN MENTIONED IT IS ENACTED THAT IF THE ABOVE PERSONS AND OTHERS THEREIN NAMED AMONG WHOM IS THE SAID SIR DONALD MCDONALD OF SLATE SHOULD NOT RENDER THEMSELVES TO ONE OF HIS MAJESTYS JUSTICE OF THE PEACE ON OR BEFORE THE LAST DAY OF JUNE 1716 THEN EVERY OF THEM NOT RENDERING HIMSELF AS AFORESAID SHOULD FROM AND AFTER THE 13 OF NOVEMBER 1715 STAND AND BE ADJUDGED ATTAINED OF THE SAID HIGH TREASON TO ALL INTENTS AND PURPOSES WHATSOEVER AND SHOULD SUFFER AND FORFEIT AS A PERSON ATTAINED OF HIGH TREASON BY THE LAWS OF THE LAND OUGHT TO SUFFER AND FORFEIT

CS235/11/MISC- 2 THE ESTATE OF SEAFORTH WAS AFFECTED WITH MANY AND VARIOUS APPRISEINGS ALL LED BEFORE THE YEAR 1650 FOR SUMS FAR EXCEEDING THE VALUE OF THE ESTATE AND WHEREOF THE LEGAL WAS EXPIRED AND WHICH WERE PURCHASED BY SIR GEORGE MACKENZIE OF TARBET AFTERWARDS EARL OF CROMARTY AND CERTAIN OTHER PERSONS WHO UPON THE RIGHTS ACQUIRED BY THEM DID EXPEDITE INFEFTMENTS IN THEIR OWN PERSON AS WILL APPEAR BY THE CHARTER UNDER THE GREAT SEAL DATED 30TH SEPTEMBER 1678 WHICH IS APON PUBLICK RECORD AND THEIR INFEFTMENT FOLLOWING THEREAPON IS DATED THE 15 OF NOVEMBER 1680 AND PRODUCED WITH THE VOUCHERS OF MY EXCEPTIONS FOR ASCERTAINING MY RIGHT AND TITLE TO THE ESTATE OF SEAFORTH THE SAID GEORGE MACKENZIE AND OTHER PERSONS DENUDED THEMSELVES OF THE SAID LANDS AND ESTATE IN FAVOUR OF KENNETH MACKENZIE BROTHER TO SIR GEORGE MCKENZIE OF ROSEHAUGH IN THE YEAR 1680 AND THE SAID KENNETH MCKENZIE DISPONED THE SAME IN FAVOUR OF ISOBELL COUNTESS OF SEAFORTH IN THE YEAR 1681 WHO IN VIRTUE OF HER RIGHT POSSESSED THE SAID ESTATE AND PERTINENTS THEREOF UNTIL THE MONTH OF FEBRUARY 1715 UPON THE DEMISE OF THE SAID ISOBELL COUNTESS OF SEAFORTH THE RIGHT OF THE SAID ESTATE DEVOLVED UPON THE EXCIPIENT AS HEIR NEAREST PROTESTANT HEIR WILLIAM LATE EARL OF SEAFORTH THOUGH A NEARER HEIR BY BLOOD THAN THE EXIPIENT BEING EXCLUDED BY THE ACT 23RD NOVEMBER 1700 ENTITLED ACT FOR PREVENTING THE GROWTH OF POVERTY THE FOURSCORE MERK LAND TROTTERNESS LYING WITHIN THE PAROCHIAL OF SNIZORT SKYE AND SHERIFDOM OF INVERNESS AND WHICH BELONGED TO THE SAID SIR

RIGHT AND POSSESSION OF THAT ESTSATE UNDER THE\par \tab TITLES ABOVE MENTIONED\par \par \tab THE SOLICITOR OF THE TYTHES HAS LATELY BROUGHT AN ACTION AGAINST\par \tab THE REPRESENTER THE SUMMONS OF WHICH BEARS DATE 20TH DECEMBER LAST\par \tab CONCLUDING FOR PAYMENT OF THE SUM OF \a3133.3.7. STERLING AS THE VALUE\par \tab OF THE BISHOPS THIRD OF THE TITHES OF THE ISLAND OF LEWIS FOR\par \tab CROP 1781 AND THE LIKE SUM YEARLY IN TIME COMING\par \par \tab THIS PROCESS CAME IN COARSE BEFORE YOUR LORDSHIPS AND AFTER HEARING\par \tab PARTIES YOU PRONOUNCED THIS INTERLOCTOR \cf1 27TH JUNE 1782\par \tab\cf2 THE LORD ORDINARY HAVING HEARD PARTIES PROCURATORS DECERNS\par \tab AGAINST THE DEFENDER IN TERMS OF THE LIBEL\par \tab SHOULD THIS INTERLOCTOR BE ADHERED TO IT WOULD BRING A VERY\par \tab HEAVY AND UNEXPECTED BURDEN UPON THE REPRESENTERS ESTATE\par \tab HE THEREFOR SUBMITS IT TO REVIEW AND IS CONFIDENT WHEN YOUR\par \tab LORDSHIPS SHALL HABE RECONSIDERED THE CAUSE YOU WILL SEE JUST\par \tab REASON FOR ALTERING THE INTERLOCTOR AND ASSORTZIEING\par \tab THE REPRESENTER WHEN THE ESTATE OF SEAFORTH WAS SOLD.\par \pard\fi-568\li568\ri-479\tx710\tx9514\tx9656\tx9798\tx9940\par \pard\li568\par\cf0\fs20 SASINE IN FAVOUR OF ELIZABETH BAILLIE\par IN LIFERENT AND MRS KATHERINE SUTHERLAND\par AND WIFE\par \par \tab AT INVERNESS THE 23 DAY OF DECEMBER ONE THOUSANT\par \tab EIGHT HUNDRED AND THREE BETWEEN THE HOURS OF TWO\par \tab AND THREE O CLOCK IN THE AFTER NOON THE SASINE\par \tab UNDER WRITTEN WAS PRESENTED BY DAVID PHERSON\par \tab WRITEN IN INVERNESS AND RECORDED AS FOLLOWS VIZ... \par \par \par \tab IN THE SASINE OF GOD AMEN BE IT KNOWN TO ALL MEN\par \tab BY THIS PRESENT PUBLIC INSTRUMENT THAT UPON THE \par \tab TWENTIETH DAY OF DECEMBER IN THE YEAROF OUR LORD\par \tab EIGHTEEN HUNDRED AND THREE AND OF THE REIGN OF \par \tab OUR SOVEREIGN LORD GEORGE THIRD BY THE GRACE\par \tab OF GOD OF THE UNITED KINGDOM OF GREAT BRITAIN AND\par \tab IRELAND KING DEFENDER OF THE FAITH THE FORTY FOURTH YEAR \par \tab IN PRESENCE OF ME NOTARY PUBLIC AND WITNESS\par \tab SUBSCRIBING COMPEARED PERSONALLY KENNETH MACLENNAN\par \tab SERVANT TO ME NOTARY PUBLIC AS PROCURATOR AND \par \tab ATTORNEY FOR AND IN NAME AND BEHALF OF MRS ELIZABETH\par \tab BAILLIE WIDOW OF THE DECEASED LIEUTENANT AND COLONEL\par \tab JAMES SUTHERLAND OF UPPAT MRS KATHERINE SUTHERLAND\par \tab SPOUSE TO COLONEL ROBERT MACKENZIE DAUGHTER OF THE\par \tab SAID LIEUTENANT COLONEL JAMES SUTHERLAND-----\par \tab LORD SEAFORTH MARY MAXWELL SUTHERLAND SPOUSE TO\par \tab LIEUTENANT ALEXANDER SUTHERLAND FORMERLY OF THE\par \tab SECOND BATTALION OF THE SEVENTY EIGHTH REGIMENT OF FOOT\par \tab ALSO DAUGHTER OF THE SAID LIEUTENANT ALEXANDER \par \tab SUTHERLAND FORMERLY OF THE SECOND BATTALION OF THE\par \tab SEVENTY EIGHTH REGIMENT OF FOOT ALSO DAUGHTER OF THE\par \tab SAID LIEUTENANT COLONEL JAMES SUTHERLAND AND\par \tab GEORGE SACKVILLE SUTHERLAND ESQUIRE LATE OF UPPAT\par \tab ELDEST SON OF THE SAID LIEUTENANT COLONEL JAMES\par \tab SUTHERLAND WHOSE POWER OF PROCURATORY WAS\par \tab SUFFICIENT KNOWN TO ME NOTARY PUBLIC\par \tab SUBSCRIBING HAVING AND HOLDING IN HIS HANDS A \par \tab BOND AND DISPOSITION IN SECURITY OF THE DATE\par \tab UNDERWRITTEN CONTAINING THEREIN THE PRECEPT\par \tab OF SASINE HEREIN AFTER INSERTED MADE AND GRANTED\par \tab BY BRIGADIER GENERAL NOW MAJOR GENERAL\par \tab ALEXANDER MACKENZIE LIEUTENANT COLONEL OF THE\par \tab 36TH REGIMENT OF FOOT WHEREBY HE BOUND AND \par \tab OBLIGED HIMSELF HIS HEIRS EXECUTORS AND SUCCESSORS\par \tab WHOMSOEVER THAT IS FULLY TO CONTEND AND PAY THE\par \tab SUM OF ONE THOUSANT POUNDS STERLING TO THE SAID\par \tab MRS ELIZABETH BAILLIE IN LIFERENT AND FOR HER\par \tab LIFERENT USE OF THE INTEREST THEREOF ALTERNATIVELY\par \tab AND GIVE ALL THE FEE ONE HALF OF THE SAID SUM BEING\par \tab FIVEHUNDRED POUNDS STERLING TO THE AFORESAID \par \tab MRS KATHARINE SUTHERLAND AND TO HER HEIRS\par \tab AND ASSIGNIES BUT SUBJECT TO THE DECLARATIONS\par \tab AND QUALIFICATIONS THEREIN AND HEREIN AFTER\par \tab MENTIONED AND THE OTHER OR REMAINING HALF\par \tab BEING AN OTHER FIVE HUNDRED POUNDS FINDING OF THE\par \tab SAID PRINCIPAL SUM TO THE SAID FRANCIS LORD SEAFORTH\par \tab AND TO HIS HEIRS AND ASSIGNEES BUT IN SECURITY\par \tab ONLY AFTER MENTIONED AND SUBJECT TO THE DECLARATIONS\par \tab AND

QUALIFICATIONS THEREIN AND HEREIN AFTER\par \tab MENTIONED AND THAT AS AND AGAINST THE TERM\par \tab OF WHITSUNDAY NEXT TO COME WITH ONE FIFTH\par \tab PART NOW OF THE SAID PRINCIPAL SUM OF LIQUIDATE\par \tab PENALTY IN CASE OF FAILURE IN THE \par \tab PAYMENT OF THE SAID LAND AND INTEREST THEREOF\par \tab IN THE CASE OF THE SAID BOND AND DISPOSE NOW\par \tab IN SECURITY TO THE SAID TERM OF PAYMENT AND THERE\par \tab AFTER AT TWO TERMS IN THE YEAR WHITESUNDAY\par \tab AND-----
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OTHERWISE\par \tab EXTINGQUISHED HIS LORDSHIPS INTEREST UNDER THE SAID\par \tab
SECURITY SHOULD CEASE AND BE AT AN END AND THE\par \tab PROVISIONS OF THE SAID
MARY MAXWELL SUTHERLAND\par \tab OR THAT HALF OF THE SUM CONTAINED IN THE SAID
\par \tab BOND ARISING WITH THE INTEREST AFTER THE DEATH\par \tab OF THE SAID MRS
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BUT FURTHER PROVIDING AS IF\par \tab WAS THEIR BY SPECIALY PROVIDED AND
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SACKVILLE SUTHERLAND FOR THEIR RESPECTIVE\par \tab INTERESTS AND TO THEIR HEIRS
AND SUCCESSORS RESPECTIVE\par \tab BY HERITABLY BUT UNDER REVERSION AS
THEREIN MENTIONED\par \tab ALL AND WHOLE THE LANDS OF \cf1 MANAV \cf2 WITH THE
HOUSES\par \tab GARDEN ORCHARDS SHEILDING PARTS AND PENDICLES AND\par \tab
UNIVERSAL PERTINENTS OF THE SAME ALL LYING WITHIN THE \par \tab PARISH OF URRAY
AND COUNTY OF ROSS AND ALL AND\par \tab WHOLE THE LANDS AND ESTATE AND
COUNTY OF STRATHCONNON\par \tab COMPREHENDING THE PARTICULAR TOWNS AND
TENEMENTS\par \tab SPECIFIED IN THE RIGHTS AND INFETMENTS THEREOF
CONCEIVED\par \tab IN FAVOUR OF THE SAID \cf1 ALEXANDER MACKENZIE\cf2 HIS
PREDECESSORS\par \tab AND ALL HEIRS AND BY WHATSOEVER DENOMINATION THEY
GO\par \tab AND ARE DESCRIBED THEIR WILL WHICH IN WHOLE EXTEND\par \tab TO TWO
DAVOCHS AND IN HALF DAVOCH LAND WITH THE WOOD\par \tab GRAZING SHEALING
MOSSES PASTURAGES PARTS PENDICLES\par \tab AND PERTINENTS KNOWN TO PERTAIN
AND BELONG THERETO\par \tab AND WHICH LANDS IN THE RESPECTIVE PARISHES OF \cf1
URRAY\par \tab FODDERTY AND CONTIN \cf2 IN THE SHERIFFDOM OF ROSS TOGETHER\par
\tab WITH ALL RIGHT AND INTEREST CLAIM OF RIGHT PROPERLY\par \tab AND POSSESSION

MARGARET MCLEOD \cf0\tab\tab\tab \tab\par \tab X111 COLIN\tab\tab\tab DIED 1626\par \tab X1V
GEORGE\tab\tab\tab\par \tab XV KENNETH\tab\tab\tab\tab\tab\tab\cf1 JOHN MACKENZIE * \cf2
MARGARET ERSKINE\cf0\par \tab\tab\tab\tab\tab\tab\tab\tab OF TARBET\par
\tab\tab\tab\tab\tab\tab\tab\tab DIED 1654\par \tab XV1 KENNETH\tab JOHN OF ASSINT * SIBELLA
\tab\tab\tab\tab\tab \par \tab\cf1 4th earl of\cf0\tab\tab CS 235/11/1 MISC DEED.\tab\tab\tab\tab\tab \par
\tab\cf1 seaforth\cf0\tab\tab ISLE OF SKYE.\par \par \tab\tab KENNETH OF ASSINT *
FRANCIS\tab\tab \cf1 ALEXANDER MACKENZIE * BARBARA\cf0\par \tab\tab DIED
1723\tab\tab\tab\tab\tab 1ST OF ARDLOCH DIED 1736\par \tab\tab \tab\tab\tab\tab\par \tab\tab\tab\tab\tab\tab
COLONEL ALEXANDER OF\par \pard\fi-710\li710\ri89\tab\tab\tab \tab\tab CONANSBAY \cf1 brother
to john\cf0\par \pard\fi-710\li710\tab\par \par \tab\tab\tab\par \tab\tab\tab\tab\tab\tab MAJOR WILLIAM
MACKENZIE\par \tab\tab\tab\tab\tab\tab\cf1 son\cf0\par \tab\par \par \tab XV11
WILLIAM\tab\tab\tab\tab\tab\tab\tab\par \tab XV111KENNETH\tab\tab\tab\tab\tab\tab COLONEL
THOMAS F MACKENZIE\tab \par \tab X1X KENNETH BARON ARDELVE\tab
HUMBERSTON\tab\tab FRANCIS HUMBERSTON MACKENZIE\par \tab\tab\tab\tab\tab\tab\tab\cf1
brother to francis\cf0\tab \par \tab\tab\tab\tab\tab\tab\tab\tab DIED1815\par \par \par \par \par \pard\tab\b0
sasine william fraser of culbokie inverness\par \tab RS2788/3. \par \tab\par \tab\par \tab AT
EDINBURGH 23/5/1856 BETWEEN THE HOURS OF TWO AND THREE IN\par \tab THE
AFTERNOONTHE INSTRUMENT OF SASINE UNDER WRITEN WAS BY\par \tab JAMES MASON
SOLICITOR SUPREME COURTS EDINBURGH PRESENTED\par \tab FOR REGISTRATION AND
IS INGRESSSED IN THE TWO THOUSAND\par \tab SEVEN HUNDRED AND EIGHTY EIGHT BOOK
OF THE NEW GENERAL\par \tab REGISTER OF SASINES REVERSIONS AS FOLLOWS VIZ. AT
EDINBURGH\par \tab THERE WAS BY OR ON BEHALF OF WILLIAM FRASER ESQUIRE OF\par
\tab CULBOKIE LATE CAPTAIN IN THE SEVENTY SIXTH REGIMENT OF\par \tab
INVERNESSHIRE MILITIA PRESENTED TO ME NOTARY PUBLIC \par \tab SUBSCRIBING A
CHARTER OF SALE UNDER THE SEAL NOW USED\par \tab FOR THE GREAT SEAL OF
SCOTLAND AND BEARING DATE AS IN\par \tab THE PRECEPT OF SASINE AND SEALING
HEREINAFTER INSERTED\par \tab BY WHICH CHARTER VICTORIA BY THE GRACE OF GOD OF
THE \par \tab UNITED KINGDOM OF GREAT BRITAIN AND IRELAND QUEEN DEFENDER\par \tab
OF THE FAITH GAVE AND GRANTED AND DISPONED AND FOR EVER\par \tab CONFIRMED TO
THE SAID WILLIAM FRASER AND HIS HEIRS AND\par \tab ASSIGNEES WHOMSOEVER
HERITABLY AND IRREDEEMABLY ALL\par \tab AND WHOLE THE FOLLOWINGPARTS AND
PORTIONS OF THE LANDS\par \tab AND BARONY OF MACDONALD VIZ. ALL AND WHOLE
THOSE PARTS\par \tab AND PORTIONS LYING TO THE NORTH OF THE MARCHS OF THE
FARMS\par \tab OR LANDS OF KINGSBURGH AND SCORRIEBRECK OF THE FOLLOWING\par
\tab PARTS AND PORTIONS OF THE SAID LANDS OF THE BARONY OF\par \tab MACDONALD
VIZ. THE TEN PENNY LAND KILLIEVAXTER IN\par \tab TROTTERNISH WITH PARTS PENDICLES
AND PERTINENTS ALL\par \tab AND WHOLE THE 80 MERKS LANDS OF TROTTERNISH WITH
CASTLE \par \tab TOWERS FORTALICES MANOR PLACES MILLS MULTURES WOODS\par \tab
FISHING AS WELL OF SALMON AND AS WELL IN SALT WATER AS IN FRESH\par \tab WATER
MOUNTAINS HILLS MUIRS MARSHES COMMONTIES PRIVILEGES\par \tab PASTURAGES
PARTS PENDICLES ANNEXIS CONNEXIS OUTSETS\par \tab COMPREHENDING OR
CONSISTING THE SAID LANDS AND OTHERS\par \tab OF THE ENTIRE OR ALMOST THE
ENTIRE PARISH OF KILMUIR AND PART OF\par \tab THE PARISH OF SNIGZORT IN THE ISLE
OF SKYE OF SKYE ALL AS\par \tab DESCRIBED IN THE ARTICLES AND CONDITIONS OF ROUP
THEREOF\par \tab DATED 30/5/1855 YEARS AND WHICH NOT WITHSTANDING THE\par \tab
DESCRIPTION THEREIN AND ABOVE GIVEN FROM THE TITLE DEEDS\par \tab OF THE ESTATE
IT IS BY SAID CHARTERS AS IT WAS BY THE\par \tab SAID ARTICLES AND CONDITIONS OF
ROUP DECLARED SHOULD\par \tab BE HELD TO COMPREHEND AND TO CONSIST OF THOSE
PARTS\par \tab AND PORTIONS OF THE SAID LANDS AND BARONY OF MCDONALD\par \tab IN
THE THE PARISHES OF KILMUIR AND SNZORT AND ISLAND\par \tab OF SKYE SITUATED AND
LYING TO THE NORTH OF THE PRESENT\par \tab MARCHES OF THE FARMS OF KINGSBURGH
AND SCORRIEBRECK\par \tab AS IN THE SAID FARMS ARE NOW POSSESSED BY MR
DONALD\par \tab MCLEOD THE PRESENT TENANT THEREOF AS THE SAID LINES\par \tab OF
MARCH WERE SOMETIME MARKED AND PITTED OFF BY ALEXANDER\par \tab KENNETH
MACKINNON ESQ. THE FACTOR FOR THE RIGHT HONOURABLE\par \tab GODFREY WILLIAM
WENTWORTH LORD MACDONALD AND NO OTHER\par \tab LANDS AND THAT FREE FROM
THE FETTERS OF THE CONTRACT OR DEED\par \tab OF ENTAIL OF THE LANDS AND BARONY

[29]

[edit](#) **SIR ALEXANDER MACKENZIE
BARONET/PAULM594**

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;\red255\green0\blue0;\red0\green0\blue0;} {*\generator Msftedit
5.41.15.1503;}\viewkind4\uc1\pard\fs16\tab GD305/1/128/17.\par \par \tab IT IS CONTRACTED
AGREED AND MATRIMONIALY ENDED BETWIXT THE \par \tab PARTIES FOLLOWING VIZ.

COLLONELL ROBERT MCKINZIE IN THE SERVICE \par \tab OF THE HONOURABLE EAST INDIA COMPANY ON THE ONE PART AND MISS \par \tab KATHERINE SUTHERLAND ELDEST LAWFULL DAUGHTER OF THE DECEAST \par \tab COLL. JAMES SUTHERLAND OF UPPAT WITH THE ADVICE AND CONSENT \par \tab OF CAPTAIN GEORGE SACKVILLE SUTHERLAND OF UPPAT HER BROTHER \par \tab GERMAN ON THE OTHER PART IN MANNER FOLLOWING THAT IS TO SAY \par \tab THE SAID COLL ROBERT MACKENZIE AND MISS KATHERINE SUTHERLAND \par \tab HAVING CONCURRED A MUTUAL LOVE AND AFFECTION FOR ONE \par \tab ANOTHER HAVE ACCEPTED AND DO HEREBY ACCEPT OF EACH OTHER \par \tab FOR LAWFULL SPOUSES AND HEREBY BIND AND OBLIGE THEM TO \par \tab SOLEMISE THE HOLY BONDS OF MATRIMONY WITH ALL CONCONCIENT \par \tab SPEED IN CONTEMPLATION OF WHICH MARRIAGE THE SAID COLL ROBERT \par \tab MCKINZIE HEREBY BINDS AND OBLIGES HIM HIS HEIRS EXECUTERS \par \tab AND SUCCESSORS TO CONTENT AND PAY TO THE SAID MISS KATHERINE \par \tab SUTHERLAND IN THE EVENTS OF HER SURVIVING HIM AND INDEPENDENT \par \tab OF THE ADDITION THERETO IN THE EVENT HEREIN AFTER MENTIONED \par \tab ALL AND HAILL OF FREE YEARLY ANNUITY OF TWO HUNDRED POUNDS \par \tab STERLING AND THAT AT TWO TERMS IN THE YEAR WHITSUNDAY \par \tab AND MARTINMAS BY EQUALL PORTIONS BEGINNING THE FIRST TERMS \par \tab PAYMENT THEREOF THE FIRST SUM OF WHITSUNDAY ON MARTINMAS AFTER \par \tab HIS DECEASE FOR THE HALF YEAR PRECEEDING AND SO ON HALF YEARLY \par \tab DURING ALL THE DAYS OF HER LIFETIME WITH A FIFTH PART MORE \par \tab OF EACH TERM PAYMENT OF LIQUIDATE PENALTY INCREASE OF HAILLE \par \tab AND THE DUE AND ORDINARY ANNUAL RENT THEREOF THEREAFTER \par \tab DURING THE NOT PAYMENT AND FURTHER THE SAID COLL. ROBERT \par \tab BINDS AND OBLIGES HIM AND HIS FORSAID IN THE EVENT OF ONE \par \tab CHILD MALE OR FEMALE BEING PROCREATED OF THIS MARRIAGE BETWIXT \par \tab HIM AND THE SAID MISS KATHERINE SUTHERLAND TO CONTENT \par \tab AND PAY TO SUCH CHILD THE SUM OF THREE THOUSANT POUNDS \par \tab STERLING TWO CHILDREN MALE OR FEMALE THE SUM OF TWO THOUSANT \par \tab POUNDS STERLING EACH AND IF THREE OR MORE CHILDREN THE SUM \par \tab OF SIX THOUSAND POUNDS STERLING THE ELDEST CHILD TO \par \tab RECEIVE OF THAT SUM OF THREE THOUSAND POUNDS STERLING AND \par \tab THE REMAINING THREE THOUSAND POUNDS STERLING TO BE \par \tab DIVIDED AMONGST THE YOUNGER CHILDREN IN SUCH PROPORTIONS \par \tab AS THEIR FATHER AND MOTHER OR SURVIVOR OF THEM MAY THINK \par \tab PROPER AT ANY TIME IN THEIR LIFETIME AND THAT AT AND AGAINST \par \tab THE FIRST TERM OF WHITSUNDAY OR MARTINMAS AFTER HIS DECEASE \par \tab WITH A FIFTH PART MORE OF EACH CHILD PROVISION OF LIQUIDATE \par \tab PENALTY IN CASE OF HAILLE AND THE DUE AND ORDINARY ANNUAL \par \tab RENT THEREOF THEREAFTER DURING THE NOT PAYMENT BUT DECLARING \par \tab THAT IN THE EVENT OF THE SAID COLL ROBERT MCKINZIE'S PREDECEASING \par \tab THE SAID MISS KATHERINE SUTHERLAND AND THAT THE DISSOLUTION \par \tab OF THE MARRIAGE BY HIS DECEASED ARE OTHERWISE THERE SHOULD \par \tab BE AND CHILD OR CHILDREN EXISTING THEREOF AS THE TIME THEM \par \tab THAT CASE THE SAID COLL. ROBERT MCKINZIE PROVIDES HER IN AND \par \tab SHE SHALL BE ENTITLED TO RECEIVE AND IS HEREBY EMPOWERED \par \tab TO DEMAND AND RECEIVE THE INTEREST OF THE SAID SIX THOUSANT \par \tab POUNDS STERLING PROVIDED TO THE CHILDREN OF THE MARRIAGE \par \tab IN MANNER BEFORE MENTIONED DECLAIRING ALSO THAT IN THE EVENT \par \tab OF THE DECEASE OF THE SAID COLL. ROBERT MCKINZIE BEFORE THE \par \tab SAID MISS KATHERINE SUTHERLAND AND THAT THERE SHOULD \par \tab BE ONE OR MORE CHILDREN OF THE MARRIAGE ENDING AT THE TIME AND \par \tab THAT THERE SHOULD BE A DEFICIENCY IN HIS FUNDS FOR ANSWERING THE \par \tab SEVERAL PROVISIONS IN THEIR FAVOUR BEFORE MENTIONED AND PAYING \par \tab THE SAID ANNUITY OF TWO HUNDRED POUNDS STERLING TO THE SAID \par \tab KATHERINE SUTHERLAND YET THAT SUCH DEFICIENCY SHALL IN THE \par \tab MEANTIME FALL UPON THE CHILDREN PROVISIONS UNTILL THE DECEASED \par \tab OF THE SAID MISS KATHERINE SUTHERLAND AND THAT IN EVERY EVENT \par \tab THE SUM OF FOUR THOUSAND POUNDS STERLING SHALL REMAIN CLEAR \par \tab AND UNTOUCHED FOR ANSWERING THE SAID ANNUITY DURING ALL \par \tab THE DAYS OF HER LIFETIME AND FOR THE FURTHER SECURITY OF THE SAID \par \tab MISS KATHERINE SUTHERLAND FOR PAYMENT OF THE SAID EVENTUALL \par \tab ANNUITY AND FOR THE PROVISIONS TO THE

CHILDREN OF THE MARRIAGE\par \tab BEFORE MENTION THE SAID COLL. ROBERT MCKINZIE ASSIGNS AND\par \tab CONVEYS AS MUCH OF THE SEVERALL SUMS OF ANNUITY AFTER\par \tab MENTIONED WITH THE SECURITIES THEREFORE AS WILL COMPLETELY\par \tab SATISFY AND PAY THE SAME VIZ. THE SUM OF SIXTY SEVEN THOUSANT\par \tab EIGHT HUNDRED AND EIGHT DINA RUPEES VESTED BY ME IN THE\par \tab EIGHTY PER CENT EAST INDIA GOVERNMENT SECURITIES\par \tab BY SEVERAL INVESTITURES THE FIRST DATED THE 4TH DAY OF\par \tab MAY ONE THOUSANT SEVERAL HUNDRED AND NINETY THREE\par \tab AND THE LAST DATED THE FIRST DAY OF NOVEMBER ONE THOUSANT\par \tab EIGHT HUNDRED YEAR ALL AS CONTAINED IN AN ACCOUNT CURRENT\par \tab BETWIXT HIM AND MESSRS. DOWNIE AND MAITLAND HIS AGENTS\par \tab AT CALCUTTA DATED 31/12/1800 YEARS THE FURTHER SUM OF TWENTY\par \tab THOUSANT DIVA RUPEES VESTED BY HIM IN THE SAID GOVERNMENT\par \tab SECURITIES BEING NUMBER FORTY EIGHT OF THE DECENNIAL LOAN\par \tab OBLIGATION DATED THE SIXTEENTH DAY OF NOVEMBER ONE THOUSAND\par \tab SEVEN HUNDRED AND NINETY EIGHT AND ALSO STOCK TO THE AMOUNT\par \tab OF EIGHT THOUSANT ONE HUNDRED AND FORTY ONE POUNDS VESTED\par \tab BY HIM IN THE THREE PERCENT CONSOLIDATED FUNDS OF GREAT\par \tab BRITAIN AND MANAGED ON HIS AMOUNT BY MESSRS. THOMAS COUTTS\par \tab AND CO BANKERS IN LONDON CONFORM TO THEIR AMOUNT CURRENT\par \tab WITH HIM THERE ANENT ENDING THE SIXTEENTH DAY OF MAY LAST\par \tab AND WHICH AMOUNT ARE SIGNED BY THE PARTIES OF THIS DATE AS\par \tab RELATIVE HERETO AND IN WHICH LAST SUM IS INCLUDED THE SUM\par \tab OF SIX HUNDRED POUNDS STERLING VESTED IN THE SAID FUNDS\par \tab SINCE THAT PERIOD WITH POWER TO THE SAID MISS KATHERINE\par \tab SUTHERLAND IN THE EVENT OF HER SURVIVING THE SAID AFFIDATE\par \tab SPOUSE OUT OF BOTH ARE EITHER OF THE SAID FUNDS THE SAID\par \tab YEARLY ANNUITY ACCEPTS AND DISCHARGES TO GRANT THEREFORE\par \tab AND GENERALLY EVERY OTHERTHING THEREANENT TO DO THAT\par \tab HE COULD HAVE DONE HIMSELF DURING HIS LIFETIME AND IF SHE\par \tab SHALL JUDGE IT MORE EXPEDIENT THE SAID COLL.ROBERT MCKINZIE\par \tab BINDS AND OBLIGES HIMSELF WHEN REQUIRED TO INVEST THE SAID\par \tab SUM OF FOUR THOUSANT POUNDS STERLING IN THE BRITISH FUNDS\par \tab IN HER NAME TO----- THE SAID ----- ANNUITY AND TO LAY\par \tab OUT THE SAME OR HERITABLE SECURITY AND TO TAKE THE SECURITY\par \tab THEREFORE PAYABLE TO HER IN LIFERENT DURING ALL THE DAYS\par \tab OF HER LIFETIME AND TO THE CHILDREN OF THE MARRIAGE IN THE\par \tab EVENTS PREMENTIONED IN FEE TO ANSWER IN WHOLE OR IN PART\par \tab AS CIRCUMSTANCES MAY BE THEIR SAID PROVISION DECLARING ALSO\par \tab THAT THE CHILDREN TO BE PROCREATE OF THE MARRIAGE SHALL DURING\par \tab THE LIFE OF THEIR FATHER BE MAINTAINED AND EDUCATED \par \tab SUITABLE O THEIR STATION BY HIM AND IN THE EVENT OF HIS DECEASE\par \tab PREVIOUS TO THEIR ARRIVING AT THE YEARS OF MAJORITY THAT THEIR\par \tab SAID MOTHER SHALL BE THEIR TUTORS AND CURATORS AND SHALL\par \tab UPLIFT RECEIVE AND DISCHARGE THE INTEREST OF THE MONEYS \par \tab BEFORE PROVIDED TO THEM UNTIL THEIR ARRIVAL AT THE AGE OF\par \tab FIFTEEN YEARS IF MALE CHILDREN ON THEIR MAJORITY AT\par \tab MARRIAGE IF FEMALE IN LIEU OF THEIR EDUCATION AND MAINTAINANCE\par \tab AND FURTHER THE SAID COLL. ROBERT MCKINZIE IN THE EVENT\par \tab OF THE SAID MISS KATHERINE SUTHERLAND SURVIVING HIM ASSIGNS\par \tab CONVEYS AND MAKES OVER TO HER HEIRS AND ASSIGNEES AS HER\par \tab OWN UNDOUBTED PROPERTY THE WHOLE HOSEHOLD FURNITURE\par \tab AND PLENISHING OF EVERY DENOMINATION BED AND TABLE LINEN\par \tab ----- AND TABLE CHINA SILVERPLATE AND IN GENERALL EVERY\par \tab ARTICLE OF HOUSEHOLD OF FURNITURE AND PLENISHING THAT\par \tab SHALL PERTAIN AND BELONG TO HIM OR BE IN COMMUNION\par \tab BETWIXT THEM AT THE TIME OF HIS DECEASE DISPENSING\par \tab WITH THE GENERALITY HEREOF AND ADMITTING THE SAME TO\par \tab BE EQUALLY GOOD VALID AND SUFFICIENT AS IF EVERY ARTICLE\par \tab THEN BELONGING TO HIM WERE HEREIN PARTICULARY INSERTED\par \tab MOREOVER THE SAID COLL.ROBERT MCKINZIE HEREBY RENOUNCES\par \tab AND GIVES UP FOR HIMSELF HIS HEIRS AND SUCCESSORS\par \tab ANY CLAIM OR TITLE HE MIGHT HAVE JURE MARITE OR OTHERWAYS\par \tab TO ANY MONEY MEANS OR EFFECTS PRESENTLY BELONGING TO THE\par \tab SAID MISS KATHERINE SUTHERLAND OR TO WHICH SHE MAY HEREAFTER\par

\tab HAVE RIGHT ANY MANNER OF WAY AND PARTICULARY WITHOUT\par \tab PREDUDICE TO THE GENERALITY FORESAID TO A BOND FOR FIVE\par \tab HUNDRED POUNDS STIRLING GRANTED TO HER BY SIR EWEN BAILLIE\par \tab OF THE EAST INDIA COMPANY SERVICE AND TO ANY CLAIM OF PROVISION\par \tab MADE IN HER FAVOUR BY HEIRS AND DECEASED FATHER DECLARING\par \tab THE SAME HER OWN PROPERTY AND AS HER DISPOSAL IN ANY\par \tab MANNER SHE MAY THINK PROPER WITHOUT HIS CONCENT\par \tab ARE APPROBATION AND FURTHER THE SAID COLL.ROBERT\par \tab MCKENZIE DISPONES CONVEYS AND MAKES OVER FROM HIM HIS HEIRS\par \tab AND SUCCESSORS TO AND IN FAVOUR OF THE SAID MISS KATHERINE\par \tab SUTHERLAND HIS AFFIDATE SPOUSE HIS HEIRS ASSIGNEES WHOMSOEVER\par \tab UNDER THE BURDEN OF THE PAYMENT OF THE YEARLY FEU DUTY PAYABLE\par \tab OUT THEREOF HERITABLE AND IRREDEEMABLE ALL AND HAILLE THAT\par \tab HOUSE LYING IN THE VILLAGE OF NEW TARBET CALLED MILMOUNT\par \tab CALLED MILLMOUNT WICH THE GARDEN BACK CLOSE \par \tab AND WHOLE PARTS PENDICLES AND PERTINENTS THERETO BELONGING\par \tab BOUNDED ON THE WEST BY THE HIGH ROAD LEADING THROUGH\par \tab MILMOUNT AND ON THE SOUTH BY THE WATER --- OR AS THE\par \tab SAME MAY BE OTHERWAYS BOUNDED AND DESCRIBED IN HIS RIGHTS AND \par \tab INFETMENTS THEREOF ALL LYING IN THE PARISH OF KILMUIR AND COUNTY\par \tab OF ROSS TOGETHER WITH ALL RIGHT AND CLAIM OF RIGHT OF PROPERTY\par \tab AND POSSESSION WHICH HE CAN CLAIM OR PRETEND THERETO ANY MANNER\par \tab OF WAY IN WHICH HOUSE WITH THE GARDEN AND PERTINENTS BEFORE\par \tab MENTIONED THE SAID COLL.ROBERT MCKINZIE BIND AND OBLIGES HIM HIS\par \tab HEIRS SUCCESSORS TO INFET AND LEASE THE SAID MISS KATHERINE\par \tab SUTHERLAND HIS AFFIDATE SPOUSE HERITABLE AND IRREDEEMABLE\par \tab AND THAT BY RESIGNATION OR CONFIRMATION OR BOTH THE ONE\par \tab WITHOUT PREJUDICE OF THE OTHER AND FOR EXPEDING THE SAID\par \tab INFETMENT BY RESIGNATION HEREBY MAKES AND CONSTITUTES\par \tab AND EACH OF THEM CONLLIE AND SEALLIE HIS UNDOUBTED ----\par \tab AND COMMISSIONERS TO THE OFFICE UNDER WRITEN GIVING GRANTING\par \tab AND COMMITTING TO THEM FULL POWER WARRANT AND COMMISSION\par \tab FOR HIM AND IN HIS NAME TO COMPEAR HERFOR\par \tab HIS IMMEDIATE LAWFULL SUPERIORS OF THE SAID SUBJECTS\par \tab OR THEIR COMMISSIONERS HAVING POWER TO RECEIVE RESIGNATIONS\par \tab AND TO GRANT NEW INFETMENTS THEREON AND THAT UPON\par \tab THE GROUND THEREOF AT ANY TIME LAWFULL AND CONVENIENT\par \tab AND THEM AND THERE WITH ALL DUE REVERENCE AND HUMILITY\par \tab AS BECOMES PURELY AND SIMPLY BY STAFF AND BATTON AS USE\par \tab IS TO RESIGN AND SURRENDER LIKEAS THE SAID COLL. ROBERT MCKINZIE\par \tab HEREBY RESIGNS RENOUNCES SURRENDERS UP GIVES OVER GIVES \par \tab AND DELIVERS ALL AND HAILLE THE HOUSE GARDEN AND PERTINENTS \par \tab CALLED MILLMOUNT LYING IN THE SAID VILLAGE OF MILMOUNT OF NEW\par \tab TARBET PARISH OF KILMUIR AND COUNTY OF ROSS AFORESAID AS \par \tab DESCRIBED AND HEREHELD AS REPEATED BREVALITIS CAUSA OR AS\par \tab THE SAME ARE MORE PARTICULARY BOUNDED AND DESCRIBED IN HIS \par \tab RIGHTS AND INFETMENTS THEREOF INTO THE HANDS OF HIS \par \tab IMMEDIATE LAWFULL SUPERIORS THEREOF IN FAVOUR AND FOR\par \tab NEW INFETMENTS OF THE SAME TO BE MADE GIVEN AND GRANTED\par \tab TO THE SAID MISS KATHERINE SUTHERLAND HIS AFFIDATE SPOUSE\par \tab IN SUCH DUE AND COMPETENT FORM AS OFFERS ALL INSTRUMENTS\par \tab AND DOCUMENTS THEREAPON TO TAKE AND GENERALLY EVERY\par \tab OTHERTHING THEREANNENT TO DO WHICH HE COULD DO \par \tab HIMSELF IF PERSONALLY PRESENT ALL WHICH HE HEREBY PROMISES\par \tab TO HOLD FIRM AND STABLE WITHOUT RESERVATION WHICH DISPOSITION\par \tab AND SUBJECTS THEREBY CONVEYED THE SAID COLL. ROBERT MCKINZIE\par \tab BINDS AND OBLIGES HIM HIS HEIRS AND SUCCESSORS TO WARRANT TO\par \tab THE SAID MISS KATHERINE SUTHERLAND HIS AFFIDATE SPOUSE AND\par \tab HER FORESAIDS AS ALL HANDS AND AGAINST ALL DEADLY AS LAW\par \tab WILL AND HEREBY MAKES AND CONSTITUTES THE SAID MISS KATHERINE\par \tab SUTHERLAND AND HER FORSAIDS HIS COMMISSIONERS AND ASSIGNEES\par \tab NOT ONLY IN AND TO THE RENTS MAILLS AND DUTIES THEREOF IN TIME\par \tab COMING BUT ALSO IN AND TO THE TITLES WRITS AND EVIDENTS THEREOF\par \tab CONCEIVED INFAVOUR OF HIM HIS PREDECESSORS OR AUTHORS AND WHICH\par \tab ASSIGNATION

ABOVE WRITEN HE HEREBY BINDS AND OBLIGES HIM\par \tab AND HIS FORESAID TO WARRANT AS FOLLOW VIZ. IN SO FAR AS CONCERNS\par \tab THE WRITS AND EVIDENTS AS ALL HANDS AND AGAINST ALL DEADLY AS LAW\par \tab WILL AND IN SO FAR AS CONCERNS THE RENTS MAILLS AND DUTIES FROM\par \tab HIS OWN PROPER FAILS AND DEEDS ALL NAMELY AND IT IS HEREBY AGREED\par \tab UPON BETWIX THE PARTIES THAT EXECUTION SHALL PASS HEREON AT THE\par \tab INSTANCE OF THE SAID CAPTAIN GEORGE SACKVILLE SUTHERLAND\par \tab ROBERT SUTHERLAND ESQ. OF THE ISLAND OF ST VINCENT AND COLL.\par \tab ALEXANDER BAILLIE OF KNOCHBRACHE OR ANY ONE OR MORE OF THEM\par \tab OR THEIR HEIRS AGAINST THE SAID COLL. ROBERT MCKINZIE FOR\par \tab IMPLEMENT AND PERFORMANCE IN FAVOUYR OF THE SAID MISS KATHERINE\par \tab SUTHERLAND AND THE ISSUE OF THE SAID MARRIAGE OF THE PROVISION\par \tab AND PRESTATIONS ABOVE WRITEN CONCEIVED IN THEIR FAVOUR AND\par \tab DECLARING THAT THE PRESENT MARRIAGE SHOULD ABSOLVE -----\par \tab YEARS AND DAY FROM THE SOLEMNIZATION THEREOF WITHOUT A\par \tab LIVING CHILD BEING HEARD BUT YET THIS PRESENT CONTRACT SHALL\par \tab SUBSIST IN ITS FULL FORCE AND EFFECT IN FAVOUR OF THE SAID\par \tab MISS KATHERINE SUTHERLAND ANY LAW OR PRACTICE TO THE \par \tab CONTRARY NOTWITHSTANDING AND THEY CONSENT TO THE\par \tab RESIGNATION HEREOF IN THE BOOKS OF COUNCIL AND SESSION\par \tab OTHER COMPETENT THEREIN TO REMAIN FOR PRESERVATION\par \tab AND IF NEED BE THAT ALL EXECUTION NECESSARY MAY\par \tab PASS AND BE DIRECT HEREIN AS OFFERS AND THERETO\par \tab THEY CONSTITUTE THEIR PROCULATORS AND COMMISSIONERS\par \tab ALL TO THE EFFECT THE SAID MISS KATHERINE SUTHERLAND\par \tab MAY BE INFECT AND LEASED IN THE SAID HOUSE GARDEN AND \par \tab PERTINENTS THE SAID COLL.ROBERT MCKINZIE HEREBY DESIRES AND\par \tab REQUIRES YOU AND EACH OF YOU CONLLIE AND SEALLIE HIS BAILLIES\par \tab IN THAT PART HEREBY SPEEDILY CONSTITUTE THESE PRESENTS\par \tab ----- PASS TO THE SAID SUBJECTS AND THERE GIVE AND DELIVER\par \tab TO THE SAID MISS KATHERINE SUTHERLAND HERITABLE STATE\par \tab AND SASINE REAL AND ACTUALL AND CORPOREAL POSSESSION\par \tab OF ALL AND HAILLE THE HOUSE GARDEN AND PERTINENTS BEFORE\par \tab DESCRIBED OR AS THE SAME ARE MORE PARTICULARY DESCRIBED \par \tab IN HIS RIGHTS AND INFECTMENTS THEREOF AND HERE HELD\par \tab AS REPEATED BREVITATIS CAUSA CALLED MILLMOUNT IN THE\par \tab SAID VILLAGE OF MILLMOUNT OF NEW TARBET PARISH OF KILMUIR\par \tab AND COUNTY OF ROSS WITH THE WHOLE PARTS PENDICLES AND\par \tab PERTINENTS THERETO BELONGING AND THAT BY DELIVERING \par \tab TO THE SAID MISS KATHERINE SUTHERLAND OR HER ATTORNEY\par \tab OR ATTORNEYS WHOM NAME BEARER HEREOF\par \tab -----
-----\par \tab SYMBOLLS USUALL AND NECESSARY BUT ALWAYS UNDER THE\par \tab BURDEN OF THE FEU DUTY PAYABLE OUT THEREOF AND THIS IN\par \tab NOWAYS LEAVE UNDONE THE WHICH TO DO THE SAID COLL.\par \tab ROBERT MACKENZIE COMMITTS TO YOU AND EACH OF YOU\par \tab CONLLIE AND SEALLIE AS SAID IS HIS FULL POWER BY THIS HIS\par \tab PRECEPT OF SASINE DIRECTED TO YOU FOR THAT EFFECT\par \tab IN WITNESS WHEREOF BOTH PARTIES HAVE SUBSCRIBED THESE\par \tab PRESENTS TOGETHER WITH ANOTHER DUPLICATE HEREOF WROTE\par \tab UPON THIS AND THE SIX PRECEEDING PAGES OF PAPER DULY STAMPED\par \tab WORDING TO LAW BY THOMAS SUTER SHERIFF CLERK OF ROSS\par \tab\cf1 BRAILANGWELL\cf2 THE FIFETEENTH DAY OF AUGUST 1801 YEARS\par \tab BEFORE THESE WITNESSES THE SAID COLL.ALEXANDER BAILLIE OF\par \tab KNOCHBRECK MR ALEXANDER BAILLIE HIS SON AND THE SAID\par \tab THOMAS SUTER WRITER HEREOF.\par \par \par \tab\cf1 ROBERT MCKINZIE\par \tab KATHARINE SUTHERLAND\par \tab GEORGE SACKVILLE SUTHERLAND\par \tab ALEXANDER BAILLIE WITNESS\par \tab ALEXANDER BAILLIE HIS SON WITNESS\par \tab THOMAS SUTER WITNESS\cf0\par \par \par \pard\fi-568\li568\ri-926\tab RS3 /1528\par \tab LORD MCDONALD TO THE COMMISSIONERS TO HIGHLAND CHURCH'S\par \tab\par \tab AT EDINBURGH 26 DECEMBER 1828 YEARS BETWEEN THE HOURS OF\par \tab THREE AND FOUR AFTER NOON THE CONVEYANCE UNDER WRITEN\par \tab WAS PRESENTED BY ADAM HATTON WRITER IN EDINBURGH AND\par \tab IS RECORDED IN THE ONE THOUSANT FIVE HUNDRED AND TWENTY\par \tab\par \tab EIGHTH BOOK OF THE NEW GENERAL REGISTER OF SASINES \par \tab REVERSIONS AND CONFORM TO THE ACT OF PARLIAMENT MADE\par \tab THEREANENT IN JUNE 1617 AND WHEREOF THE TENOR FOLLOWS\par \tab VIZ... I THE RIGHT

HONOURABLE SIR GODFREY BOSVILLE \par \tab MACDONALD BARONET LORD MACDONALD HERITABLE PROPRIETOR\par \tab OF THE SUBJECTS AFTER CONVEYED AS HEIR OF ENTAIL SPECIALLY\par \tab EMPOWERED TO AUTHORISED TO GRANT THE CONVEYANCE UNDER\par \tab WRITTEN BY VIRTUE OF THE ACT OF PARLIAMENT HEREIN AFTER\par \tab RECITED WHEREBY SECTION NINTH IT IS INTER ALIA ENACTED\par \tab THAT IT SHALL AND MAY BE LAWFUL FOR ANY HEIR OF ENTAIL\par \tab IN SCOTLAND WITH OR WITHOUT VALUABLE CONSIDERATION\par \tab TO GIVE AND GRANT HERITABLY AND IRREDEMABLY TO THE\par \tab COMMISSIONERS ACTING IN THE EXECUTION OF THE SAID\par \tab ACT OF PARLIAMENT SUCH LAND OR HERITAGE BELONGING TO\par \tab THEM AS MAY BE NECESSARY FOR ALL OR ANY OF THE \par \tab PURPOSES SPECIFIED THEREIN DO HEREBY GRANT DISPONE \par \tab AND CONVEY FROM ME AND MY HEIRS OF ENTAIL IN THE LANDS \par \tab AND OTHERS AFTER MENTIONED TO THE COMMISSIONERS\par \tab ACTING IN THE EXECUTION OF THE SAID ACT OF PARLIAMENT\par \tab PASSED IN THE FIFTH YEAR OF THE REIGN OF HIS MAJESTY\par \tab KING GEORGE THE \tab FOURTH ENTITLED AN ACT TO AMEND\par \tab AN ACT FOR BUILDING ADDITIONAL PLACES OF WORSHIP\par \tab IN THE HIGHLANDS AND ISLANDS OF SCOTLAND ALL\par \tab AND WHOLE THAT PIECE OF GROUND NEARLY OF A RECTANGULAR\par \tab FORM PART OF THE FARM \cf1 GEARRIGHFADA \cf2 AND JOINING THE\par \tab FARM OF \cf1 STENSCHOLL \cf2 DISTRICT OF \cf1 TROTTERNISH \cf2 IN THE\par \tab\cf1 ISLAND OF SKYE \cf2 UPON WHICH THE SAID COMMISSIONERS HAVE\par \tab UNDER THE PROVISIONS OF THE SAID ACT OF PARLIAMENT\par \tab ERECTED A CHURCH AND A MANSE OR DWELLING HOUSE\par \tab FOR THE MINISTER TO BE APPOINTED TO OFFICIATE\par \tab AT THE SAID CHURCH A PORTION OF WHICH GROUND LYING\par \tab TOWARD THE CENTRE OF THE SAID PIECE OF GROUND AND APON\par \tab WHICH BOTH THE SAID CHURCH AND MANSE HAVE BEEN BUILT\par \tab AS APPROPRIATED AS A GARDEN BEING INCLOSED WITH STONE WALLS\par \tab ERECTED BY THE SAID COMMISSIONERS AND THE REMAINDER\par \tab OF WHICH PIECE OF GROUND LYING BOTH TO THE SOUTH AND NORTH\par \tab OF THE SAID GARDEN IS APPROPRIATED AS A GLEBE FOR THE\par \tab USE OF THE SAID MINISTER WHICH PIECE OF GROUND INCLUDING\par \tab THE SITE OF THE SAID CHURCH AND MANSE THE GARDEN\par \tab AND THE GLEBE CONTAINED AN AREA OF \cf1 2 ACRES 3 ROODS\par \tab 19 FALLS AND ONE EL \cf2 OR THEREBY IN SCOTS LAND\par \tab MEASURE LIES WHOLLY WITHIN THE SAID FARM OF \cf1 GEARRIGHFADA\par \tab\cf2 ON THE SOUTH SIDE OR RIGHT BANK OF THE RIVER \cf1 KILMARTIN\par \tab\cf2 WHICH IS THE BOUNDARY OF THE SAID PIECE OF LAND ON THE\par \tab NORTH AND OPPOSITE TO THE FARM OF \cf1 STENSCHOLL \cf2 AND THE\par \tab BOUNDERIES OF WHICH SO FAR AS NOT DESIGNATED BY THE STONE\par \tab WALLS OF THE SAID GARDEN AND THE SAID RIVER OF KILMARTIN\par \tab ARE MARKED ON THE SOUTH EAST AND WEST SIDES BY MARCH\par \tab STONES INFIXED AND WHICH PIECE OF GROUND IS DESCRIBED\par \tab ON A PLAN OR SKETCH MADE BY \cf1 MR JOSEPH MITCHELL SURVEYOR\par \tab\cf2 EMPLOYED BY THE SAID COMMISSIONERS AND SUBSCRIBED BY ME AS\par \tab RELATIVE TO THESE PRESENTS AND IS PART AND PORTION OF\par \tab MY SAID FARM OF \cf1 GEARRIGHFADA \cf2 LYING IN THE \cf1 ISLAND OF SKYE\par \tab\cf2 WITHIN THE BARONY OF \cf1 MACDONALD \cf2 PARISH OF \cf1 KILMUIR\par \tab\cf2 LORDSHIP OF THE ISLES AND SHERIFFDOM OF INVERNESS\par \tab TOGETHER WITH THE LANDS PARSONAGE AND VICARAGE\par \tab OF THE SAID PIECE OF GROUND HEREBY CONVEY AND\par \tab ALL MY RIGHT TITLE AND INTEREST IN AND TO THE SAID\par \tab SUBJECT AND EVERY PART THEREOF WITH FREE ISH AND\par \tab ENTRY TO THE SAID PIECE OF GROUND HEREBY DISPONED\par \tab AND WITH THE PRIVILIGE TO THE MINISTER OF \cf1 STENSCHOLL\par \tab\cf2 OR \cf1 GEARRIGHFADA\cf2 AND HIS SUCCESSORS IN OFFICE OF\par \tab CUTTING WINNING AND CARVING AWAY PEATS FROM\par \tab ONE OF THE MOSSES IN THE CONVENIENT NEIGHBOURHOOD\par \tab BELONGING TO ME AND ALSO WITH THE PRIVILEGE OF\par \tab GRAZING HIS HORSE AND TWO COWS UPON ONE OF THE\par \tab FARMS IN THE CONVENIENT NEIGHBORHOOD BELONGING\par \tab TO ME AS THE SAME SHALL BE FIXED FOR THE TIME BEING\par \tab BY ME AND MY FORESAIDS AND SHALL BE POINTED OUT BY OUR\par \tab CHAMBERLAIN TO HOLD TO THE SAME COMMISSIONERS OR SUCH\par \tab PERSON OR PERSONS AS THEY SHALL APPOINT TO BE DEVOTED\par \tab FOR EVER TO THE PURPOSES SPECIFIED IN AND BY VIRTUE\par \tab OF AND ACCORDING TO THE TRUE INTENT AND MEANING\par \tab OF THE SAID ACT PASSED IN THE FIFTH YEAR OF

THE REIGN OF HIS PRESENT MAJESTY AND I THE SAID LORD
MACDONALD BIND AND OBLIGE MY SELF AND THE HEIRS OF ENTAIL
SUCCEEDING TO ME IN THE SAID BARONY OF MACDONALD TO FREE AND RELIEVE
THE SAID SUBJECTS BEFORE DISPOSED OF ALL CHURCH MINISTERS STIPEND
SCHOOLMASTERS SALARY FEU DUTY AND ALL OTHER PUBLIC AND PAROCHIAL
BURDENS FROM AND AFTER THE TERM OF WHITSUNDAY 1828 WHICH IS
HEREBY DECLARED TO HAVE BEEN THE TERM OF THE SAID COMMISSIONERS
ENTRY TO THE PREMISES AND FURTHER IN RESPECT THAT IT IS NECESSARY
THAT EFFECTUAL PROVISION SHOULD BE MADE FOR THE REPAIR OF SUCH
PLACES OF WORSHIP AND DWELLING HOUSES AND PREMISES THERETO
ATTACHED AFTER THEY SHALL HAVE BEEN BUILT OR PROVIDED SO IT IS BY
THE EIGHTEENTH SECTION OF THE SAID RECITED ACT ENACTED THAT WITH
RESPECT TO EVERY SUCH ADDITIONAL PLACE OF WORSHIP THE HERITOR OR
ANY TWO OF THE HERITORS APPLYING FOR THE SAME HIS OR THEIR HEIRS
AND SUCCESSORS IN THE LANDS SITUATED WITHIN THE DISTRICT FOR WHICH
SUCH ADDITIONAL PLACE OF WORSHIP SHALL BE SET APART TO BE SPECIFIED
AND DESCRIBED FOR THAT PURPOSE SHALL BY SUCH APPLICATION BE AND
BECOME BOUND TO KEEP AND MAINTAIN SUCH ADDITIONAL PLACE OF WORSHIP IN
GOOD AND SUFFICIENT REPAIR TO THE EXTENT HEREIN AFTER LIMITED THAT IS
TO SAY PROVIDED ALWAYS THAT THE PRESENT OF SUCH ADDITIONAL PLACE
OF WORSHIP SHALL BE APPLIED TOWARDS THE REPAIR OF SUCH ADDITIONAL
PLACE OF WORSHIP AND ALSO OF THE DWELLING HOUSE AND OFFICES OF THE
MINISTER IN FIRST INSTANCE UNDER THE DIRECTION OF THE SURVEYOR
APPOINTED BY THE COMMISSIONERS AND IN DEFAULT OF HIS GIVING SUCH
DIRECTIONS DURING ONE WHOLE YEAR THEN UNDER THE DIRECTIONS OF THE
HERITOR OR HERITORS UNDERTAKING FOR THE REPAIR OF SUCH ADDITIONAL
PLACE OF WORSHIP OF THE MINISTER AND OF THE OFFICIATING ELDERS WHO
ARE ALSO HEREBY EMPOWERED TO GIVE DIRECTION FOR SMALL REPAIRS AT ANY
TIME WHEN REQUISITE AND PROVIDED FURTHER THAT AFTER THE APPLICATION
OF THE PEW RENTS THE EXPENSE TO BE DEFRAIDED BY THE SAID HERITOR OR
HERITORS SO APPLYING HIS OR THEIR HEIRS AND SUCCESSORS AS AFORESAID
SHALL NOT IN ANY ONE YEAR EXCEED THE SUM OF ONE PER CENTUM UPON THE
AMOUNT OF THE MONEY ORIGINALLY EXPENDED IN THE BUILDING OR PURCHASING
AND COMPLETING SUCH ADDITIONAL PLACE OF WORSHIP OR IN CASE OF GIFT OF
ANY BUILDING FOR THAT PURPOSE IN LIKE MANNER NOT EXCEEDING ONE PER
CENTUM UPON THE ORIGINAL VALUE OF THE SAME AS ESTIMATED BY THE
SURVEYOR OF THE COMMISSIONERS TO WHICH EXTENT AND NO FURTHER THE SAID
HERITOR OR HERITOR SHALL BE COMPELLABLE TO REPAIR THE SAME IN SUCH
MANNER AS HERITORS ARE COMPELLABLE BY LAW TO REPAIR PARISH CHURCHES
IN SCOTLAND BUT IT IS FURTHER ENACTED THAT THE PEW RENTS AS BEFORE
MENTIONED SHALL ALSO BE SET APART AND APPLIED TO A CERTAIN EXTENT TO
THE REPAIR OF THE MINISTERS DWELLING HOUSE AND OFFICES AS WELL AS TO
THE REPAIR OF THE SAID ADDITIONAL PLACE OF WORSHIP THEREFOR I THE SAID
LORD MACDONALD DO CONFESS AND DECLARE THAT IN RESPECT OF MY HAVING
BEEN THE APPLYING HERITOR FOR THE SAID ADDITIONAL PLACE OF WORSHIP AT
STENSCHOLL THE FOLLOWING PARTS AND PORTIONS OF MY LANDS AT LEAST SO
MUCH THEREFOR AS SHALL BE FOUND TO LIE WITHIN THE DISTRICT TO BE SET
APART FOR THE SAID ADDITIONAL PLACE OF WORSHIP TOGETHER WITH ANY
OTHER LANDS BELONGING TO ME WHICH SHALL BE FOUND TO LIE WITHIN THE
DISTRICT TO BE SET APART FOR THE SAID ADDITIONAL PLACE OF WORSHIP
ARE UNDER THE SAID ACT OF PARLIAMENT BURDENED AND AFFECTED IN THE
PERSONS OF ME AND MY HEIRS OF ENTAIL IN THE SAID LANDS IN A REAL BURDEN
IS ERECTED THEREON IN FAVOUR OF THE SAID COMMISSIONER BY AND THROUGH
THE OBLIGATION TO KEEP AND MAINTAIN THE SAID ADDITIONAL PLACE OF
WORSHIP IN GOOD AND SUFFICIENT REPAIR IN THE MANNER WHICH IS IN THE
SAID ACT OF PARLIAMENT PROVIDED VIZ... ALL AND WHOLE THE SAID FARMS OF

\tab\cf1 GARRIGHFADA \cf2 AND \cf1 STENSCHOLL \cf2 PARTS OF THE LANDS AND BARONY\par \tab OF \cf1 MACDONALD \cf2 PARISH OF \cf1 KILMUIR WESTER \cf2 AND SHERIFFDOM\par \tab OF INVERNESS AND IN FURTHER CORROBORATION OF THE SAID\par \tab OBLIGATION I DO BY THESE PRESENTS BEND AND OBLIGE\par \tab MYSELF AND MY HEIRS AND SUCCESSORS AND SPECIALLY\par \tab MY HEIRS AND SUCCESSIONS IN THE LANDS SITUATED WITHIN\par \tab THE DISTRICT TO BE SET APART FOR THE SAID ADDITIONAL\par \tab PLACE OF WORSHIP TO KEEP AND MAINTAIN THE SAID\par \tab ADDITIONAL PLACE OF WORSHIP IN GOOD AND SUFFICIENT\par \tab REPAIR TO THE EXTENT LIMITED AND AS PROVIDED BY THE SAID\par \tab ACT OF PARLIAMENT THE MAXIMUM IN ANY ONE YEAR BEING IN THE \par \tab PRESENT CASE ONE PER CENTUM UPON THE SUM OF SEVEN HUNDRED\par \tab AND FIFTY POUNDS STERLING BEING THE AMOUNT OF THE MONEY\par \tab ORIGINALLY EXPENDED IN BUILDING THE SAID CHURCH AND \par \tab DO FURTHER BEND AND OBLIGE MYSELF AND MY FORESAIDS\par \tab TO GRANT SUBSCRIBE AND DELIVER AT THE EXPENSE OF THE SAID\par \tab COMMISSIONERS AND OTHER OBLIGATION DEED OR OTHER WRITING\par \tab WHICH THEY MAY REQUIRE OR DEMAND FOR BETTER OR MORE\par \tab EFFECTUALLY CONVEYING THE SAID PIECE OF GROUND AND OTHER\par \tab TO THE SAID COMMISSIONERS AND CONFIRMING THE SAID \par \tab OBLIGATION HEREIN CONTAINED AGAINST ME MY HEIRS\par \tab AND SUCCESSORS AND SPECIALLY MY HEIRS AND SUCCESSORS\par \tab IN THE LANDS SITUATED WITHIN THE SAID DISTRICT DECLARING \par \tab ALWAYS AS IT IS HEREBY EXPRESSLY PROVIDED AND DECLARED\par \tab THAT NOTHING CONTAINED IN THE PRECEDING OBLIGATION SHALL\par \tab INFER AN IRRITANCY AGAINST ME OR MY FORESAIDS UNDER THE \par \tab ENTAIL OF SAID LANDS AND BARONY OF \cf1 MACDONALD \cf2 NOR\par \tab BE CONSTRUED TO AFFECT OR BURDEN THE LANDS BEFORE\par \tab DESCRIBED FOR THE PURPOSE OF THE REPAIR OF THE SAID\par \tab PLACE OF WORSHIP IN ANY MANNER INCONSISTENT\par \tab WITH THE CONDITIONS OF THE SAID ENTAIL EXCEPT IN SO FAR AS\par \tab I AM AUTHORISED TO GRANT THE SAID OBLIGATION TO THE\par \tab EFFECT FORESAID BY AND THROUGH THE BEFORE RECITED\par \tab ACT OF PARLIAMENT AND WITH AND UNDER WHICH PROVISION\par \tab AND DECLARATION THE FORESAID OBLIGATION IN\par \tab SO FAR AS AFFECTS THE SAID ENTAILED ESTATE OR ANY PART OF IT\par \tab IS GRANTED AND NO OTHERWISE AND I CONSENT TO THE \par \tab REGISTRATION HEREOF IN THE GENERAL OR PARTICULAR\par \tab REGISTER OF SASINES FOR PUBLICATION AND IN THE BOOKS OF\par \tab COUNCIL AND SESSION FOR PRESERVATION AND THAT ALL\par \tab NECESSARY EXECUTION MAY PASS HEREON IN FORM AS EFFECTS\par \tab AND FOR THAT PURPOSE CONSTITUTE MY PROCURATORS\par \tab AND IN WITNESS WHEREOF I HAVE SET MY HAND TO THESE \par \tab PRESENTS WRITTEN APON THIS AND THE TWO PRECEDING\par \tab PAGES OF STAMPED PAPER BY \cf1 JAMES HATTON \cf2 CLERK TO\cf1\par \tab JAMES HOPE\cf2 WRITER TO THE SIGNET TOGETHER WITH\par \tab THE MARGINAL NOTE ON PAGE THIRD HEREOF ALSO WRITTEN\par \tab BY THE SAID \cf1 JAMES HATTON \cf2 AT EDINBURGH THE TWENTY\par \tab SECOND DAY OF DECEMBER EIGHTEEN HUNDRED AND TWENTY\par \tab EIGHT BEFORE THESE WITNESSES \cf1 EDWARD HILLMAN \cf2 FOOTMAN\par \tab AND \cf1 L.HALLMAN\cf2 UNDER BUTLER TO ME THE SAID \cf1 LORD\par \tab MACDONALD \cf2 SIGNED \cf1 MACDONALD EDWARD HILLMAN \cf2 WITNESS\par \tab\cf1 L.HALLAM \cf2 WRITEN BY \cf1 A.RUSSELL.\par \pard\cf0\par }

[30]

[edit](#) **SIR ALEXANDER MACKENZIE
BARONET/PAULM594**

{\rtf1\ansi\ansicpg1252\deff0\deflang1033{\fonttbl{\f0\froman\prq2\fcharset0 Georgia;}{\f1\fswiss\fcharset0 Arial;}} {\colortbl ;\red255\green0\blue0;\red0\green0\blue128;\red0\green0\blue255;} {*\generator Msftedit 5.41.15.1503;} \viewkind4\uc1\pard\cf1\fs16 ASSIGNATION BY SIR JAMES SUTHERLAND MACKENZIE BT TO JOSEPH WILLIAM FORBES ESQ EDINBURGH 5TH SEPTEMBER 1851 \par I SIR JAMES SUTHERLAND MACKENZIE OF TARBAT BARONET PRESENTLY RESIDING IN LONDON CONSIDERING THAT I AM INDEBTED TO JOSEPH WILLIAM FORBES ESQUIRE PRESENTLY RESIDING AT HARTFIELD COTTAGE NEAR TAIN IN THE SUM OF SIX HUNDRED AND SIXTY POUNDS STERLING AS CONTAINED IN MY PROMISSORY NOTE TO HIM OF EQUAL DATE WITH THESE PRESENTS AND PAYABLE TWELVE MONTHS AFTER DATE AND ALSO CONSIDERING THAT AS A CONDITION OF THE SAID JOSEPH WILLIAM FORBES ADVANCING THE FORESAID SUM TO ME IT WAS AGREED THAT I SHOULD GRANT TO HIM THE ASSIGNATION UNDER WRITTEN THEREFOR AND FOR THE SAID JOSEPH FORBES HIS FARTHER SECURITY OF THE PAYMENT OF THE FORESAID SUM OF SIX HUNDRED AND SIXTY POUNDS STERLING AND INTEREST THEREON AND EXPENCES AS AFTER STATED THEREBY MAKE AND CONSTITUTE THE SAID JOSEPH WILLIAM FORBES AND HIS HEIRS EXECUTORS OR ASSIGNEES MY LAWFUL SESSIONERS AND ASSIGNEES NOT ONLY IN AND TO THE SUM OF THREE THOUSAND THREE HUNDRED AND NINETEEN POUNDS AND FIVE PENCE ONE THIRD OF A PENNY STERLING CONTAINED IN A BOND DATED THE NINETEENTH DAY OF FEBRUARY AND EIGHTEENTH DAY OF MARCH BOTH IN THE YEAR EIGHTEEN HUNDRED AND THIRTY FIVE GRANTED BY JOHN HAY MACKENZIE OF CROMARTY ESQUIRE ONLY SON OF THE HONOURABLE MRS MARIA MURRAY HAY MACKENZIE AND THE SAID MRS MARIA MURRAY HAY MACKENZIE TO THE DECEASED SIR ALEXANDER MACKENZIE OF TARBAT BARONET MY FATHER WHOM FAILING TO THE PARTIES THEREIN MENTIONED AND TO WHICH I HAVE NOW THE RIGHT AND TO THE INTEREST DUE OR THAT MAY BECOME DUE THEREON FROM AND AFTER THE TERM OF WHITSUNDAY LAST WITH LIQUIDATE PENALTY AND TERMLY FAILURES THEREIN SPECIFIED AND ALSO IN AND TO THE SUM OF ONE THOUSAND AND FIFTY POUNDS STERLING CONTAINED IN AND DUE BY A BILL DRAWN BY JOSEPH GORDON WRITER TO THE SIGNET AND ALEXANDER STUART WRITER IN EDINBURGH FOR BEHOOF OF ME AND THE HEIRS SUCCEEDING TO ME AS THEREIN STATED UPON AND ACCEPTED BY MESSIEURS J.R.BOWINE AND COMPANY PEAK ALUM WORKS THOMAS RYMER BOWINE ESQUIRE AND CHARLES LIDDEL ESQUIRE NEAR WHITBY CONJUNCTLY AND SEVERALLY WHICH BI IS DATED THE TWELVE DAY OF MAY EIGHTEEN HUNDRED AND FORTY SEVEN AND IS PAYABLE TWELVE MONTHS AFTER DATE BUT ALSO IN AND TO THE SAID BOND AND BILL THEMSELVES WHOLE TENOR AND CONTENTS THEREOF WITH ALL THAT BHAS FOLLOWED OR IS COMPETENT TO FOLLOW THEREON SURROGATING AND SUBSTITUTING THE SAID JOSEPH WILLIAM FORBES AND HIS FORESAIDS IN MY FULL RIGHT AND PLACE OF THE PREMISES WITH FULL POWER TO HIM AND THEM TO DEMAND SUE FOR AND RECOVER PAYMENT OF THE SUMS THEREBY DUE TO GRANT RECEIPTS AND DISCHARGE WHICH SHAL BE SUFFICIENT TO THE RECEIVER AND ASSIGNATIONS TRANSLATIONS AND CONVEYANCES OF THE SAID BOND AND BILL ON PAYMENT THEREOF BEING RESPECTIVELY MADE AND GENERALLY TO DO EVERY OTHER THING IN THE PREMISES WHICH I COULD HAVE DONE BEFORE GRANTING HEREOF WHICH ASSIGNATION I BIND AND OBLIGE MYSELF MY HEIRS EXECUTORS AND SUUCCESSORS TO WARRANT TO THE SAID JOSEPH WILLIAM FORBES AND HIS FORESAIDS FROM ALL FACTO AND DEEDS DONE OR TO BE DONE BY ME IN PREJUDICE HEREOF DECLAIRING ALWAYS THAT THE SAID JOSEPH WILLIAM FORBES AND HIS FORESAIDS SHAL BE BOUND AND OBLIGED AS BY ACCEPTATION HEREOF THEY BIND AND OBLIGE THEMSELVES TO HOLD JUST COUNT AND RECKONING WITH ME AND MY FORESAIDS SUMS THEY MAY RECOVER IN VIRTUE OF THE SAID BOND AND BILL RESPECTIVELLY ABOVE ASSIGNED AND TO IMPUTE

THE SAME PROTANTO IN EXTINCTION OF THE FORESAID SUM OF SIX HUNDRED AND SIXTY POUNDS STERLING INTEREST WHICH MAY BECOME DUE THEREON AND EXPENCES WHICH MAY BE INCURRED BY THEM AS AFTER STATED AND FARTHER DECLARING THAT THEY SHALL BE BOUND AND OBLIGED ON THEIR RECEIVING PAYMENT IN VIRTUE OF THIS ASSIGNATION IN SECURITY OF THE WHOLE OF THE SUMS OF PRINCIPAL INTEREST AND EXPENCES AS SAID IS OR ON PAYMENT BY ME OR MY FORESAIDS TO THEM OF THE SAME AND OF ALL EXPENCES AS THE SAME MAY BE DISBURSED OR INCURRED BY THEM TO THEIR OWN AGENTS IN RECOVING PAYMENT OF THE FORESAID PRINCIPAL SUM AND INTEREST WHICH MAY BECOME DUE THEREON AND AS THE SAME SHALL BE ASCERTAINED BY THEIR WRIT OR OATH TO ME AND MY FORESAIDS AT OUR EXPENSE IN THE FULL RIGHT OF THE BOND AND BILL SUMS THEREBY DUE ASSIGNED IN SECURITY AS AFORESAID OR TO MAKE PAYMENT TO US OF ANY BALANCE THAT MAY REMAIN IN THEIR HANDS AFTER DEDUCTING THE SAID SUMS AND I BIND AND OBLIGE MYSELF AND MY FORESAIDS TO MAKE THE SAID BOND AND BILL FORTHCOMING TO THE SAID JOSEPH WILLIAM FORBES AND HIS FORESAIDS TO BE KEPT AND USED BY THEM AS THEIR OWN PROPER WRITS AND EVIDENTS IN TIME COMING AND I CONSENT TO THE REGISTRATION HEREOF IN THE BOOKS OF COUNCIL AND SESSION OR OTHERS COMPETENT THEREIN TO REMAIN FOR PRESERVATION AND IF NECESSARY THAT LETERS OF HORNING ON SIX DAYS CHARGE AND ALL OTHER LEGAL EXECUTION MAY PASS UPON A DECREET TO BE INTERPONED HERETO IN FORM AS EFFECTS AND FOR THAT EFECT I CONSTITUTE MY PROCURATORS IN WITNESS WHEREOF I HAVE SUBSCRIBBED THESE PRESENTS WRITEN ON THIS AND THE PRECEDING PAGE OF STAMPED PAPER BY ALEXANDER DAVIDSON VEITCH APPRENTICE TO WILIAM MASON SOLICITORS SUPREME COURT EDINBURGH AND HERETO SET AND AFFIXED MY SEAL AT LONDON THE TWENTY THIRD DAY OF SEPTEMBER EIGHTEEN HUNDRED AND FIFTY YEARS BEFORE THESE WITNESSES HENRY VALLANCE ESQUIRE SOLICITOR IN LONDON AND JOHN NEWSHAM HIS CLERK THE PLACE AND DATE OF SIGNING AND SEALING AND WITNESSES NAMES AND DESIGNATION BEING WRITTEN BY THE SAID JOHN NEWSHAM SIGNED \cf2 JAMES SUTHERLAND MACKENZIE SIGNED SEALED DELIVERED IN PRESENCE J.VALLANCE, SPER AND SHAND LONDON, IN. NEWSHAM HIS CLERK WITNESS\par \cf3 EDINBURGH 12 OCTOBER 1850 ON THE PART OF MESSR BOWINE COMPANY WE ACKNOWLEDGE INTIMATION TO USE THIS INSTRUMENT PURPORTING TO BE AN ASSIGNATION OF CERTAIN SUMS CONSTITUTING THE RESIDUE OF THE PRICE OF THE ENTAILED ESTATE OF ROYSTON WE ARE NOT TO BE HELD AS ADMITTING THAT THE GRANTER HEIR ANY RIGHT TO THE SUMS ASSIGNED BEYOND HIS LIFE INTEREST AS PRESENT HEIR UNDER THEV ROYSTON ENTAIL OR THAT THIS ASSIGNMENT PRECLUDED MESSR BOWINE AND COMPANY FROM PAYING OF THEIR BILL ON DUE NOTICE \par SIGNED\cf1 GORDON STUART CHEYNE EDINBURGH 12 OCTOBER 1850 ON BEHALF OF THE MARCHIONESS OF STAFFORD AND THE HONOURABLE MRS HAY MACKENZIE WE HOLD THIS ASSIGNATION AS DULY INTIMATED TO THEM. WALKER AND MELVILLE.\f1\fs20\par }

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[edit](#) **SIR ALEXANDER MACKENZIE
BARONET/PAULM594**

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;\\red255\\green0\\blue0;\\red0\\green0\\blue255;\\red0\\green0\\blue0;\\red255\\green0\\blue255;}
{*\\generator Msftedit 5.41.15.1507;}\\viewkind4\\uc1\\pard\\f0\\fs20 RELIEF ASSIGNATION BY SIR
JAMES SUTHERLAND MACKENZIE IN FAVOUR OF MESSEURS GORDON STUART AND
CHEYNE 1848 B32 NO6\\par I SIR JAMES SUTHERLAND MACKENZIE OF TARBAT BARONET
CONSIDERING THAT A CLAIM OF DEBT HAS BEEN ESTABLISHED AGAINST ME UNDER
CERTAIN LEGAL PROCEEDINGS BY MRS JANE KING OF THE QUEENS HOTEL CLIFFORD
STREET LONDON AMOUNTING TO TWO HUNDRED AND NINETEN POUNDS STERLING AND IT
HAS WITH MY CONCENT AND APPROBATION BEEN ARRANGED BETWEEN MESSEURS WEIR
AND GARDNEI WRITERS TO THE SIGNET IN EDINBURGH AS\\cf1 AGENTS FOR MRS KING ON
THE ONE PART\\cf2 AND MESSEURS GORDON STUART AND CHEYNE WRITERS TO THE
SIGNET MY AGENT ON THE OTHER PART\\cf3 THAT THE SAID DEBT SHALL BE PAID OFF BY
INSTALMENTS FROM THE INTEREST DUE AND PAYABLE TO ME BY JOHN HAY MACKENZIE
ESQUIRE AND THE HONOURABLE MRS MARIA MURRAY HAY MACKENZIE OF CROMARTY ON
THEIR \\cf4 JOINT BOND TO MY LATE BROTHER SIR ALEXANDER MACKENZIE OF TARBAT
BARONET\\cf3 AND TO WHICH I HAVE NOW RIGHT AS PRESENT HEIR OF ENTAIL UNDER A
DEED OF ENTAIL OF THE BARONY OF ROYSTON EXECUTED BY GEORGE VISCOUNT OF
TARBAT AFTERWARDS EARL OF CROMARTY FOR THE SUM OF THREE THOUSAND THREE
HUNDRED AND NINETEEN POUNDS AND FIVE PENCE STERLING BEING THE BALANCE OF
THE PRICE OF THE SAID ESTATE OF ROYSTON SOLD UNDER THE AUTHORITY OF AN ACT
OF PARLIAMENT FOR PAYMENT OF THE ENTAILED DEBTS IN THE HANDS OF THE SAID
HONOURABLE MRS MARIA MURRAY HAY MACKENZIE AND JOHN HAY MACKENZIE AS HEIRS
OF ENTAIL OF THE ESTATE OF CROMARTY ON WHICH ESTATE THE SAID BALANCE IS
DECLARED TO BE A REAL BURDEN BY A DECRET OF THE COURT OF SESSION THE SAID
INTEREST OF THE SAID SUM AT PRESENT AT THE RATE OF FIVE PER CENT PER ANNUM
BEING PAYABLE TO ME DURING MY LIFE HALF YEARL AT THE TERMS OF WHITSUNDAY AND
MARTINMAS BY EQUAL PORTIONS THE SAID ARRANGEMENT BEING THAT FROM THE
INTEREST OF THE SAID BOND WHICH BECAME DUE AT AND PRIOR TO LAST WHITSUNDAY
EIGHTY FIVE POUNDS STERLING OF THE SAID DEBT SHALL BE IMMEDIATELY PAID OFF
LEAVING A BALANCE DUE BY ME OF ONE HUNDRED AND THIRTY FOUR POUNDS AND FOR
THE LIQUIDATION OF WHICH BALANCE DUE BY ME OF ONE HUNDRED AND THIRTY FOUR
POUNDS AND FOR THE LIQUIDATION OF WHICH BALANCE THERE SHALL BE PAID ONE HALF
OF THE TERMLY INTERESTS TO BECOME DUE TO ME AS AFORESAID AT THE TERM OF
MARTINMAS IN THIS PRESENT YEAR EIGHTEEN HUNDRED AND FORTY EIGHT AND AT EACH
TERM OF WHITSUNDAY AND MARTINMAS THEREAFTER UNTIL THE SAID DEBT WITH
PROGRESSIVE INTEREST THEREON BE FULLY PAID AND EXTINGUISHED WHICH PAYMENTS
THE SAID MESSEURS GORDON STUART AND CHEYNE HAVE GUARANTEED SHALL BE
PUNCTUALLY MADE TO THE SAID MRS KING AND HER AGENTS ON CONDITION OF MY
GRANTING THESE PRESENTS IN MANNER UNDER WRITTEN THEREFOR I HAVE MADE AND
CONSTITUTED AS I DO HEREBY MAKE AND CONSTITUTE JOSEPH WRITER TO THE SIGNET
ALEXANDER STUART CIRCUIT CLERK OF JUDICIARY AND HENRY CHEYNE WRITER TO THE
SIGNET CO-PARTNERS CARRING ON BUSINESS UNDER THE SAID FIRM OF GORDON
STUART AND CHEYNE MY CESSIONERS AND ASSIGNEES IN AND TO THE SAID ANNUAL
INTEREST OF THE SAID SUM OF THREE THOUSAND THREE HUNDRED AND NINETEEN
POUNDS AND FIVE PENCE PAYABLE TO ME BY THE SAID HONORABLE MRS MARIA MURRAY
HAY MACKENZIE AND JOHN HAY MACKENZIE HALF YEARLY AS AFORESAID FOR THEIR
EFFECTUAL RELIEF OF THEIR SAID GUARANTEE ENGAGEMENT AND FURTHER I HEREBY
CONSTITUTE AND APPOINT THE SAID MESSEURS GORDON STUART AND CHEYNE MY
AGENTS AND FACTORS TO CALL FOR UPLIFT AND RECEIVE FROM THE SAID HONORABLE
MRS MARIA MURRAY HAY MACKENZIE AND JOHN HAY MACKENZIE ESQUIRE THE SAID HALF
YEARLY INTEREST AT EACH TERM AYE AND UNTIL THE SAID DEBT BE PAID AND THEY BE
RELEASED AND ACQUITTED OF THEIR SAID GUARANTEE ENGAGEMENT THEY BEING
BOUND BY ACCEPTANCE HEREOF TO ACCOUNT TO ME FOR THE OTHER HALF OF THE SAID
INTEREST AND TO PRODUCE TO ME THE RECEIPTS OF MRS KING OR HER AGENTS FOR
THE HALF TO BE PAID TO HER AND I CONCENT TO THE REGISTRATION HEREOF IN THE
BOOKS OF COUNCIL CESSION OR OTHERS COMPETENT THEREIN TO REMAIN FOR
PRESERVATION AND THAT ALL NECESSARY EXECUTION MAY PASS ON A DECREE TO BE
INTERPONED HERETO IN COMMON FORM AND THERETO CONSTITUTE MY PROCURATORS

AND IN WITNESS WHEREOF THESE PRESENTS WRITTEN ON THIS SHEET OF STAMPED PAPER BY JAMES BUINS CLERK TO THE SAID MESSEURS GORDON STUART AND CHEYNE WRITERS TO THE SIGNET ARE SUBSCRIBED BY ME AT NUMBER EIGHT CRAIGS COURT LONDON THE TWENTY FOURTH DAY OF JULY EIGHTEEN HUNDRED AND FORTY EIGHT BEFORE THESE WITNESSES JAMES WINDOWS PUBLIC NOTARY CRAIGS COURT AFORESAID AND GEORGE MACKENZIE OF THE SAME PLACE GENTLEMAN\par SIGNED JAMES WINDOWS GEORGE MACKENZIE J S MACKENZIE\cf0\par }

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[edit](#) **SIR ALEXANDER MACKENZIE
BARONET/PAULM594**

{\rtf1\ansi\ansicpg1252\deff0\deflang1033{\fonttbl{\f0\fswiss\fcharset0 Arial;}} {*\generator Msftedit 5.41.15.1507;} \viewkind4\uc1\pard\fs20 ASSIGNATION BY SIR JAMES SUTHERLAND MACKENZIE BT TO JOSEPH W. FORBES ESQ.\par REFERENCE GD 305 1 133 NO 8 YEAR 1850\par \par I SIR JAMES SUTHERLAND MACKENZIE OF TARBAT BARONET PRESENTLY RESIDING IN LONDON CONSIDERING THAT I AM INDEBTED TO JOSEPH WILLIAM FORBES ESQUIRE PRESENTLY RESIDING AT HARTFIELD COTTAGE NEAR TAIN IN THE SUM OF SIX HUNDRED AND SIXTY POUNDS STERLING AS CONTAINED IN MY PROMISSORY NOTE TO HIM OF EQUAL DATE WITH THESE PRESENTS AND PAYABLE TWELVE MONTHS AFTER DATE AND ALSO CONSIDERING THAT AS A CONDITION OF THE SAID JOSEPH WILIAM FORBES ADVANCING THE FORESAID SUM TO ME IT WAS AGREED THAT I SHOULD GRANT TO HIM THE ASSIGNATION UNDERWRITTEN THEREFORE AND FOR THE SAID JOSEPH WILLIAM FORBES HIS FARTHER SECURITY OF THE PAYMENT OF THE FORESAID SUM OF SIX HUNDRED AND SIXTY POUNDS STERLING AND INTEREST THEREON AND EXPENSES AS AFTER STATED I HEREBY MAKE AND CONSTITUTE THE SAID JOSEPH WILLIAM FORBES AND HIS HEIRS EXECUTORS OR ASSIGNEES MY LAWFUL CESSIONERS AND ASSIGNEES NOT

ONLY IN AND TO THE SUM OF THREE THOUSAND THREE HUNDRED AND NINETEEN POUNDS AND FIVE PENCE ONE THIRD OF A PENNY STERLING CONTAINED IN A BOND DATED THE NINETEENTH DAY OF FEBRUARY AND EIGHTEENTH DAY OF MARCH BOTH IN THE YEAR EIGHTEEN HUNDRED AND THIRTY FIVE GRANTED BY JOHN HAY MACKENZIE OF CROMARTY ESQUIRE ONLY SON OF THE HONOURABLE MRS MARIA MURRAY HAY MACKENZIE AND THE SAID MRS MARIA MURRAY HAY MACKENZIE TO THE DECEASED SIR ALEXANDER MACKENZIE OF TARBAT BARONET MY FATHER WHOM FAILING TO THE PARTIES THEREIN MENTIONED AND TO WHICH I HAVE NOW THE RIGHT AND TO THE INTEREST DUE OR THAT MAY BECOME DUE THEREON FROM AND AFTER THE TERM OF WHITSUNDAY LAST WITH THE LIQUIDATE PENALTY AND TERMLY FAILURES THEREIN SPECIFIED AND ALSO IN AND TO THE SUM OF ONE THOUSAND AND FIFTY POUNDS STERLING CONTAINED IN AND DUE BY A BILL DRAWN BY JOSEPH GORDON WRITER TO THE SIGNET AND ALEXANDER STUART WRITER IN EDINBURGH FOR BEHOOF OFF ME AND THE HEIRS SUCCEEDING TO ME AS THEREIN STATED UPON AND ACCEPTED BY MESSIEURS J.R.BOWINE AND COMPANY PEAK ALUM WORKS THOMAS RYMER BOWINE ESQUIRE AND CHARLES LIDDELL ESQUIRE NEAR WHITBY CONJUNCTLY AND SEVERALLY WHICH BILL IS DATED THE TWELFTH DAY OF MAY EIGHTEEN HUNDRED AND FORTY SEVEN AND IS PAYABLE TWELVE MONTHS AFTER DATE BUT ALSO IN AND TO THE SAID BOND AND BILL THEMSELVES WHOLE TENOR AND CONTENTS THEREOF WITH ALL THAT HAS FOLLOWED OR IS COMPETENT TO FOLLOW THEREON SURROGATING AND SUBSTITUTING THE SAID JOSEPH WILLIAM FORBES AND HIS FORESAIDS IN MY FULL RIGHT AND PLACE OF THE PREMISES WITH FULL POWER TO HIM AND THEM TO DEMAND SUE FOR AND RECOVER PAYMENT OF THE SUMS THEREBY DUE TO GRANT RECEIPTS AND DISCHARGES WHICH SHALL BE SUFFICIENT TO THE RECEIVER AND ASSIGNATION TRANSLATIONS AND CONVEYANCES OF THE SAID BOND AND BILL ON PAYMENT THEREOF BEING RESPECTIVELY MADE AND GENERALLY TO DO EVERY OTHER THING IN THE PREMISES WHICH I COULD HAVE DONE BEFORE GRANTING HEREOF WHICH ASSIGNATION I BIND AND OBLIGE MYSELF MY HEIRS EXECUTORS AND SUCCESSORS TO WARRANT TO THE SAID JOSEPH WILLIAM FORBES AND HIS FORESAIDS FROM ALL FACTS AND DEEDS DONE OR TO BE DONE BY ME IN PREJUDICE HEREOF DECLARING ALWAYS THAT THE SAID JOSEPH WILLIAM FORBES AND HIS FORESAIDS SHALL BE BOUND AND OBLIGED AS BY ACCEPTATION HEREOF THEY BIND AND OBLIGE THEMSELVES TO HOLD JUST COUNT AND RECKONING WITH ME AND MY FORESAIDS FOR WHATEVER SUMS THEY MAY RECOVER IN VIRTUE OF THE SAID BOND AND BILL RESPECTIVELY ABOVE ASSIGNED AND TO IMPUTE THE SAME PRO TANTO IN EXTINCTION OF THE FORESAID SUM OF SIX HUNDRED AND SIXTY POUNDS STERLING INTEREST WHICH MAY BECOME DUE THEREON AND EXPENCES WHICH MAY BE INCURRED BY THEM AS AFTER STATED AND FARTHER DECLARING THAT THEY SHALL BE BOUND AND OBLIGED ON THEIR RECEIVING PAYMENT IN VIRTUE OF THIS ASSIGNATION IN SECURING OF THE WHOLE OF THE SUMS OF THE PRINCIPAL INTEREST AND EXPENCES AS SAID IS OR ON PAYMENT BY ME OR MY FORESAIDS TO THEM OF THE SAME AND OF ALL EXPENSES AS THE SAME MAY BE DISBURSED OR INCURRED BY THEM TO THEIR OWN AGENTS IN RECOVERING PAYMENT OF THE FORESAID PRINCIPAL SUM AND INTEREST WHICH MAY BECOME DUE THEREON AND AS THE SAME SHALL BE ASCERTAINED BY THEIR WRIT OR OATH TO RETROCESS ME AND MY FORESAIDS AT OUR EXPENCE IN THE FULL RIGHT OF THE BOND AND BILL AND SUMS THEREBY DUE ASSIGNED IN SECURITY AS AFORESAID OR TO MAKE PAYMENT TO US OF ANY BALANCE THAT MAY REMAIN IN THEIR HANDS AFTER DEDUCTING THE SAID SUMS AND I BIND AND OBLIGE MYSELF AND MY FORESAIDS TO MAKE THE SAID BOND AND BILL FORTHCOMING TO THE SAID JOSEPH WILLIAM FORBES AND HIS FORESAIDS TO BE KEPT AND USED BY THEM AS THEIR OWN PROPER WRITS AND EVIDENTS IN TIME COMING AND I CONSENT TO THE REGISTRATION HEREOF IN THE BOOKS OF COUNCIL AND SESSION OR OTHERS COMPETENT THEREIN TO REMAIN FOR PRESERVATION AND IF NECESSARY THAT LETTERS OF HORNING ON SIX DAYS CHARGE AND ALL OTHERS LEGAL EXECUTION MAY PASS UPON A DECREET TO BE INTERPONED HERETO IN FORM AS EFFEIRS AND FOR THAT EFFECT I CONSTITUTE MY PROCURATORS IN WITNESS WHEREOF I HAVE SUBSCRIBED THESE PRESENTS WRITTEN ON THIS AND THE PRECEDING PAGE OF STAMPED PAPER BY ALEXANDER DAVIDSON VEITCH APPRENTICE TO WILLIAM MASON SOLICITORS SUPREME COURT EDINBURGH AND

HERETO SET AND AFFIXED MY SEAL AT LONDON THE TWENTY THIRD DAY OF SEPTEMBER EIGHTEEN HUNDRED AND FIFTY YEARS BEFORE THESE WITNESSES HENRY VALLANCE ESQUIRE SOLICITOR IN LONDON AND JOHN NEWSHAM HIS CLERK THE PLACE AND DATE OF SIGNING AND SEALING AND WITNESSES NAMES AND DESIGNATION BEING WRITTEN BY THE SAID JOHN NEWSHAM\par SIGNED SEALED AND DELIVERED IN PRESENCE OF J.VALLANCE SOLICITOR 20 SPER THE STRAND LONDON\par JOHN NEWSHAM HIS CLERK WITNESS\par JAMES SUTHERLAND MACKENZIE\par }

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[edit](#) **SIR ALEXANDER MACKENZIE
BARONET/PAULM594**

{\rtf1\ansi\ansicpg1252\deff0\deflang1033{\fonttbl{\f0\fswiss\fcharset0 Arial;}} {*\generator Msftedit 5.41.15.1507;} \viewkind4\uc1\pard\f0\fs20 SCOTTISH RECORD OFFICE REFERENCE C22/92 CROSS REFERENCED TO C24/92 ORIGINAL RETOUR MONTHLY NO 6.\par \par THIS ENQUIRY WAS HELD IN THE COURT CURIA OF THE VICE-COUNTY OF EDINBURGH IN THE HOUSE OF THE SUPERIOR COUNCIL OF THE SAID BURG TOWN ON THE 17TH DAY OF THE MONTH OF JANUARY A.D. 1798 17-1-1798 BEFORE JAMES CLERK ARMIGERO ADVOCATO VICECOMITE DEPUTY MILITARY ADVOCATE-COUNTY DEPUTY OF THE SAID VICE-COUNTY SPECIALLY CONSTITUTED BY THESE HONEST PROVEN AND FAITHFUL MEN OF THE FATHERLAND BELOW WRITTEN VIZ MR WILLIAM RICHARDSON SOLICITOR AT LAW OF THE CHANCERY OF EDINBURGH MESSRS JOHN EISTON WILLIAM SCOTT WILLIAM SPROTT ALEXANDER NEILSON EDWARD YOUNG JAMES TEGGANS OR FEGGANS JOHN WOOD JOHN ORMSTON JOHN GRAY ANDREW CROMBIE ALEXANDER PONTON DONALD GRASSICK ROBERT

TENNENT AND JAMES ROBERTSON ALL SOLICITORS AT LAW OF THE SAME PLACE THESE HAVING BEEN SWORN IN ON OATH MAGNO SACRAMENTO INTERVENIENTE DECLARED THAT A CERTAIN KENNETH MCKENZIE MILITARY MAN ARMIGER LATELY OF CROMARTY WHO WAS THE LEGITIMATE ELDEST SON OF THE DEFUNCT CAPTAIN RODERICK WHO WAS THE LEGITIMATE SECOND SON OF THE ALSO DEFUNCT JOHN EARL OF CROMARTY WHO WAS THE LEGITIMATE ELDEST SON OF GEORGE VICE-COUNT OF TARBAT LATER EARL OF CROMARTY DIED AD FIDEM ET PACEM OF OUR SOVEREIGN LORD THE KING NOW REIGNING\par AND THAT THE LIEUTENANT-COLONEL ROBERT MCKENZIE IN THE SERVICE OF THE HONOURABLE EAST INDIA COMPANY OF MERCHANTS IS THE ELDEST LEGITIMATE SON LIVING OF THE DEFUNCT ALEXANDER MCKENZIE LATELY OF ARDLOCH WHO WAS THE LEGITIMATE ELDEST SON OF THE ALSO DEFUNCT JOHN MCKENZIE OF ARDLOCH WHO WAS THE LEGITIMATE ELDEST SON OF THE ALSO DEFUNCT ALEXANDER MCKENZIE WHO WAS LEGITIMATE SON OF LORD JOHN MCKENZIE OF TARBAT AND GERMAIN BROTHER OF THE SAID GEORGE VICE-COUNT OF TARBAT AND LATER VICE-COUNT OF CROMARTY BOTH OF WHOM ARE ALSO DEAD IS THE LEGITIMATE AND NEAREST MALE HEIR TO THE TALLIA ET PROVISIONIS OF THE SAID KENNETH MCKENZIE LATELY OF CROMARTY WHO WAS HEIR DESERVITUS ET RESTORNATUS OF LORD KENNETH MCKENZIE DE GRANDVILLE WHO WAS HEIR DESERVITUS ET RETORNATUS OF LORD GEORGE MCKENZIE DE GRANDVILLE HIS ELDEST BROTHER WHO WAS ELDEST SON OF LORD KENNETH MCKENZIE OF CROMARTY LEGITIMATE SECOND SON OF THE SAID GEORGE VICE-COUNT OF TARBAT AND LATER EARL OF CROMARTY BY VIRTUE OF AND ACCORDING TO THE DISPOSITION AND CHARTER OF TALLIA CONTAINING THE SUBSTITUTION PROVISIONS CONDITIONS IRRITANT CLAUSES AND REOLUTIONS THEREIN SPECIFIED WHICH WAS MADE AND GRANTED BY THE SAID GEORGE VICE-COUNT OF TARBAT LORD MCLEOD AND CASTLEHAVEN AND LATER EARL OF CROMARTY GIVEN ON THE 28TH DAY OF NOVEMBER A.D. 1688 BY WHICH FOR REASONS THEREIN MENTIONED HE GAVE AND DISPOSED ALL AND INTEGRALLY THE LANDS AND BARONY OF ROYSTON INCLUDING PARTICULAR LANDS AND OTHER THINGS THEREIN SPECIFIED LYING IN THE VICE-COUNTY OF EDINBURGH TO MR JAMES MCKENZIE HIS THIRD LEGITIMATE SON LATER LORD JAMES MCKENZIE OF ROYSTON AND ONE OF THE LORDS OF SESSIONS AND TO HIS LEGITIMATE MALE HEIRS BEGOTTEN OF HIS BODY WHO FAILING TO THE ABOVE MENTIONED LORD KENNETH MCKENZIE OF CROMARTY THEREIN DESIGNATED AS MR KENNETH MCKENZIE SECOND LEGITIMATE SON OF THE SAID VICE-COUNT AND TO THE MALE HEIRS LEGITIMATE BEGOTTEN OF HIS BODY FAILING WHICH TO THE SAID JOHN EARL OF CROMARTY THEREIN DESIGNATED AS JOHN MASTER OF TARBAT ELDEST LEGITIMATE SON OF THE SAID VICE-COUNT AND TO HIS MALE HEIRS BEGOTTEN OR TO BE BEGOTTEN OF HIS BODY WHO FAILING TO THE OTHER MALE HEIRS LEGITIMATELY BEGOTTEN OR TO BE BEGOTTEN OF THE BODY OF THE SAID NOBLE VICE-COUNT HIMSELF FAILING WHICH TO ANY OTHER PERSON OR PERSONS BY HIM NOMINATED IN THE MANNER MENTIONED IN THE CHARTER OF TALLIE FAILING WHICH TO THE HEIRS AND ASSIGNS OF THE SAID VICE-COUNT WHOMSOEVER IN INHERITANCE AND IRREVOCABLY THAT THEREFOR SINCE MALE HEIRS FROM THE BODY OF THE SAID GEORGE VICE-COUNT OF TARBAT AND MAKER FORMATOR OF THE SAID TALLIA ARE NOW DEFICIENT AND DEFUNCT BY THE DEATH OF THE SAID KENNETH MCKENZIE LATE ARMIGER OF CROMARTY AND NO PERSON OR PERSONS WERE NAMED TO THE SUCCESSION BY THE SAID VICE-COUNT IMMEDIATELY AFTER THE DEFECTION OF MALE HEIR BEGOTTEN OF HIS BODY BY THE TERMS OF THE SAID POWERS AND FACULTIES AND AS THE SAID ALEXANDER MCKENZIE GREAT-GRAND-FATHER OF THE SAID COLONEL ROBERT MCKENZIE WAS ONLY GERMAIN BROTHER OF THE SAID GEORGE VICE-COUNT OF TARBAT MAKER OF THE SAID TALLIA FROM WHOSE BODY MALE HEIRS ARE NOW IN EXISTENCE THE SAID COLONEL ROBERT MCKENZIE PRESENTER OF THE PRESENT PLEA IS THE MALE HEIR TO THE SAID VICE-COUNT AND ENTITLED TO THE SAID SUCCESSION UNDER THE SAID CHARTER OF TYALLIA IN THE TERMS DIRECTIVES AND SUBSTITUTIONS ABOVE-WRITTEN FOR THE DISPOSAL OF THE SAID LANDS AND BARONY TO THE MALE HEIRS OF THE SAID GEORGE VICE-COUNT OF TARBAT WHOMSOEVER AND THAT HE IS OF LEGITIMATE LEGAL AGE IN CUJUS REI IN WITNESS THERETO THE SEAL OF THOSE INVOLVED IN THIS ENQUIRY WITH THE BRIEF OF THE KING DULY EXECUTED AND THE SEAL OF THE COMMUNE WITH THE SIGN MANUAL OF JAMES NEWBIGGING PRINCIPAL ARMIGER CLERK OF THE SAID VICE-COUNTY SPECIALLY

CONSTITUTED ARE APPENDED TO THE PRESENTS SIGNED JAMES NEWBIGGING 6TH
FEBRUARY 1798.\par }

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[edit](#) **SIR ALEXANDER MACKENZIE
BARONET/PAULM594**

{\rtf1\ansi\ansicpg1252\deff0\deflang2057{\fonttbl{\f0\fswiss\prq2\fcharset0 Impact;}} {\colortbl
;\red255\green0\blue0;\red0\green0\blue0;\red0\green0\blue255;} {*\generator Msftedit
5.41.15.1507;}\viewkind4\uc1\pard\f0\fs16\par \par GR 12 8 INVERNESS 13/3/1871\par DR \cf1
ADAM HUNTER SURGEON EDINBURGH\cf2 HAD 2 UNGATES OF LAND EXTENDING TO 8
MERKS TROTTERNISH ONCE BELONGING TO MCNEIL OF BARRA PART OF THE ESTATE OF
MACDONALD DR ADAM HUNTER CERTIFICATE FOR THE COMMITAL OF SIR JAMES
SUTHERLAND MACKENZIE BROTHER OF ALEXANDER MACKENZIE BARONET OF THE 48TH
NATIVE INFANTRY BENGAL WHOS MOTHER IS KATHARINE MACKENZIE AND BY HER BELOW
PETITION CLAIMS CURATOR BONIS AND APPOINTS ALEXANDER PETITION CLAIMS
CURATOR BONIS AND APPOINTS ALEXANDER STUART TO OFFICE OF JAMES S. MACKENZIE
UNTO THE RIGHT HONOURABLETHE LORDS OF COUNCIL AND SESSION\par cs2361mnm58/20

1843 THE PETITION OF MRS KATHARINE MACKENZIE RELICT OF HONOURABLE THE EAST INDIA COMPANY MOTHER OF SIR JAMES SUTHERLAND MACKENZIE OF TARBET BARONET\TAB HUMBLY SHEWETH \PAR \TAB\PAR THAT THE SAID SIR JAMES SUTHERLAND MACKENZIE HAVING SOME MONTHS AGO EXHIBITED UNEQUIVOCAL SYMPTONS OF MENTAL DERANGEMENT TO AN EXTENT DANGEROUS TO HIMSELF AND TO THE LIEGES WAS BY WARRANT OF THE SHERIFF OF EDINBURGH PROCEEDING ON CERTIFICATION UNDER THE HANDS OF DR ABERCROMBIE AND DR ADAM HUNTER PLACED IN DR JOHN SMITHS ASYLUM AT SAUGHTON HALL WHERE HE NOW REMAINS UNDER THE NECESSARY RESTRAINT THAT FROM THE CERTIFICATES HEREWITH PRODUCED IT APPEARS THAT ALTHOUGH THE SAID SIR JAMES SUTHERLAND MACKENZIE HAS SINCE HIS RESIDENCE IN SAUGHTON HALL BECOME LESS VIOLENT AND IRRITABLE THAN HE WAS YET THAT HE STILL LABOURS UNDER SUCH REMAINS OF ABBERATION OF MIND AS RENDERS HIM UNFIT FOR BEING AT LARGE OR FOR MANAGING HIS OWN AFFAIRS AND THE PETITIONER HAS THE DISTRESS AND MORTIFICATION TO \PAR BELIEVE THAT HIS SPEEDY RESTORATION TO MENTAL SOUNDNESS CANNOT BE LOOKED FOR.\PAR THAT IN THESE CIRCUMSTANCES AND AS HIS INTEREST IS SUFFERING FROM A SMALL PENSION FROM THE EAST INDIA COMPANY BEING TILL A DULY AUTHORIZED PARTY BE APPOINTED TO RECEIVE AND DISCHARGE THE SAME IT HAS BECOME NECESSARY FOR THE PROTECTION OF THE SIR JAMES SUTHERLAND MACKENZIES PROPERTY AS WELL AS THE DUE CARE OF HIS PERSON TO APPLY TO YOUR LORDSHIPS TO APPOINT A CURATOR BONIS TO HIM AND THE PETITIONER BEGS LEAVE HUMBLY TO SUGGEST MR ALEXANDER STUART WRITER IN EDINBURGH WHO WAS HER SONS CONFIDENTIAL AGENT BEFORE HIS AFFLICTION AS AN ELIGIBLE PERSON FOR THE OFFICE \PAR THE PETITIONER THEREFOR MAKES THE PRESENT APPLICATION MAY IT THEREFOR PLEASE YOUR LORDSHIPS TO NOMINATE AND APPOINT THE SAID ALEXANDER STUART TO BE CURATOR BONIS TO THE SAID SIR JAMES SUTHERLAND MACKENZIE WITH THE USUAL POWERS AND IN TERMS OF THE ACT OF SEDERUNT THE SAID APPOINTMENT TO SUBSIST UNTIL UNTIL IT BE COMPETENTLY RECALLED ANDS THE CURATOR IT FINDING SUFFICIENT CAUTION BEFORE EXTRACT OR TO DO OTHERWISE IN THE PREMISES AS TO YOUR LORDSHIPS SHALL SEEM PROPER. ACCORDING TO JUSTICE & C \CF1 JOHN GORDON\CF2\TAB\PAR \TAB \PAR APPENDIX\PAR MANDATE BY MRS KATHARINE MACKENZIE TO JOSEPH GORDON\PAR JOSEPH GORDON W.S. EDINBURGH ELGIN 24/2/1843\PAR \PAR MY DEAR SIR IN CONSEQUENCE OF THE LAMENTABLE STATE OF INCAPACITY INTO WHICH MY SON SIR JAMES SUTHERLAND MACKENZIE BART HAS FALLEN I AM UNDER THE PAINFUL NECESSITY OF REQUESTING THAT FOR THE PRESERVATION AND MANAGEMENT OF HIS PROPERTY AS WELL AS PROVIDING FOR THE PROPER CARE OF HIS PERSON YOU PRESENT APPLICATION TO THE COURT OF SESSION FOR THE APPOINTMENT OF A CURATOR BONIS TO HIM WITH THE USUAL POWERS IF MR ALEXANDER STUART CIRCUIT CLERK OF JUDICIARY WILL UNDERTAKE THE OFFICE I REQUEST THAT HE MAY BE SUGGESTED TO THE COURT AS A PERSON IN WHOM I HAVE THE UTMOST CONFIDENCE AND WHOM I CONSIDER WELL QUALIFIED TO TAKE THE CHARGE I AM MY DEAR SIR YOUR MOST OBEDIENT HUMBLE SERVANT SIGNED \CF3 KATHARINE MACKENZIE\CF2\PAR \TAB\PAR \PAR \CF3 CERTIFICATE BY DR ABERCROMBIE AND DR ADAM HUNTER EDINBURGH 23/11/1842 WE JOHN ABERCROMBIE AND DR ADAM HUNTER PHYSICIANS IN EDINBURGH HEREBY CERTIFY ON SOUL AND CONSCIENCE THAT WE HAVE VISITED AND DULY EXAMINED SIR JAMES SUTHERLAND MACKENZIE OF TARBET BARONET NOW RESIDING AT SAUGHTON HALL LUNATIC ASYLUM UNDER THE CHARGE OF DR SMITH AND FOUND HIM LABOURING UNDER SUCH MENTAL IMBECILITY AS TO RENDER HIM FOR THE PRESENT INCAPABLE OF MANAGING HIS OWN AFFAIRS SIGNED JOHN ABERCROMBIE ADAM HUNTER M.D. CERTIFICATE BY DR ABERCROMBIE AND DR HUNTER WE CERTIFY APON SOUL AND CONSCIENCE THAT WE HAVE VISITED AND EXAMINED SIR JAMES SUTHERLAND MACKENZIE NOW RESIDENT IN THE ASYLUM AT SAUGHTON HALL AND WHILE WE FIND HIM CONSIDERABLY IMPROVED SINCE THE DATE OF OUR LAST REPORT WE ARE OF OPINION THAT HE STILL LABOURS UNDER SUCH REMAINS OF ABBERATION OF MIND FOR THE PRESENT RENDERS HIM UNFIT FOR BEING AT LARGE OR FOR MANAGING HIS OWN AFFAIRS SIGNED JOHN ABERCROMBIE ADAM HUNTER M.D. EDINBURGH 10/3/1843 PETITION TO BE INTIMATED IN THE MINUTE BOOK SIGNED BOYLE EDINBURGH 22/5/1843 THEREBY CERTIFY THAT THE FOREGOING PETITION HAS BEEN DULY INTIMATED IN THE

MINUTE BOOK JOSEPH GORDON HUGH ROSS. CS 235/INM/MISCM11.1 1720 ALEXANDER MACKENZIE HAD IN THIS DEED REFERENCE THE BARONY OF TROTTERNISH ISLE OF SKYE AND IT IS THIS ALEXANDER MACKENZIE OF CONANS BAY WHO IS GRAND UNCLE TO TO SIR JAMES SUTHERLAND MACKENZIE WHOS DOCTOR HAD THE 2 UNGATES TROTTERNISH SKYE. THAT ALXANDER MACKENZIE OF ARDLOCH BORN 1692 ARDLOCH MARRIED MARGARET SUTHERLAND 16/09/1732 DEED REFERENCE RD4. 232 MARGARET SUTHERLAND DAUGHTER OF ROBERT SUTHERLAND OF LANGWELL 12TH IN DESCENT FROM WILLIAM DE SUTHERLAND AND PRINCESS MARGARET BRUCE SISTER OF DAVID 11 ROBERT SUTHERLAND CAN BE ENQUIRED AT REFERENCE CS238 H11.27 AND OF LANGWELL HEIR TO ESTHER SUTHERLAND HIS GRANDMOTHER. ALEXANDER MACKENZIE OF ARDLOCH DIED 21.05.1778 AND IS BROTHER TO COLONEL ALEXANDER MCKENZIE OF CONANSBAY HE HAD TITLE TO LANDS IN TROTTERNISH ISLAND OF SKYE REFERENCED IN CS235.M11.2 AN UNEXTRACTED COURT OF SESSION EXTRACT OF 1719 IN THE COSMO INNESS OFFICE AND FURTHER REFERENCES IN DEED RD2.654 YEAR 1661 AND ANOTHER IN RD_81. 78 1696 ALSO DETAILS OF RELATIONSHIPS IN SIG.2.17 DATED 6 AUGUST 1787 CONCERNING LANDS IN ASSYNT DESTINATION FROM THESE PREDECESSORS IN RD2.242.1. BY WILLIAM WEMYSS TO ALEXANDER MACKENZIE DATED 29.01.1787 AND IN RH8.1100 DATED 1727 FURTHER INFORMATION RELATING TO LAND DEVOLMENT FROM ARDLOCH MACKENZIES HEIRS MALE OF TALZIE. IT IS NOTICED THAT BROTHERS COLONEL ALEXANDER MCKENZIE OF CONANSBAY AND ALEXANDER MACKENZIE OF ARDLOCH WHO DIED 21.5.1778 ARE BROTHERS TO KENNETH MACKENZIE XV1 4TH EARL OF SEAFORTH ONE OF THE BROTHERS JOHN MACKENZIE OF ASSYNTS HEIR, HIS SON TO HIS UNCLE FIRST HELD BY SIR DONALD MCDONALD, LANDS TROTTERNISH 13.02.1727 IN THE GREAT SEAL BARONY OF MCDONALD 10.12.1754 IN FAVOUR OF SIR DONALD MCDONALD BARONET.\par \par \par \par RS38.62 INVERNESSA DISPOSITION BY HANNAH FRASER RESIDING INVERNESS INFAVOUR OF JEAN MACKAY SUTHERLAND SISTER TO ELIZABETH BAILLIE SUTHERLAND SPOUSE OF LT.COL.JAMES SUTHERLAND OF UPPAT AND JEAN MCKAY SUTHERLAND A RELATION OF ELIZABETH BAILLIE WHOS NEPHEW IS JAMES SUTHERLAND MACKENZIE\cf2\par \tab\par \tab\par \tab\par IN CS 239 M78. 7 JAMES SUTHERLAND MACKENZIE SON OF KATHARINE MACKENZIE WHO LIVED 7 INDIA STREET EDINBURGH COURT LITIGATION OF THE USE OF ARMORIAL ARMS UED BY JAMES SUTHERLAND MACKENZIE BELONGING TO HIS MOTHER KATHARINE SUTHERLAND.\par \par \tab\par \par \tab\par \tab\par \par \tab\par \par \tab\par \cf0\lang1033 GEORGE SACKVILLE SUTHERLAND MENTIONS 3 NEPHEWS IN RD5 382.180 DATED 12/3/1829 SRO EDINBURGH GEORGE THE BROTHER OF COLONEL JAMES SUTHERLAND OF UPPAT AND EWEN BAILLIE WHO WAS A MAJOR GENERAL 23RD BENGAL REGIMENT AND THE OTHER BROTHER ROBERT SUTHERLAND WHO WAS MARRIED TO A MURCHISON HER BROTHER KNOWN AS ROD ERICK MURCHISON GEORGE SACKVILLE SUTHERLAND NEPHEWS ARE DUNCAN FORBES SUTHERLAND GEORGE MCKAY SUTHERLAND AND JAMES SUTHERLAND WHO WAS MARRIED TO GEORGINA M. MACKENZIE WHERE SERVICE 1875 IS REFERENCED IN ENCLOSED ATTACHMENT.COLONEL JAMES SUTHERLAND MARRIED INTO THE BAILLIES, ELIZABETH BAILLIE OF CLYNE WHOS FATHER IS WILLIAM BAILLIE OF ROSEHALL, WILLIAM MARRIED ELIZABETH SUTHERLAND OF CLYNE A KINSTARIE CADET SHE IS DAUGHTER OF ALEXANDER SUTHERLAND OF CLYNE. LT.COL.JAMES SUTHERLAND HAD KATHARINE SUTHERLAND BORN 09/01/1773 GOLSPIE SUTHERLAND WHO MARRIED COLONEL ROBERT MCKENZIE COLONEL ROBERT MARRIED EARLIER ON 01/05/1780 HARRIET ANN MACKENZIE DAUGHTER OF DOCTOR ALEXANDER MACKENZIE OF BAYFIELD IT WAS HARRIETS SISTER ALEXIE MACKENZIE WHO MARRIED JANUARY 1778 TO CAPTAIN SIMON BAILLIE, MADRAS ESTABLISHMENT, HEIC AND HE IS SON OF MAJOR WILLIAM BAILLIE AND CAN FIND IN THE COMMISSARIOT OF EDINBURGH PROCESS OF DIVORCE PAGE 883 19.03.1788 REFERENCE X1X 12. ROBERT SUTHERLAND OF ST VINCENT IS BROTHER TO KATHARINE SUTHERLAND AND ARE PART BAILLIES ROSEHALL DESCENT, ROBERT SUTHERLANDS GRANDFATHER IS SON OF ALEXANDER BAILLIE OF DOCHFUR. ROBERT SUTHERLANDS ELDER BROTHER GEORGE SACKVILLE SUTHERLAND AND REFERENCED IN CHANCERY REGISTER UNDER LISTING C5/1/35 GREAT SEAL. \par \tab\par \tab\par \cf2\lang2057\par \tab\par gd.305.1.62.2\par INSTRUMENT OF SASINE PROCEEDING APON A PRECEPT IN THE FOREGOING CHARTER IN FAVOUR OF THE SAID KATHERINE MACKENZIE OF THE SAID TENEMENT MILLMOUNT DATED AND RECORDED

SASINES EDINBURGH. SCOTTISH RECORD OFFICE.\par \par GD.305.1.62.3\par EXTRACT DISPOSITION BY KATHERINE SUTHERLAND/MACKENZIE IN FAVOUR OF CROMARTY HEIRS AND THE TENEMENT MILLMOUNT DATED 10.07.1840 AND REGISTERED IN THE BOOKS OF COUNCIL AND SESSION 05.08.1840 CONTACT REFERENCE RD5.645.63. SCOTTISH RECORD OFFICE.\par \par GD.305.1.62.7.\par RENUNCIATION BY HENRY CHEYNE WS IN FAVOUR OF THE FORESAID KATHERINE MACKENZIE OF MILLMOUNT DISPOSITION GRANTED BY HER TO HIM IN SECURITY FOR \a31350 FOR MILLMOUNT HOUSE DATED 28.06.1840 AND RECORDED GENERAL REGISTER OF SASINES EDINBURGH 20.07.1840. SEE REFERENCE RS38.2040.113 SASINE SCOTTISH RECORD OFFICE.\par \par GD.305.1.62.6\par RENUNCIATION BY ALEXANDER STEWART IN FAVOUR OF JOSEPH GORDONFACTOR FOR THE DECEASED ROBERT SUTHERLAND A BOND IN SECURITY DATED 19.07.1826 RECORDED GENERAL REGISTER OF SASINES EDINBURGH 08.05.1840.\par \par BOOKS COUNCIL AND SESSION\par DEED RECORDED 12.03.1829 BY ROBERT SUTHERLAND. SCOTTISH RECORD OFFICE EDINBURGH.\par \par RD5.576.520 \par TRUST BY ELIZABETH BAILIE SUTHERLAND 1831. SCOTTISH RECORD OFFICE EDINBURGH.\par \par RD5.405.415.\par ASSIGNMENT BY EWEN BAILLIE UTHERLAND 25.01.1830. SCOTISH RECORD OFFICE EDINBURGH.\par \par RD5.319.132\par FACTORY BY ROBERT SUTHERLAND 02.11.1824. SCOTTISH RECORD OFFICE EDINBURGH.\par \par RD5.382.174.\par FACTORY BY ROBERT SUTHERLAND SUBSCRIBED 14.09.1824. SCOTTISH RECORD OFFICE EDINBURGH.\par \par BOOKS OF COUNCIL AND SESSION.\par DEED BY ROBERT SUTHERLAND OF ST VINCENT RECORDED 15.07.1826 SCOTTISH RECORD OFFICE EDINBURGH.\par \par GD.305.1.61.8.\par INSTRUMENT OF SASINE PROCEEDING APON THE PRECEPT OF SASINE IN FAVOUR OF THE SAID ROBERT SUTHERLAND OF THE HOUSE AND GROUND MILLMOUNT DATED 24.12.1822 RECORDED SASINES EDINBURGH 21.01.1823 AND IN RS3.1262.260 SASINE SCOTTISH RECORD OFFICE EDINBURGH.\par \par GD.305.1.61.11.\par DISPOSITION AND ASSIGNATION BY JOSEPH GORDON EXECUTORS IN SCOTLAND OF THE SAID ROBERT SUTHERLAND OF ST VINCENT AND MILLMOUNT IN FAVOUR OF KATHERINE SUTHERLAND WIDOW OF COLONEL ROBERT MACKENZIE H.E.I.C AND HEIRS OF THE SAID TENEMENT DATED 21.01.1830 REGISTERED IN BOOKS OF COUNCIL SESSION 12.03.1824 SCOTTISH RECORD OFFICE EDINBURGH.\par \par PUBLIC REGISTER OF SASINES PR.1801.149 REFERENCE\par MARY FREDERICA ELIZABETH STEWART MACKENZIE OF SEAFORTH SPOUSE TO JAMES ALEXANDER STUART OF SEAFORTH SASINE MENTIONS CASTLE STREET EDINBURGH IN SECURITY OF \a3500 BY ELIZABETH SUTHERLAND. SCOTTISH RECORD OFFICE EDINBURGH.\par \par PUBLIC REGISTER OF SASINES.\par ELIZABETH SUTHERLAND DATED 21.07.1797 AND 02.03.1809 AND 21.02.1810 RECORDED ALSO IN THE BOOKS OF COUNCIL AND SESSION 10.03.1809. SCOTTISH RECORD OFFICE EDINBURGH.\par \par PUBLIC REGISTER OF SASINES.\par SOPHIA DIROM RELICT OF GEORGE DUFF ON DISPOSITION BY ELIZABETH SUTHERLAND RELICT OF COL JAMES SUTHERLAND OF UPPAT 04.06.1811 SCOTTISH RECORD OFFICE EDINBURGH.\par \par BOOKS OF COUNCIL AND SESSION.\par ST VINCENT DEED RECORDED RD5.21.273 SCOTTISH RECORD OFFICE EDINBURGH.\par \par BOOKS OF COUNCIL AND SESSION\par DEED BY GEORGE SACKWELL SUTHERLAND RD5.044.926\tab 31.01.1814\tab SCOTTISH RECORD OFFICE EDINBURGH.\par \par PUBLIC REGISTER OF SASINES\par RS38.17 VOLUME2307 IN FAVOUR OF KATHERINE SUTHERLAND SCOTTISH RECORD OFFICE EDINBURGH\par \par \par PUBLIC RECORD OF SASINES\par PR.589.25 16.06.1807 FRANCIS, LORD SEAFORTH, MARY MAXWELL SUTHERLAND SPOUSE TO ALEXANDER SUTHERLAND 2 BATTALION 78TH REGIMENT FOOT AND GEORGE SACKWELL SUTHERLAND SEISED GEORGE STREET EDINBURGH AND SOUTH CASTLE STREET EDINBURGH IN \a3500 SECURITY SCOTTISH RECORD OFFICE EDINBURGH.\par \par PUBLIC REGISTER OF SASINES\par PR.589.17 DATED 16.06.1807 ELIZABETH SUTHERLAND RELICT OF JAMES SUTHERLAND OF UPPAT SCOTTISH RECORD OFFICE EDINBURGH.\par \par PUBLIC REGISTER OF SASINE\par DATED 23.12.1803 BOND BY COLONEL JAMES SUTHERLAND AND ELIZABETH BAILLIE SCOTTISH RECORD OFFICE EDINBURGH.\par \par BOOKS OF COUNCIL AND SESSION\par DALRYMPLE OFFICE RD 293.290 MARY MAXWELL SUTHERLAND DAUGHTER OF LT.COL JAMES SUTHERLAND OF UPPATAND HUSBAND ALEXANDER SUTHERLAND 5 REGIMENTBRITISH MILITIA AND REFERENCE TO MAJOR EWAN BAILIE H.E.I.C A BOND 12.07.1803 SCOTTISH RECORD OFFICE EDINBURGH.\par \par BOOKS OF COUNCIL AND SESSION\par RD2.288 DATED 12.07.1803 A BOND BY MAJOR EVAN BAILIE TO

KATHERINE SUTHERLAND ELDEST DAUGHTER OF COLONEL JAMES SUTHERLAND OF UPPAT AND ELIZABETH BAILLIE AND KATHERINE SUTHERLAND SECOND WIFE OF LIEUTENANTCOLONEL ROBERT MACKENZIE H.E.I.C FATHER OF ALEXANDER MACKENZIE BROTHER OF JAMES SUTHERLAND MACKENZIE. SCOTTISH RECORD OFFICE EDINBURGH.\par \par RS38.17 DATED 23.12.1803\par COLONEL JAMES SUTHERLAND OF UPPAT AND OF SUTHERLAND FENCIBLES REGIMENT AND MAJOR GENERAL ALEXANDER OF 36 REGIMENT FOOT AND LT.COL.JAMES SUTHERLAND GRANTING \a31000 TO ELIZABETH SUTHERLAND TO FRANCIS, LORD SEAFORTH. SCOTTISH RECORD OFFICE EDINBURGH.\par \par BOOKS OF COUNCIL AND SESSION\par RD3.292 DATED 22.07.1801 FACTORY BY ROBERT SUTHERLAND SCOTTISH RECORD OFFICE EDINBURGH.\par PUBLIC REGISTER OF SASINE\par RS38.17.212 REFERENCE KATHERINE SUTHERLAND GETS LIFERENT FROM ELIZABETH BAILLIE SCOTTISH RECORD OFFICE EDINBURGH.\par \par PUBLIC REGISTER OF SASINES\par IN FAVOUR OF ELIZABETH BAILLIE DATED AND REGISTERED 13.08.1796 BY COLONEL MACKAY TO GEORGE SACKWELL SUTHERLAND SCOTTISH RECORD OFFICE EDINBURGH.\par \par BOOKS OF COUNCIL AND SESSION\par RD2.277 DATED 26.11.1799 BOND \a31000 PAID BY LIEUTENANT COLONEL JAMES MACKAY AND HUGH BAILIE OF ROSEHALL TO JAMES SUTHERLAND DATED 27.04.1789 AND MENTION OF \a3400 TO F.H.MACKENZIE OF SEAFORTH HIGHLANDERS 78TH REGIMENT FROM LIEUTENANT ALEXANDER SUTHERLAND SCOTTISH RECORD OFFICE EDINBURGH.\par \par BOOKS OF COUNCIL AND SESSION\par DURIE OFFICE RD3.292.907 FACTORY BY ROBERT SUTHERLAND OF ISLAND OF ST VINCENT APPOINTING ELIZABETH BAILLIE HIS MOTHER AS FACTOR AND ESTATE OF ROSEHALL GRANTED BY GEORGE LANGWELL SUTHERLAND OF UPPAT IN FAVOUR OF ELIZABETH BAILIE/SUTHERLAND SCOTTISH RECORD OFFICE EDINBURGH.\par \par BOOKS OF COUNCIL AND SESSION\par DARYMPLE OFFICE RD2.277.418 DATED 06.09.1799 BOND DISPOSITION A SUTHERLAND TO MACKENZIE WITH CONCENT OF COLONEL MACKAY OTHERWISE KNOWN AS HUGH BAILLIE OF ROSEHALL BY BOND DATED 23.12.1790 SCOTTISH RECORD OFFICE EDINBURGH.\par \par BOOKS OF COUNCIL AND SESSION\par RD3.260.303 GEORGE SACKVILLE SUTHERLAND TO JOHN MO SCOTTISH RECORD OFFICE EDINBURGH.\par \par BOOKS OF COUNCIL AND SESSION\par AT FORTROSE 19.11.1794 BY MARY MAXWELL SUTHERLAND TO FRANCIS HUMBERSTON MACKENZIE AND BY GEORGE SACKWELL SUTHERLAND SCOTTISH RECORD OFFICE EDINBURGH.\par \par PRECEPT OF CLARE CONSTAT\par GRANTED BY COLONEL MACKAY OTHERWISE HUGH BAILLIE OF ROSEHALL REGISTERED INVERNESS 1796 SCOTTISH RECORD OFFICE EDINBURGH.\par \par PUBLIC REGISTER OF SASINE\par RS38.13 DATED 14.08.1788 ROBERT SUTHERLAND TO ELIZABETH COUNTES OF SUTHERLAND RECORDED INVERNESS 11.09.1779 WRITTEN BY KENNETH MACKENZIE CLERK TO ALEXANDER MACKENZIEWRITER TO THE SIGNET \tab SUBSCRIBED AT GOLSPIE 31.07.1780 BEFORE HUGH HOUSTON MERCHANT BORA AND JOH FRASE WRITE IN EDINBURGH. SCOTTISH RECORD OFFICE EDINBURGH.\par \par BOOKS OF COUNCIL AND SEESSION\par BOND RD3.275 DATED 23.12.1790 A SUM OF \a32000 AND \a3400 TO GEORGE SACKWELL SUTHERLAND SON OF LIEUTENANT COLONEL JAMES SUTHERLAND REFERENCING IN THE \tab GREAT SEAL A CHARTER 13.07.1788 AND A SASINE \tab AT INVERNESS 28.04.1791 SCOTTISH RECORD OFFICE EDINBURGH.\par \par SERVICE OF HEIRS CHANCERY\par GEORGE LACKWELL SUTHERLAND OF UPPAT TO HIS FATHER LT.COL. JAMES SUTHERLAND OF UPPAT DATED 03.01.1793 RECORD NO 16 DATE 1790 ON PAGE 48 SCOTISH RECORD OFFICE EDINBURGH.\par \par BOOKS OF COUNCIL AND SESSION\par DEED BY ROBERT SUTHERLAND OF ST VINCENT RS38.13 PAGES 14,1092,230,317,340,349 AND 490 SCOTTISH RECORD OFFICE EDINBURGH.\par \par CROMARTY MUNIMENTS\par GD46.1.50 DATED 16.06.1829 MRS ELIZABETH SUTHERLAND WIDOW OF LIEUTENANT COLONEL JAMES SUTHERLAND OF UPPAT SCOTTISH RECORD OFFICE EDINBURGH.\par \par SERVICE OF HEIRS CHANCERY\par 1740-1759 DATED 15.05.1752 AND 18.09.1752 ELIZABETH BAILLIE DAUGHTER OF JAMES BAILLIE MERCHANT ABERDEEN TO HER BROTHER JAMES BAILLIE AT MILLTOWN OF TARBET ONCE MERCHANT ROTTERDAM WHO DIED MARCH 1747 HEIR PORTION PARISH KILMUIR EASTER ROSSHIRE SCOTTISH RECORD OFFICE EDINBURGH.\par \par SERVICE OF HEIRS CHANCERY\par GEORGE SACKVILLE SUTHERLAND OF UPPAT TO HIS FATHER COLONEL JAMES SUTHERLAND OF UPPAT 03.01.1793 AND 15.01.1793 NO 16 SCOTTISH RECORD OFFICE EDINBURGH.\par \par \cf1 SERVICE OF HEIRS CHANCERY\par

GEORGE SACKVILLE SUTHERLAND MD LACKNOW TO HIS MOTHER GEORGINA M.
MACKENZIE WIDOW OF JAMES SUTHERLAND OF ST VINCENT WHO DIED 20.12.1864 HEIR
GENERAL 15.05.1875.

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[edit](#) **SIR ALEXANDER MACKENZIE
BARONET/PAULM594**

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5.41.15.1507;} \viewkind4\uc1\pard\f0\fs20 C26/6 REFERENCE CHANCERY DIVISION A BRIEF
REGISTERED TO THE SCOTTISH RECORD OFFICE\par \par GENERAL SERVICE OF
ALEXANDER MACKENZIE HEICS TO SIR KENNETH MACKENZIE 1826\par GREAT GRANDSON
OF THE FATHER OF\par \par BRIEF FOR ALEXANDER MACKENZIE PRESENTLY IN THE
MILITARY SERVICE OF THE HONORABLE EAST INDIA COMPANY ELDEST LAWFUL SON OF
THE DECEASED COLONEL ROBERT MACKENZIE OF THE SAME SERVICE WHO WAS ELDEST
LAWFUL SURVIVING SON OF ALEXANDER MACKENZIE OF ARDLOCH THE ELDEST LAWFUL
SON OF JOHN MACKENZIE OF ARDLOCH WHO WAS ELDEST LAWFUL SON OF ALEXANDER
MACKENZIE OF ARDLOCH YOUNGER BROTHER GERMAN OF SIR GEORGE MACKENZIE OF

TARBAT BARONET AFTERWARDS VISCOUNT TARBAT LORD MCLEOD AND CASTLEHAVEN AND EARL OF CROMARTY ELDEST SON OF SIR JOHN MACKENZIE OF TARBAT AS NEAREST AND LAWFUL HEIR MALE IN GENERAL OF SIR KENNETH MACKENZIE SECOND LAWFUL SON OF KENNETH MACKENZIE AFTERWARDS DESIGNED SIR KENNETH SECOND LAWFUL SON OF THE SAID SIR GEORGE MACKENZIE OF TARBAT BARONET AFTERWARDS VISCOUNT TARBAT LORD MCLEOD AND CASTLEHAVEN AND EARL OF CROMARTY IN AND CONFORM TO THE DESTINATION IN TERMS OF A ROYAL CHARTER OR PATENT 29 APRIL 1704 OF THE TITLE OF BARONET OF NOVA SCOTIA IN FAVOUR OF THE SAID KENNETH MACKENZIE SECOND LAWFUL SON OF THE SAID SIR GEORGE MACKENZIE OF TARBAT BART AFTERWARDS VISCOUNT TARBAT LORD MCLEOD AND CASTLEHAVEN AND EARL OF CROMARTY AND HIS HEIRS MALE FOR EVER \par SHERIFF OF ROSS\par }

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[edit](#) **SIR ALEXANDER MACKENZIE
BARONET/PAULM594**

{\rtf1\ansi\ansicpg1252\deff0\deflang2057{\fonttbl{\f0\froman\frq2\fcharset0 Georgia;}} {*\generator Msftedit 5.41.15.1503;} \viewkind4\uc1\pard\b\fs16\tab RD 13/149/BOX657. DATE 31/JULY 1809\par \tab DISPOSITION AND DEED OF SETTLEMENT BY COLONEL ROBERT MACKENZIE\par \tab 26 NOVEMBER 1802 WB OFFICE 31/07/1809\par \tab PRESENTED BY JOSEPH GORDON\par \tab MR THOMAS THOMSON ADVOCATE 5 SHEETS.\par \par \par \tab I COLONEL ROBERT MACKENZIE IN THE SERVICE OF THE HONOURABLE EAST \par \tab INDIA COMPANY FOR THE LOVE FAVOUR AND AFFECTION WHICH I HAVE AND\par \tab BEAR TO ALEXANDER MACKENZIE MY SON PROCREATED OF THE MARRIAGE\par \tab BETWEEN ME AND MRS KATHARINE SUTHERLAND NOW MACKENZIE MY WIFE\par \tab AND OTHER GOOD CAUSES AND CONSIDERATIONS MOVING ME DO BY THESE\par \tab PRESENTS IN THE EVENT OF MY DECEASE GIVE GRANT AND DISPONE TO AND\par \tab IN FAVOUR OF THE

SAID ALEXANDER MACKENZIE MY SON AND THE HEIRS \par \tab WHATSOEVER OF HIS BODY
WHOM FAILING TO THE HEIRS WHATSOEVER OF MY\par \tab BODY WHOM FAILING TO
ROBERT MACKENZIE LIEUTENANT IN THE MAHRATTA\par \tab SERVICE MURDOCK
MACKENZIE SON OF KATHARINE MCLEOD IN ASSYNT IN \par \tab THE COUNTY OF
SUTHERLAND AND HUME MACKENZIE LIEUTENANT IN THE \par \tab SERVICE OF THE
HONOURABLE EAST INDIA COMPANY ON THE MADRAS\par \tab ESTABLISHMENT ALL THREE
MY NATURAL SONS EQUALLY AMONG THEM AND\par \tab THE HEIRS WHATSOEVER OF
THEIR BODIES AND FAILING ANY ONE OR TWO\par \tab OF THEM AND THE HEIRS
WHATSOEVER OF THEIR BODIES TO THE OTHER ONE\par \tab OR TWO OF THEM EQUALLY
BETWEEN THEM IF TWO AND THE HEIRS \par \tab WHATSOEVER OF HIS OR THEIR BODIES
WHOM ALL FAILING TO MY OWN \par \tab NEAREST AND LAWFUL HEIRS AND ASSIGNEES
WHATSOEVER ALL AND \par \tab SUNDRY LANDS HERITAGES ANNUAL RENTS TEINDS
ADJUDICATIONS \par \tab REVERSIONS WOODS MILLS FISHINGS TACKS HEADING AND
POSSESSION\par \tab BELONGING TO ME OR WHICH SHALL BELONG TO ME AT MY DEATH
AS\par \tab ALSO ALL AND SUNDRY DEBTS AND SUMS OF MONEY BOTH HERITABLE AND \par
\tab MOVEABLE DUE AND OWING OR WHICH SHALL BE DUE AND OWING BY ANY\par \tab
PERSON OR PERSONS TO ME AT MY DEATH BY BOND BILL DECREE ACCOUNT\par \tab
PREMISE OR FACTION AS RENT OF LANDS OR ANNUAL RENTS OF MONEY OR IN \par \tab
ANY OTHER MANNER OF WAY WHATSOEVER WITH THE WHOLE VOUCHERS\par \tab
INSTRUCTIONS AND CONVEYANCES THEREOF WRITS AND DEEDS GRANTED\par \tab AND
DILIGENCE AND EXECUTION ISSUED AND OBTAINED FOR PAYMENT AND\par \tab SECURITY
OF THE SAME AND ALSO ALL AND SUNDRY CORNS CATTLE HORSE \par \tab SHEEP
HOUSEHOLD PLENISHINGS AND FURNITURE INCLUDING BED AND\par \tab TABLE LINEN
SILVER PLATE JEWELS TRINKETS BANK NOTES GOLD AND SILVER\par \tab COINED AND
UNCOINED AND LYING MONEY CLOATHS BOOKS AND OTHER \par \tab MOVEABLE GOODS
GEAR AND EFFECTS OF WHATSOEVER NATURE OR\par \tab DENOMINATION INCLUDING
HEIRSHIP MOVEABLE BELONGING OR THAT MAY \par \tab BELONG TO ME AT MY DEATH
WHEREVER OR IN WHOSE CUSTODY SOEVER\par \tab THE SAME MAY THEN BE DISPENSING
WITH THE GENERALITY HEREOF AND\par \tab DECLARING THESE PRESENTS TO BE
EQUALLY GOOD AND EFFECTUAL\par \tab TO ALL INTENTS AND PURPOSES AS IF THE SAID
LANDS HERITAGES\par \tab MOVEABLE DEBTS AND OTHERS HEREBY CONVEYED WERE
HEREIN \par \tab PARTICULARLY SPECIFIED AND ENUMERATED DECLARING ALWAYS AS IT
IS\par \tab WHEREBY EXPRESSLY PROVIDED AND DECLARED THAT THE SAID
ALEXANDER\par \tab MACKENZIE MY SON AND THE OTHER HEIRS SUBSTITUTES AND
SUCCESSORS\par \tab BEFORE NAMED IN THEIR ORDER SHALL BE BOUND AND OBLIGED TO
CONTENT\par \tab AND PAY MY FUNERAL EXPENSES AND ALL MY JUST AND LAWFUL
DEBTS\par \tab AND PARTICULARLY WITHOUT PREDUDICE TO THE SAID GENERALITY
THE\par \tab PREVIOUS CONTAINED IN A CONTRACT OF MARRIAGE ENTERED INTO
BETWEEN\par \tab ME ON THE ONE PART AND THE SAID KATHERINE SUTHERLAND NOW
MACKENZIE\par \tab MY WIFE ELDEST LAWFUL DAUGHTER OF THE DECEAST COLONEL
JAMES\par \tab SUTHERLAND OF UPPAT WITH THE ADVICE AND CONCENT OF CAPTAIN
GEORGE\par \tab SACKVILLE SUTHERLAND OF UPPAT HER BROTHER GERMAN ON THE
OTHER\par \tab PART DATED THE 15/07/1801 WHICH PROVISIONS WERE CONCEIVED IN
FAVOUR\par \tab OF THE SAID KATHERINE SUTHERLAND NOW MACKENZIE MY WIFE AS
WELL\par \tab OF THE CHILDREN TO BE PROCREATED OF THE MARRIAGE DECLARING
THAT\par \tab THE SAID ALEXANDER MACKENZIE MY SON SHALL BE ENTITLED TO THE
FULL\par \tab BENIFIT OF THE PROVISIONS CONTAINED IN THE SAID CONTRACT IN SO \par
\tab FAR AS THE SAME MAY BE INTERPRETED IN HIS FAVOUR OVER AND ABOVE\par \tab
WHAT HE MAY DRAW FROM MY ESTATE REAL AND PERSONAL IN VIRTUE \par \tab OF THESE
PRESENTS THE SAME BEING MADE AND GRANTED WITHOUT\par \tab PREJUDICE TO THE
ABOVE MENTIONED PREVIOUS IN ANY MANNER OF WAY\par \tab AS ALSO MY SAID SON AND
THE OTHER HEIRS SUBSTITUTING AND\par \tab SUCCESSORS BEFORE MENTIONED SHALL
BE BOUND TO PAY THE\par \tab FOLLOWING LAGACIES VIZ. WHEREAS BY THE SAID
CONTRACT OF MARRIAGE\par \tab AMONG OTHER PROVISIONS CONCEIVED IN FAVOUR OF
THE SAID KATHARINE\par \tab SUTHERLAND NOW MACKENZIE MY WIFE IT WAS DECLARED
THAT IN THE EVENT\par \tab OF MY PREDECEASING THE SAID KATHERINE SUTHERLAND
NOW MACKENZIE\par \tab MY WIFE AND THAT AT THE DISSOLUTION OF THE MARRIAGE BY

MY DECEASE\par \tab OR OTHERWISE THERE SHOULD BE NO CHILD OR CHILDREN EXISTING \par \tab THEREOF AT THE TIME THEN AND IN THAT CASE I PROVIDED HEREIN AND\par \tab SHE WAS ENTITLED TO RECEIVE AND WAS THEREBY EMPOWERED TO\par \tab DEMAND AND RECEIVE THE INTEREST OF SIX THOUSANT POUNDS STERLING\par \tab PROVIDED TO THE CHILDREN OF THE MARRIAGE IN MANNER THEREIN\par \tab MENTIONED NOW IN CASE THE SAID EVENTUAL PROVISION SHOULD BE\par \tab VACATED IN CONSEQUENCE OF THE EXISTENCE OF A CHILD OR CHILDREN\par \tab PROCREATED OF THE MARRIAGE WHO MAY SURVIVE ME THEN AND\par \tab IN THAT EVENT I HEREBY GIVE AND BEQUEATH TO THE SAID KATHARINE\par \tab SUTHERLAND NOW MACKENZIE MY WIFE THE SUM OF TWO THOUSANT\par \tab POUNDS STERLING THEN TO THE SAID HUME MACKENZIE MY NATURAL\par \tab SON I GIVE AND BEQUEATH THE SUM OF FIVE HUNDRED POUNDS STERLING\par \tab THEN TO THE SAID ROBERT MACKENZIE MY NATURAL SON THE SUM\par \tab OF THREE HUNDRED POUNDS STERLING THEN TO THE SAID MURDOCH\par \tab MACKENZIE MY NATURAL SON THE LIKE SUM OF THREE HUNDRED \par \tab POUNDS STERLING THEN TO FRANCES MACKENZIE NOW GUNN MY\par \tab NATURAL DAUGHTER THE SUM OF TWO HUNDRED POUNDS STERLING\par \tab THEN TO MARIA MACKENZIE NOW MACAULY MY NATURAL DAUGHTER\par \tab THE LIKE SUM OF TWO HUNDRED POUNDS STERLING THEN TO COLONEL\par \tab LOUIS GRANT OF ACHUINACH LATE IN THE SERVICE OF THE HONOURABLE\par \tab EAST INDIA COMPANY THE SUM OF THREE HUNDRED POUNDS STERLING\par \tab THEN TO CAPTAIN CHARLES GRANT IN THE SERVICE OF THE HONOURABLE\par \tab EAST INDIA COMPANY ON THE BENGAL ESTABLISHMENT THE LIKE\par \tab SUM OF THREE HUNDRED POUNDS STERLING THEN TO MRS ELIZABETH\par \tab SUTHERLAND WIDOW OF THE SAID COLONEL JAMES SUTHERLAND AND\par \tab MOTHER OF THE SAID KATHARINE SUTHERLAND NOW MACKENZIE\par \tab WIFE THE SUM OF FIVE HUNDRED POUNDS STERLING AND MY SAID SON\par \tab AND THE OTHER HEIRS SUBSTITUTING AND SUCCESSORS BEFORE\par \tab MENTIONED SHALL BE BOUND TO PAY THE SAID SEVERAL LAGACIES\par \tab AT THE FIRST TERM OF WHITSUNDAY OR MARTINMAS AFTER MY DEATH\par \tab WITH A FIFTH PART MORE OF PENALTY IN CASE OF FAILURE AND THE \par \tab LEGAL INTEREST OF THE SAID SUMS RESPECTIVELY FROM THE SAID\par \tab TERM OF PAYMENT UNTIL PAID DECLAIRING THAT THE JUS MARITI\par \tab AND RIGHT OF ADMINISTRATION OF THE HUSBANDS OF THE SAID\par \tab FRANCIS MACKENZIE NOW GUNN AND OF THE SAID MARIA MACKENZIE\par \tab NOW MACAULY IS HEREBY EXPRESSLY SECLUDED AND DEBARRED IN SO\par \tab FAR AS CONCERNS THE SAID LEGACIES PENALTIES AND INTEREST\par \tab AND FOR CARRYING THESE PRESENTS INTO MORE EFFECTUAL\par \tab EXECUTION I HEREBY NOMINATE AND APPOINT THE SAID ALEXANDER\par \tab MACKENZIE MY SON WHOM FAILING THE SAID KATHARINE SUTHERLAND\par \tab NOW MACKENZIE MY WIFE THE SAID GEORGE SACKVILLE SUTHERLAND\par \tab THE SAID LOUIS GRANT THE SAID CHARLES GRANT COLONEL WILLIAM\par \tab DUNCAN IN THE SERVICE OF THE HONOURABLE EAST INDIA COMPANY\par \tab CAPTAIN HENRY WHITE IN THE SERVICE OF THE HONOURABLE EAST\par \tab INDIA COMPANY ON THE BENGAL ESTABLISHMENT AND NOW OR LATELY\par \tab AIDE DE CAMP TO HIS EXELLENCY MARQUISE WELLESLEY GOVERNOR\par \tab GENERAL OF BENGAL AND COLIN MACKENZIE WRITER TO THE SIGNET\par \tab AND THE ACCEPTING SURVIVORS OR SURVIVOR OF THEM TO BE MY\par \tab SOLE EXECUTORS EXCLUDING MY NEAREST OF KIN AND ALL OTHERS \par \tab FROM THE SAID OFFICE MOREOVER AS I JUDGE IT PRUDENT TO NAME\par \tab TUTORS AND CURATORS TO THE SAID ALEXANDER MACKENZIE\par \tab MY SON OR TO ANY OTHER CHILD OR CHILDREN WHO MAY BE \par \tab PROCREATED OF THE SAID MARRIAGE BETWEEN ME AND THE\par \tab SAID KATHARINE SUTHERLAND NOW MACKENZIE AND HAVING\par \tab ENTIRE CONFIDENCE IN THE SAID KATHARINE SUTHERLAND \par \tab NOW MACKENZIE MY WIFE GEORGE SACKVILLE SUTHERLAND\par \tab LOUIS GRANT CHARLES GRANT WILLIAM DUNCAN HENRY WHITE\par \tab AND COLIN MACKENZIE DO HEREBY NOMINATE AND APPOINT\par \tab THEM AND THE ACCEPTING SURVIVORS OR SURVIVOR OF\par \tab THEM TO BE TUTORS AND CURATORS TO THE SAID ALEXANDER\par \tab MACKENZIE MY SON AND TO SUCH OTHER CHILD OR CHILDREN\par \tab AS MAY BE PROCREATED OF THE SAID MARRIAGE DURING\par \tab THE WHOLE PERIOD OF THEIR RESPECTIVE PUPILARITIES AND MINORITIES\par \tab DECLARING THAT THE MAJORITY OF THE PERSONS BEFORE NAMED\par \tab ACCEPTING AND ALIVE AT THE TIME

OR ANY ONE OF THEM\par \tab ACCEPTING AND SURVIVING THE LEAST SHALL BE A QUORUM AND\par \tab DECLAIRING ALSO THAT THEY SHALL NOT AS TUTORS OR CURATORS\par \tab BE LIABLE FOR OMISSIONS NOR SINGULI IN SOLIDUM BUT EACH\par \tab ONLY FOR HIS OWN ACTUAL INTROMISSIONS AND THAT IT SHALL\par \tab BE IN THE POWER OF THE PERSONS BEFORE NAMED TO ACCEPT\par \tab THE OFFICE OF TUTOR AND RENOUNCE THE OFFICE OF CURATOR \par \tab AND I HEREBY REVOKE ALL FORMER DISPOSITION AND SETTLEMENT\par \tab LEGACIES CODICALS AND OTHER TESTAMENTARY DEEDS MADE \par \tab OR GRANTED BY ME IN FAVOR OF WHATEVER PERSON OR PERSONS\par \tab PRECEEDING THE DATE HEREOF AND DECLARE THIS TO BE MY LAST\par \tab WILL AND TESTAMENT RESERVING ALWAYS TO MYSELF FULL\par \tab POWER AND LIBERTY AT ANY TIME OF MY LIFE\par \tab EVEN IN SICKNESS OR ON DEATHBED TO EVOKE ALTER AND INNOVATE\par \tab THESE PRESENTS IN WHOLE OR IN PART OR TO CANCEL THE SAME\par \tab AT PLEASURE BUT IF I SHALL NOT THINK FIT SO TO DO THESE PRESENTS\par \tab SHALL BE EFFECTUAL THOUGH FOUND IN MY CUSTODY OR IN THE CUSTODY\par \tab OF ANY OTHER PERSON TO WHOM I MAY ENTRUST THE SAME UNDELIVERED\par \tab AT MY DEATH WITH THE DELIVERY WHEREOF I HEREBY DISPENSE AND\par \tab CONSENT TO THE REGISTRATION HEREOF IN THE BOOKS OF COUNCIL AND \par \tab SESSION OR OTHERS COMPETENT THEREIN TO REMAIN FOR PRESERVATION\par \tab AND THERETO CONSTITUTE\par \par \tab MY PROCURATORS IN WITNESS.\par \tab WHEREOF SUBSCRIBE THESE PRESENTS WRITTEN ON THIS AND THE TWO \par \tab PRECEEDING PAGES OF STAMPED PAPER BY WILLIAM MACKENZIE CLERK TO\par \tab ALEXANDER AND COLIN MACKENZIE WRITERS TO THE SIGNET ON EACH\par \tab PAGE AT EDINBURGH THE 26/11/1802 BEFORE THESE WITNESSES THE\par \tab SAID ALEXANDER MACKENZIE WRITER TO THE SIGNET AND THE SAID \par \tab WILLIAM MACKENZIE WRITER HEREOF.\par \tab ROBERT MCKENZIE\par \tab ALEXANDER MACKENZIE \tab WITNESS\par \tab WILLIAM MACKENZIE \tab WITNESS\par }

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[edit](#) SIR ALEXANDER MACKENZIE BARONET/PAULM594

{\rtf1\ansi\ansicpg1252\deff0\deflang2057{\fonttbl{\f0\froman\prq2\fcharset0 Georgia;}} {\colortbl ;\red255\green0\blue0;} {*\generator Msftedit 5.41.15.1503;} \viewkind4\uc1\pard\fs16\ RD/14/118/765. 24TH JUNE 1778 CONTRACT MATRIMONIAL.\par \tab\par \tab BETWEEN ALEXANDER MACKENZIE OF ARDLOCH AND MISS MARGARET SUTHERLAND \tab 1732.\par \tab\par \tab EDITED 24 JUNE 1778 PRESENTED BY RODERICK MCLEOD WRITEN IN EDINBURGH.\par \par \tab REGISTERED BY DAVID RAE AND JAMES BOSWELL.\par \par \tab 152 BOOKED.\par \par \par \tab AT LANGWELL THE SIXTEENTH DAY OF SEPTEMBER 1732. IT IS APPOINTED CONTRACTED FINALLY AND\par \tab MATRIMONALLY AGREED AND ENDED BETWEEN THE PARTIES FOLLOWING VIZ. ALEXANDER MACKENZIE\par \tab YOUNGER OF ARDLOCH TO THE SPECIAL ADVICE AND CONSENT OF THE RIGHT \tab HONOURABLE \tab WILLIAM\par \tab LORD STRATHNAVER AND THE SAID LORD STRATHNAVER TAKING APON

HIM FULL BURDEN FOR THE SAID ALEXANDER MACKENZIE OF ARDLOCH ON THE ONE PART AND MARGARET SUTHERLAND LAWFULL DAUGHTER TO THE DEWAFT CAPTAIN ROBERT SUTHERLAND OF LANGWELL WITH THE SPECIAL ADVICE AND CONCENT OF WILLIAM SINCLAIR OF -----WICK AND THE SAID WILLIAM SINCLAIR OF -----WICK TAKING APON HIM BURDEN FOR THE SAID MARGARET SUTHERLAND ON THE OTHER PART IN MANNER FOLLOWING THAT IS TO SAY THE SAID ALEXANDER MACKENZIE AND MARGARET SUTHERLAND WITH CONSENT BOTH HAVE ACCEPTED AND TAKEN AND BY THEIR PRESENTS ACCEPT AND TAKE EACH FOR THEIR LAWFULL PROMISED SPOUSES AND FAITHFULLY JOINED AND OBLIGE THEM TO SOLOMENIZE AND COMPLETE THE HOLY BOND OF MARRIAGE TOGETHER WITH ALL REQUISITE SOLOMENISES BETWIX AND THE ----- DAY OF OCTOBER NEXT TO COME IN CONTENTPLATION OF THE WHICH MARRIAGE AND FOR THE LOCKER UNDERWRITEN THE SAID ALEXANDER MACKENZIE OF ARDLOCH AND THE SAID WILLIAM LORD STRATHNAVER AS TAKING APON HIM FULL BURDEN FOR THE SAID ALEXANDER MACKENZIE BINDS AND OBLIGES THEM THEIR HEIRS AND SUCCESSORS TO DULY AND UFFICIENTLY INFECT AND SAISE THE SAID MARGARET SUTHERLAND IN LIFERENT DURING ALL THE DAY OF HER LIFETIME AFTER THE DOWERY OF THE SAID ALEXANDER MACKENZIE IN CASE SHE SHALL HAPPEN TO SURVIVE HIM IN ALL AND HAILLE THE SUM OF THE FIVE HUNDRED AND TWENTY FIVE MERKS SCOTS MONEY YEARLY UPLIFTABLE BY HER IN THE EVENT FOURTH AT TWO TERMS IN THE YEAR BY EQUALL PROPORTIONS BEGINNING THE FIRST TERMS PAYMENT OF THE SAID ANNUITIES AT THE FIRST TERM OF WHITSUNDAY OR MARTIMAS AFTER THE DOWERY OF THE SAID ALEXANDER MACKENZIE AND SO FORTH TO CONTINUE YEARLY THEREAFTER DURING THE SAID LIFETIME AND THE SAID ALEXANDER MACKENZIE AND THE SAID RIGHT HONOURABLE WILLIAM LORD STRATHNAVER AS BURDEN TAKEN FOR HIM BINDS AND OBLIGES THEM AND THEIR ABOVE WRITEN TO DELIVER THE SAID SECURITIES IN MANNER ABOVE WRITTEN DULY AND VALIDLY MADE INTO BETWIX AND THE TERM OF WHITSUNDAY NEXT TO COME THE SAID LORD STRATHNAVER BEING ONLY BOUND AS BURDEN TAKEN FOR THE LIFE RENT PROVISION TO THE SAID MARGARET SUTHERLAND AND GO FURTHER AND THE SAID ALEXANDER MACKENZIE HERBY DECLARES THAT THE LIFERENT PROVISION ABOVE WRITTEN IS NO WITTS TO JUDGE THE SAID MARGARET SUTHERLAND ON HER RIGHT TO HER SHARE OF MOOVEABLES AND CONCUR AS THE LAW DIRECTS THE SAME BEING REFERED ENTIRE TO HER FURTHER THE SAID ALEXANDER MACKENZIE BINDS AND OBLIGES HIM HIS HEIRS AND SUCCESSORS DULY AND SUFFICIENTLY TO PROVIDE AND SECURE THE HEIRS MALE TO BE ROCREATE OF THE MARRIAGE IN THE SAME OF TWELVE THOUSAND POUNDS SCOTS MONEY PAYABLE AT THE FIRST TERM OF WHITSUNDAY OR MARTIMAS AFTER THE SAID ALEXANDER MACKENZIE HIS DEATH AND TO DELIVER HE SAID SECURITY SO PROVIDED BETWIX AND THE FORM OF WHITSUNDAY ALSO NEXT TO COME BUT IN ALLTHE SAID MARGARET SUTHERLAND SHALL DIE BEFORE THE SAID ALEXANDER MACKENZIE AND THAT THE SAID ALEXANDER MACKENZIE SHALL MARRY AGAIN THEN AND IN THAT CASE HE BINDS AND OBLIGES HIM HIS HEIRS AND SUCCESSORS TO PAY YEARLY TO THE SAID HEIR MALE OR SON THE SUMS OF THREE HUNDRED MERKS SCOTS MONEY BEGINNING THE FIRST TERMS PAYMENT OF THE SAID SUMS AT THE FIRST TERM OF WHITSUNDAY OR MARTIMAS AFTER THE DEATH OF THE SAID MARGARET SUTHERLAND AND ALEXANDER MACKENZIE AND IN CASE THERE SHOULD BE ANY HEIRS MALE PROCREATED OF THE MARRIAGE AND THERE SHOULD BE BUT ONE DAUGHTER THEN AND IN THAT CASE THE SAID ALEXANDER MACKENZIE BINDS AND OBLIGES HIM AND HIS FOR FIRST TO PAY TO THE SAID DAUGHTER OR HEIR FEMALE THE SUM OF SEVEN THOUSANT MERKS SCOTS MONEY AND IN THE CASE OF TWO THREE OR MORE DAUGHTERS THE SUM OF NINE THOUSANT MERKS MONEY FOR AND BETWIX THEM TO BE DIVIDED BY THE FATHER AS HE SHALL THINK FIT ANYTIME IN HIS LIFETIME BUT IN CASE OF NO SUCH DIVISION THE SAME SHALL BE MADE AT THE SIGHT OF TWO NEAREST OF KIN ON THE FURTHER FIVE AND TWO OF THE NEAREST OF KIN ON THE MOTHER FIVE AND IN CASE THERE BE NO HEIR MALE PROCREATED OF THE MARRIAGE AND THAT THERE BE ONE TWO OR MORE

DAUGHTERS OF THE DISSOLUTION OF THE SAID MARRIAGE BY THE DEATH OF THE SAID MARGARET SUTHERLAND THEN AND IN THE EVENT THE SAID ALEXANDER MACKENZIE BINDS AND OBLIGES HIM AND HIS HEIRS AND SUCCESSORS TO PAY THE ANNUAL RENT OF THE FORTH PROVISIONS TO HIS SAID DAUGHTERS BEGINNING THE FIRST TERMS PAYMENT THEREOF AT THE TERM OF WHITSUNDAY OR MARTIMAS AFTER THE DEATH OF THE SAID MARGARET SUTHERLAND OR THE SAID ALEXANDER MACKENZIE OR ANY OF THEM AT FIRST SHALL HAPPEN AND THE SAID PRINCIPAL SUM TO BE PAID AT THEIR RESPECTIVE THE SAID WILLIAM SINCLAIR OF ----- WICK AS BURDEN TAKEN FOR THE SAID MARGARET SUTHERLAND AND AS DOWRY TO HER FOR THE SUM UNDERWRITTEN BINDS AND OBLIGES HIM HIS HEIRS AND SUCCESSORS TO CONTEND AND PAY TO THE SAID ALEXANDER MACKENZIE HIS HEIRS AND EXECUTORS OR ASSIGNEES THE SUM OF THREE THOUSAND FIVE HUNDRED MERKS SCOTS MONEY AND AT THE TERM OF WHITSUNDAY NEXT TO COME TO THE ONE AND ORDINARY ANNUAL RENT OF THE SAID PRINCIPAL SUM THE TERM OF WHITSUNDAY LEFT BY PART UNTIL THE SAID FORM OF PAYMENT AND YEARLY AND FORMELY THEREAFTER DURING THE NOT PAYMENT THEREOF AND ITS HEREBY DECLARED THAT IN CASE THE MARRIAGE SHOULD DISOLVE BY THE DEATH OF EITHER OF THE SAID PARTIES WITHIN YEAR AND DAY AFTER THE SAID MARRIAGE THAT THE JOINTURE AND LOCKER HEREBY PROVIDED SHALL TAKE PLACE IN MANNER ABOVE WRITTEN ANY LAW OR PRACTICE TO THE CONTRARY NOTWITHSTANDING RATIFY IT IS AGREED THAT EXECUTION SHALL PASS FOR IMPRESSMENT OF THE SAID CONTRACT AGT THE SAID ALEXANDER MACKENZIE AND WILLIAM LORD STRATHNAVER AT THE INSTANCE OF JOHN SUTHERLAND OF HOWE JAMES BUDGE OF TACHNAGA JAMES SUTHERLAND OF LANGWELL AND WILLIAM SINCLAIR OF -----WICK OR EITHER OF THEM AND BOTH PARTIES BIND AND OBLIGE THEM THEIR THE PERFORMANCE OF THE RESPECTIVE PARTS OF THE PROMISE AS UNDER THE PENALTY OF EIGHT HUNDRED POUNDS SCOTS MONEY AT TO FOR NAMED AND FOR THE MORE SECURITIES WE CONCENT TO THE REGISTRATION IN THE BOOKS OF COUNCIL SESSION OR ANY OTHER JUDGES BOOKS THAT ALL EXECUTION NOWSTANDING MAY PASS HEREON AS AFFAIRS AND TO THAT EFFECT WE CONSTITUTE OUR PROCURATORS IN WITNESS WHEREOF WE HAVE SUBSCRIBED THESE PRESENTS WRITTEN ON THIS AND THE PRECEDING TWO PAGES OF STAMPED PAPER BY MR WILLIAM SCOBIE MINISTER OF THE GOSPEL AT ASSINT PLACE AND INSERT IN THE FIRST PAGE BY ONE OF THESE WITNESSES JAMES SINCLAIR OF DUMBEATH KENNETH MACKENZIE BROTHER GERMAN TO THE SAID ALEXANDER MACKENZIE OF ARDLOCH KENNETH SUTHERLAND BAYLIE OF DORNOCH AND MR WILLIAM SCOBIE .cf1 SIGNED ALEXANDER MACKENZIE MARGARET SUTHERLAND JAMES SINCLAIR KENNETH MACKENZIE KENNETH SUTHERLAND WILLIAM SCOBIE AND SINCLAIR AND STRATHNAVER.ccf0 }

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**edit SIR ALEXANDER MACKENZIE
BARONET/PAULM594**

{\rtf1\ansi\ansicpg1252\deff0\deflang1033{\fonttbl{\f0\fswiss\fcharset0 Arial;}} {*\generator Msftedit 5.41.15.1507;} \viewkind4\uc1\pard\f0\fs20 CONTRACT OF SALE BETWEEN SIR JAMES SUTHERLAND MACKENZIE BART AND EDWARD SUTHERLAND ESQUIRE 12 OCTOBER 1850 AND 5 AUGUST 1851 GEORGE MUNRO J MACKENZIE AD PROCURATOR WM MASON AGENT\par \par REFERENCE BOX 430 5TH AUGUST 1851\par \par IT IS CONTRACTED AND AGREED BETWEEN SIR JAMES SUTHERLAND MACKENZIE OF ROYSTON BARONET ON THE ONE PART AND EDWARD SUTHERLAND STEWARD AND STOCKKEEPER OF THE ROYAL HOSPITAL CHELSEA CAPTAIN UNATTACHED OF THE OTHER PART IN MANNER FOLLOWING THAT IS TO SAY THE SAID JAMES SUTHERLAND MACKENZIE IN CONSIDERATION OF THE PRICE AFTER STIPULATED AND WITH AND UNDER THE CONDITION PROVISION DECLARATION AND PRESERVATION AFTER WRITTEN THEREBY SELLS TO THE SAID EDWARD SUTHERLAND AND HIS HEIRS EXECUTORS AND ASSIGNEES WHOMSOEVER ALL AND WHOLE THE SUM OF THREE THOUSAND THREE HUNDRED AND NINETEEN POUNDS

AND FIVE PENCE AND ONE THIRD OF A PENNY STERLING WITH INTEREST AND PENALTIES THEREON AS CONTAINED IN AND DUE BY A BOND GRANTED BY THE DECEASED JOHN HAY MACKENZIE OF CROMARTY ESQUIRE ONLY SON OF THE HONOURABLE MRS MARIA MURRAY HAY MACKENZIE AND THE SAID MRS MARIA MURRAY HAY MACKENZIE AND IN FAVOUR OF THE ALSO DECEASED SIR ALEXANDER MACKENZIE OF ROYSTON BARONET THE BROTHER OF THE SAID SIR JAMES SUTHERLAND MACKENZIE WHOM FAILING TO THE NEAREST HEIR MALE WHATSOEVER OF THE DECEASED GEORGE VISCOUNT OF TARBAT AFTERWARDS EARL OF CROMARTY WHOM FAILING TO THE NEAREST HEIRS AND ASSIGNEES WHATSOEVER OF THE SAID GEORGE VISCOUNT OF TARBAT AFTERWARDS EARL OF CROMARTY WHICH BOND IS DATED THE NINETEENTH DAY OF FEBRUARY AND EIGHTEENTH DAY OF MARCH ONE THOUSAND EIGHT HUNDRED AND THIRTYFIVE AND BY WHICH BOND THE SAID JOHN HAY MACKENZIE AND MRS MARIA MURRAY HAY MACKENZIE UPON THE NARRATIVE AND FOR THE REASONS THEREIN EXPRESSED AS ACKNOWLEDGED CONFESS AND DECLARE THEMSELVES AND THE HEIRS OF TAILZIE SUCCEEDING TO THEM IN THE SAID LANDS AND ESTATE OF CROMARTY TO BE JUSTLY ADEBTED AND RESTING OWING TO THE SAID SIR ALEXANDER MACKENZIE AND THE OTHER HEIRS OF ENTAIL OF ROYSTON THE SAID PRINCIPAL SUM OF THREE THOUSAND THREE HUNDRED AND NINETEEN POUNDS AND FIVE PENCE AND ONE THIRD OF A PENNY STERLING AND BIND AND OBLIGE THEMSELVES JOINTLY AND SEVERALLY AND THE HEIRS OF TAILZIE SUCCEEDING TO THEM IN THE LANDS AND ESTATE OF CROMARTY TO CONTENT AND PAY THE SAME AS THEREIN EXPRESSED TO THE SAID ALEXANDER MACKENZIE WHOM FAILING AS AFORESAID WITH LIQUIDATE PENALTY INTEREST TERMLY FAILURES ALL THEREIN EXPRESSED AS THE SAID BOND IN ITSELF BEARS----- THE SUM OF ONE THOUSAND AND FIFTY POUNDS STERLING CONTAINED IN AND DUE BY A BILL DRAWN BY JOSEPH GORDON WRITER TO THE SIGNET AND ALEXANDER STUART WRITER IN EDINBURGH FOR BEHOOF OF THE SAID SIR JAMES SUTHERLAND MACKENZIE AND THE HEIRS SUCCEEDING TO HIM UNDER THE ROYSTON ENTAIL UPON AND ACCEPTED BY MESSEURS J R BOWINE AND COMPANY PEAK ALUM WORKS AND THOMAS RYMER BOWINE ESQUIRE AND CHARLES LIDDELL ESQUIRE NEAR WHITBY CONJUNCTLY AND SEVERALLY WHICH BILL IS DATED THE TWELFTH DAY OF MAY ONE THOUSAND EIGHT HUNDRED AND FORTY SEVEN AND PAYABLE TWELVE MONTHS AFTER DATE TO THE ORDER OF THE SAID JOSEPH GORDON AND ALEXANDER STUART FOR BEHOOF AFORESAID AND THE SUM THEREIN CONTAINED IS HEREBY DECLARED TO BE FOR VALUE BEING PART OF THE ROYSTON RESIDUE THE SUM OF THREEHUNDRED AND TWENTYFOUR POUNDS AND FIVE SHILLINGS STERLING BEING THE BALANCE OF A SUM SAID TO HAVE BEEN LENT TO THE LATE ROBERT SUTHERLAND ESQUIRE OF MILNMOUNT AND WHICH SUM IS NOW DUE TO THE SAID SIR JAMES SUTHERLAND MACKENZIE BY THE REPRESENTATION OF THE SAID ROBERT SUTHERLAND ESQUIRE AND BY THE FORESAID JOSEPH GORDON AND ALEXANDER STUART AND MESSEURS GORDON STUART AND CHEYNE W S EDINBURGH ALL OR ONE OR OTHER OF THEM WITH THE INTEREST ON THE SAID SEVERAL SUMS FROM AND SINCE THE TERM OF WHITSUNDAY LAST 6 ONE THOUSAND EIGHT HUNDRED AND FIFTY AND THE PENALTIES AND TERMLY FAILURES IF INCURRED ON THE SUM CONTAINED IN THE BOND FIRST ABOVE MENTIONED TOGETHER WITH ALL RIGHT TITLE AND INTEREST AND CLAIM OF EIGHT INTEREST AND PROPERTY WHICH THE SAID SIR JAMES SUTHERLAND MACKENZIE OR HIS ANCESTORS PREDECESSORS OR AUTHORS OR HEIRS AND SUCCESSORS HAD HAVE OR CAN ANY WISE CLAIM OR PRETEND TO THE SAID SEVERAL SUMS AND DOCUMENTS OF DEBT AND OTHERS OR TO ANY PART OR PORTION OF THE SAME AND THE SAID SIR JAMES SUTHERLAND MACKENZIE HEREBY BINDS AND OBLIGES HIMSELF AND HIS HEIRS AND SUCCESSORS IN THE SAID SUMS DOCUMENTS AND OTHERS UPON THE RIGHT OF THE SAID SIR JAMES SUTHERLAND MACKENZIE TO SELL AND ALIENATE THE SAID SUMS AND OTHERS BEING FINALLY ASCERTAINED AND DETERMINED IN ONE OR OTHER OF THE WAYS AFTER MENTIONED AND UPON RECEIVING PAYMENT OF THE PRICE OF THE SAID SUMS DOCUMENTS AND OTHERS AS AFTER STIPULATED TO EXECUTE AND DELIVER AFORESAID AND VALID DISPOSITION AND ASSIGNATION OR OTHER SUITABLE DEED OF CONVEYANCE OF THE SAID SUMS DOCUMENTS AND OTHERS TO THE SAID EDWARD SUTHERLAND AND HIS AFORESAIDS CONTAINING CLAUSE OF ABSOLUTE WARRANDICE SO FAR AS REGARDS THE SAID JAMES SUTHERLAND MACKENZIES TITLE AND CLAUSE OF WARRANDICE FROM

FACT AND DEED ONLY SO FAR AS REGARDS THE SAID DEBTS AND OTHERS AND ALS CONTAINING ASSIGNATION TO THE ANNUAL RENTS OF THE SAID SUMS AND OTHERS FROM AND AFTER THE TERM OF WHITSUNDAY ONE THOUSAND EIGHT HUNDRED AND FIFTY ASSIGNATION TO THE WRITS AND EVIDENTS OF THE SAID SUMS DOCUMENTS AND OTHERS AND ALL OTHER USUAL AND NECESSARY CLAUSES BUT WHEREAS THE SAID JAMES SUTHERLAND MACKENZIE HAS RIGHT TO THE SAID SUMS DOCUMENTS AND OTHERS HEREBY SOLD AS HEIR OF TALLIE AND PROVISION UNDER A CERTAIN DEED OF ENTAIL AND OTHER WRITINGS AND INVESTITURES AND WITH AND UNDER THE PROHIBITION CLAUSES IRRITANT AND RESOLUTIVE THEREIN SPECIFIED AND WHEREAS THE SAID EDWARD SUTHERLAND OR HIS FORESAIDS MAY ON THE GROUND OF ALLEGED WANT OF LIKE IN THE SAID SIR JAMES SUTHERLAND MACKENZIE TO SELL THE SAID SUMS DOCUMENTS AND OTHERS AND TO RECEIVE AND DISCHARGE THE PRICE OF THE SAME RAISE AN ACTION OF SUSPENSION OF ANY CHARGE FOR PAYMENT OF THE SAID PRICE AND THE SAID SIR JAMES SUTHERLAND MACKENZIE HAS ENGAGED AND HEREBY BINDS HIMSELF IMMEDIATELY AFTER THE EXECUTION HEREOF TO INSTITUTE AN ACTION OF DECLARATION OR OTHER JUDICIAL PROCEEDINGS FOR ASCERTAINING HIS RIGHT TO SELL THE SAID SUMS AND OTHERS AND TO RECEIVE AND DISCHARGE THE PRICE THEREOF AND TO CITE AS PARTIES THERETO THE WHOLE EXISTING HEIRS OF ENTAIL SO FAR AS KNOWN TO HIM CALLED TO SUCCEED AFTER HIM TO THE SAID SUMS DOCUMENTS AND OTHERS BY THE SAID DEEDS OF ENTAIL CHARTERS AND OTHER WRITINGS AND INVESTUTURES THEREOF AND INTERESTED THEREIN IN VIRTUE OF THE SAID ENTAIL THEREFORE IT IS HEREBY PROVIDED AND DECLARED THAT UNFIT IT SHALL BE FOUND AND DECLARED BY OFFICIAL JUDGEMENT OF THE COURT IN ANY ACTION OF SUSPENSION OR DECLARATION OR OTHER JUDICIAL PROCEDURE TO BE INSTITUTED AS AFORESAID THAT THE SAID SIR JAMES SUTHERLAND MACKENZIE HAS POWER TO SELL AND ALIENATE THE FORESAID SUMS DOCUMENTS AND OTHERS THE SAID SIR JAMES SUTHERLAND MACKENZIE SHALL SHALL NOT BE BOUND TO GRANT A DISPOSITION AND ASSIGNATION TO THE SAID EDWARD SUTHERLAND OR HIS FORESAIDS OF THE SUMS DOCUMENTS AND OTHERS ABOVE SPECIFIED AND UNTIL ONE OR OTHER OF THE EVENTS BEFORE MENTIONED SHALL TAKE PLACE THESE PRESENTS SHALL NOT FORM NOR BE CAPABLE OF BEING USED AS THE GROUND OR WARRANT OF ANY ADJUDICATION IN IMPLEMENT OR OTHER PROCESS LAW WHATEVER UNDER WHICH A RIGHT IN THE FORESAID SUMS DOCUMENTS AND OTHERS OR ANY PART OR PORTION THEREOF MAY BE OBTAINED OR CONSTITUTE IN THE PERSON OF THE SAID EDWARD SUTHERLAND OR HIS HEIRS OR ASSIGNEES AND IT IS HEREBY FURTHER PROVIDED THAT THE SAID SIR JAMES SUTHERLAND MACKENZIE HIS FORESAIDS SHALL BE BOUND AND OBLIGED TO RELIEVE THE SAID EDWARD SUTHERLAND OR HIS FORESAIDS OF THE WHOLE EXPENSES WHICH THEY MAY INCUR IN ANY ACTIONS TO BE RAISED AS AFORESAID EITHER BY HIM OR BY THE SAID SIR JAMES SUTHERLAND MACKENZIE OR BY ANY OTHER PERSON OR PERSONS IN RELATION TO THE SAID SIR JAMES SUTHERLAND MACKENZIES POWER TO SELL THE SAID SUMS DOCUMENTS AND OTHERS SUCH EXPENCE BEING CHARGED AS BETWEEN AGENT AND CLIENT AND NOT AS BETWEEN PARTY AND PARTY AND IN CASE IN ANY ACTION OF SUSPENSION AND DECLARATION OR OTHER JUDICIAL PROCEEDINGS TO BE RAISED AS AFORESAID IT SHALL BE FOUND BY A FINAL JUDGEMENT THAT THE SAID SIR JAMES SUTHERLAND MACKENZIE IS NOT ENTITLED TO SELL THE FORESAID SUMS DOCUMENTS AND OTHERS THEN AND IN ANY SUCH EVENT THESE PRESENTS WITH ALL THAT MAY HAVE FOLLOWED THEREON SHALL BECOME EXTINCT VOID AND OF NO FORCE STRONG OR EFFECT WHATSOEVER IN LIKE MANNER AS IF THE SAME HAD NEVER BEEN EXECUTED AND IT IS HEREBY PROVIDED AND DECLARED THAT THE SAID EDWARD SUTHERLAND OR HIS AFORESAIDS SHALL NOT IN ANY CASE WHATEVER BE ENTITLED TO ANY DAMAGES FROM THE SAID SIR JAMES SUTHERLAND MACKENZIE OR HIS HEIRS OR SUCCESSORS ON THE GROUND OF NOW IMPLEMENT OF THE BARGAIN OR ON ANY OTHER ACCOUNT AS ALSO THE SAID EDWARD SUTHERLAND OR HIS AFORERSAIDS SHALL BE BOUND AND OBLIGED REQUIRED BY THE SAID SIR JAMES SUTHERLAND MACKENZIE TO RENOUNCE AND DISCHARGE ALL RIGHT TITLE AND INTEREST WHICH BE OR THEY HAVE OR MAY CLAIM OR PRETEND TO THE SAID SUMS DOCUMENTS AND OTHERS IN CASE THE SAID SIR JAMES SUTHERLAND MACKENZIE SHALL HAVE BEEN FOUND NOT ENTITLED TO SELL AND ALIENATE THE SAME AND IN CASE

THE SAID EDWARD SUTHERLAND OR HIS AFORESAIDS SHALL HAVE ENTERED TO POSSESSION OF THE SAID SUMS DOCUMENTS AND OTHERS OR ANY PART OR PORTION THEREOF HE OR THEY SHALL BE BOUND TO CEDE AND GIVE UP POSSESSION OF THE SAME IN CASE THE SAID SIR JAMES SUTHERLAND MACKENZIE SHALL HAVE BEEN FOUND NOT ENTITLED TO SELL AS SAID IS TO THE SAID SIR JAMES SUTHERLAND MACKENZIE HIS HEIRS WHO MAY HAVE RIGHT THERETO AND THE SAID SIR JAMES SUTHERLAND MACKENZIE OR HIS SAID HEIRS SHALL BE ENTITLED TO ENTER TO POSSESSION OF AND SHALL HAVE RIGHT IN AND TO THE SAID SUMS DOCUMENTS AND OTHERS IN THE SAME WAY AS IF THESE PRESENTS HAD NEVER BEEN EXECUTED AND ON THE OTHER HAND IN CASE THE SAID SIR JAMES SUTHERLAND MACKENZIE SHALL HAVE RECEIVED THE PRICE OF THE FORESAID SUMS DOCUMENTS AND OTHERS OR ANY PART THEREOF FROM THE SAID EDWARD SUTHERLAND OR HIS FORESAIDS HE SHALL BE BOUND AND OBLIGED TO REPEAT AND PAY BACK TO THE SAID EDWARD SUTHERLAND OR HIS FORESAIDS SAID PRICE OR SUCH PART THEREOF AS HE MAY HAVE RECEIVED WITH ANY INTEREST ON THE SAME WHICH HE MAY HAVE RECEIVED AND WITH THE INTEREST OF THE CAPITAL OF THE SAID PRICE SO FAR AS THE SAME MAY HAVE BEEN PAID TO HIM AT THE RATE OF THREE AND A QUARTER PER CENT FROM THE TIME WHEN HE RECEIVED THE SAME UNTIL REPAYMENT THEREOF AND WITH THE WHOLE EXPENSES OF EVERY DESCRIPTION INCURRED BY THE SAID EDWARD SUTHERLAND OR HIS FORESAIDS IN CONSEQUENCE OF HIS OR THEIR HAVING PURCHASED THE SAID SUMS DOCUMENTS AND OTHERS WHETHER SUCH EXPENCES SHALL HAVE BEEN INCURRED IN REGARD TO THE DISPOSITION OR ASSIGNATION OF THE SAID SUMS DOCUMENTS AND OTHERS OR IN SUCH LEGAL PROCEEDINGS AS MAY HAVE BEEN INSTITUTED AS AFORESAID OR IN RENOUNCING THE TITLE TO THE SAID SUMS DOCUMENTS AND OTHER SUCH EXPENSES BEING CHARGED OR BETWEEN AGENT AND CLIENT AND NOT AS BETWEEN PARTY AND PARTY DECLARING ALWAYS THAT THE SAID EDWARD SUTHERLAND OR HIS AFORESAID SHALL BE BOUND AND OBLIGED TO ACCOUNT TO THE SAID SIR JAMES SUTHERLAND MACKENZIE AND HIS HEIRS AND ASSIGNEES FOR THE ANNUAL RENTS AND PROFITS RECEIVED BY HIM OR THEM FOR THE SAID SUMS AND OTHERS DURING THE TIME THE SAID EDWARD SUTHERLAND OR HIS FORESAIDS SHALL HAVE POSSESSED THE SAME AND FARTHER THE SAID SIR JAMES SUTHERLAND MACKENZIE SHALL BE BOUND AND OBLIGED TO EXHIBIT TO THE SAID EDWARD SUTHERLAND AND HIS FORESAIDS A GOOD AND VALID TITLE IN HIS PERSON TO THE SUMS DOCUMENTS AND OTHERS HEREBY SOLD AND THAT AT THE EIGHT AND ----- OF GEORGE GRAHAM BELL ESQUIRE ADVOCATE AND FAILING HIM OF WILLIAM PENNY ESQUIRE ADVOCATE IN CASE ANY QUESTIONS SHALL ARISE BETWEEN THE SAID SIR JAMES SUTHERLAND MACKENZIE AND THE SAID EDWARD SUTHERLAND IN REFERENCE TO THE SUFFICIENCY OF THE SAID SIR JAMES SUTHERLAND MACKENZIES TITLE AND THE SAID SIR JAMES SUTHERLAND MACKENZIE SHALL BE BOUND TO DELIVER UP THE SAID EDWARD SUTHERLAND AND HIS FORESAIDS SUCH OF THE SAID TITLES AS RELATE TO THE SUMS DOCUMENTS AND OTHERS HEREBY SOLD AND TO MAKE THE OTHER TITLS TO THE EXTENT OF A LEGAL PROCESS FOR THE COMING TO THE SAID EDWARD SUTHERLAND OR HIS FORESAIDS ON ALL NECESSARY OCCASIONS ON RECEIPT AND OBLIGATION FOR DELIVERY THEREOF WITHIN A REASONABLE TIME AND UNDER A SUITABLE PENALTY FOR WHICH CAUSES AND ON THE OTHER PART THE SAID EDWARD SUTHERLAND HEREBY BINDS AND OBLIGES HIMSELF AND HIS HEIRS EXECUTORS SUCCESSORS AND REPRESENTATION WHATSOEVER TO PAY TO THE SAID SIR JAMES SUTHERLAND MACKENZIE AND HIS HEIRS EXECUTORS OR ASSIGNEES EXCLUDING ALWAYS HIS HEIRS OF TAILLIE AND PROVISION IN THE SUMS DOCUMENTS AND OTHERS BEFORE DESCRIBED THE SUM OF FOUR THOUSAND AND ONE HUNDRED POUNDS STERLING AS THE AGREED ON PRICE OF THE SAID SUM S DOCUMENTS AND OTHERS AND THAT AS AT THE TERM OF WHITSUNDAY ONE THOUSAND EIGHT HUNDRED AND FIFTY WITH A FIFTH PART MORE OF THE SAID PRICE OF PENALTY IN CASE OF FAILURE IN PAYMENT THEREOF AND THE INTEREST OF THE SAID PRICE AT THE RATE OF THREE AND A QUARTER PER CENT FROM THE SAID TERM OF WHITSUNDAY ONE THOUSAND EIGHTHUNDRED AND FIFTY UNTIL THE FIRST TERM OF WHITSUNDAY OR MARTINMAS AFTER THE RIGHT OF THE SAID SIR JAMES SUTHERLAND MACKENZIE AND OTHERS SHALL BE FINALLY ASCERTAINED AND DETERMINED IN ONE OR OTHER OF THE WAYS BEFORE

MENTIONED AND THE LEGAL INTEREST OF THE SAID PRICE THEREAFTER DURING THE NOT PAYMENT AND WHICH INTEREST SHALL BE PAYABLE AT TWO TERMS IN THE YEAR WHITSUNDAY AND MARTINMAS BY EQUAL PORTION BEGINNING THE FIRST TERMS PAYMENT THEREOF AT MARTINMAS ONE THOUSAND EIGHT HUNDRED AND FIFTY FOR THE HALF YEAR PRECEEDING AND SO FORTH HALF YEARLY AND TERMLY THEREAFTER DURING THE NOT PAYMENT WITH A FIFTH PART MORE OF EACH TERMS PAYMENT OF THE SAID INTEREST OF PENALTY IN CASE OF FAILURE IN PAYMENT THEREOF AS ALSO THE SAID EDWARD SUTHERLAND HEREBY BINDS AND OBLIGES HIMSELF AND HIS FORESAIDS TO PAY THE ONE HALF OF THE EXPENCE OF PREPARING WRITING AND REVISING THE DISPOSITION OF THE FORESAID SUMS DOCUMENTS AND OTHERS TO BE GRANTED IN TERMS HEREOF AND OF THE STAMP DUTY IMPOSED OR TO BE IMPOSED THEREON THE SAID SIR JAMES SUTHERLAND MACKENZIE AND HIS FORESAIDS BEING BOUND AND OBLIGED TO PAY THE OTHER HALF OF THE SAID EXPENSES AND IN CASE ANY DISPUTES OR QUESTIONS SHALL ARISE BETWEEN THE SAID SIR JAMES SUTHERLAND MACKENZIE AND EDWARD SUTHERLAND OR THEIR FORESAIDS CONCERNING THE IMPORT OF THESE PRESENTS OR THE EXECUTION AND IMPLEMENT THEREOF SUCH DISPUTES AND QUESTIONS ARE HEREBY SUBMITTED AND REFERRED TO THE AMICABLE DECISION AND DECREE ARBITAL OF THE SAID GEORGE GRAHAM BELL AND FAILING HIM OF THE SAID WILLIAM PENNY AS SOLE ARBITOR AND WHATEVER THE SAID ARBITERS IN THEIR ORDER SHALL DETERMINE IN THE PREMISES BETWEEN AND THE----- OR BETWEEN AND ANY OTHER DAY TO WHICH THIS SUBSCRIPTION MAY BE PROROGATED POWER OF PROROGATION BEING HEREBY GIVEN TO THE SAID ARBITERS IN THEIR ORDER FROM TIME TO TIME AS THEY SHALL SEE CAUSE THE SAID SIR JAMES SUTHERLAND MACKENZIE AND EDWARD SUTHERLAND AND THEIR FORESAIDS SHALL BE BOUND AND OBLIGED RESPECTIVELY TO IMPLEMENT AND FULFIL TO EACH OTHER UNDER PENALTY OF ONE HUNDRED POUNDS TO BE PAID BY THE PARTY FAILING TO THE PARTY OBSERVING OR WILLING TO OBSERVE HIS OR THEIR PART THEREOF OVER AND ABOVE PERFORMANCE AND LASTLY BOTH PARTIES HEREBY BIND AND OBLIGE THEMSELVES RESPECTIVELY AND THEIR RESPECTIVE HEIRS SUCCESSORS AND REPRESENTATIVES WHATSOEVER TO IMPLEMENT AND PERFORM THEIR RESPECTIVE PARTS OF THE PREMISES TO EACH OTHER UNDER THE PENALTY OF FIVE HUNDRED POUNDS TO BE PAID BY THE PARTY FAILING TO THE PARTY OBSERVING OR WILLING TO OBSERVE HIS OR THEIR PART THEREOF OVER AND ABOVE PERFORMANCE AND THEY CONSENT TO THE REGISTRATION HEREOF IN THE BOOKS OF COUNCIL AND SESION OR OF ANY OTHER COMPETENT COURT FOR PRESERVATION AND IF NECESSARY THAT LETTERS OF HORNING ON SIX DAYS CHARGE AND ALL OTHER LEGAL EXECUTION MAY PASS UPON A DECRE TO BE INTERPONED HERETO IN USUAL FOR IN AND CONSTITUTE ADVOCATES THEIR PROCURATORS FOR THAT PURPOSE IN WITNESS WHEREOF THESE PRESENTS CONSISTING OF THIS AND THE THREE PRECEEDING PAGES OF STAMPED PAPER WRITTEN BY JOHN NEWSHAM CLERK TO MESEURS VALLANCE AND VALLANCE SOLICITORS IN LONDON ARE SUBSCRIBED BY THE SAID SIR JAMES SUTHERLAND MACKENZIE AND EDWARD SUTHERLAND AND THEIR SEALS SET AND AFFIXED THERETO AT LONDON THE TWELFTH DAY OF OCTOBER EIGHTEEN HUNDRED AND FIFTY YEARS BEFORE THESE WITNESSES JOHN VALLANCE ESQUIRE SOLICITOR IN LONDON AND JOHN NEWSHAM CLERK TO MESSEURS VALLANCE AND VALANCE SOLICITORS THERE THE PLACE AND DATE OF SIGNING AND SEALING AND DESIGNATION BEING WRITTEN BY THE SAID JOHN NEWSHAM THE WRITER OF THE FOUR PAGES OF WHICH THESE PRESENTS CONSIST SIGNED JAMES SUTHERLAND MACKENZIE EDWARD SUTHERLAND SIGNED SEALED AND DELIVERED IN THE PRESENCE OF JOHN VALLANCE SOLICITOR 20 EPEN STREET STRAND LONDON WITNESS JOHN NEWSHAM HIS CLERK WITNESS. \par \par }

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**edit SIR ALEXANDER MACKENZIE
BARONET/PAULM594**

{\rtf1\ansi\ansicpg1252\deff0\deflang2057{\fonttbl{\f0\froman\prq2\fcharset0 Georgia;}} {\colortbl ;\red255\green0\blue0;\red0\green0\blue0;\red192\green192\blue192;\red0\green0\blue255;} {*\generator Msftedit 5.41.15.1503;}\viewkind4\uc1\pard\fs16\par RD 13 149 662\par \par \tab KNOW ALL MEN BY THESE PRESENTS US MRS KATHARINE SUTHERLAND \par \tab OR MACKENZIE RELICT OF THE DECEASED COLONEL ROBERT MACKENZIE\par \tab SOMETIMES IN THE SERVICE OF THE HONOURABLE EAST INDIA COMPANY \par \tab AND CAPTAIN GEORGE SACKVILLE SUTHERLAND RESIDING AT RHIVES \par \tab WHEREAS THE SAID DECEASED COLONEL ROBERT MACKENZIE BY \par \tab DISPOSITION AND DEED OF SETTLEMENT BEARING DATE THE 26/11/1802\par \tab AND RECORDED IN THE BOOKS OF COUNCIL AND SESSION (OFFICE W.B.)\par \tab THE 30/07/1809 GAVE GRANTED AND DISPONED TO AND IN FAVOUR OF \par \tab ALEXANDER MACKENZIE HIS ELDEST LAWFUL SON WHOM FAILING AS \par \tab THEREIN MENTIONED UNDER THE CONDITION AND WITH THE PROVISIONS\par \tab THEREIN EXPRESSED ALL ESTATE AND EFFECTS REAL AND

PERSONAL\par \tab HERITABLE AND MOVEABLE THAT SHOULD PERTAIN AND BELONG TO
\par \tab HIM AT THE TIME OF HIS DEATH AND HE NOMINATED AND APPOINTED\par \tab THE
SAID ALEXANDER MACKENZIE WHOM FAILING THE PERSONS THEREIN\par \tab MENTIONED
TO BE HIS SOLE EXECUTERS AND MOREOVER AS HE JUDGED\par \tab IT PRUDENT TO
NAME TUTORS AND CURATORS TO THE SAID ALEXANDER\par \tab MACKENZIE HIS SON AND
TO ANY OTHER CHILD OR CHILDREN WHO \par \tab MIGHT BE PROCREATED OF THE
MARRIAGE TWIXT HIM AND ME THE SAID\par \tab MRS KATHARINE MACKENZIE AND HAVING
ENTIRE CONFIDENCE\par \tab IN US THE SAID MRS KATHARINE MACKENZIE AND GEORGE
SACKVILLE\par \tab SUTHERLAND AND IN \cf1 COLONEL LEWIS GRANT OF ACHINOCHE
LATE\par \tab IN THE SERVICE OF THE HONOURABLE EAST INDIA COMPANY\par \tab CAPTAIN
CHARLES GRANT IN THE SERVICE OF THE HONOURABLE\par \tab EAST INDIA COMPANY ON
THE BENGAL ESTABLISHMENT COLONEL\par \tab WILLIAM DUNCAN IN THE SERVICE OF THE
HONOURABLE EAST \par \tab INDIA COMPANY CAPTAIN HENRY WHITE IN THE SERVICE
OF\par \tab THE SAID COMPANY AND SOMETIME AID DE CAMP TO THE MARQUIS\par \tab
WELLESLY AND COLIN MACKENZIE WRITER TO THE SIGNET\par \tab ONE OF THE PRINCIPAL
CLERKS OF SESSION\cf2 HE THEREFOR NOMINATED\par \tab APPOINTED US AND THE SAID
LEWIS GRANT CHARLES GRANT WILLIAM\par \tab DUNCAN HENRY WHITE AND COLIN
MACKENZIE AND THE ACCEPTING\par \tab SURVIVORS OR SURVIVOR OF US AND THEM TO
BE TUTORS AND\par \tab CURATORS TO THE SAID ALEXANDER MACKENZIE HIS SON
AND\par \tab TO SUCH OTHER CHILD OR CHILDREN AS MIGHT BE PROCREATED\par \tab OF
THE SAID MARRIAGE DURING THE WHOLE PERIOD OF THEIR\par \tab RESPECTIVE
PUPILLARITIES AND MINORITIES DECLARING THAT THE\par \tab MAJORITY OF THE
PERSONS THEREIN AND ABOVE NAMED ACCEPTING\par \tab AND ALIVE AT THE TIME OR
ANY ONE OF THEM ACCEPTING AND\par \tab SURVIVING THE REST SHOULD BE A QUORUM
AND WHEREAS\par \tab THE SAID LEWIS GRANT CHARLES GRANT WILLIAM DUNCAN\par \tab
HENRY WHITE AND COLIN MCKENZIE HAVE DECLINED TO ACCEPT\par \tab OR ACT FOR THE
NOMINATION OF TUTORS AND CURATORS IN NAME\par \tab ABOVE NARRATED SO THAT
THE SAID MRS KATHARINE MACKENZIE\par \tab AND GEORGE SACKVILLE SUTHERLAND ARE
THE ONLY ACCEPTING\par \tab TUTORS NOMINATE OF THE SAID ALEXANDER MCKENZIE
AND OF\par \tab ELIZABETH BAILLIE MCKENZIE MARGARET SUTHERLAND MACKENZIE\par
\tab AND JAMES SUTHERLAND MACKENZIE THE YOUNGER CHILDREN\par \tab OF THE SAID
COLONEL ROBERT MACKENZIE PROCREATED OF HIS\par \tab SAID MARRIAGE ALL OF
WHOM ARE MINORS WITHIN THE YEARS OF\par \tab PUPILLARITY AND ON ENTERING ON
THE ADMINISTRATION AND \par \tab MANAGEMENT OF THE ESTATE WHICH PERTAINED TO
THE SAID \par \tab COLONEL ROBERT MACKENZIE BEHOOF OF OUR SAID PUPILS AS
TUTORS\par \tab FORSAID WE FIND IT NECESSARY FOR THE PURPOSE OF SPEEDILY
AND\par \tab EFFECTUALLY EXTRICATING THE SAME BY PAYMENT OF THE DEBTS\par \tab
DUE BY THE SAID DECEASED COLONEL ROBERT MACKENZIE AND\par \tab INVESTING THE
RESIDUE OF THE SAID ESTATE IN THE MANNER MOST\par \tab BENEFICIAL FOR OUR SAID
PUPILS AND ALL OTHERS CONCERNED\par \tab TO ASSIST A FIT PERSON TO BE OUR AGENT
AND FACTOR WITH \par \tab POWER TO INTROMIT WITH THE SAID ESTATE AND AFFECTS
FOR\par \tab US AND IN OUR NAMES AS TUTORS FORESAID AND HAVING ENTIRE\par \tab
CONFIDENCE IN THE CAPACITY AND INTEGRITY OF JOSEPH GORDON\par \tab WRITER TO
THE SIGNET THEREFOR WE HAVE NOMINATED CONSTITUTED\par \tab AND APPOINTED US
WE DO HEREBY NOMINATE CONSTITUTE AND\par \tab APPOINT THE SAID JOSEPH GORDON
TO BE OUR AGENT AND\par \tab FACTOR GIVING GRANTING AND COMMITTING POWER TO
HIM\par \tab FOR AND IN NAME OF THE SAID ALEXANDER MACKENZIE AND\par \tab FOR US
AND IN OUR NAMES AS TUTORS FORESAID TO INTROMIT WITH\par \tab AND ENTER ON THE
POSSESSION AND MANAGEMENT OF THE WHOLE\par \tab ESTATE AND EFFECTS REAL AND
PERSONAL HERITABLE AND \par \tab MOVEABLE OF EVERY DENOMINATION AND
WHERESOEVER SITUATED\par \tab WHICH PERTAINED TO THE SAID DECEASED COLONEL
ROBERT MACKENZIE\par \tab AND TO RESPECT THE SAID ALEXANDER MCKENZIE HAS NOW
RIGHT IN \par \tab VIRTUE OF THE GENERAL DISPOSITION ABOVE NOMINATED TO SUE FOR
\par \tab UPLIFT AND RECOVER ALL DEBTS AND SUMS OF MONEY DUE AND ADEBTED\par
\tab TO THE SAID DECEASED COLONEL ROBERT MACKENZIE IE AND ON\par \tab PAYMENT
TO GRANT RECEIPTS AND DISCHARGE FOR THE SAME\par \tab WHICH SHALL BE AS VALID
AND EFFECTUAL TO THE RECEIVERS AS\par \tab IF GRANTED BY US TO SETTLE COMPOUND

AND TRANSACT FOR ALL DEBTS CLAIMS AND DEMANDS DUE AND UNPAID FROM THE ESTATE OF THE SAID DECEASED COLONEL ROBERT MACKENZIE OR FOR WHICH THE SAID ALEXANDER MCKENZIE MAY ANYWAYS BE LIABLE AS REPRESENTING HEIRS AND TO PURSUE AND DEFEND ALL ACTIONS AT LAW THAT MAY BE NECESSARY FOR ASCERTAINING THE AMOUNT OF THE SAID DEBTS AND SUMS OF MONEY DUE TO THE SAID DECEASED COLONEL ROBERT MCKENZIE AS WELL AS THE SUMS DUE AND UNPAID AFFECTING HIS ESTATE AND TO ENTER INTO THE GENERAL OR PARTICULAR SUBMISSIONS IN REGARD TO SUCH DEBTS CLAIMS AND DEMANDS BINDING AND OBLIGING US AND THE SAID ALEXANDER MACKENZIE TO ABIDE BY AND IMPLEMENT AND FULFIL OUR PART OF THE AMICABLE DECISIONS AND DECREETS ARBITRAL TO BE PRONOUNCED IN SUCH SUBMISSIONS AND GENERALLY WITH FULL POWER TO OUR SAID FACTOR TO DO EVERY OTHER THING FOR EFFECTING A SPEEDY AND DISTINCT ARRANGEMENT OF THE AFFAIRS OF THE SAID DECEASED COLONEL ROBERT MACKENZIE AND BRINGING HIS ESTATE AND EFFECTS TO THE BEST ACCOUNT FOR BEHOOF OF THE SAID ALEXANDER MACKENZIE AND OUR OTHER PUPILS ABOVE NAMED THAT WE COULD DO OURSELVES AS TUTORS NOMINATE OR THAT IT IS LEGALLY COMPETENT FOR ANY FACTOR AND AGENT TO DO IN THE LIKE CASE TO BINDING THEREBY AND OBLIGING US TO RATIFY CONFIRM APPROVE WHATEVER OUR SAID FACTOR SHALL LAWFULLY DO OR CAUSE TO BE DONE IN THE PREMISES AND DECLARING THAT HE SHALL NOT BE LIABLE FOR OMISSIONS BUT ONLY FOR HIS ACTUAL INTROMISSIONS OF WHICH BY ACCEPTANCE HEREOF HE SHALL BE BOUND AND OBLIGED TO ACCOUNT AS OFTEN AS REQUIRED AND REGISTRATION HEREOF IN THE BOOKS OF COUNCIL AND SESSION OR ANY OTHERS COMPETENT AND FOR THAT PART IN FULL CONSTITUTE

PRECEEDING PAGES OF STAMPED PAPER BY ALEXANDER DUFF CLERK TO THE SAID JOSEPH GORDON ARE SUBSCRIBED BY US AS FOLLOWS BY US AS FOLLOWS VIZ... BY ME THE SAID CAPTAIN GEORGE SACKVILLE SUTHERLAND AT EDINBURGH THE SIXTH DAY OF SEPTEMBER 1809 YEARS IS BEFORE THE SAID ALEXANDER STUART WRITER IN EDINBURGH AND THE SAID ALEXANDER DUFF AND BY ME THE SAID MRS KATHARINE MCKENZIE AT MILMOUNT THE 30/11/1809 FORSAID BEFORE THESE JAMES MACGOWAN TEACHER AT MILLMOUNT AND JOHN MONTGOMERY POSTMASTER PARKHILL.

SIGNED JAMES MACGOWAN 30/11/1809 JOHN MONTGOMERY ALEXANDER STUART 26/09/1809 ALEXANDER DUFF KATHARINE MACKENZIE GEORGE SACKVILLE SUTHERLAND

GD305/1/128/17. IT IS CONTRACTED AGREED AND MATRIMONIALY ENDED BETWIXT THE PARTIES FOLLOWING VIZ. COLONELL ROBERT MCKINZIE IN THE SERVICE OF THE HONOURABLE EAST INDIA COMPANY ON THE ONE PART AND MISS KATHERINE SUTHERLAND ELDEST LAWFULL DAUGHTER OF THE DECEAST COLL. JAMES SUTHERLAND OF UPPAT WITH THE ADVICE AND CONSENT OF CAPTAIN GEORGE SACKVILLE SUTHERLAND OF UPPAT HER BROTHER GERMAN ON THE OTHER PART IN MANNER FOLLOWING THAT IS TO SAY THE SAID COLL ROBERT MACKENZIE AND MISS KATHERINE SUTHERLAND HAVING CONCURRED A MUTUAL LOVE AND AFFECTION FOR ONE ANOTHER HAVE ACCEPTED AND DO HEREBY ACCEPT OF EACH OTHER FOR LAWFULL SPOUSES AND HEREBY BIND AND OBLIGE THEM TO SOLEMISE THE HOLY BONDS OF MATRIMONY WITH ALL CONCONCIENT SPEED IN CONTEMPLATION OF WHICH MARRIAGE THE SAID COLL ROBERT MCKINZIE HEREBY BINDS AND OBLIGES HIM HIS HEIRS EXECUTERS AND SUCCESSORS TO CONTENT AND PAY TO THE SAID MISS KATHERINE SUTHERLAND IN THE EVENTS OF HER SURVIVING HIM AND INDEPENDENT OF THE ADDITION THERETO IN THE EVENT HEREIN AFTER MENTIONED ALL AND HAILL OF FREE YEARLY ANNUITY OF TWO HUNDRED POUNDS STERLING AND THAT AT TWO TERMS IN THE YEAR WHITSUNDAY AND MARTINMAS BY EQUALL PORTIONS BEGINNING THE FIRST TERMS PAYMENT THEREOF THE FIRST SUM OF WHITSUNDAY ON

MARTINMAS AFTER\par \tab HIS DECEASE FOR THE HALF YEAR PRECEEDING AND SO ON HALF YEARLY\par \tab DURING ALL THE DAYS OF HER LIFETIME WITH A FIFTH PART MORE\par \tab OF EACH TERM PAYMENT OF LIQUIDATE PENALTY INCREASE OF HAILLE \par \tab AND THE DUE AND ORDINARY ANNUAL RENT THEREOF THEREAFTER\par \tab DURING THE NOT PAYMENT AND FURTHER THE SAID COLL.ROBERT \par \tab BINDS AND OBLIGES HIM AND HIS FORSAID IN THE EVENT OF ONE \par \tab CHILD MALE OR FEMALE BEING PROCREATED OF THIS MARRIAGE BETWIXT\par \tab HIM AND THE SAID MISS KATHERINE SUTHERLAND TO CONTEND \par \tab AND PAY TO SUCH CHILD THE SUM OF THREE THOUSANT POUNDS\par \tab STERLING TWO CHILDREN MALE OR FEMALE THE SUM OF TWO THOUSANT\par \tab POUNDS STERLING EACH AND IF THREE OR MORE CHILDREN THE SUM\par \tab OF SIX THOUSAND POUNDS STERLING THE ELDEST CHILD TO \par \tab RECEIVE OF THAT SUM OF THREE THOUSAND POUNDS STERLING AND \par \tab THE REMAINING THREE THOUSAND POUNDS STERLING TO BE \par \tab DIVIDED AMONGST THE YOUNGER CHILDREN IN SUCH PROPORTIONS\par \tab AS THEIR FATHER AND MOTHER OR SURVIVOR OF THEM MAY THINK\par \tab PROPER AT ANY TIME IN THEIR LIFETIME AND THAT AT AND AGAINST\par \tab THE FIRST TERM OF WHITSUNDAY OR MARTINMAS AFTER HIS DECEASE\par \tab WITH A FIFTH PART MORE OF EACH CHILD PROVISION OF LIQUIDATE\par \tab PENALTY IN CASE OF HAILLE AND THE DUE AND ORDINARY ANNUAL\par \tab RENT THEREOF THEREAFTER DURINGTHE NOT PAYMENT BUT DECLARING\par \tab THAT INTHE EVENT OF THE SAID COLL ROBERT MCKINZIES PREDECEASING \par \tab THE SAID MISS KATHERINE SUTHERLAND AND THAT THE DISSOLUTION \par \tab THE MARRIAGE BY HIS DECEASED ARE OTHERWAYS THERE SHOULD\par \tab BE AND CHILD OR CHILDREN EXISTING THEREOF AS THE TIME THEM\par \tab THAT CASE THE SAID COLL.ROBERT MCKINZIE PROVIDES HER IN AND\par \tab SHE SHALL BE ENTITLED TO RECEIVE AND IS HEREBY EMPOWERED\par \tab TO DEMAND AND RECEIVE THE INTEREST OF THE SAID SIX THOUSANT\par \tab POUNDS STERLING PROVIDED TO THE CHILDREN OF THE MARRIAGE\par \tab IN MANNER BEFORE MENTIONED DECLAIRING ALSO THAT IN THE EVENT\par \tab OF THE DECEASE OF THE SAID COLL. ROBERT MCKINZIE BEFORE THE\par \tab SAID MISS KATHERINE SUTHERLAND AND THAT THERE SHOULD\par \tab BE ONE OR MORE CHILDREN OF THE MARRIAGE ENDING AT THE TIME AND\par \tab THAT THERE SHOULD BE A DEFICIENCY IN HIS FUNDS FOR ANSWERING THE\par \tab SEVERAL PROVISIONS IN THEIR FAVOUR BEFORE MENTIONED AND PAYING\par \tab THE SAID ANNUITY OF TWO HUNDRED POUNDS STERLING TO THE SAID\par \tab KATHERINE SUTHERLAND YET THAT SUCH DEFICIENCY SHALL IN THE\par \tab MEANTIME FALL UPON THE CHILDREN PROVISIONS UNTILL THE DECEASED\par \tab OF THE SAID MISS KATHERINE SUTHERLAND AND THAT IN EVERY EVENT\par \tab THE SUM OF FOUR THOUSAND POUNDS STERLING SHALL REMAIN CLEAR\par \tab AND UNTOUCHED FOR ANSWERING THE SAID ANNUITY DURING ALL\par \tab THE DAYS OF HER LIFETIME AND FOR THE FURTHER SECURITY OF THE SAID\par \tab MISS KATHERINE SUTHERLAND FOR PAYMENT OF THE SAID EVENTUALL\par \tab ANNUITY AND FOR THE PROVISIONS TO THE CHILDREN OF THE MARRIAGE\par \tab BEFORE MENTION THE SAID COLL. ROBERT MCKINZIE ASSIGNS AND\par \tab CONVEYS AS MUCH OF THE SEVERALL SUMS OF ANNUITY AFTER\par \tab MENTIONED WITH THE SECURITIES THEREFORE AS WILL COMPLETELY\par \tab SATISFY AND PAY THE SAME VIZ. THE SUM OF SIXTY SEVEN THOUSANT\par \tab EIGHT HUNDRED AND EIGHT DINA RUPEES VESTED BY ME IN THE\par \tab EIGHTY PER CENT EAST INDIA GOVERNMENT SECURITIES\par \tab BY SEVERAL INVESTITURES THE FIRST DATED THE 4TH DAY OF\par \tab MAY ONE THOUSANT SEVERAL HUNDRED AND NINETY THREE\par \tab AND THE LAST DATED THE FIRST DAY OF NOVEMBER ONE THOUSANT\par \tab EIGHT HUNDRED YEAR ALL AS CONTAINED IN AN ACCOUNT CURRENT\par \tab BETWIXT HIM AND MESSRS. DOWNIE AND MAITLAND HIS AGENTS\par \tab AT CALCUTTA DATED 31/12/1800 YEARS THE FURTHER SUM OF TWENTY\par \tab THOUSANT DIVA RUPEES VESTED BY HIM IN THE SAID GOVERNMENT\par \tab SECURITIES BEING NUMBER FORTY EIGHT OF THE DECENNIAL LOAN\par \tab OBLIGATION DATED THE SIXTEENTH DAY OF NOVEMBER ONE THOUSANT\par \tab SEVEN HUNDRED AND NINETY EIGHT AND ALSO STOCK TO THE AMOUNT\par \tab OF EIGHT THOUSANT ONE HUNDRED AND FORTY ONE POUNDS VESTED\par \tab BY HIM IN THE THREE PERCENT CONSOLIDATED FUNDS OF GREAT\par \tab BRITAIN AND MANAGED ON HIS AMOUNT BY MESSRS. THOMAS COUTTS\par \tab AND CO BANKERS IN LONDON CONFORM

TO THEIR AMOUNT CURRENT\par \tab WITH HIM THERE ANENT ENDING THE SIXTEENTH DAY OF MAY LAST\par \tab AND WHICH AMOUNT ARE SIGNED BY THE PARTIES OF THIS DATE AS\par \tab RELATIVE HERETO AND IN WHICH LAST SUM IS INCLUDED THE SUM\par \tab OF SIX HUNDRED POUNDS STERLING VESTED IN THE SAID FUNDS\par \tab SINCE THAT PERIOD WITH POWER TO THE SAID MISS KATHERINE\par \tab SUTHERLAND IN THE EVENT OF HER SURVIVING THE SAID AFFIDATE\par \tab SPOUSE OUT OF BOTH ARE EITHER OF THE SAID FUNDS THE SAID\par \tab YEARLY ANNUITY ACCEPTS AND DISCHARGES TO GRANT THEREFORE\par \tab AND GENERALLY EVERY OTHERTHING THEREANENT TO DO THAT\par \tab HE COULD HAVE DONE HIMSELF DURING HIS LIFETIME AND IF SHE\par \tab SHALL JUDGE IT MORE EXPEDIENT THE SAID COLL.ROBERT MCKINZIE\par \tab BINDS AND OBLIGES HIMSELF WHEN REQUIRED TO INVEST THE SAID\par \tab SUM OF FOUR THOUSANT POUNDS STERLING IN THE BRITISH FUNDS\par \tab IN HER NAME TO----- THE SAID ----- ANNUITY AND TO LAY\par \tab OUT THE SAME OR HERITABLE SECURITY AND TO TAKE THE SECURITY\par \tab THEREFORE PAYABLE TO HER IN LIFERENT DURING ALL THE DAYS\par \tab OF HER LIFETIME AND TO THE CHILDREN OF THE MARRIAGE IN THE\par \tab EVENTS PREMENTIONED IN FEE TO ANSWER IN WHOLE OR IN PART\par \tab AS CIRCUMSTANCES MAY BE THEIR SAID PROVISION DECLARING ALSO\par \tab THAT THE CHILDREN TO BE PROCREATE OF THE MARRIAGE SHALL DURING\par \tab THE LIFE OF THEIR FATHER BE MAINTAINED AND EDUCATED \par \tab SUITABLE O THEIR STATION BY HIM AND IN THE EVENT OF HIS DECEASE\par \tab PREVIOUS TO THEIR ARRIVING AT THE YEARS OF MAJORITY THAT THEIR\par \tab SAID MOTHER SHALL BE THEIR TUTORS AND CURATORS AND SHALL\par \tab UPLIFT RECEIVE AND DISCHARGE THE INTEREST OF THE MONEYS \par \tab BEFORE PROVIDED TO THEM UNTIL THEIR ARRIVAL AT THE AGE OF\par \tab FIFTEEN YEARS IF MALE CHILDREN ON THEIR MAJORITY AT\par \tab MARRIAGE IF FEMALE IN LIEU OF THEIR EDUCATION AND MAINTAINANCE\par \tab AND FURTHER THE SAID COLL. ROBERT MCKINZIE IN THE EVENT\par \tab OF THE SAID MISS KATHERINE SUTHERLAND SURVIVING HIM ASSIGNS\par \tab CONVEYS AND MAKES OVER TO HER HEIRS AND ASSIGNEES AS HER\par \tab OWN UNDOUBTED PROPERTY THE WHOLE HOSEHOLD FURNITURE\par \tab AND PLENISHING OF EVERY DENOMINATION BED AND TABLE LINEN\par \tab ----- AND TABLE CHINA SILVERPLATE AND IN GENERALL EVERY\par \tab ARTICLE OF HOUSEHOLD OF FURNITURE AND PLENISHING THAT\par \tab SHALL PERTAIN AND BELONG TO HIM OR BE IN COMMUNION\par \tab BETWIXT THEM AT THE TIME OF HIS DECEASE DISPENSING\par \tab WITH THE GENERALITY HEREOF AND ADMITTING THE SAME TO\par \tab BE EQUALLY GOOD VALID AND SUFFICIENT AS IF EVERY ARTICLE\par \tab THEN BELONGING TO HIM WERE HEREIN PARTICULARY INSERTED\par \tab MOREOVER THE SAID COLL.ROBERT MCKINZIE HEREBY RENOUNCES\par \tab AND GIVES UP FOR HIMSELF HIS HEIRS AND SUCCESSORS\par \tab ANY CLAIM OR TITLE HE MIGHT HAVE JURE MARITE OR OTHERWAYS\par \tab TO ANY MONEY MEANS OR EFFECTS PRESENTLY BELONGING TO THE\par \tab SAID MISS KATHERINE SUTHERLAND OR TO WHICH SHE MAY HEREAFTER\par \tab HAVE RIGHT ANY MANNER OF WAY AND PARTICULARY WITHOUT\par \tab PREDUDICE TO THE GENERALITY FORESAID TO A BOND FOR FIVE\par \tab HUNDRED POUNDS STIRLING GRANTED TO HER BY SIR EWEN BAILLIE\par \tab OF THE EAST INDIA COMPANY SERVICE AND TO ANY CLAIM OF PROVISION\par \tab MADE IN HER FAVOUR BY HEIRS AND DECEASED FATHER DECLARING\par \tab THE SAME HER OWN PROPERTY AND AS HER DISPOSAL IN ANY\par \tab MANNER SHE MAY THINK PROPER WITHOUT HIS CONCENT\par \tab ARE APPROBATION AND FURTHER THE SAID COLL.ROBERT\par \tab MCKENZIE DISPONES CONVEYS AND MAKES OVER FROM HIM HIS HEIRS\par \tab AND SUCCESSORS TO AND IN FAVOUR OF THE SAID MISS KATHERINE\par \tab SUTHERLAND HIS AFFIDATE SPOUSE HIS HEIRS ASSIGNEES WHOMSOEVER\par \tab UNDER THE BURDEN OF THE PAYMENT OF THE YEARLY FEU DUTY PAYABLE\par \tab OUT THEREOF HERITABLE AND IRREDEEMABLE ALL AND HAILLE THAT\par \tab HOUSE LYING IN THE VILLAGE OF NEW TARBET CALLED MILMOUNT\par \tab CALLED MILLMOUNT WICH THE GARDEN BACK CLOSE \par \tab AND WHOLE PARTS PENDICLES AND PERTINENTS THERETO BELONGING\par \tab BOUNDED ON THE WEST BY THE HIGH ROAD LEADING THROUGH\par \tab MILMOUNT AND ON THE SOUTH BY THE WATER --- OR AS THE\par \tab SAME MAY BE OTHERWAYS BOUNDED AND DESCRIBED IN HIS RIGHTS AND \par \tab INFETMENTS THEREOF ALL LYING IN THE PARISH OF KILMUIR AND COUNTY\par \tab OF ROSS TOGETHER WITH ALL RIGHT AND CLAIM OF

RIGHT OF PROPERTY\par \tab AND POSSESSION WHICH HE CAN CLAIM OR PRETEND
THERETO ANY MANNER\par \tab OF WAY IN WHICH HOUSE WITH THE GARDEN AND
PERTINENTS BEFORE\par \tab MENTIONED THE SAID COLL.ROBERT MCKINZIE BIND AND
OBLIGES HIM HIS\par \tab HEIRS SUCCESSORS TO INFETT AND LEASE THE SAID MISS
KATHERINE\par \tab SUTHERLAND HIS AFFIDATE SPOUSE HERITABLE AND
IRREDEEMABLE\par \tab AND THAT BY RESIGNATION OR CONFIRMATION OR BOTH THE
ONE\par \tab WITHOUT PREJUDICE OF THE OTHER AND FOR EXPEDING THE SAID\par \tab
INFETTMENT BY RESIGNATION HEREBY MAKES AND CONSTITUTES\par \tab AND EACH OF
THEM CONLLIE AND SEALLIE HIS UNDOUBTED ----\par \tab AND COMMISSIONERS TO THE
OFFICE UNDER WRITEN GIVING GRANTING\par \tab AND COMMITTING TO THEM FULL
POWER WARRANT AND COMMISSION\par \tab FOR HIM AND IN HIS NAME TO COMPEAR
HEREFOR\par \tab HIS IMMEDIATE LAWFULL SUPERIORS OF THE SAID SUBJECTS\par \tab OR
THEIR COMMISSIONERS HAVING POWER TO RECEIVE RESIGNATIONS\par \tab AND TO
GRANT NEW INFETTMENTS THEREON AND THAT UPON\par \tab THE GROUND THEREOF AT
ANY TIME LAWFULL AND CONVENIENT\par \tab AND THEM AND THERE WITH ALL DUE
REVERENCE AND HUMILITY\par \tab AS BECOMES PURELY AND SIMPLY BY STAFF AND
BATTON AS USE\par \tab IS TO RESIGN AND SURRENDER LIKEAS THE SAID COLL. ROBERT
MCKINZIE\par \tab HEREBY RESIGNS RENOUNCES SURRENDERS UP GIVES OVER GIVES \par
\tab AND DELIVERS ALL AND HAILLE THE HOUSE GARDEN AND PERTINENTS \par \tab
CALLED MILLMOUNT LYING IN THE SAID VILLAGE OF MILMOUNT OF NEW\par \tab TARBET
PARISH OF KILMUIR AND COUNTY OF ROSS AFORESAID AS \par \tab DESCRIBED AND
HEREHELD AS REPEATED BREVALITIS CAUSA OR AS\par \tab THE SAME ARE MORE
PARTICULARY BOUNDED AND DESCRIBED IN HIS \par \tab RIGHTS AND INFETTMENTS
THEREOF INTO THE HANDS OF HIS \par \tab IMMEDIATE LAWFULL SUPERIORS THEREOF IN
FAVOUR AND FOR\par \tab NEW INFETTMENTS OF THE SAME TO BE MADE GIVEN AND
GRANTED\par \tab TO THE SAID MISS KATHERINE SUTHERLAND HIS AFFIDATE SPOUSE\par
\tab IN SUCH DUE AND COMPETENT FORM AS OFFERS ALL INSTRUMENTS\par \tab AND
DOCUMENTS THEREAPON TO TAKE AND GENERALLY EVERY\par \tab OTHERTHING
THEREANNENT TO DO WHICH HE COULD DO \par \tab HIMSELF IF PERSONALLY PRESENT
ALL WHICH HE HEREBY PROMISES\par \tab TO HOLD FIRM AND STABLE WITHOUT
RESERVATION WHICH DISPOSITION\par \tab AND SUBJECTS THEREBY CONVEYED THE SAID
COLL. ROBERT MCKINZIE\par \tab BINDS AND OBLIGES HIM HIS HEIRS AND SUCCESSORS
TO WARRANT TO\par \tab THE SAID MISS KATHERINE SUTHERLAND HIS AFFIDATE SPOUSE
AND\par \tab HER FORESAIDS AS ALL HANDS AND AGAINST ALL DEADLY AS LAW\par \tab
WILL AND HEREBY MAKES AND CONSTITUTES THE SAID MISS KATHERINE\par \tab
SUTHERLAND AND HER FORSAIDS HIS COMMISSIONERS AND ASSIGNEES\par \tab NOT
ONLY IN AND TO THE RENTS MAILLS AND DUTIES THEREOF IN TIME\par \tab COMING BUT
ALSO IN AND TO THE TITLES WRITS AND EVIDENTS THEREOF\par \tab CONCEIVED
INFAVOUR OF HIM HIS PREDECESSORS OR AUTHORS AND WHICH\par \tab ASSIGNATION
ABOVE WRITEN HE HEREBY BINDS AND OBLIGES HIM\par \tab AND HIS FORESAID TO
WARRANT AS FOLLOW VIZ. IN SO FAR AS CONCERNS\par \tab THE WRITS AND EVIDENTS AS
ALL HANDS AND AGAINST ALL DEADLY AS LAW\par \tab WILL AND IN SO FAR AS CONCERNS
THE RENTS MAILLS AND DUTIES FROM\par \tab HIS OWN PROPER FAILS AND DEEDS ALL
NAMELY AND IT IS HEREBY AGREED\par \tab UPON BETWIX THE PARTIES THAT EXECUTION
SHALL PASS HEREON AT THE\par \tab INSTANCE OF THE SAID CAPTAIN GEORGE SACKVILLE
SUTHERLAND\par \tab ROBERT SUTHERLAND ESQ. OF THE ISLAND OF ST VINCENT AND
COLL.\par \tab ALEXANDER BAILLIE OF KNOCHBRACHE OR ANY ONE OR MORE OF THEM\par
\tab OR THEIR HEIRS AGAINST THE SAID COLL. ROBERT MCKINZIE FOR\par \tab IMPLEMENT
AND PERFORMANCE IN FAVOUYR OF THE SAID MISS KATHERINE\par \tab SUTHERLAND AND
THE ISSUE OF THE SAID MARRIAGE OF THE PROVISION\par \tab AND PRESTATIONS ABOVE
WRITEN CONCEIVED IN THEIR FAVOUR AND\par \tab DECLARING THAT THE PRESENT
MARRIAGE SHOULD ABSOLVE -----\par \tab YEARS AND DAY FROM THE SOLEMNIZATION
THEREOF WITHOUT A\par \tab LIVING CHILD BEING HEARD BUT YET THIS PRESENT
CONTRACT SHALL\par \tab SUBSIST IN ITS FULL FORCE AND EFFECT IN FAVOUR OF THE
SAID\par \tab MISS KATHERINE SUTHERLAND ANY LAW OR PRACTICE TO THE \par \tab
CONTRARY NOTWITHSTANDING AND THEY CONSENT TO THE\par \tab RESIGNATION
HEREOF IN THE BOOKS OF COUNCIL AND SESSION\par \tab OTHER COMPETENT THEREIN

TO REMAIN FOR PRESERVATION\par \tab AND IF NEED BE THAT ALL EXECUTION
NECESSARY MAY\par \tab PASS AND BE DIRECT HEREIN AS OFFERS AND THERETO\par \tab
THEY CONSTITUTE THEIR PROCULATORS AND COMMISSIONERS\par \tab ALL TO THE
EFFECT THE SAID MISS KATHERINE SUTHERLAND\par \tab MAY BE INFETT AND LEASED IN
THE SAID HOUSE GARDEN AND \par \tab PERTINENTS THE SAID COLL.ROBERT MCKINZIE
HEREBY DESIRES AND\par \tab REQUIRES YOU AND EACH OF YOU CONLLIE AND SEALLIE
HIS BAILLIES\par \tab IN THAT PART HEREBY SPEEDILY CONSTITUTE THESE PRESENTS\par
\tab ----- PASS TO THE SAID SUBJECTS AND THERE GIVE AND DELIVER\par \tab TO THE
SAID MISS KATHERINE SUTHERLAND HERITABLE STATE\par \tab AND SASINE REAL AND
ACTUALL AND CORPOREAL POSSESSION\par \tab OF ALL AND HAILLE THE HOUSE GARDEN
AND PERTINENTS BEFORE\par \tab DESCRIBED OR AS THE SAME ARE MORE PARTICULARY
DESCRIBED \par \tab IN HIS RIGHTS AND INFETTMENTS THEREOF AND HERE HELD\par \tab
AS REPEATED BREVITATIS CAUSA CALLED MILLMOUNT IN THE\par \tab SAID VILLAGE OF
MILLMOUNT OF NEW TARBET PARISH OF KILMUIR\par \tab AND COUNTY OF ROSS WITH THE
WHOLE PARTS PENDICLES AND\par \tab PERTINENTS THERETO BELONGING AND THAT BY
DELIVERING \par \tab TO THE SAID MISS KATHERINE SUTHERLAND OR HER ATTORNEY\par
\tab OR ATTORNEYS WHOM NAME BEARER HEREOF\par \tab -----
-----\par \tab SYMBOLLS USUALL AND NECESSARY BUT
ALWAYS UNDER THE\par \tab BURDEN OF THE FEU DUTY PAYABLE OUT THEREOF AND THIS
IN\par \tab NOWAYS LEAVE UNDONE THE WHICH TO DO THE SAID COLL.\par \tab ROBERT
MACKENZIE COMMITTS TO YOU AND EACH OF YOU\par \tab CONLLIE AND SEALLIE AS SAID
IS HIS FULL POWER BY THIS HIS\par \tab PRECEPT OF SASINE DIRECTED TO YOU FOR THAT
EFFECT\par \tab IN WITNESS WHEREOF BOTH PARTIES HAVE SUBSCRIBED THESE\par \tab
PRESENTS TOGETHER WITH ANOTHER DUPLICATE HEREOF WROTE\par \tab UPON THIS
AND THE SIX PRECEEDING PAGES OF PAPER DULY STAMPED\par \tab WORDING TO LAW BY
THOMAS SUTER SHERIFF CLERK OF ROSS\par \tab\cf1 BRAILANGWELL\cf2 THE FIFETEENTH
DAY OF AUGUST 1801 YEARS\par \tab BEFORE THESE WITNESSES THE SAID
COLL.ALEXANDER BAILLIE OF\par \tab KNOCHBRECK MR ALEXANDER BAILLIE HIS SON AND
THE SAID\par \tab THOMAS SUTER WRITER HEREOF.\par \par \par \tab\cf1 ROBERT
MCKINZIE\par \tab KATHARINE SUTHERLAND\par \tab GEORGE SACKVILLE SUTHERLAND\par
\tab ALEXANDER BAILLIE WITNESS\par \tab ALEXANDER BAILLIE HIS SON WITNESS\par \tab
THOMAS SUTER WITNESS\cf0\par \par \par \tab\cf1\par \tab\tab\tab\tab\tab\tab\tab\cf0
\tab\tab\tab\tab\tab\tab\tab\tab\tab\tab\tab\tab\tab\tab\tab\tab \par \par \par \tab\par }

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[edit](#) **SIR ALEXANDER MACKENZIE
BARONET/PAULM594**

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;\red255\green0\blue0;\red0\green0\blue0;\red192\green192\blue192;} {*\generator Msftedit
5.41.15.1503;} \viewkind4\uc1\pard\f0\fs16\par \tab rd 3.331.831. factory\par \par \par \par \tab
ROBERT MCKENZIESOMETIMES IN THE SERVICE OF THE HONOURABLE EAST \par \tab INDIA
COMPANY \cf1 AND CAPTAIN GEORGE SACKVILLE SUTHERLAND RESIDING\par \tab AT
RHIVES \cf2 WHEREAS THE SAID DECEASED COLONEL ROBERT MCKENZIE\par \tab BY
DISPOSITION AND DEED OF SETTLEMENT BEARING DATE THE TWENTY\par \tab SIXTH DAY
OF NOVEMBER EIGHTEEN HUNDRED AND TWO YEARS AND \par \tab RECORDED IN THE
BOOKS OF COUNCIL AND SESSION (OFFICE W.B.)\par \tab THE THIRTIETH DAY OF JULY
EIGHTEEN HUNDRED AND NINE GAVE\par \tab GRANTED AND DISPONED TO AND IN FAVOUR
OF \cf1 ALEXANDER\par \tab MACKENZIE HIS ELDEST LAWFUL SON \cf2 WHOMFAILING AS
THEREIN\par \tab MENTIONED UNDER THE CONDITIONS AND WITH THE PROVISIONS\par \tab
THEREIN EXPRESSED ALL ESTATE AND EFFECTS REAL PERSONAL\par \tab HERITABLE AND

MOVEABLE THAT SHOULD PERTAIN AND BELONG\par \tab TO HIM AT THE TIME OF HIS DEATH AND HE NOMINATED AND \par \tab APPOINTED THE SAID \cf1 ALEXANDER MACKENZIE WHOM FAILING\cf2\par \tab THE PERSONS THEREIN MENTIONED TO BE HIS SOLE EXECUTORS\par \tab AND MOREOVER AS HE JUDGED IT PRUDENT TO NAME TUTORS\par \tab AND CURATORS TO THE SAID \cf1 ALEXANDER MACKENZIE HIS SON\cf2\par \tab AND TO ANY OTHER CHILD OR CHILDREN WHO MIGHT BE\par \tab PROCREATED OF THE MARRIAGE TWIXT HIM AND ME THE SAID\par \tab\cf1 MRS KATHERINE MACKENZIE AND\cf2 HAVING ENTIRE CONFIDENCE\par \tab IN US THE SAID MRS KATHARINE MACKENZIE AND\cf3 \cf1 GEORGE SACKVILLE\par \tab SUTHERLAND AND IN COLONEL LEWIS GRANT OF ACHAIRNOCH\par \tab\cf2 LATE IN THE SERVICE OF THE HONOURABLE EAST INDIA COMPANY\par \tab\cf1 CAPTAIN CHARLES GRANT IN THE \cf2 SERVICE OF THE HONOURABLE\par \tab EAST INDIA COMPANY ON THE BENGAL ESTABLISHMENT\par \tab\cf1 COLONEL WILLIAM DUNCAN\cf2 IN THE SERVICE OF THE HONOURABLE\par \tab EAST INDIA COMPANY \cf1 CAPTAIN HENRY WHITE \cf2 IN THE SERVICE\par \tab OF THE SAID COMPANY AND SOMETIME AID DE CAMP TO THE \cf1\par \tab MARQUIS WELLESBY AND COLIN MACKENZIE \cf2 WRITER TO THE SIGNET\par \tab ONE OF THE PRINCIPAL CLERKS OF SESION HE THEREFOR\par \tab NOMINATED AND APPOINTED US AND THE SAID \cf1 LEWIS GRANT\par \tab CHARLES GRANT WILLIAM DUNCAN HENRY WHITE AND COLIN\par \tab MACKENZIE AND THE ACCEPTING SURVIVORS OR SURVIVOR\par \tab OF US AND THEM TO BE TUTORS AND CURATORS TO THE SAID\par \tab ALEXANDER MACKENZIE HIS SON AND TO SUCH OTHER CHILD\par \tab OR CHILDREN AS MIGHT BE PROCREATED OF THE SAID MARRIAGE\par \tab OF THE SAID ALEXANDER MACKENZIE AND FOR US\cf2 AND IN OUR\par \tab NAMES AS TUTORS AS AFORESAID TO INTROMET WITH AND \par \tab ENTER ON THE POSSESSION AND MANAGEMENT OF THE \par \tab WHOLE ESTATE AND EFFECTS REAL AND PERSONAL HERITABLE\par \tab AND MOVEABLE OF EVERY DENOMINATION AND WHERESOEVER\par \tab SITUATED WHICH PERTAINED TO THE SAID DECEASED\cf1 COLONEL\par \tab ROBERT MACKENZIE \cf2 AND TO WHICH THE SAID ALEXANDER MACKENZIE\par \tab HAS NOW RIGHT IN VIRTUE OF THE GENERAL DISPOSITION ABOVE\par \tab NARRATED TO SUE FOR UPLIFT AND RECOVER ALL ADDEBTED\par \tab TO THE SAID DECEASED \cf1 COLONEL ROBERT MCKENZIE \cf2 AND ON\par \tab PAYMENT TO GRANT RECEIPTS AND DISCHARGES FOR THE SAME\par \tab WHICH SHALL BE AS VALID AND EFFECTUAL TO THE RECEIVERS\par \tab IF GRANTED BY US TO SETTLE COMPOUND AND TRANSACT FOR ALL\par \tab DEBTS CLAIMS AND DEMANDS DUE AND UNPAID FROM THE ESTATE\par \tab OF THE DECEASED COLONEL ROBERT MACKENZIE FOR WHICH THE\par \tab SAID\cf1 ALEXANDER MACKENZIE \cf2 MAY ANYWAYS BE LIABLE\par \tab AS REPRESENTING HIM AND TO PURSUE AND DEFENDABLE ACTION\par \tab AT LAW THAT MAY BE NECESSARY FOR ASCERTAINING THE \par \tab AMOUNTS OF THE SAID DEBTS AND SUMS OF MONEY DUE TO THE SAID\par \tab DECEASED COLONEL ROBERT MACKENZIE AS WELL AS THE SUMS\par \tab DUE AND UNPAID AFFECTING HIS ESTATE AND TO ENTER INTO\par \tab GENERAL OR PARTICULAR SUBMISSIONS IN REGARDS TO SUCH DEBTS\par \tab CLAIMS AND DEMANDS BINDING AND OBLIGING US AND THE SAID\cf1\par \tab ALEXANDER MACKENZIE TO ABIDE BY AND IMPLEMENT AND FULFILL\par \tab OUR PART OF THE AMICABLE DECISIONS AND DECREETS\cf2 ARBITRAL\par \tab TO BE PRONOUNCED IN SUCH SUBMISSIONS AND GENERALLY\par \tab WITH FULL POWER TO OUR SAID FACTOR TO DO EVERY OTHER\par \tab THING FOR EFFECTING A SPEEDY AND DISTINCT ARRANGEMENT\par \tab OF THE AFFAIRS OF THE SAID DECEASED\cf1 COLONEL ROBERT\par \tab MACKENZIE \cf2 AND BRINGING HIS ESTATE AND EFFECTS TO THE\par \tab BEST ACCOUNT FOR BEHOOF OF THE SAID \cf1 ALEXANDER MACKENZIE\par \tab\cf2 AND OUR OTHER PUPILS ABOVE NAMED THAT WE COULD DO OURSELVES\par \tab AS TUTORS NOMINATE OR THAT IT IS LEGALLY COMPETENT FOR\par \tab MARRIAGE DURING THE WHOLE PERIOD OF THEIR RESPECTIVE\par \tab PUPILARITIES AND MINORITIES DECLARING THAT THE MAJORITY\par \tab OF THE PERSONS THEREIN AND ABOVE NAMED ACCEPTING AND ALIVE\par \tab AT THE TIME OR ANY ONE OF THEM ACCEPTING AND SURVIVING THE REST\par \tab SHOULD BE A QUORUM AND WHEREEAS THE SAID \cf1 LEWIS GRANT \par \tab CHARLES GRANT WILLIAM DUNCAN HENRY WHITE AND COLIN MCKENZIE\par \tab\cf2 HAVE DECLINED TO ACCEPT OR ACT UNDER THE NOMINATION OF \par \tab TUTORS AND CURATORS ABOVE NARRATED SO THAT WE THE SAID\par \tab\cf1 MRS KATHARINE MACKENZIE AND GEORGE SACKVILLE

SUTHERLAND\par \tab ARE THE ONLY ACCEPTING TUTORS NOMINATED OF THE SAID\par \tab ALEXANDER MACKENZIE AND OF ELIZABETH BAILLIE MACKENZIE\par \tab MARGARET SUTHERLAND MACKENZIE AND JAMES\par \tab SUTHERLAND MACKENZIE\cf2 THE YOUNGER CHILDREN OF THE SAID\par \tab COLONEL ROBERT MACKENZIE PROCREATED OF HIS SAID MARRIAGE\par \tab ALL OF WHOM ARE MINORS WITHIN THE YEARS OF PUPILLARITY AND\par \tab ON ENTERING ON THE ADMINISTRATION AND MANAGEMENT OF THE ESTATE\par \tab WHICH PERTAINED TO THE SAID COLONEL ROBERT MACKENZIE\par \tab FOR BEHOOF OF OUR SAID PUPILS TUTORS FORESAID WE FIND IT NECESSARY\par \tab FOR THE PURPOSE OF SPEADILY AND EFFECTING EXTRICATINGTHE SAME\par \tab BY PAYMENT OF THE DEBTS DUE BY THE SAID DECEASED COLONEL\par \tab ROBERT MACKENZIE AND INVESTING THE RESIDUE OF THE SAID ESTATE\par \tab IN THE MANNER MOST BENEFICIAL FOR OUR SAID PUPILS AND ALL\par \tab OTHERS CONCERNED TO APPOINT A FIT PERSON TO BE OUR AGENT AND\par \tab FACTOR WITH POWERS TO BE OUR AGENT AND FACTOR WITH POWERS\par \tab TO INTROMIT WITH THE SAME ESTATE AND EFFECTS FOR US AND IN OUR \par \tab NAMES AS TUTORS FORESAID AND HAVING ENTIRE CONFIDENCE\par \tab IN THE CAPACITY AND INTEGRITY OF \cf1 JOSEPH GORDON \cf2 WRITER\par \tab TO THE SIGNET THEREFOR WE HAVE NOMINATED CONSTITUTED\par \tab AND APPOINTED US WE DO HEREBY NOMINATED CONSTITUTE AND\par \tab APPOINT THE SAID \cf1 JOSEPH GORDON \cf2 TO BE OUR AGENT AND FACTOR\par \tab GIVING GRANTING AND COMMITTING POWER TO HIM FOR AND\par \tab IN THE NAME FOR ANY FACTOR OR ANY AGENT TO DO IN THE LIKE CASE\par \tab BINDING HEREBY AND OBLIGING US TO RATIFY CONFIRM AND APPOINT\par \tab WHATEVER OUR SAID FACTOR SHALL LAWFULLY DO OR CAUSE TO BE DONE\par \tab IN THE PREMISES AND DECLARING THAT HE SHALL NOT BE LIABLE FOR\par \tab OMISSIONS BUT ONLY FOR HIS ACTUAL INTROMISSIONS OF WHICH\par \tab BY ACCEPTING HEREOF HE SHALL BE BOUND AND OBLIGED TO RENDER \par \tab A TRUE AND JUST ACCOUNT AS OFTEN AS REQUIRES AND WE CONSENT\par \tab TO THE REGISTRATION HEREOF IN THE BOOKS OF COUNCIL AND\par \tab SESSION OR ANY OTHERS COMPETENT THEREIN TO REMAIN FOR \par \tab PRESENTATION AND FOR THAT EFFECT WE CONSTITUTE MR THOMAS\par \tab THOMSON ADVOCATE PROCURATOR IN WITNESS WHEREOF THESE\par \tab PRESENTS WRITEN UPON THIS AND THE TWO PRECEEDING\par \tab PAGES OF STAMPED PAPER BY \cf1 ALEXANDER DUFF CLERK TO \par \tab THE SAID JOSEPH GORDON ARE SUBSCRIBED BY US FOLLOWS\par \tab VIZ. BY THE SAID CAPTAIN GEORGE SACKVILLE SUTHERLAND\par \tab AT EDINBURGH THE 26/09/1809 YEARS BEFORE THESE WITNESSES\par \tab ALEXANDER STUART WRITER EDINBURGH\par \tab ALEXANDER DUFF CLERK\par \tab MRS KATHARINE MACKENZIE MILMOUNT 30/11/1809\par \tab\cf2 BEFORE THESE WITNESSES\par \tab\cf1 MR JAMES MACGOWAN TEACHER MILMOUNT\par \tab MR JOHN MONTGOMERY POSTMASTER PARKHILL\par \tab SIGNED\cf2 KATHARINE MACKENZIE GEORGE SUTHERLAND\par \tab JAMES MACGOWAN WITNESS JOHN MONTGOMERY\par \tab WITNESS ALEXANDER STUART ALEXANDER DUFF\cf1\par \tab\cf2\par \par \par \par \cf0\par }

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**edit SIR ALEXANDER MACKENZIE
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{\rtf1\ansi\ansicpg1252\deff0\deflang1033{\fonttbl{\f0\fswiss\prq2\fcharset0 Arial;}} {\colortbl ;\red255\green0\blue0;\red0\green0\blue0;\red0\green0\blue255;} {*\generator Msftedit 5.41.15.1507;} \viewkind4\uc1\pard\fs20 2006-07-19 2:08:30 PM\par \par IN \cf1 RS3.1262.260 \cf2 PAGE AN INSTRUMENT OF SASINE \cf1 31.3.1817\cf2 \cf3 DISPOSITION AND ASSIGNATION \cf2 GRANTED BY KATHERINE SUTHERLAND TO ROBERT SUTHERLAND AND ROBERT SUTHERLAND THEREIN FORMERLY OF THE ISLAND OF ST VINCENT RESIDING IN MILLMOUNT EASTER-KIMUIR ROSSHIRE PROCURATOR AND ATTORNEY AND JAMES BAILLIE MERCHANT IN ROTTERDAM AND THAT WHICH BELONGED TO JAMES BAILLIE DISPONED OF BY KATHERINE SUTHERLAND THE OLD GREAT KILN OF MILTON WHERE THE DECEASED COLONEL ROBERT MCKENZIE MADE ADDITIONS THERETO. A MENTION OF SAMUEL SUTHERLAND SERVANT TO ROBERT SUTHERLAND AND JAMES PHILIP CLERK TO JOSEPH GORDON LEGAL FIRM REPRESENTING AND ARCHIBALD LOCKHART HOUSE SERVANT TO MRS COLONEL SUTHERLAND, YORK PLACE EDINBURGH.\par \par TO ENQUIRE TO THE CORRECTNESS OF THE QUESTION ABOUT THE SAME ROBERT SUTHERLAND ONE HAS TO EXAMINE THE RELATIONSHIP OF THE OTHER INDIVIDUALS IN THIS SASINE AND THIS IS MRS COLONEL SUTHERLAND, I AM AWARE THAT THIS INDIVIDUAL IS BROTHER TO A ROBERT SUTHERLAND OF ST VINCENT YET THE ONE REFERENCED IN THIS SASINE COULD BE HER UNCLE BROTHER TO COLONEL JAMES SUTHERLAND OF UPPAT WHO MARRIED ELIZABETH BAILLIE WHO BORN 1748 MARRIED 1768 DIED 21.10.1831 KILMUIR EASTER ROSSHIRE. IT IS A FACT THAT GEORGE SACKVILLE SUTHERLAND MARRIED JEAN MACKAY AND HAD EWEN WHO MARRIED ELIZABETH SUTHERLAN MACKENZIE AND A COPY OF A REFERENCE WITH THE WWW.FAMILYSEARCH.ORG.\par \par I HAVE MENTION OF ELIZABETH BAILLIE IN A REVERSION AND IS CERTAINLY THE SAME FAMILY.\par \cf0\par }

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[edit](#) **SIR ALEXANDER MACKENZIE
BARONET/PAULM594**

{\rtf1\ansi\ansicpg1252\deff0\deflang2057{\fonttbl{\f0\froman\prq2\fcharset0 Georgia;}} {\colortbl ;\red255\green0\blue0;\red0\green0\blue0;} {*\generator Msftedit 5.41.15.1503;} \viewkind4\uc1\pard\fi-568\li568\ri-926\fo\fs16\tab RS3 /1528\par \tab LORD MCDONALD TO THE COMMISSIONERS TO HIGHLAND CHURCH'S\par \tab\par \tab AT EDINBURGH 26 DECEMBER 1828 YEARS BETWEEN THE HOURS OF\par \tab THREE AND FOUR AFTER NOON THE CONVEYANCE UNDER WRITEN\par \tab WAS PRESENTED BY ADAM HATTON WRITER IN EDINBURGH AND\par \tab IS RECORDED IN THE ONE THOUSANT FIVE HUNDRED AND TWENTY\tab\par \tab EIGHTH BOOK OF THE NEW GENERAL REGISTER OF SASINES \par \tab REVERSIONS AND CONFORM TO THE ACT OF PARLIAMENT MADE\par \tab THEREANENT IN JUNE 1617 AND WHEREOF THE TENOR FOLLOWS\par \tab VIZ... I THE RIGHT HONOURABLE SIR GODFREY BOSVILLE \par \tab MACDONALD BARONET LORD MACDONALD HERITABLE PROPRIETOR\par \tab OF THE SUBJECTS AFTER CONVEYED AS HEIR OF ENTAIL SPECIALLY\par \tab EMPOWERED TO AUTHORISED TO GRANT THE CONVEYANCE UNDER\par \tab WRITTEN BY VIRTUE OF THE ACT OF PARLIAMENT HEREIN AFTER\par \tab RECITED WHEREBY SECTION NINTH IT IS INTER ALIA ENACTED\par \tab THAT IT SHALL AND MAY BE LAWFUL FOR ANY HEIR OF ENTAIL\par \tab IN SCOTLAND WITH OR WITHOUT VALUABLE CONSIDERATION\par \tab TO GIVE AND GRANT HERITABLY AND IRREDEMABLY TO THE\par \tab COMMISSIONERS ACTING IN THE EXECUTION OF THE SAID\par \tab ACT OF PARLIAMENT SUCH LAND OR HERITAGE BELONGING TO\par \tab THEM AS MAY BE NECESSARY FOR ALL OR ANY OF THE \par \tab PURPOSES SPECIFIED THEREIN DO HEREBY GRANT DISPONE \par \tab AND CONVEY FROM ME AND MY HEIRS OF ENTAIL IN THE LANDS \par \tab AND OTHERS AFTER MENTIONED TO THE COMMISSIONERS\par \tab ACTING IN THE EXECUTION OF THE SAID ACT OF PARLIAMENT\par \tab PASSED IN THE FIFTH YEAR OF THE REIGN OF HIS MAJESTY\par \tab KING GEORGE THE \tab FOURTH ENTITLED AN ACT TO AMEND\par \tab AN ACT FOR BUILDING ADDITIONAL PLACES OF WORSHIP\par \tab IN THE HIGHLANDS AND ISLANDS OF SCOTLAND ALL\par \tab AND WHOLE THAT PIECE OF GROUND NEARLY OF A RECTANGULAR\par \tab FORM PART OF THE FARM \cf1 GEARRIGHFADA \cf2 AND JOINING THE\par \tab FARM OF \cf1 STENSCHOLL \cf2 DISTRICT OF \cf1 TROTTERNISH \cf2 IN THE\par \tab\cf1 ISLAND OF SKYE \cf2 UPON WHICH THE SAID COMMISSIONERS HAVE\par \tab UNDER THE PROVISIONS OF THE SAID ACT OF PARLIAMENT\par \tab ERECTED A CHURCH AND A MANSE OR DWELLING HOUSE\par \tab FOR THE MINISTER TO BE APPOINTED TO OFFICIATE\par \tab AT THE SAID CHURCH A PORTION OF WHICH GROUND LYING\par \tab TOWARD THE CENTRE OF THE SAID PIECE OF GROUND AND APON\par \tab WHICH BOTH THE SAID CHURCH AND MANSE HAVE BEEN BUILT\par \tab AS APPROPRIATED AS A GARDEN BEING INCLOSED WITH STONE WALLS\par \tab ERECTED BY THE SAID COMMISSIONERS AND THE REMAINDER\par \tab OF WHICH PIECE OF GROUND LYING BOTH TO THE SOUTH AND NORTH\par \tab OF THE SAID GARDEN IS APPROPRIATED AS A GLEBE FOR THE\par \tab USE OF THE SAID MINISTER WHICH PIECE OF GROUND INCLUDING\par \tab THE SITE OF THE SAID CHURCH AND MANSE THE GARDEN\par \tab AND THE GLEBE CONTAINED AN AREA OF \cf1 2 ACRES 3 ROODS\par \tab 19 FALLS AND ONE EL \cf2 OR THEREBY IN SCOTS LAND\par \tab MEASURE LIES WHOLLY WITHIN THE SAID FARM OF \cf1 GEARRIGHFADA\par \tab\cf2 ON THE SOUTH SIDE OR RIGHT BANK OF THE RIVER \cf1 KILMARTIN\par \tab\cf2 WHICH IS THE BOUNDARY OF THE SAID PIECE OF LAND ON THE\par \tab NORTH AND OPPOSITE TO THE FARM OF \cf1 STENSCHOLL \cf2 AND THE\par \tab BOUNDERIES OF WHICH SO FAR AS NOT DESIGNATED BY THE STONE\par \tab WALLS OF THE SAID GARDEN AND THE SAID RIVER OF KILMARTIN\par \tab ARE MARKED ON THE SOUTH EAST AND WEST SIDES BY MARCH\par \tab STONES INFIXED AND WHICH PIECE OF GROUND IS DESCRIBED\par \tab ON A PLAN OR SKETCH MADE BY \cf1 MR JOSEPH MITCHELL SURVEYOR\par \tab\cf2 EMPLOYED BY THE SAID COMMISSIONERS AND SUBSCRIBED BY ME AS\par \tab RELATIVE TO THESE PRESENTS AND IS PART AND PORTION OF\par \tab MY SAID

FARM OF GEARRIGHFADA LYING IN THE ISLAND OF SKYE WITHIN THE BARONY OF MACDONALD PARISH OF KILMUIR LORDSHIP OF THE ISLES AND SHERIFFDOM OF INVERNESS TOGETHER WITH THE LANDS PARSONAGE AND VICARAGE OF THE SAID PIECE OF GROUND HEREBY CONVEY AND ALL MY RIGHT TITLE AND INTEREST IN AND TO THE SAID SUBJECT AND EVERY PART THEREOF WITH FREE ISH AND ENTRY TO THE SAID PIECE OF GROUND HEREBY DISPONED AND WITH THE PRIVILIGE TO THE MINISTER OF STENSCHOLL OR GEARRIGHFADA AND HIS SUCCESSORS IN OFFICE OF CUTTING WINNING AND CARVING AWAY PEATS FROM ONE OF THE MOSSES IN THE CONVENIENT NEIGHBOURHOOD BELONGING TO ME AND ALSO WITH THE PRIVILEGE OF GRAZING HIS HORSE AND TWO COWS UPON ONE OF THE FARMS IN THE CONVENIENT NEIGHBORHOOD BELONGING TO ME AS THE SAME SHALL BE FIXED FOR THE TIME BEING BY ME AND MY FORESAIDS AND SHALL BE POINTED OUT BY OUR CHAMBERLAIN TO HOLD TO THE SAME COMMISSIONERS OR SUCH PERSON OR PERSONS AS THEY SHALL APPOINT TO BE DEVOTED FOR EVER TO THE PURPOSES SPECIFIED IN AND BY VIRTUE OF AND ACCORDING TO THE TRUE INTENT AND MEANING OF THE SAID ACT PASSED IN THE FIFTH YEAR OF THE REIGN OF HIS PRESENT MAJESTY AND I THE SAID LORD MACDONALD BIND AND OBLIGE MY SELF AND THE HEIRS OF ENTAIL SUCCEEDING TO ME IN THE SAID BARONY OF MACDONALD TO FREE AND RELIEVE THE SAID SUBJECTS BEFORE DISPONED OF ALL CESS MINISTERS STIPEND SCHOOLMASTERS SALARY FEU DUTY AND ALL OTHES PUBLIC AND PAROCHIAL BURDENS FROM AND AFTER THE TERM OF WHITSUNDAY 1828 WHICH IS HEREBY DECLARED TO HAVE BEEN THE TERM OF THE SAID COMMISSIONERS ENTRY TO THE PREMISES AND FURTHER IN RESPECT THAT IT IS NECESSARY THAT EFFECTUAL PROVISION SHOULD BE MADE FOR THE REPAIR OF SUCH PLACES OF WORSHIP AND DWELLING HOUSES AND PREMISES THERETO ATTACHED AFTER THEY SHALL HAVE BEEN BUILT OR PROVIDED SO IT IS BY THE EIGHTEENTH SECTION OF THE SAID RECITED ACT ENACTED THAT WITH RESPECT TO EVERY SUCH ADDITIONAL PLACE OF WORSHIP THE HERITOR OR ANY TWO OF THE HERITORS APPLYING FOR THE SAME HIS OR THEIR HEIRS AND SUCCESSORS IN THE LANDS SITUATED WITHIN THE DISTRICT FOR WHICH SUCH ADDITIONAL PLACE OF WORSHIP SHALL BE SET APART TO BE SPECIFIED AND DESCRIBED FOR THAT PURPOSE SHALL BY SUCH APPLICATION BE AND BECOME BOUND TO KEEP AND MAINTAIN SUCH ADDITIONAL PLACE OF WORSHIP IN GOOD AND SUFFICIENT REPAIR TO THE EXTENT HEREIN AFTER LIMITED THAT IS TO SAY PROVIDED ALWAYS THAT THE PRESENT OF SUCH ADDITIONAL PLACE OF WORSHIP SHALL BE APPLIED TOWARDS THE REPAIR OF SUCH ADDITIONAL PLACE OF WORSHIP AND ALSO OF THE DWELLING HOUSE AND OFFICES OF THE MINISTER IN FIRST INSTANCE UNDER THE DIRECTION OF THE SURVEYOR APPOINTED BY THE COMMISSIONERS AND IN DEFAULT OF HIS GIVING SUCH DIRECTIONS DURING ONE WHOLE YEAR THEN UNDER THE DIRECTIONS OF THE HERITOR OR HERITORS UNDERTAKING FOR THE REPAIR OF SUCH ADDITIONAL PLACE OF WORSHIP OF THE MINISTER AND OF THE OFFICIATING ELDERS WHO ARE ALSO HEREBY EMPOWERED TO GIVE DIRECTION FOR SMALL REPAIRS AT ANY TIME WHEN REQUISITE AND PROVIDED FURTHER THAT AFTER THE APPLICATION OF THE PEW RENTS THE EXPENSE TO BE DEFRAYED BY THE SAID HERITOR OR HERITORS SO APPLYING HIS OR THEIR HEIRS AND SUCCESSORS AS AFORESAID SHALL NOT IN ANY ONE YEARS EXCEED THE SUM OF ONE PER CENTUM UPON THE AMOUNT OF THE MONEY ORIGINALLY EXPENDED IN THE BUILDING OR PURCHASING AND COMPLETING SUCH ADDITIONAL PLACE OF WORSHIP OR IN CASE OF GIFT OF ANY BUILDING FOR THAT PURPOSE IN LIKE MANNER NOT EXCEEDING ONE PER CENTUM UPON THE ORIGINAL VALUE OF THE SAME AS ESTIMATED BY THE SURVEYOR OF THE COMMISSIONERS TO WHICH EXTENT AND NO FURTHER THE SAID HERITOR OR HERITOR SHALL BE COMPELLABLE TO REPAIR THE SAME IN SUCH MANNER AS HERITORS ARE COMPELLABLE BY LAW TO REPAIR PARISH CHURCHS IN SCOTLAND BUT IT IS

FURTHER\par \tab ENACTED THAT THE PEW RENTS AS BEFORE MENTIONED SHALL\par \tab ALSO BE SET APART AND APPLIED TO A CERTAIN EXTENT TO \par \tab THE REPAIR OF THE MINISTERS DWELLING HOUSE AND OFFICES\par \tab AS WELL AS TO THE REPAIR OF THE SAID ADDITIONAL PLACE\par \tab OF WORSHIP THEREFOR I THE SAID LORD MACDONALD DO CONFESS\par \tab AND DECLARE THAT IN RESPECT OF MY HAVING BEEN THE APPLYING\par \tab HERITOR FOR THE SAID ADDITIONAL PLACE OF WORSHIP AT \par \tab STENSCHOLL THE FOLLOWING PARTS AND PORTIONS OF MY LANDS\par \tab AT LEAST SO MUCH THEREFOR AS SHALL BE FOUND TO LIE WITHIN\par \tab THE DISTRICT TO BE SET APART FOR THE SAID ADDITIONAL\par \tab PLACE OF WORSHIP TOGETHER WITH ANY OTHER LANDS BELONGING\par \tab TO ME WHICH SHALL BE FOUND TO LIE WITHIN THE DISTRICT TO \par \tab BE SET APART FOR THE SAID ADDITIONAL PLACE OF WORSHIP\par \tab ARE UNDER THE SAID ACT OF PARLIAMENT BURDENED AND\par \tab AFFECTED IN THE PERSONS OF ME AND MY HEIRS OF ENTAIL\par \tab IN THE SAID LANDS IN A REAL BURDEN IS ERECTED THEREON\par \tab IN FAVOUR OF THE SAID COMMISSIONER BY AND THROUGH THE\par \tab OBLIGATION TO KEEP AND MAINTAIN THE SAID ADDITIONAL\par \tab PLACE OF WORSHIP IN GOOD AND SUFFICIENT REPAIR IN THE\par \tab MANNER WHICH IS IN THE SAID ACT OF PARLIAMENT\par \tab PROVIDED VIZ... ALL AND WHOLE THE SAID FARMS OF\par \tab\cf1 GARRIGHFADA \cf2 AND \cf1 STENSCHOLL \cf2 PARTS OF THE LANDS AND BARONY\par \tab OF \cf1 MACDONALD \cf2 PARISH OF \cf1 KILMUIR WESTER \cf2 AND SHERIFFDOM\par \tab OF INVERNESS AND IN FURTHER CORROBORATION OF THE SAID\par \tab OBLIGATION I DO BY THESE PRESENTS BEND AND OBLIGE\par \tab MYSELF AND MY HEIRS AND SUCCESSORS AND SPECIALLY\par \tab MY HEIRS AND SUCCESSORS IN THE LANDS SITUATED WITHIN\par \tab THE DISTRICT TO BE SET APART FOR THE SAID ADDITIONAL\par \tab PLACE OF WORSHIP TO KEEP AND MAINTAIN THE SAID\par \tab ADDITIONAL PLACE OF WORSHIP IN GOOD AND SUFFICIENT\par \tab REPAIR TO THE EXTENT LIMITED AND AS PROVIDED BY THE SAID\par \tab ACT OF PARLIAMENT THE MAXIMUM IN ANY ONE YEAR BEING IN THE \par \tab PRESENT CASE ONE PER CENTUM UPON THE SUM OF SEVEN HUNDRED\par \tab AND FIFTY POUNDS STERLING BEING THE AMOUNT OF THE MONEY\par \tab ORIGINALLY EXPENDED IN BUILDING THE SAID CHURCH AND I\par \tab DO FURTHER BEND AND OBLIGE MYSELF AND MY FORESAIDS\par \tab TO GRANT SUBSCRIBE AND DELIVER AT THE EXPENSE OF THE SAID\par \tab COMMISSIONERS AND OTHER OBLIGATION DEED OR OTHER WRITING\par \tab WHICH THEY MAY REQUIRE OR DEMAND FOR BETTER OR MORE\par \tab EFFECTUALLY CONVEYING THE SAID PIECE OF GROUND AND OTHER\par \tab TO THE SAID COMMISSIONERS AND CONFIRMING THE SAID \par \tab OBLIGATION HEREIN CONTAINED AGAINST ME MY HEIRS\par \tab AND SUCCESSORS AND SPECIALLY MY HEIRS AND SUCCESSORS\par \tab IN THE LANDS SITUATED WITHIN THE SAID DISTRICT DECLARING \par \tab ALWAYS AS IT IS HEREBY EXPRESSLY PROVIDED AND DECLARED\par \tab THAT NOTHING CONTAINED IN THE PRECEDING OBLIGATION SHALL\par \tab INFER AN IRRITANCY AGAINST ME OR MY FORESAIDS UNDER THE \par \tab ENTAIL OF SAID LANDS AND BARONY OF \cf1 MACDONALD \cf2 NOR\par \tab BE CONSTRUED TO AFFECT OR BURDEN THE LANDS BEFORE\par \tab DESCRIBED FOR THE PURPOSE OF THE REPAIR OF THE SAID\par \tab PLACE OF WORSHIP IN ANY MANNER INCONSISTENT\par \tab WITH THE CONDITIONS OF THE SAID ENTAIL EXCEPT IN SO FAR AS\par \tab I AM AUTHORISED TO GRANT THE SAID OBLIGATION TO THE\par \tab EFFECT FORESAID BY AND THROUGH THE BEFORE RECITED\par \tab ACT OF PARLIAMENT AND WITH AND UNDER WHICH PROVISION\par \tab AND DECLARATION THE FORESAID OBLIGATION IN\par \tab SO FAR AS AFFECTS THE SAID ENTAILED ESTATE OR ANY PART OF IT\par \tab IS GRANTED AND NO OTHERWISE AND I CONSENT TO THE \par \tab REGISTRATION HEREOF IN THE GENERAL OR PARTICULAR\par \tab REGISTER OF SASINES FOR PUBLICATION AND IN THE BOOKS OF\par \tab COUNCIL AND SESSION FOR PRESERVATION AND THAT ALL\par \tab NECESSARY EXECUTION MAY PASS HEREON IN FORM AS EFFECTS\par \tab AND FOR THAT PURPOSE CONSTITUTE MY PROCURATORS\par \tab AND IN WITNESS WHEREOF I HAVE SET MY HAND TO THESE \par \tab PRESENTS WRITTEN UPON THIS AND THE TWO PRECEDING\par \tab PAGES OF STAMPED PAPER BY \cf1 JAMES HATTON \cf2 CLERK TO\cf1\par \tab JAMES HOPE\cf2 WRITER TO THE SIGNET TOGETHER WITH\par \tab THE MARGINAL NOTE ON PAGE THIRD HEREOF ALSO WRITTEN\par \tab BY THE SAID \cf1 JAMES HATTON \cf2 AT EDINBURGH THE TWENTY\par \tab SECOND DAY

OF DECEMBER EIGHTEEN HUNDRED AND TWENTY\par \tab EIGHT BEFORE THESE
WITNESSES \cf1 EDWARD HILLMAN \cf2 FOOTMAN\par \tab AND \cf1 L.HALLMAN\cf2 UNDER
BUTLER TO ME THE SAID \cf1 LORD\par \tab MACDONALD \cf2 SIGNED \cf1 MACDONALD
EDWARD HILLMAN \cf2 WITNESS\par \tab\cf1 L.HALLAM \cf2 WRITEN BY \cf1 A.RUSSELL.\par
\tab\cf0\par }

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**edit SIR ALEXANDER MACKENZIE
BARONET/PAULM594**

{\rtf1\ansi\ansicpg1252\deff0\deflang2057{\fonttbl{\f0\froman\prq2\fcharset0 Georgia;}{\f1\fswiss\fcharset0 Arial;}} {*\generator Msftedit 5.41.15.1507;}viewkind4\uc1\pard\fs16 SASINE TUTORS OF ALEXANDER MACKENZIE AND OTHERS\par \par AT EDINBURGH THE FIFTEENTH DAY OF MAY EIGHTEEN HUNDRED AND TWELVE YEARS BETWEEN THE HOURS OF TWELVE AND ONE AFTERNOON THE SASINE UNDERWRITEN WAS PRESENTED BY WILLIAM ASHER WRER IN EDINBURGH AND IS RECORDED IN THE NINE HUNDRED AND TWENTIETH BOOK OF THE NEW GENERAL REGISTER OF SASINES REVERSIONS AND CONFORM TO THE ACT OF PARLIAMENT MADE THEREANENT IN JUNE 1617 AND WHEREOF THE TENOR FOLLOWS VIZ IN THE NAME OF GOD AMEN BE IT KNOWN TO ALL MEN BY THIS PRESENT PUBLIC INSTRUMENT THAT UPON THE SIXTEENTH DAY OF APRIL IN THE YEAR OF FOUR LORD ONE THOUSAND EIGHT HUNDRED AND TWELVE AND IN THE REIGN OF OUR SOVEREIGN LORD GEORGE THE THIRD BY THE GRACE OF GOD OF THE UNITED KINGDOM OF GREAT BRITAIN AND IRELAND KING DEFENDER OF THE FAITH THE FIFTY SECOND YEAR IN THE PRESENCE OF ME NOTARY PUBLIC AND OF THE WITNESSES SUBSCRIBING APPEARED PERSONALLY WILLIAM MACKAY FARM SERVANT AT ARBOLL AS PROCURATOR FOR AND IN THE NAME AND BEHALF OF MRS KATHARINE SUTHERLAND OR MACKENZIE RELICT OF THE DECEASED COLONEL ROBERT MACKENZIE SOME TIME OF THE SERVICE OF THE HONOURABLE THE EAST INDIA COMPANY AND GEORGE SACKVILLE SUTHERLAND ESQUIRE TACKSMAN OF RHIVES THE ACCEPTING AND ACTING TUTORS AND CURATORS NOMINATED BY DISPOSITION AND DEED OF SETTLEMENT EXECUTED BY THE SAID COLONEL ROBERT MACKENZIE OF DATE THE TWENTY SIXTH DAY OF NOVEMBER ONE THOUSAND EIGHT HUNDRED AND TWO AND REGISTERED IN THE BOOKS OF SESSION OFFICE WB THE THIRTY FIRST DAY OF JULY ONE THOUSAND EIGHT HUNDRED AND NINE TO ALEXANDER MACKENZIE ELDEST SON OF THE SAID COLONEL ROBERT MACKENZIE AND GENERAL DISPONEE AND EXECUTOR OF HIS FATHER UNDER THE SAID DEED AND TO THE OTHER CHILDREN OF THE SAID COLONEL ROBERT MACKENZIE AND ADMINISTRATORS AS TUTORS OF THE SAID ALEXANDER MACKENZIE THE EXECUTOR TO AND UPON THE ESTATE AND EFFECT OF THE SAID COLONEL ROBERT MACKENZIE WHOSE POWER OF PROCURATORY WAS SUFFICIENTLY KNOWN TO ME THE SAID NOTARY PUBLIC AND PASSED WITH US AND ALEXANDER MACKENZIE FARM SERVANT AT ARBOLL BAILLIE IN THAT PART SPECIALLY CONSTITUTED BY VIRTUE OF THE PRECEPT OF SASINE AFTER INSERTED TO THE GROUNDS OF THE LANDS AND OTHERS AFTER MENTIONED RESPECTIVELY AND SUCCESSIVELY HAVING AND HOLDING IN HIS HANDS AN HERITABLE BOND OF THE DATE AFTER MENTIONED CONTAINING THEREIN THE PRECEPT OF SASINE AFTER INSERTED MADE AND GRANTED BY DONALD MACLEOD OF GEANIES ESQUIRE WHEREBY FOR THE CAUSES THEREIN SPECIFIED BE BOUND AND OBLIGED HIMSELF HIS HEIRS EXECUTORS AND SUCCESSORS WHOMSOEVER TO CONTEND AND REPAY TO THE SAID MRS KATHARINE SUTHERLAND OR MACKENZIE AND GEORGE SACKVILLE SUTHERLAND ESQUIRE AND TO THE SURVIVORS OF THEM TWO AS TUTORS AND CURATORS FORESAID FOR BEHOOF OF THEIR PUPILS THE SAID ALEXANDER MACKENZIE GENERAL DISPONEE AND EXECUTOR FORESAID AND THE OTHER CHILDREN OF THE SAID COLONEL ROBERT MACKENZIE AND TO THE ASSIGNEES OF THE SAID TUTORS OR SURVIVOR OF THEM THE SUM OF FOUR THOUSAND FIVE HUNDRED POUNDS STERLING AND THAT AT AND AGAINST THE TERM OF MARTINMAS NEXT IN THIS PRESENT YEAR WITH THE SUM OF NINE HUNDRED POUNDS STERLING OF LIQUIDATE PENALTY IN CASE OF FAILURE AND THE LEGAL ANNUAL RENT OF THE SAID PRINCIPAL SUM FROM THE DATE THEREOF TO THE SAID TERM OF PAYMENT AND THEREAFTER SO LONG AS THE SAME REMAINS UNPAID AT TWO TERMS IN THE YEAR WHITSUNDAY AND MARTINMAS BY EQUAL PORTIONS BEGINNING THE FIRST TERMS PAYMENT OF THE SAID ANNUAL RENT AT THE SAID TERM OF MARTINMASS NEXT FOR WHAT SHALL BE DUE FROM THE DATE OF THE SAID

BOND TO THAT TERM AND THE NEXT TERMS PAYMENT OF THE SAID ANNUAL RENT AT THE TERM OF WHITSUNDAY ONE THOUSAND EIGHT HUNDRED AND THIRTEEN FOR THE PRECEEDING HALF YEAR AND SO FORTH THERE AFTER HALF YEARLY BY EQUAL PORTIONS AS ABOVE MENTIONED DURING THE NOT PAYMENT OF THE SAID PRINCIPAL SUM WITH A FIFTH PART MORE OF EACH TERMS ANNUALRENT OF LIQUIDATE PENALTY IN CASE OF FAILURE IN THE PUNCTUAL PAYMENT OF THE SAID ANNUAL RENT AT THE TERMS AND BY THE PROPORTIONS ABOVE MENTIONED AND FOR THE SAID MRS KATHARINE SUTHERLAND OR MACKENZIE AND GEORGE SACKVILLE SUTHERLAND ESQUIRE AND THE SURVIVOR OF THEM AS TUTORS AND CURATORS FORESAID AND THEIR PUPILS AND THE ASSIGNEES OF THE SAID TUTORS AND CURATORS OR OF THE SURVIVORS OF THEM THEIR FURTHER SECURITY AND MORE SURE PAYMENT OF THE FORESAID SUMS OF PRINCIPAL ANNUAL RENT LIQUIDATE EXPENSE AND TERMLY FAILLIES THE SAID DONALD MACLEOD ESQUIRE BOUND AND OBLIGED HIM HIS HEIRS AND SUCCESSORS UPON HIS AND THEIR OWN PROPER CHARGES AND EXPENSES DULY AND LAWFULLY TO INFECT AND SEASE THE SAID MRS KATHARINE SUTHERLAND OR MACKENZIE AND GEORGE SACKVILLE SUTHERLAND AND THE SURVIVOR OF THEM TWO AS TUTORS AND CURATORS FORESAID FOR THE BEHOOF OF THE SAID PUPILS AND THEIR ASSIGNEES FORESAID HERITABLY BUT UNDER REDEMPTION IN MANNER THEREIN AND AFTER MENTIONED NOT ONLY IN ALL AND WHOLE AN ANNUALRENT OF TWO HUNDRED AND FIFTY POUNDS STERLING OR SUCH ANNUAL RENT LESS OR MORE AS SHALL BY LAW EFFEIR AND CORRESPOND TO THE FORESAID PRINCIPAL SUM OF FOUR THOUSAND FIVE HUNDRED POUNDS STERLING TO BE UPLIFTED AND TAKEN AT THE TERMS AND IN MANNER FORESAID DURING THE NOT REDEMPTION FURTH OF ALL AND WHOLE THE TOWN AND DAVOCH LANDS OF EASTER GEANIES AND HALF DAVOCH LANDS OF MID GEANIES WITH THE MANOR PLACE HOUSES BUILDINGS YARDS ORCHARDS MUIRS MARSHES WAYS WATERS LOCHS BURNS PASTURES MILLS MULTURES AND THEIR SEQUELS HAWKINGS HUNTINGS FISHINGS HARBOURS CUNNYS CUNNIGARS DOVES DOVECOATS COALS COAL HEUGHS SMIDDIES KILNS BREWERIES WHINS WOODS FORRESTS TWIGS TIMBER QUARRIES AS WELL STONE AS LIME WITH COURTS AND THEIR EMOLUMENTS HEREYELDS BLOODWITS FINES WITH COMMON PASTURE AND FREEISH AND ENTRY AND WITH ALL AND SUNDRRY OTHER LIBERTIES PROFITS IMMUNITIES AND THERE JUST PERTINENTS WHATSOEVER AS WELL NOT NAMED AS NAMED LYING IN THE PARISH OF TARBAT AND SHERIFFDOM OF ROSS AS THE SAID LANDS ARE DESCRIBED IN A CHARTER OF RESIGNATION UNDER THE GREAT SEAL IN FAVOUR OF THE SAID DONALD MACLEOD ESQUIRE DATED THE THIRD AND WRITTEN TO THE SEAL REGISTERED AND SEALED THE NINETEENTH DAYS OF MARCH LAST BY WHICH CHARTER IT IS DECLARED THAT ONE SASINE TO BE TAKEN BY HIM AND HIS HEIRS AND SUCCESSORS AT THE MANOR PLACE OF EASTER GEANIES OR APON ANY PART OF THE GROUND OF THE SAID LANDS THEN AND IN ALL TIME COMING BY DELIVERY OF EARTH AND STONE OF THE GROUND THEREOF ONLY WITHOUT ANY OTHER SYMBOL SHALL BE AS VALID AND SUFFICIENT FOR ALL AND WHOLE THE SAID LANDS AND OTHERS AS IF PARTICULAR SASINES WERE TAKEN ON EACH PART OR PORTION OF THE SAME BY DELIVERY OF ALL THE USUAL SYMBOLS AS ALSO ALL AND WHOLE THE HALF OF TWO PARTS EXTENDING TO ONE THIRD PART OF THE LANDS OF ARBOLL AND ALL AND WHOLE THAT THIRD PART CALLED THE MIDDLE THIRD PART OF THE SAID LANDS OF ARBOLL WITH THE WHOLE MILL OF ARBOLL MILL LANDS MULTURES SEQUELS KNAVESHIPS AND PERTINENTS THEREOF WITH THE MANOR PLACE HOUSES BUILDINGS YARDS ORCHARDS TOFTS CROFTS OUTSETTS AND PENDICLES OF THE FORESAID TWO THIRD PARTS OF THE SAID LANDS WITH ALL THEIR PERTINENTS AND PENDICLES VIZ THAT PENDICLE CALLED AULDIGUHILBAR WITH THE MARCH AND MUIR CALLED MILBOY LYING CONTIGUOUS THERETO TOGETHER WITH THE LINKS OF ARBOLL MARSH AND MUIR CALLED LINTOWNQUHAT MARSH AND MUIR CONTIGUOUS THERETO AT THE EASTERN PART OF THE LANDS OF ARBOLL ON THE SOUTH PART THEREOF AND FROM THE EAST OF THE LOCH CALLED LOCHINTENNY WITH THE MOSS AND MUIR LYING CONTIGUE TO THE WESTERN PARTS OF ARBOLL AND ON THE SOUTH SIDE THEREOF WITH THE GREAT MARSH AND MUIR LYING CONTIGUOUS TO THE WEST PART THEREOF AT THE WEST WITH THE MUIR AND MARSH LYING CONTIGUOUS TOWARDS THE NORTH BY THE NORTHWEST PART OF ARBOLL NEAR THE SHORE CALLED THE SEASIDE OF KNOCKINGGEARICH TOGETHER WITH THE

HARBOURS OF POLNEGRAGACH PORTNACHLOCH PORTNAREST CALLED LIKEWISE ST JOHN PORT WITH ST JOHNS CHAPPEL AND THE PORT CALLED CAMRAY WITH FULL POWER LIBERTY AND LICENCE OF KEEPING FISH BOATS ONE OR MORE FOR TAKING ALL KINDS OF FISHES AS WELL SALMON AS OF HERRING MUSSELS AND COCKLES AND OTHER FISH WITHIN THE SAID HARBOURS OR WITHIN ANY OTHER PART OF THE SAID DIRECTLY OPPOSITE TO THE SAID LANDS OF ARBOLL AND OF GATHERING ALL KINDS OF FISH BAIT WITH THE WHOLE WRECK AND WARE WITHIN THE SAID BOUNDS AND TO APPLY THE SAME TO THEIR OWN PROPER USE WITH THE LIBERTY OF DISCHARGING AND HINDERING ALL OTHER PERSONS WHATSOEVER TO KEEP ANY FISH BOATS OR TO TAKE ANY KIND OF FISH OR TO GATHER FISH BAIT AND SEA WRECK AND WARE WITHIN THE SAID BOUNDS IN ALL TIME COMING ALL LYING WITHIN THE PARISH OF TARBAT AND SHERIFFDOM OF ROSS AND BOUNDED IN MANNER MENTIONED IN A CHARTER OF ADJUDICATION UNDER THE GREAT SEAL IN FAVOUR OF THE DECEASED HUGH MCLEOD OF GENIES FATHER OF THE SAID DONALD MACLEOD IN LIFERENT AND OF HIM THE SAID DONALD MACLEOD IN FEE DATED THE SEVENTH AND WRITTEN TO THE SEAL REGISTERED AND SEALED THE TWENTY FIRST DAYS OF AUGUST ONE THOUSAND SEVEN HUNDRED AND SIXTY NINE BY WHICH CHARTER IT IS DECLARED THAT ONE SASINE TO BE TAKEN BY THE SAID HUGH AND DONALD MACLEOD AND THE HEIRS AND ASSIGNEES OF THE SAID DONALD MCLEOD THEN AND IN ALL TIME COMING AT THE MANOR PLACE OF ARBOLL OR UPON THE GROUND OF ANY OTHER PART OF THE SAID LANDS AND OTHERS ABOVE WRITTEN BY DELIVERY OF EARTH AND STONE ONLY WITHOUT THE NECESSITY OF ANY OTHER SYMBOLS SHALL BE AS VALID AND SUFFICIENT A SASINE FOR THE WHOLE OF THE SAID LANDS AND OTHERS ABOVE MENTIONED AS IF A PARTICULAR SASINE WERE TAKEN UPON EVERY PART THEREOF ALTHOUGH THE SAME BE DISCONTIGUOUS AND MIGHT HAVE REQUIRED DIFFERENT SYMBOLS OR FURTH OF ANY PART OR PORTION OF THE LANDS MILLS FISHINGS AND OTHER HERITAGES ABOVE SPECIFIED FIRST AND READIEST MILLS FARMS PROFITS AND DUTIES OF THE SAME BUT ALSO ALL AND WHOLE THE SAID LANDS MILLS FISHINGS AND OTHER HERITAGES BEFORE SPECIFIED WITH THE PERTINENTS THEMSELVES IN FURTHER SECURITY TO THE SAID MRS KATHARINE SUTHERLAND OR MACKENZIE AND GEORGE SACKVILLE SUTHERLAND ESQUIRE AND THE SURVIVOR OF THEM AS TUTORS FORESAID FOR BEHOOF OF THE SAID ALEXANDER MACKENZIE AND THE OTHER CHILDREN OF THE SAID COLONEL ROBERT MACKENZIE AND THEIR ASSIGNEES FORESAID OF PAYMENT OF THE SAID SUMS OF MONEY PRINCIPAL ANNUAL RENT LIQUIDATE EXPENSES AND TERMLY FAILURES RESPECTIVELY BEFORE SPECIFIED AND THAT BY TWO SEVERAL INFESTMENTS AND MANNERS OF HOLDING THE ONE THEREOF TO BE HELD OF THE SAID DONALD MACLEOD AND HIS FORESAIDS AND THE OTHER OF THE SAID INFESTMENTS TO BE HELD FROM HIM AND HIS FORESAIDS OF THEIR IMMEDIATE LAWFUL SUPERIORS OF THE SAID LANDS IN MANNER MENTIONED IN THE SAID HERITABLE BOND AS THE SAME CONTAINING PROCURATORY OF RESIGNATION THE PRECEPT OF SASINE AFTER INSERT CLAUSE OF ABSOLUTE WARRANTICE ASSIGNATION TO THE RENTS AND TITLE DEEDS AND CLAUSES OF REDEMPTION WITH OTHER USUAL AND NECESSARY CLAUSES IN ITSELF MORE FULLY BEARS WHICH HERITABLE BOND CONTAINING THEREIN THE PRECEPT OF SASINE ABOVE MENTIONED AND HEREIN AFTER CONTAINED THE SAID ATTORNEY PRESENTED TO THE SAID BAILLIE AND DESIRED HIM TO PROCEED TO THE EXECUTION OF THE OFFICE OF BAILLIARY THEREBY COMMITTED TO HIM WHICH DESIRE THE SAID BAILLIE FINDING TO BE REASONABLE HE RECEIVED THE SAID HERITABLE BOND INTO HIS HANDS AND DELIVERED THE SAME TO ME NOTARY PUBLIC SUBSCRIBING TO BE READ AND PUBLISHED TO THE WITNESSES AND OTHERS PRESENT WHICH I DID AND OF WHICH PRECEPT THEREIN CONTAINED THE TENOR FOLLOWS VIZ MOREOVER TO THE EFFECT THE SAID MRS KATHARINE SUTHERLAND OR MACKENZIE AND GEORGE SACKVILLE SUTHERLAND ESQUIRE AND THE SURVIVORS OF THEM AS TUTORS AND CURATORS OF THE SAID ALEXANDER MACKENZIE ELDEST SON AND EXECUTOR AND THE OTHER CHILDREN OF THE SAID COLONEL ROBERT MACKENZIE MAY BE INFEST AND SEASED FOR BEHOOF OF THEIR SAID PUPILS NOT ONLY IN THE ANNUAL RENT BEFORE MENTIONED UPLIFTABLE FURTH OF THE LANDS AND OTHER HERITAGES BEFORE SPECIFIED BUT ALSO IN THE SAID LANDS AND OTHERS THEMSELVES IN SECURITY AS SAID I THE SAID DONALD MACLEOD ESQUIRE DESIRE AND REQUIRE YOU AND EACH OF YOU CONJUNCTLY AND SEVERALLY MY BAILLIES

IN THAT PART TO THE EFFECT AFTER SPECIFIED SPECIALLY CONSTITUTED THAT ON SIGHT HEREOF YE PASS TO THE MANOR PLACE OF EASTER GEANIES OR TO ANY OTHER PART OF THE GROUND OF THE SAID LANDS OF EASTER AND MID GANIES DESCRIBED IN THE CHARTER FIRST ABOVE MENTIONED AND ALSO TO THE MANOR PLACE OF ARBOLL DESCRIBED IN THE CHARTER LAST MENTIONED AND THERE IN TERMS OF THE DISPENSATION CLAUSE CONTAINED IN THE SAID TWO CHARTERS AND ABOVE WRITTEN GIVE AND DELIVER HERITABLE STATE AND SASINE WITH ACTUAL REAL AND CORPOREAL POSSESSION TO THE SAID MRS KATHARINE SUTHERLAND OR MACKENZIE AND GEORGE SACKVILLE SUTHERLAND ESQUIRE AND TO THE SURVIVOR OF THEM AS TUTORS AND CURATORS AND FOR BEHOOF FORESAID NOT ONLY OF ALL AND WHOLE THE FORESAID ANNUAL RENT OF TWO HUNDRED AND TWENTY FIVE POUNDS STERLING OR SUCH AN ANNUAL RENT LESS OR MORE AS SHALL EFFEIR AND CORRESPOND BY LAW FOR THE TIME TO THE AFORESAID PRINCIPAL SUM OF FOURTHOUSAND FIVE HUNDRED POUNDS STERLING TO BE UPLIFTED AND TAKEN AT THE SAID TWO TERMS IN THE YEAR WHITSUNDAY AND MARTINMAS BEGINNING THE FIRST UPLIFTING THEREOF AT THE TERM OF MARTINMAS NEXT ONE THOUSAND EIGHT HUNDRED AND TWELVE FOR THE PERIOD FROM THE DATE OF THESE PRESENTS TO THE SAID TERM AND THE NEXT UPLIFTING THEREOF AT THE TERM OF WHITSUNDAY THEREAFTER FOR THE HALF YEAR PRECEEDING AND SO ON THEREAFTER AT THE TERMS ABOVE MENTIONED DURING THE NOT REDEMPTION FURTH OF ALL AND WHOLE THE LANDS MILLS FISHINGS AND OTHER HERITAGE BEFORE MENTIONED AND HEREIN HELD AS REPEATED BREVITATIS CAUSA OR FURTH OF ANY PART OR PORTION OF THE SAID LAND AND OTHER HERITAGES BEFORE SPECIFIED MAELS FARMS PROFITS AND DUTIES OF THE SAME BUT ALSO OF ALL AND WHOLE THE SAID LANDS MILLS FISHINGS AND OTHER HERITAGES AS AFORESAID THEMSELVES WITH THE PERTINENTS IN REAL SECURITY TO THE SAID MRS KATHARINE SUTHERLAND OR MACKENZIE AND GEORGE SACKVILLE SUTHERLAND ESQUIRE AND THE SURVIVOR OF THEM AS TUTORS AND CURATORS AND FOR BEHOOF FORESAID OF THE BEFORE MENTIONED SUM OF FOUR THOUSAND FIVE HUNDRED POUNDS STERLING ANNUAL RENTS THEREOF LIQUIDATE PENALTY AND TERMLY FAILURES BEFORE SPECIFIED IF INCURRED AND THAT BY DELIVERY TO THEM OR THE SURVIVOR OF THEM OR TO THEIR CERTAIN ATTORNEY OR ATTORNIES IN THEIR NAMES BEARERS HEREOF OF EARTH AND STONE OF AND UPON THE GROUND OF ANY PART OR PORTION OF THE SAID LANDS OF EASTER AND MID GEANIES AND ARBOLL RESPECTIVE AND SUCCESSIVE AFTER OTHERS FOR AND IN LIEU OF ALL OTHER SYMBOLS IN TERMS AND BY VIRTUE OF THE DISPENSATION CLAUSES CONTAINED IN THE CHARTER ABOVE MENTIONED AND A PENNY MONEY FOR THE SAID ANNUAL RENT TO BE HOLDEN IN MANNER BEFORE MENTIONED DECLARING ALWAYS THAT THE SAID INFETMENT OF ANNUALRENT AND THE OTHER INFETMENT OF PROPERTY IN SECURITY ARE AND SHALL BE CONSISTENT AND MAY BE USED JOINTLY OR SEPARATELY BY THE SAID KATHARINE SUTHERLAND OR MACKENZIE AND GEORGE SACKVILLE SUTHERLAND ESQUIRE AND THE SURVIVOR OF THEM AND THEIR ASSIGNEES FORESAID IN THEIR OPTION AND DECLARING ALSO AS IT IS WHEREBY SPECIALLY PROVIDED AND DECLARED THAT THE AFORESAID ANNUALRENT OF TWO HUNDRED AND TWENTY FIVE POUNDS STERLING AND LANDS AND OTHER HERITAGES BEFORE DISPONED OUT OF WHICH THE SAME IS UPLIFTABLE SHALL BE REDEEMABLE BY ME THE SAID DONALD MACLEOD ESQUIRE AND MY FORESAID OR OUR ASSIGNEES FROM THE SAID MRS KATHARINE SUTHERLAND OR MACKENZIE AND GEORGE SACKVILLE SUTHERLAND ESQUIRE AND THE SURVIVOR OF THEM AND FROM THEIR ASSIGNEES AND THE ASSIGNEES OF THE SURVIVOR AND ALSO FROM THEIR SAID PUPILS AND ALL OTHERS HAVING OR PRETENDING TO HAVE INTEREST THEREIN BY PAYMENT MAKING TO THEM THE SAID TUTORS AND CURATORS FOR BEHOOF OF THE SAID ALEXANDER MACKENZIE AND THE OTHER CHILDREN OF THE SAID COLONEL ROBERT MACKENZIE OR TO THE SAID ASSIGNEES OF THE SAID TUTORS AND CURATORS OR LAWFUL CONSIGNATION OF THE SAID PRINCIPAL SUM OF FOUR THOUSAND FIVE HUNDRED POUNDS STERLING WITH THE ANNUALRENTS THEREOF AND THE LIQUIDATE PENALTIES AND TERMLY FAILURES RESTING AND INCURRED AT THE TIME TOGETHER WITH THE NECESSARY CHARGES THAT SHALL HAPPEN TO BE EXTENDED BY THEM THE SAID TUTORS AND CURATORS AND THEIR ASSIGNEES IN INFETTING OR OTHERWISE SECURING THEMSELVES IN THE SAID

ANNUALRENT AND LANDS AND OTHERS FORESAID AND LIKEWISE OF ALL EXPENCES INCURRED BY THEM IN CONVEYING OR DISCHARGING OR RENOUNCING THESE PRESENT EITHER IN WHOLE OR IN PART CONFORM TO AN ACCOUNT OF THE SAME TO BE GIVEN IN BY THEM AND THAT AT AND AGAINST THE TERM OF MARTINMASS NEXT OR AT THE TERM OF WHITSUNDAY THEREAFTER OR AT ANY TERM OF WHITSUNDAY OR MARTINMASS IN ANY SUBSEQUENT YEAR AND IF THE SAME SHALL HAPPEN ON A SUNDAY THEN ON THE MONDAY FOLLOWING UPON LAWFUL PREMONITION OF FORTY DAYS TO BE MADE BY ME AND MY FORESAIDS TO THE SAID MRS KATHARINE SUTHERLAND OR MACKENZIE AND GEORGE SACKVILLE SUTHERLAND ESQUIRE AND THE SURVIVER OF THEM OR THEIR ASSIGNEES IN PRESENCE OF A NOTARY PUBLIC AND WITNESSES AS EFFEIRS THE PLACE OF REDEMPTION TO BE WITHIN THE OFFICE OF THE ROYAL BANK OF SCOTLAND IN EDINBURGH AND THE CONSIGNATION IN CASE OF ABSENCE OR REFUSAL TO BE IN THE HANDS OF THE CASHIER OF THE SAID BANK FOR THE TIME UPON THE PERIL OF THE CONSIGNER AND IT IS HEREBY DECLARED THAT AN EXTRCT OR COPY HEREOF OR OF THE SASINE TO FOLLOW HEREUPON SHALL BE AS EFFECTUAL FOR USING THE SAID ORDER OF REDEMPTION AS IF A PARTICULAR LETTER OF REDEMPTION WERE GRANTED BY THE SAID MRS KATHARINE SUTHERLAND OR MACKENZIE AND GEORGE SACKVILLE SUTHERLAND ESQUIRE AS TUTORS AND CURATORS FORESAID FOR THAT EFFECT AND THESE THINGS YE IN NO WAYS LEAVE UNDONE FOR THE DOING WHEREOF I HEREBY COMMIT TO YOU AND EACH OF YOU AS SAID IS MY FULL POWER BY THIS MY PRECEPT OF SASINE DIRECTED TO YOU FOR THAT EFFECT IN WITNESS WHEREOF I HAVE SUBSCRIBED THESE PRESENTS WRITTEN UPON THIS AND THE SIXTEEN PRECEEDING PAGES OF STAMPED PAPER BY JOHN CLUNES INNES APPRENTICE TO JOSEPH GORDON WRITER TO THE SIGNET AT EDINBURGH THE TENTH DAY OF APRIL ONE THOUSAND EIGHT HUNDRED AND TWELVE YEARS BEFORE THESE WITNESSES MATHEW WEIR AND THOMAS ROBERTSON WRITER IN EDINBURGH WITNESSES ALSO TO MY SIGNING THE MARGINAL NOT ON THIS SEVENTEENTH PAGE SIGNED DONADL MCLEOD MATHEW WEIR WITNESS THOMAS ROBERTSON WITNESS AFTER READING AND PUBLISHING OF WHICH HERITABLE BOND AND PRECEPT OF SASINE THEREIN CONTAINED AND ABOVE INSERTED THE SAID BAILLIE IN VIRTUE THEREOF AND OF THE OFFICE OF BAILLIARY THEREBY COMMITTED TO HIM GAVE AND DELIVERED TO THE SAID MRS KATHARINE SUTHERLAND OR MACKENZIE AND GEORGE SACKVILLE SUTHERLAND ESQUIRE AND THE SURVIVER OF THEM TWO AS TUTORS AND CURATORS FORESAID FOR THE BEHOOF OF THE SAID PUPILS HERITABLE STATE AND SASINE REAL ACTUAL AND CORPORAL POSSESSION NOT ONLY OF ALL AND WHOLE THE AFORESAID ANNUALRENT OF TWO HUNDRED AND TWENTY FIVE POUNDS STERLING OR SUCH AN ANNUAL RENT LESS OR MORE AS SHALL CORRESPOND BY LAW FOR THE TIME TO THE SAID PRINCIPAL SUM OF FOUR THOUSAND FIVE HUNDRED POUNDS STERLING TO BE UPLIFTED AND TAKEN AT TWO TERMS MARTINMASS AND MARTINMASS BY EQUAL PORTIONS AS BEFORE SPECIFIED FORTH OF ALL AND WHOLE THE LANDS AND OTHERS ABOVE DESCRIBED OR FURTH OF ANY PART OR PORTION OF THE SAME BUT ALSO OF ALL AND WHOLE THE SAID LANDS AND OTHERS THEMSELVES WITH THE PERTINENTS IN REAL SECURITY TO THE SAID MRS KATHARINE SUTHERLAND OR MACKENZIE AND GEORGE SACKVILLE SUTHERLAND ESQUIRE AND THE SURVIVER OF THEM TWO AS TUTORS AND CURATORS FORESAID FOR THE BEHOOF OF THE SAID PUPILS OF THE BEFORE MENTIONED SUM OF FOUR THOUSAND FIVE HUNDRED POUNDS STERLING ANNUAL RENT THEREOF LIQUIDATE PENALTY AND TERMLY FAILURES IF INCURRED AND THAT BY DELIVERY TO THE SAID PROCURATOR OF EARTH AND STONE OF THE GROUNDS OF THE SAID LANDS OF GEANIES AND ARBOLL AND A PENNY MONEY FOR THE SAID ANNUALRENT AT THE MANOR PLACES OF EASTER GEANIES AND ARBOLL RESPECTIVE AND SUCCESSIVE AND THAT FOR ALL OTHER SYMBOLS BY VIRTUE OF THE CLAUSES OF DISPENSATION CONTAINED IN THE CHARTER REFERED TO IN THE SAID HERITABLE BOND AND PRECEPT OF SASINE AFTER THE FORM AND TENOR OF THE SAID HERITABLE BOND AND PRECEPT OF SASINE ABOVE INSERTED THEREIN CONTAINED IN ALL POINTS TO BE HELD AS AFORESAID BUT REDEEMABLE ALWAYS AND UNDER REVERSION IN TERMS OF THE CLAUSE OF REDEMPTION PARTICULARLY ABOVE SPECIFIED WHEREAPON AND APON ALL AND SUNDRY THE PREMISSES THE SAID PROCURATOR ASKED AND TOOK INSTUMENTS IN THE HANDS OF ME NOTARY PUBLIC SUBSCRIBING THESE THINGS WERE SO DONE ON THE

GROUNDS OF THE SAID LANDS AT THE MANOR PLACE OF EASTER GEANIES AND ARBOLL
RESPECTIVELY AND SUCCESSIVELY BETWIXT THE HOURS OF TWO AND THREE PM OF THE
DAY MONTH YEAR OF GOD AND OF THE KINGS REIGN RESPECTIVELY FIRST ABOVE
WRITTEN BEFORE AND IN PRESENCE OF JOHN CLUNES INNESS APPRENTICE TO ME THE
SAID NOTARY AND JAMES FORSYTH ELDEST SON OF ARCHIBALD FORSYTH GREIVE AT
ALLAN WITNESSES TO THE PREMISSES SPECIALLY CALLED AND REQUIRED AND HERETO
WITH ME SUBSCRIBING...f1fs20\par }

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**edit SIR ALEXANDER MACKENZIE
BARONET/PAULM594**

{\rtf1\ansi\ansicpg1252\deff0\deflang2057{\fonttbl{\f0\fswiss\fcharset0 Arial;}} {*\generator Msftedit 5.41.15.1503;}viewkind4\uc1\pard\fs16 RS 3 962 SASINE EDINBURGH SIR ALEXANDER MACKENZIE OF ROYSTON AT LANARK\par \par AT EDINBURGH THE NINETEENTH DAY OF JULY EIGHTEEN HUNDRED AND ELEVEN YEARS BETWEEN THE HOURS OF TWELVE AND ONE AFTERNOON THE SASINE UNDERWRITEN WASPRESENTED BY JOSEPH GORDON WRITER TO THE SIGNET AND IS RECORDED IN THE NINE HUNDRED AND SECOND BOOK OF THE NEW GENERAL REGISTER OF SASINES REVERSIONS AND CONFORM TO THE ACT OF PARLIAMENT MADE THERE ANENT IN JUNE 1617 AND WHEREOF THE TENOR FOLLOWS VIZ IN THE NAME OF GOD AMEN BE IT KNOWN TO ALL MEN BY THIS PRESENT PUBLIC INSTRUMENT THAT UPON THE SIXTEENTH DAY OF JULY IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT HUNDRED AND ELEVEN AND IN THE REIGN OF OUR SOVEREIGN LORD GEORGE THE THIRD BY THE GRACE OF GOD OF THE UNITED KINGDOM OF GREAT BRITAIN AND IRELAND KING DEFENDER OF THE FAITH OF THE FIFTY FIRST YEAR IN PRESENCE OF ME NOTARY PUBLIC AND OF THE WITNESSES SUBSCRIBING APPEARED PERSONALLY MATHEW COWIE GARDENER AT GILKERSCLEUGH AS PROCURATOR FOR AND IN NAME AND BEHALF OF ALEXANDER MACKENZIE OF ROYSTON HEIR MALE AND OF TAILLIE AND PROVISION SERVED AND RETOURED TO THE DECEASED COLONEL ROBERT MACKENZIE SOMETIME IN THE SERVICE OF THE HONOURABLE THE EAST INDIA COMPANY HIS FATHER WHO WAS HEIR MALE SERVED AND RETOURED TO GEORGE VISCOUNT OF TARBAT AFTERWARDS EARL OF CROMARTY WHOSE POWER OF PROCURATORY WAS SUFFICIENTLLY KNOWN TO ME THE SAID NOTARY PUBLIC AND PASSED WITH US AND WILLIAM MILLAR FARM SERVANT AT MAINS OF GILKERSCLEUGH BAILLIE IN THAT PART SPECIALLY CONSTITUTED BY VIRTUE OF THE PRECEPT OF SASINE AFTER INSERTED TO THE GROUNDS OF THE LANDS AND OTHERS AFTER MENTIONED RESPECTIVELY AND SUCCESSIVELY HAVING AND HOLDING IN HIS HANDS AN HERITABLE BOND OF THE DATE LAST AFTER MENTIONED CONTAINING THEREIN THE PRECEPT OF SASINE AFTER INSERTED MADE AND GRANTED BY DANIEL HAMILTON ESQUIRE OF GILKERSCLEUGH WITH CONSENT OF MRS HARRIET CAMPBELL HIS SPOUSE AND MRS HELEN HAMILTON RELICT OF THE DECEASED ALEXANDER HAMILTON ESQUIRE OF GILKERSCEUGH WHEREBY FOR THE CAUSES THEREIN SPECIFIED THE SAID DANIEL HAMILTON BOUND AND OBLIGED HIMSELF HIS HEIRS EXECUTORS AND SUCCESSORS WHOMSOEVER TO CONTENT AND REPAY AT THE SIGHT OF THE RIGHT HONOURABLE THE LORDS OF COUNCIL AND SESSION FOR THE PURPOSE OF BEING REINVESTED WITH THEIR APPROBATION IN TERMS OF THE TAILZIE ACT OF PARLIAMENT AND DECRET THEREIN MENTIONED TO THE SAID ALEXANDER MACKENZIE WHOMFAILING TO THE HEIRS MALE WHATSOEVER OF THE SAID GEORGE VISCOUNT OF TARBAT AFTERWARDS EARL OF CROMARTY WHOMFAILING TO THE NEAREST HEIRS AND ASSIGNEES WHATSOEVER EVER OF THE SAID GEORGE VISCOUNT OF TARBAT AFTERWARDS EARL OF CROMARTY THE SUM OF ONE THOUSAND FOUR HUNDRED AND NINETY FOUR POUNDS SEVENTEEN SHILLINGS AND FOURPENCE STERLING AND THAT AT AND AGAINST THE TERM OF MARTINMAS NEXT WITH THE SUM OF TWO HUNDRED AND NINETY EIGHT POUNDS NINETEEN SHILLINGS AND SIX PENCE STERLING OF LIQUIDATE PENALTY IN CASE OF FAILURE AND TO CONTENT AND PAY TO THE SAID ALEXANDER MACKENZIE WHOMFAILING TO THE HEIRS MALE WHATSOEVER OF THE SAID GEORGE VISCOUNT OF TARBAT AFTERWARDS EARL OF CROMARTY WHOMFAILING TO THE NEAREST HEIRS AND ASSIGNEES WHATSOEVER OF THE SAID GEORGE VISCOUNT OF TARBAT AFTERWARDS EARL OF CROMARTY THE LEGAL INTEREST OF THE SAID PRINCIPAL SUM FROM THE DATE OF THE SAID BOND TO THE SAID TERM OF PAYMENT OF THE SAID PRINCIPAL SUM AND THEREAFTER SO LONG AS THE SAID PRINCIPAL SUM REMAINS PAID AT TWO TERMS IN THE YEAR MARTINMAS AND WHITSUNDAY BY EQUAL PORTIONS BEGINNING THE FIRST TERMS PAYMENT OF THE SAID ANNUAL RENT AT THE TERM OF MARTINMAS NEXT FOR WHAT

SHALL BE DUE FROM THE DATE OF THE SAID BOND TO THAT TERM AND THE NEXT TERMS PAYMENT AT WHITSUNDAY THEREAFTER FOR THE HALF YEAR FROM MARTINMAS TO WHITSUNDAY AND SO FURTH THEREAFTER HALF YEARLY AT EACH TERM OF MARTINMAS AND WHITSUNDAY DURING THE NOT PAYMENT OF THE SAID PRINCIPAL SUM AND THAT AT EDINBURGH IN THE OFFICE OF THE BANK OF SCOTLAND WITH THE SUM OF FOURTEEN POUNDS EIGHTEEN SHILLINGS AND ELEVEN PENCE HALF PENNY STERLING OF LIQUIDATE PENALTY FOR EACH TERMS FAILURES IN PAYMENT OF THE SAID ANNUAL RENT AT THE TERMS ABOVE MENTIONED TOTIES QUOTIES AND FOR THE SAID ALEXANDER MACKENZIE WHOMFAILING THE HEIRS MALE WHATSOEVER OF THE SAID GEORGE VISCOUNT OF TARBAT AFTERWARDS EARL OF CROMARTY WHOMFAILING THE NEAREST HEIRS AND ASSIGNEES WHATSOEVER OF THE SAID GEORGE VISCOUNT OF TARBAT AFTERWARDS EARL OF CROMARTY THEIR FURTHER SECURITY AND MORE CERTAIN PAYMENT OF THE FORESAID SUMS OF MONEY THE SAID DANIEL HAMILTY ESQUIRE WITH CONSENT FORESAID AND THE SAID MRS HARRIET CAMPBELL AND HELEN HAMILTON FOR ANY RIGHT OF JOINTURE OR OTHER RIGHT OR INTEREST THEY MAY HAVE IN THE LANDS AND OTHERS AFTER MENTIONED AND THE SAID DANIEL HAMILTON AND MRS HARRIET CAMPBELL SPOUSES WITH JOINT ASSENT AND CONSENT THEREBY BOUND AND OBLIGED THEM THEIR HEIRS AND SUCCESSORS UPON THEIR OWN EXPENCE DULY AND LAWFULLY TO INFETT AND SEASE THE SAID ALEXANDER MACKENZIE WHOMFAILING THE HEIRS MALE WHATSOEVER OF THE SAID GEORGE VISCOUNT OF TARBAT AFTERWARDS EARL OF CROMARTY WHOMFAILING THE NEAREST HEIRS AND ASSIGNEES WHATSOEVER OF THE SAID GEORGE VISCOUNT OF TARBAT AFTERWARDS EARL OF CROMARTY HERITABLY BUT UNDER REVERSION IN MANNER THEREIN AND AFTER MENTIONED NOT ONLY IN ALL AND WHOLE AN ANNUAL RENT OF SEVENTY FOUR POUNDS FOURTEEN SHILLINGS AND TEN PENCE STERLING OR SUCH AN ANNUAL RENT LESS OR MORE AS SHALL CORRESPOND BY LAW FOR THE TIME TO THE FORESAID PRINCIPAL SUM OF ONE THOUSAND FOUR HUNDRED AND NINETY FOUR POUND SEVENTEEN SHILLING FOUR PENCE HALF PENNY STERLING TO BE UPLIFTED AND TAKEN AT THE TERMS FORESAID DURING THE NOT REDEMPTION FURTH OF ALL AND HAILL THE ONE MERK LAND OF OLD EXTENT OF OVERWHITECLAUGH WITH THE HOUSES AND HAILLE PERTINENTS THEREOF LYING WITHIN THE PARISH AND REGALITY OF CRAWFORDJOHN AND SHIRE OF LANARK AND TEINS PARSONAGE AND VICARAGE THEREOF OR FURTH OF ANY PART OR PORTION THEREOF FIRST AND ----- MAILS FARMS PROFITS AND DUTIES OF THE SAME BUT ALSO ALL AND HAILL THE SAID LANDS OF OVERWHITECLEUGH WITH TEINDS AND PERTINENTS THEMSELVES IN FURTHER SECURITY TO THE SAID ALEXANDER MACKENZIE WHOM FAILING TO THE HEIRS MALE WHATSOEVER OF THE SAID GEORGE VISCOUNT OF TARBAT AFTERWARDS EARLOF CROMARTY WHOMFAILING THE NEAREST HEIRS AND ASSIGNEES WHATSOEVER OF THE SAID GEORGE VISCOUNT OF TARBAT AFTERWARDS EARL OF CROMARTY OF PAYMENT OF THE SAID SUMS OF MONEY PRINCIPAL ANNUAL RENTS AND LIQUIDATE EXPENCES AND TERMLY FAILURES ABOVE MENTIONED AND THAT BY TWO SEVERAL INFETMENTS AND DISTINCT MANNERS OF HOLDING THE ONE THERE OF TO BE HELD OF THE SAID DANIEL HAMILTON HIS FORESAIDS AND THE OTHER OF THE SAID INFETMENTS TO BE HELD FROM HIM AND HIS FORESAIDS OF THEIR IMMEDIATE LAWFUL SUPERIORS OF THE SAID LANDS IN MANNER MENTIONED IN THE SAID HERITABLE BOND AS THE SAME CONTAINING PROCURATORY OF RESIGNATION THE PRECEPT OF SASINE AFTER INSERT CLAUSE OF ABSOLUTE WARRANDICE ASSIGNATION TO THE RENTS AND TITLE DEEDS AND CLAUSE OF REDEMPTION WITH OTHER USUAL AND NECESSARY CLAUSES IN ITSELF MORE FULLY BEARS WHICH HERITABLE BOND CONTAINING THEREIN THE PRECEPT OF SASINE ABOVE MENTIONED AND HEREIN AFTER INSERTED THE SAID ATTORNEY PRESENTED TO THE SAID BAILLIE AND DESIRED HIM TO PROCEED TO THE EXECUTION OF THE OFFICE OF BAILLIARY THEREBY COMMITTED TO HIM WHICH DESIRE THE SAID BAILLIE FINDING TO BE REASONABLE HE RECEIVED THE SAID HERITABLE BOND INTO HIS HANDS AND DELIVERED THE SAME TO ME NOTARY PUBLIC SUBJOINING TO BE READ AND PUBLISHED TO THE WITNESSES AND OTHERS PRESENT WHICH I DID AND OF WHICH PRECEPT OF SAINIE THEREIN CONTAINED THE TENOR FOLLOWS VIZ MOREOVER TO THE EFFECT THE SAID ALEXANDER MACKENZIE WHOMFAILING THE HEIRS MALE WHATSOEVER OF THE SAID GEORGE VISCOUNT OF TARBET AFTERWRDTS EARL OF CROMARTY

WHOMFAILING THE NEAREST HEIRS AND ASSIGNEES WHATSOEVER OF THE SAID GEORGE VISCOUNT OF TARBET AFTERWARDS EARL OF CROMARTY MAY BE INFECT AND SEISED NOT ONLY IN THE ANNUAL RENT BEFORE MENTIONED UPLIFTABLE FURTH OF THE LANDS AND OTHER HERITAGES BEFORE SPECIFIED BUT ALSO IN THE SAID LANDS AND OTHERS THEMSELVES IN SECURITY AS SAID IS I THE SAID DANIEL HAMILTON WITH CONSENT FORESAID DESIRE AND REQUIRE YOU AND EACH OF YOU CONJOINTLY AND SEVERALLY MY BAILLIES IN THAT PART TO THE AFFECT AFTER SPECIFIED SPECIALLY CONSTITUTED THAT ON SIGHT HEREOF YE PASS TO THE GROUND OF THE SAID LANDS OF OVERWHITECLEUGH AND OTHERS ABOVE WRITTEN AND THERE GIVE AND DELIVER HERITABLE STATE AND SASINE WITH ACTUAL REAL AND CORPORAL POSSESSION TO THE SAID ALEXANDER MACKENZIE WHOMFAILING THE HEIRS MALE WHATSOEVER OF THE SAID GEORGE VISCOUNT OF TARBET AFTERWARDS EARL OF CROMARTY WHOMFAILING THE NEAREST HEIRS AND ASSIGNEES WHATSOEVER OF THE SAID GEORGE VISCOUNT OF TARBET AFTERWARDS EARL OF CROMARTY NOT ONLY OF ALL AND WHOLE THE FORESAID ANNUAL RENT OF SEVENTY FOUR POUNDS FOURTEEN SHILLINGS AND TEN PENCE HALF PENNY OR AN ANNUAL RENT LESS OR MORE AS SHALL AFFAIR AND CORRESPOND BY LAW FOR THE TIME TO THE AFORESAID PRINCIPAL SUM OF ONE THOUSAND FOUR HUNDRED AND NINETY FOUR POUNDS SEVENTEEN SHILLINGS AND FOUR PENCE TO BE UPLIFTED AND TAKEN AT THE SAID TWO TERMS IN THE YEAR WHITSUNDAY AND MARTINMAS BY EQUAL PORTIONS BEGINNING THE FIRST UPLIFTING THEREOF AT THE TERM OF MARTINMAS NEXT TO COME FOR THE PERIOD FROM THE DATE OF THESE PRESENTS TO THE SAID TERM AND THE NEXT HALF YEARS UPLIFTING THEREOF AT THE TERM OF WHITSUNDAY THEREAFTER AND SO FURTH YEARLY THEREAFTER AT THE TERM ABOVE MENTIONED DURING THE NOT REDEMPTION FURTH OF ALL AND HAILL THE ONE MERK LAND OF OLD EXTENT OF OVERWHITECLEUGH WITH HOUSES AND HAILLLE PERTINENTS THEREOF LYING WITHIN THE PARISH AND REGALITY OF CRAWFURDJOHNSHIRE OF LANARK AND TEINDS PARSONAGE AND VICARAGE OF THE SAID LANDS OR FURTH OF ANY PART OR PORTION OF THE SAID LANDS TEINDS AND OTHER HERITAGES BEFORE SPECIFIED READIEST RENTS MAILLS FARMS PROFITS AND DUTIES OF THE SAME BUT ALSO OF ALL AND HAILL THE SAID LANDS TEINS AND OTHERS AND THEMSELVES WITH THE PERTINENTS IN REAL SECURITY TO THE SAID ALEXANDER MACKENZIE WHOMFAILING THE HEIRS ABOVE WRITTEN OF THE SAID GEORGE VISCOUNT OF TARBET AFTERWARDS EARL OF CROMARTY OF THE BEFORE MENTIONED SUM OF ONE THOUSAND FOUR HUNDRED AND NINETY FOUR POUNDS SEVENTEEN SHILLINGS AND FOUR PENCE STERLING ANNUAL RENTS THEREOF LIQUIDATE PENALTY AND TERMLY FAILURES BEFORE SPECIFIED IF INCURRED AND THAT BY DELIVERY TO THE SAID ALEXANDER MACKENZIE WHOM FAILING THE HEIRS ABOVE WRITTEN OF THE SAID GEORGE VISCOUNT OF TARBAT AFTERWARDS EARL OF CROMARTY OR TO HIS OR THEIR CERTAIN ATTORNEY OR ATTORNIES IN THEIR NAMES BEARERES HEREOF OF EARTH AND STONE OF THE GROUNDS OF THE SAID LANDS AND A PENNY MONEY FOR THE SAID ANNUAL RENT AND ALL OTHER SYMBOL USUAL AND NECESSARY TO BE HOLDEN IN MANNER BEFORE MENTIONED DECLAIRING ALWAYS THAT THE SAID INFECTMENT OF ANNUAL RENT AND THE OTHER INFECTMENT OF PROPERTY IN SECURITY ARE AND SHALL BE CONSISTENT OR MAY BE USED JOINTLY OR SEPARATELY BY THE SAID ALEXANDER MACKENZIE WHOMFAILING THE HEIRS ABOVE WRITTEN OF THE SAID GEORGE VISCOUNT OF TARBET AFTERWARDS EARL OF CROMARTY IN THEIR OPTION AND DECLAIRING ALSO AS IT IS HEREBY SPECIALLY PROVIDED AND DECLARED THAT THE AFORESAID ANNUAL RENT OF SEVENTY POUNDS FOURTEEN SHILLINGS AND TEN PENCE HALF PENNY AND LANDS AND OTHER HERITAGES BEFORE DISPONED OUT OF WHICH THE SAME IS UPLIFTABLE SHALL BE REDEEMABLE BY ME THE SAID DANIEL HAMILTON AND MY FORESAIDS OR OUR ASSIGNEES FROM THE SAID ALEXANDER MACKENZIE WHOMFAILING THE HEIRS ABOVE WRITTEN OF THE SAID GEORGE VISCOUNT OF TARBET AFTERWARDS EARL OF CROMARTY BY PAYMENT TO THEM OR LAWFUL CONSIGNATION FOR THEIR BEHOOF AT THE SIGHT OF THE SAID RIGHT HONOURABLE THE LORDSOF COUNCIL AND SESSION OR THE LORD ORDINARY OF THE SAID COURT OFFICIATING ON THE BILLS IN CASE THE CONSIGNATION SHALL BE MADE IN TIME OF VACATION OF THE FORESAID PRINCIPAL SUM OF ONE THOUSAND FOUR HUNDRED AND NINETY FOUR POUNDS SEVENTEEN SHILLINGS AND FOURPENCE WITH THE ANNUAL RENTS THEREOF AND THE

LIQUIDATE PENALTY AND TERMLY FAILURE RESTING AND INCURRED AT THE TIME TOGETHER WITH THE NECESSARY CHARGES THAT SHALL HAPPEN TO BE EXPENDED BY THE SAID ALEXANDER MACKENZIE WHOMFAILING THE HEIRS ABOVE WRITTEN OF THE SAID GEORGE VISCOUNT OF TARBAT AFTERWARDS EARL OF CROMARTY IN FEFTING OR OTHERWAYS SECURING THEMSELVES IN THE SAID ANNUAL RENT AND LANDS AND OTHERS FORESAID AND LIKEWISE OF ALL EXPENCES INCURRED IN CONVEYING AND DISCHARGING THESE PRESENTS EITHER IN WHOLE OR IN PART CONFORM TO AN ACCOUNT OF THE SAME TO BE GIVEN IN BY THE SAID ALEXANDER MACKENZIE WHOMFAILING THE HEIRS ABOVE WRITTEN OF THE SAID GEORGE VISCOUNT OF TARBET AFTERWARDS EARL OF CROMARTY AN D THAT AT AND AGAINST THE SAID TERM OF MARTINMAS NEXT OR AT THE TERM OF MARTINMAS OR WHITSUNDAY IN ANY SUBSEQUENT YEAR AND IF THE SAME SHALL HAPPEN TO FALL ON A SUNDAY THEN ON THE MONDAY FOLLOWING UPON LAWFUL PREMONITION OF FORTY DAYS TO BE MADE BY ME AND MY FORESAIDS TO THE SAID ALEXANDER MACKENZIE WHOMFAILING TO THE HEIRS ABOVE WRITTEN OF THE SAID GEORGE VISCOUNT OF TARBET AFTERWARDS EARL OF CROMARTY IN PRESENCE OF A NOTARY PUBLIC AND WITNESSES AS EFFAIRS THE PLACE OF REDEMPTION TO BE WITHIN THE PARLIAMENT OR NEW SESSION HOUSE OF EDINBURGH AND THE CONSIGNATION IN CASE OF ABSENCE OR REFUSAL TO BE IN THE HANDS OF THE TREASURE TO THE GOVERNOR AND COMPANY OF THE BANK OF SCOTLAND FOR THE TIME UPON THE PERIL OF THE CONSIGNER AND IT IS HEREBY DECLARED THAT AN EXTRACT OR COPY HEREOF OR OF THE SASINE TO FOLLOW HEREUPON SHALL BE AS EFFECTUAL FOR USING THE SAID ORDER OF REDEMPTION AS IF A PARTICULAR LETTER OF REVERSION WERE GRANTED BY THE SAID ALEXANDER MACKENZIE OR BY THE HEIRS ABOVE WRITTEN OF THE SAID GEORGE VISCOUNT OF TARBET AFTERWARDS EARL OF CROMARTY FOR THAT EFFECT AND THESE THINGS YE IN NO WAYS HAVE UNDONE FOR THE DOING WHEREOF I WITH CONSENT FORESAID COMMIT TO YOU AND EACH OF YOU AS SAID IS MY FULL POWER BY THIS MY PRECEPT OF SASINE DIRECTED TO YOU FOR THAT EFFECT IN WITNESS WHEREOF THESE PRESENTS WRITTEN UPON THIS AND THE TWENTY FOUR PRECEEDING PAGES OF STAMPED PAPER BY WILLIAM ASHER CLERK TO JOSEPH GORDON WRITER TO THE SIGNET ARE SUBSCRIBED AS FOLLOWS VIZ BY THE SAID MRS HELEN HAMILTON AT EDINBURGH THE TWELFTH DAY OF JULY ONE THOUSAND EIGHT HUNDRED AND ELEVEN BEFORE THESE WITNESSES WILLIAM ALEXANDER PATTERSON AND DAVID BOWS BOTH CLERKS TO JAMES HAMILTON WRITER TO THE SIGNET AND BY THE SAID DANIEL HAMILTON AND MRS HARRIET CAMPBELL AT GLASGOW THE THIRTEENTH DAY OF THE SAID MONTH OF JULY AND YEAR FORESAID BEFORE THESE WITNESSES NEIL TENNANT SERVANT TO ANDREW BOGLE ESQUIRE MERCHANT IN GLASGOW AND WILLIAM FRAZER SERVANT TO ME THE SAID DANIEL HAMILTON WITNESSES ALSO TO THE SUBSCRIPTION OF THE MARGINAL NOTES ON PAGES SIXTH AND TENTH SIGNED DANIEL HAMILTON HELEN HAMILTON HARRIET HAMILTON NEIL TENNANT WITNESS WILLIAM FRASER WITNESS WILLIAM AL. PATTERSON WITNESS DAVID BEWS WITNESS NEIL TENNAN WITNESS WILLIAM FRASER WITNESS AFTER READING AND PUBLISHING OF WHICH HERITABLE BOND AND PRECEPT OF SASINE THEREIN CONTAINED AND ABOVE INSERTED THE SAID BAILLIE IN VIRTUE THEREOF AND OF THE OFFICE OF BAILLIARY THEREBY COMMITTED TO HIM GAVE AND DELIVERED TO THE SAID ALEXANDER MACKENZIE HERITABLE STATE AND SAINÉ REAL ACTUAL AND CORPORAL POSSESSION NOT ONLY OF ALL AND WHOLE THE FORESAID ANNUAL RENT OF SEVENTY FOUR POUNDS FOURTEEN SHILLINGS AND TEN PENCE HALF PENNY STERLING OR SUCH AN ANNUAL RENT LESS OR MORE AS SHALL CORRESPOND BY LAW FOR THE TIME TO THE SAID PRINCIPAL SUM OF ONE THOUSAND FOUR HUNDRED AND NINETY FOUR POUNDS SEVENTEEN SHILLINGS AND FOURPENCE STERLING TO BE UPLIFTED AND TAKEN AT TWO TERMS MARTINMAS AND WHITSUNDAY BY EQUAL PORTIONS AS BEFORE SPECIFIED FURTH OF ALL AND WHOLE THE LANDS TEINDS AND OTHERS ABOVE DESCRIBED OR FURTH OF ANY PART OR PORTION OF THE SAME BUT ALSO OF ALL AND WHOLE THE LANDS TEINDS AND OTHERS THEMSELVES WITH THE PERTINENTS IN REAL SECURITY TO THE SAID ALEXANDER MACKENZIE WHOMFAILING THE HEIRS ABOVE WRITTEN OF THE SAID GEORGE VISCOUNT OF TARBET AFTERWARDS EARL OF CROMARTY OF THE BEFORE MENTIONED SUM OF ONE THOUSAND FOUR HUNDRED AND NINETY FOUR POUNDS SEVENTEEN

SHILLINGS AND FOURPENCE STERLING ANNUAL RENTS THEREOF LIQUIDATE PENALTY AND TERMLY FAILURES IF INCURRED AND THAT BY DELIVERING TO THE SAID PROCURATOR OF EARTH AND STONE OF THE GROUND OF THE SAID SEVERAL LANDS AND A PENNY MONEY FOR THE SAID ANNUAL RENT AND OTHER SYMBOLS USUAL AND NECESSARY AFTER THE FORM AND TENOR OF THE SAID HERITABLE BOND AND PRECEPT OF SASINE ABOVE INSERTED AND THEREIN CONTAINED IN ALL POINTS TO BE HELD AS AFORESAID BUT REDEEMABLE ALWAYS AND UNDER REVERSION IN TERMS OF THE CLAUSE OF REDEMPTION PARTICULARLY ABOVE SPECIFIED WHEREUPON AND APOON ALL AND SUNDRY THE PREMISES THE SAID PROCURATOR ASKED AND TOOK INSTUMENTS IN THE HANDS OF ME NOTARY PUBLIC SUBSCRIBING THESE THINGS WERE SO DONE ON THE GROUNDS OF THE SAID LANDS AND UPON EACH SEPERATE TENEMENT THEREOF RESPECTIVELY AND SUCCCESSIVELY BETWIX THE HOURS OF NINE AND TEN O CLOCK OF THE FORENOON OF THE DAY MONTH YEAR OF GOD AND OF THE KING REIGN RESPECTIVELY FIRST ABOVE WRITTEN BEFORE AND IN PRESENCE OF WILLIAM TINTO DAY LABOURER IN CRAWFURDJOHNS AND DOUGLAS AIRD SON OF THE REVERENT JOHN AIRD MINISTER OF THE GOSPEL AT CRAWFURDJOHNS WITNESSES TO THE PREMISES SPECIALLY CALLED AND REQUIRED AND HERETO WITH ME SUBSCRIBING... LATIN..fs20\par }

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**edit SIR ALEXANDER MACKENZIE
BARONET/PAULM594**

{\rtf1\ansi\ansicpg1252\deff0\deflang1033{\fonttbl{\f0\fswiss\fcharset0 Arial;}} {*\generator Msftedit 5.41.15.1507;}viewkind4\uc1\pard\fs20 AT TAIN 18TH OCTOBER 1826 SHERIFF COURT OF TAIN REFERENCE SHERIFF COURT 34/1/7 OR/AND SC34/1/7\par CURIA VICE COMITATUS DE ROSSFENTA APUD BURGUM DE TAIN IN PRETOUO EJUSDEM PER DONALDUM MCLEOD ARMIGEIUM AD VOCATUM VICE COMITEM DEPUTATUM DE ROSS ET CROMARTY ET DAVIDEM ROSS ARMIGEIUM VICE COMITEM SUBSTITUTUM DICT VICE COMITATUS SPECIALITER CONSTITOS DECIMO SEPTIMO DIE MENSIS AUGUSTI ANNO DOMINI MILLESIMO OCTINGENTESI MO VIGESIMO SEXTO CURIA LE GITIME AFFIRMATA\par \par ANENT THE BRIEF DIRECTED FURTH OF HIS MAJESTIES CHANCERY FOR SERVING ALEXANDER MNCKENZIE ESQ PRESENTLY IN THE MILITARY SERVICE OF THE HONOURABLE OF MERCHANTS TRADING TO THE EAST INDIES NEAREST AND LAWFUL HEIR MALE OF UMGUWHILE SIR GEORGE MCKENZIE OF TARBAT BARONET AFTERWARDS VISCOUNT TARBAT LORD MCLEOD AND CASTLEHAVEN AND EARL OF CROMARTY BROTHER GERMAN OF ALEXANDER MACKENZIE THE GREAT GREAT GRANDFATHER OF THE SAID ALEXANDER MACKENZIE ESQUIRE DATED THE SIXTEENTH DAY OF FEBRUARY EIGHTEEN HUNDRED AND TWENTY SIX EXECUTED BY VIRTUE OF THE SHERIFFS PRECEPT AT THE MARKET CROSS OF TAIN UPON FRIDAY THE TWENTY EIGHTH DAY OF JULY EIGHTEEN HUNDRED AND TWENTY SIX BY ANDREW GRANT SHERIFF OFFICER BEFORE THESE WITNESSES ALEXANDER ROSS AND JOHN ROSS BOTH RESIDING IN TAIN ALL WHICH BEING OPENLY IN JUDGEMENT AND VERIFIED BY THEOATHS OF THE OFFICE AND WITNESSES COMPEARED JOHN ANDERSON WRITERS TO THE SIGNET AND JOHN MACKENZIE WRITER IN TAIN AS PROCURATORS AND ATTORNIES FOR THE SAID ALEXANDER MACKENZIE THE CLAIMANT BY VIRTUE OF A WRITTEN PROCURATORY EXECUTED BY JOSEPH GORDON ESQ WRITER TO THE SIGNET COMMISSIONER APPOINTED BY THE SAID ALEXANDER MACKENZIE WITH SPECIAL POWER TO PRODUCE BRIEVES FOR SERVING HIM HEIR IN GENERAL OR SPECIAL TO ANY OF HIS ANCESTORS FOR THE PURPOSE OF ENABLING HIM TO CLAIM ANY ESTATE OR TITLE OF DIGNITY TO WHICH HE HAS RIGHT DATED THE FIFTEENTH DAY OF FEBRUARY EIGHTEEN HUNDRED AND TWENTY SIX AND AFTER PROCLAMATION WAS MADE IN THE COURT AND AT THE DOOR OF THE COURT HOUSE AS USEIS PRODUCED THE CLAIM OF SERVICE FOR THE SAID ALEXANDER MCKENZIE ESQ WHEREOF THE TENOR FOLLOWS VIZ- HONOURABLE PERSONS AND GOOD MEN OF INQUEST I ALEXANDER MCKENZIE ESQUIRE PRESENTLY IN THE MILITARY SERVICE OF THE HONOURABLE SOCIETY OF MERCHANTS TRADING TO THE EAST INDIES SAY UNTO YOUR WISDOMS THAT SIR GEORGE MACKENZIE OF TARBAT BARONET AFTERWARDS VISCOUNT TARBAT LORD MCLEOD AND CASTLEHAVEN AND EARL OF CROMARTY ELDEST SON OF JOHN MACKENZIE OF TARBAT BARONET WHO WAS ELDEST SON OF SIR RODERICK MACKENZIE OF COIGACH KNIGHT BROTHER GERMAN OF ALEXANDER MACKENZIE MY GREAT GREAT GRANDFATHER DIED AT THE FAITH AND PEACE OF OUR SOVEREIGN LORD THE KING AND THAT I AM NEAREST AND LAWFUL HEIR MALE OF THE SAID UMGUWHILE SIR GEORGE MCKENZIE OF TARBAT BARONET AFTERWARDS VISCOUNT TARBAT LORD MACLEOD AND CASTLEHAVEN AND EARL OF CROMARTY THE BROTHER OF MY SAID GREAT GREAT GRANDFATHER AND THAT I AM OF LAWFUL AGE THEREFORE BESEECH YOUR WISDOMS TO SERVE AND COGNOSE ME NEAREST AND LAWFUL HEIR MALE OF THE SAID UMGUWHILE SIR GEORGE MACKENZIE OF TARBAT BARONET AFTERWARDS VISCOUNT TARBAT LORD MCLEOD AND CASTLEHAVEN AND EARL OF CROMARTY BROTHER OF MY SAID GREAT GRANDFATHER ALEXANDER MACKENZIE AND CAUSE YOUR CLERK TO RETURN MY SAID SERVICE TO HIS MAJESTIES CHANCERY UNDER YOUR SEALS ACCORDING TO JUSTICE AND YOUR WISDOMS ANSWER\par SIGNED \par JOHN ANDERSON WRITER TO THE SIGNET AND JOHN MACKENZIE P CLAIMANT MANDATE AND THEREAPON CRAVED THAT THE SAID BRIEF EXECUTION CLAIM AND INSTRUCTIONS MIGHT BE REMITTED TO THE KNOWLEDGE OF AN ASSIZE\par SIGNED

JOHN ANDERSON \par JOHN MACKENZIE\par WHICH DESIRE THE SAID JUDGES FOUND REASONABLE AND ALEXANDER TAYLOR ESQUIRE PROCURATOR FISCAL FOR THE EASTERN DISTRICT OF THE COUNTY OF ROSS APPEARING FOR THE PUBLIC INTEREST AND ALL OTHER PARTIES HAVING INTEREST BEING THREE SEVERAL TIMES CALLED AT THE BAR AND DOOR OF THE COURT HOUSE AND NONE APPEARING TO OBJECT THE SHERIFF REMIT THE FORESAID BRIEF PRECEPT EXECUTION CLAIM AND INSTRUCTIONS THEREOF TO THE KNOWLEDGE OF THE FOLLOWING ASSIZE VIZ- HUGH ROSE ESQUIRE OF GLASTULLICH\par ALEXANDER FRASER ESQUIRE OF INCHCOUTTER\par DONALD MACKENZIE ESQUIRE OF NEWHALL\par WALTER ROSS ESQUIRE OF NIGG\par H A J MUNRO OF NOVAR\par RODERICK MACKENZIE ESQUIRE OF KINCRAIG RODERICK MACLEOD ESQUIRE OF CADBOLL ADVOCATE\par CHARLES C ROSS ADVOCATE OF SHANDWICK\par JOHN GRANT ESQUIRE OF GLADFIELD GEORGE MURRAY ESQUIRE OF WEST FIELD \par MAJOR WILLIAM CLINAS OF GRAIGACH\par WILLIAM MURRAY ESQUIRE OF ROSEMOUNT\par JOHN ROSS ESQUIRE BANKER TAIN\par WILLIAM MURRAY ESQUIRE BANKER THERE\par JOHN ROSS ESQUIRE RESIDING AT RHIVES\par WHO BEING ALL SOLEMNLY SWORN PROCLAMATION WAS AGAIN MADE IN CASE ANY APPEARED TO OBJECT TO THE SERVICE AND INQUEST BUT NONE APPEARING THE SAID JOHN MACKENZIE AND JOHN ANDERSON AS PROCURATORS FORESAID PRODUCED AND LAID BEFOR THE JURY A GENEALOGICAL TREE OF THE MACKENZIES EARLS OF CROMARTY FROM SIR RODERICK MACKENZIE OF COIGACH TUTOR OF KINTAIL DOWN TO ALEXANDER MACKENZIE ESQUIRE THE PRESENT CLAIMANT WITH REFERENCES THEREON BY THE SAID JOHN MACKENZIE WRITER IN TAIN AND THE SAID JOHN ANDERSON WRITER TO THE SIGNET DATED THE FOURTEENTH AND SIXTENTH DAYS OF AUGUST EIGHTEEN HUNDRED AND TWENTY SIX AND MARKED NUMBER ONE AS ALSO A DETAILED PEDIGREE OF THE DESCENT TO THE CLAIMANT FROM THE SAID SIR RODERICK MACKENZIE OF COIGACH MARKED NUMBER TWO TOGETHER WITH A PAPER ENTITLED ABSTRACT OR SUMMARY OF THE EVIDENCE IN SUPPORT OF THE PRECEEDING CASE OF PEDIGRE OF THE SAID ALEXANDER MACKENZIE ESQUIRE THE CLAIMANT AND MARKED NUMBER THREE CONTAINING EXCERPS FROM THE RESPECTIVE WRITS AND DOCUMENTS AS WELL AS DEPOSITIONS OF THE WITNESSES AND PAROLE TESTIMONY ALL THEREIN REFERED TO AND FOUNDED ON AND WHICH SEVERAL DEPOSITIONS WITH THE PETITIONS TO THE SHERIFF SUBSTITUTE ROSS AND CROMARTY OF SEVENTH NOVEMBER EIGHTEEN HUNDRED AND TWENTY FIVE AND INTERLOCTOR AND EXECUTION THEREON OF SAME DATE PETITION TO THE SAME OF TWENTY FIRST FEBRUARY WITH INTERLOCTOR THEREON OF TWENTY SECOND FEBRUARY EIGHTEEN HUNDRED AND TWENTY SIX DILEGENCE AGAINST WITNESSES DATED THE SAID TWENTY SECOND DAY OF FEBRUARY EIGHTEEN HUNDRED AND TWENTY SIX PETITION TO THE SHERIFF SUBSTITUTE OF INVERNESS DATED THE THIRTEENTH DAY OF JANUARY EIGHTEEN HUNDRED AND TWENTY SIX WITH DILIGENCE AGAINST WITNESSES ALL AND UNDER AUTHORITY OF WHICH THE SAID RESPECTIVE DEPOSITIONS PROCEEDED WITH TWO EXECUTORS FOLLOWING THEREON ACT AND COMMIION IN FAVOUR OF THE CLAIMANT DATED THE TWENTY SECOND DAY OF FEBRUARY EIGHTEEN HUNDRED AND AND TWENTY SIX PETITION UNDER IT TO THE SHERIFF OF EDINBURGH DATED THE TWENTY EIGHTH DAY OF MARCH EIGHTEEN HUNDRED AND TWENTY SIX AND SHERIFF INTERLOCTOR THEREON OF SAME DATE AND REPORT OF THE EXAMINATIONS OF MRS ANN LAMONT UNDER THE SAID COMMISSION WITH THE SAID HALL DOCUMENTS THEMSELVES SO FOUNDED ON AND REFERED TO ARE NOW PRODUCED AND LAID BEFORE THE SAID JURY THE SAID RESPECTIVE DEPOSITIONS EMITTED IN OATH WITH THE HALL PROCESS CONFORM TO INVENTORY BEING LODGED WITH THE CLERK OF COURT TO BE ENTERED WITH THE RECORDS OF THE SHERIFF COURT OF ROSS WHICH GENEALOGICAL TREE TOGETHER WITH THE DETAILED PEDIGREE AND ABSTRACT OR SUMMARY OF THE EVIDENCEAS ALSO THE HALL WRITTEN AND PAROLE TESTIMONY LED IN SUPPORT THEREOF AND OF THE CLAIM OF SERVICE BEING SOLEMLY EXAMINED AND CONSIDERED BY THE FORESAID PERSONS OF INQUEST PROCLAMATION WAS AGAIN MADE IN COURT AND AT THE DOOR OF THE COURT HOUSE AS IS BUT NO PERSON OR PERSONS APPEARED TO OBJECT TO THE PREMISSES TO THE SAID PRODUCTIONS WHEREAPON THE SAID SHERIFFS ORDAIN THE SAID ASSIZE TO ENCLOSE AND MAKE UP AND RETURN THERE VERDICT WHICH PERSONS OF INQUEST BEING SOLEMNLY SWORN AS SAID AS DID ENCLOSE AND ELECT THE SAID RODERICK MACLEOD ESQUIRE OF CADBOLL ADVOCATE

TO BE THEIR CHANCELLOR AND HAVING A GAIN RECONSIDER THE SAID CLAIM WITH HAIL INSTRUCTIONS THEREOF TOGETHER WITH THE SAID BRIEF PRECEPT FOR EXECUTING THE SAME AND EXECUTION OF THE SAID BRIEF WITH THE DEPOSITIONS OF THE OFFICER AND WITNESSES TO THE VERITY THEREOF AND DOCUMENTARY AND PAROLE EVIDENCE ADDUCED IN SUPORT OF THE CLAIM AND FINDING THE SAME ALL ORDERLY PROCEEDED AND LEGALLY DONE AND THE FORESAID CLAIM SUFFICIENTLY VERIFIED AND INSTRUCTED WITHOUT ANY OBJECTION THEY ALL IN ONE VOICE BY THEIR CHANCELLOR SERVED AND COGNOSED AND DO HEREBY UNANIMOUSLY SERVE COGNOSIE AND RETOUR THE SAID ALEXANDER MACKENZIE ESQUIRE PRESENTLY IN THE MILITARY SERVICE OF THE HONOURABLE SOCIETY OF MERCHANTS TRADING TO THE EAST INDIES TO BE NEAREST AND LAWFUL HEIR MALE OF THE SAID UMGUWHILE SIR GEORGE MACKENZIE OF TARBAT BARONET AFTERWARDS VISCOUNT TARBAT LORD MACLEOD AND CASTLEHAVEN AND EARL OF CROMARTY BROTHER GERMAN OF ALEXANDER MACKENZIE THE GREAT GREAT GRANDFATHER OF THE SAID ALEXANDER MACKENZIE ESQUIRE CONFORM TO THE SAID BRIEF CLAIM AND HAIL INSTRUCTIONS THEREOF IN ALL POINTS AND ORDAINED AND HEREBY ORDAIN THIS SERVICE TO BE RETOURED TO HIS MAJESTIES CHANCERY CONFORM TO THE TERMS OF THE BRIEF IN DUE FORM OF LAW AND IN TESTIMONY OF THE PREMISSES THE SAID CHANCELLOR DID IN THE PRESENCE OF THE SAID JURY AND THEIR AUTHORITY SIGN AND AUTHENTICATE IN OPEN COURT THE FORESAID GENEALOGICAL TREE AS ALSO THE SAID DETAILED PEDIGRE AND ABSTRACT OR SUMMARY OF EVIDENCE IN SUPPORT THEREOF ALL WHICH PAPERS ARE LEFT WITH THE CLERK OF COURTNTO BE PLACED AMONG THE RECORDS OF THE SHERIFF COURT OF ROSS IN FUTURAM REI MEMORAM UPON ALL WHICH THE SAID JOHN ANDERSON AND JOHN MACKENZIE AS PROCURATORS FORESAID TOOK INSTRUMENTS IN THE CLERKS HANDS THAT NO ONE APPEARED TO OBJECT AND CRAVED THE HONOURABLE SHERIFF WOULD INTERPONE THEIR AUTHORITY ACCORDINGLY\par SIGNED JOHN ANDERSON \par JOHN MACKENZIE\par AND THEREAPON THE JUDGES INTERPONED AND HEREBY INTERPONE THEIR AUTHORITY TO THE HAIL PREMISSES AND IN FURTHER VERIFICATION THEY ALSO SIGN THE SAID GENEALOGICAL TREE THE DETAILED PEDIGRE AND ABSTRACT OF EVIDENCE IN SUPPORT THEREOF SIGNED\par DONALD MCLEOD SHERIFF DEPUTE\par \par }

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[edit](#) SIR ALEXANDER MACKENZIE BARONET/PAULM594

{\rtf1\ansi\ansicpg1252\deff0\deflang1033{\fonttbl{\f0\fswiss\fcharset0 Arial;}} {*\generator Msftedit 5.41.15.1507;}\viewkind4\uc1\pard\f0\fs20 MILITARY HONOURABLE EAST INDIA COMPANY BENGAL COMPANY 48TH NATIVE INFANTRY\par L/MIL/10/26 GOVERNMENT OF INDIA RECORDS\par \par SIR ALEXANDER MACKENZIE BART NOMINATED BY J. BAILLIE ESQ AT THE RECOMMENDATION OF CADETS MOTHER WIDOW OF COL.R.MACKENZIE FORMERLY OF THE MADRAS SERVICE BORN 16TH MAY 1802 ARRIVED 10TH AUGUST 1824 G.O. 18TH THE COURT ASSEMBLED AT MADRAS TO INQUIRE INTO THE CONDUCT OF CERTAIN PASSENGERS ON THE DUKE OF BEDFORD FIND THAT HE MADE USE OF GROSS AND INDESCENT LANGUAGE HE THE COM. IN CHIEF WILL NOTICE HIS CONDUCT 12TH MAY 1826 NOs 41 AND 2 LEAVE FOR 1 MONTH TO PRESIDENCY ON S.C.G.O. 8TH NOV.1824 LEAVE FOR 6 MONTHS TO PRESIDENCY ON P.A.G.O. 10TH APRIL 1828 HIS CLAIM TO THE TITLE OF BARONET RECOGNISED CONS 11TH OCT.1828NO.70 LEAVE CONTENTED FOR REMAINING AT THE PRESIDENCY PREPARATORY TO APPLYING FOR FURLO G.O. 10TH NOV. 1828 APP.DEP.PAYMASTER AT BENARES G.O. 12TH FEB. 1829 HIS APPOINTMENT AS DEP. PAYMASTER AT DINAPORE HAVING BEEN CANCELLED BY THE REAPPOINTMENT OF CAPTAIN THOMSON TO THAT SITUATION HE IS PLACED AT THE COM. IN CHIEFS DISPOSAL FOR REGIMENTAL DUTY G.O. 7TH JULY 1830 SEE GOV.GEN. MINUTE ON CONS 2ND JULY 1830 NO 29 GRANTED LEAVE TO PRESIDENCY FOR 4 MONTHS TO SETTLE HIS PUBLIC

ACCOUNTS G.O. 6TH AUG 1830 PERMITTED TO PROCEED TO EUROPE ON FURLO FOR ONE YEAR ON U.P.A.G.O. 27TH SEPT 1830 ABSENT WITHOUT PAY G.O. 11TH OCT 1830 FURLO COMMENCED 21ST OCT 1830 \{A.L.\} FORWARD A MEMORIAL FROM HIM COMPLAINING OF THE LOSS OF HIS STAFF SITUATION MIL. LETTER FROM BENGAL 14TH OCT.1830 \{3\}. REPORTS HIS ARRIVAL IN ENGLAND. M OF O 22 APRIL 1831 SUBMITTS FOR COURTS FAVORABLE CONSIDERATION THE CIRCUMSTANCES UNDER WHICH HE HAS BEEN DEPRIVED OF A VALUABLE STAFF SITUATION AND HIS ELIGIBILITY FOR FURTHER DETACHED EMPLOY AND PRAYS TO BE RESTORED TO SUCH BENEFIT M. OF C. 4TH MAY 1831 NEGATIVED M. OF C. 8TH JUNE 1831 SOLICITS TO BE RESTORED TO THE STAFF SITUATION OF DEPUTY PAYMASTER AT DINAPORE M. OF C. 6TH JULY 1831 NEGATIVED M. OF C. 3 AUG 1831 REQUESTS PERMISSION TO REMAIN M. OF C. 26TH OCT 1831 FURLO EXTENDED FOR 3 MONTHS M. OF C. 26TH OCT 1831 REQUESTS PERMISSION TO REMAIN M. OF C. 20TH MARCH 1832 PERMITTED TO REMAIN UNTIL THE DEPARTURE OF THE EUPHRATES ABOUT THE MIDDLE OF APRIL M. OF C. 22ND MARCH 1832 TRANSMITS LETTER FROM MADURA ON HIS RETURN TO HIS DUTY REQUESTING TO BE FURNISHED WITH A SPECIAL AUTHORITY FOR HIS READMISSION TO THE SERVICE SHOULD SUCH DOCUMENT BE NECESSARY M. OF C. 19TH JUNE 1832 ARRIVED AT FORT WILLIAM FROM ENGLAND 14TH SEPT 1832 G.O. 8TH OCT. 1832 AQUITTED BY COURT MARTIAL ON A CHARGE OF GROSSLY DISRESPECTFUL AND INSULTING CONDUCT TOWARDS HIS COMMANDING OFFICER G.O. 22 FEB. 1839 DECLARED QUALIFIED TO DISCHARGE THE DUTIES OF INTERPRETER IN A NATIVE CORPS AND EXEMPTED FROM FURTHER EXAMINATION IN THE NATIVE LANGUAGES EXCEPT BY THE EXAMINER OF THE COLLEGE OF FORD WILLIAM G.O. 13 JUNE 1840 APPOINTED TO THE COMMISARIOT DEPARTMENT IN AFGHANISTAN G.O. NOV.1840 LEAVE FROM MARCH TO 15TH MAY 1840 TO VISIT THE PRESIDENCY ON S.C.G.O. MARCH 1841\par DIED 28TH APRIL 1841 CALCUTTA 5 MAY 1841 NO 202.\par }

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[edit](#) SIR ALEXANDER MACKENZIE BARONET/PAULM594

{\rtf1\ansi\ansicpg1252\deff0\deflang1033{\fonttbl{\f0\fswiss\fcharset0 Arial;}} {\colortbl ;\red255\green0\blue0;\red0\green0\blue0;} {*\generator Msftedit 5.41.15.1507;}viewkind4\uc1\pard\f0\fs20 MILITARY HONOURABLE EAST INDIA COMPANY BENGAL COMPANY 48TH NATIVE INFANTRY\par L/MIL/10/26 GOVERNMENT OF INDIA RECORDS\par \par SIR ALEXANDER MACKENZIE BART NOMINATED BY J. BAILLIE ESQ AT THE RECOMMENDATION OF CADETS MOTHER WIDOW OF COL.R.MACKENZIE FORMERLY OF THE MADRAS SERVICE BORN 16TH MAY 1802 ARRIVED 10TH AUGUST 1824 G.O. 18TH THE COURT ASSEMBLED AT MADRAS TO INQUIRE INTO THE CONDUCT OF CERTAIN PASSENGERS ON THE DUKE OF BEDFORD FIND THAT HE MADE USE OF GROSS AND INDESCENT LANGUAGE HE THE COM. IN CHIEF WILL NOTICE HIS CONDUCT 12TH MAY 1826 NOs 41 AND 2 LEAVE FOR 1 MONTH TO PRESIDENCY ON S.C.G.O. 8TH NOV.1824 LEAVE FOR 6 MONTHS TO PRESIDENCY ON P.A.G.O. 10TH APRIL 1828 HIS CLAIM TO THE TITLE OF BARONET RECOGNISED CONS 11TH OCT.1828NO.70 LEAVE CONTENTED FOR REMAINING AT THE PRESIDENCY PREPARATORY TO APPLYING FOR FURLO G.O. 10TH NOV. 1828 APP.DEP.PAYMASTER AT BENARES G.O. 12TH FEB. 1829 HIS APPOINTMENT AS DEP. PAYMASTER AT DINAPORE HAVING BEEN CANCELLED BY THE REAPPOINTMENT OF CAPTAIN THOMSON TO THAT SITUATION HE IS PLACED AT THE COM. IN CHIEFS DISPOSAL FOR REGIMENTAL DUTY G.O. 7TH JULY 1830 SEE GOV.GEN. MINUTE ON CONS 2ND JULY

1830 NO 29 GRANTED LEAVE TO PRESIDENCY FOR 4 MONTHS TO SETTLE HIS PUBLIC ACCOUNTS G.O. 6TH AUG 1830 PERMITTED TO PROCEED TO EUROPE ON FURLO FOR ONE YEAR ON U.P.A.G.O. 27TH SEPT 1830 ABSENT WITHOUT PAY G.O. 11TH OCT 1830 FURLO COMMENCED 21ST OCT 1830 \{A.L.\} FORWARD A MEMORIAL FROM HIM COMPLAINING OF THE LOSS OF HIS STAFF SITUATION MIL. LETTER FROM BENGAL 14TH OCT.1830 \{3\}. REPORTS HIS ARRIVAL IN ENGLAND. M OF O 22 APRIL 1831 SUBMITTS FOR COURTS FAVORABLE CONSIDERATION THE CIRCUMSTANCES UNDER WHICH HE HAS BEEN DEPRIVED OF A VALUABLE STAFF SITUATION AND HIS ELIGIBILITY FOR FURTHER DETACHED EMPLOY AND PRAYS TO BE RESTORED TO SUCH BENEFIT M. OF C. 4TH MAY 1831 NEGATIVED M. OF C. 8TH JUNE 1831 SOLICITS TO BE RESTORED TO THE STAFF SITUATION OF DEPUTY PAYMASTER AT DINAPORE M. OF C. 6TH JULY 1831 NEGATIVED M. OF C. 3 AUG 1831 REQUESTS PERMISSION TO REMAIN M. OF C. 26TH OCT 1831 FURLO EXTENDED FOR 3 MONTHS M. OF C. 26TH OCT 1831 REQUESTS PERMISSION TO REMAIN M. OF C. 20TH MARCH 1832 PERMITTED TO REMAIN UNTIL THE DEPARTURE OF THE EUPHRATES ABOUT THE MIDDLE OF APRIL M. OF C. 22ND MARCH 1832 TRANSMITS LETTER FROM MADURA ON HIS RETURN TO HIS DUTY REQUESTING TO BE FURNISHED WITH A SPECIAL AUTHORITY FOR HIS READMISSION TO THE SERVICE SHOULD SUCH DOCUMENT BE NECESSARY M. OF C. 19TH JUNE 1832 ARRIVED AT FORT WILLIAM FROM ENGLAND 14TH SEPT 1832 G.O. 8TH OCT. 1832 AQUITTED BY COURT MARTIAL ON A CHARGE OF GROSSLY DISRESPECTFUL AND INSULTING CONDUCT TOWARDS HIS COMMANDING OFFICER G.O. 22 FEB. 1839 DECLARED QUALIFIED TO DISCHARGE THE DUTIES OF INTERPRETER IN A NATIVE CORPS AND EXEMPTED FROM FURTHER EXAMINATION IN THE NATIVE LANGUAGES EXCEPT BY THE EXAMINER OF THE COLLEGE OF FORD WILLIAM G.O. 13 JUNE 1840 APPOINTED TO THE COMMISARIOT DEPARTMENT IN AFFGHANISTAN G.O. NOV.1840 LEAVE FROM MARCH TO 15TH MAY 1840 TO VISIT THE PRESIDENCY ON S.C.G.O. MARCH 1841\par DIED 28TH APRIL 1841 CALCUTTA 5 MAY 1841 NO 202.\par \par SIR ALEXANDER MACKENZIE SIXTH BARONET (1802-1841) CAPTAIN 48TH N.I. BORN EDINBURGH 16TH MAY 1802 CADET 1823 ARRIVED INDIA 10 AUGUST 1824 ENSIGN 10 FEBRUARY 1824 LIETENANT 13 MAY 1825 CAPTAIN 1 MARCH 1840 DIED CALCUTTA INDIA BURIED OLD CIRCULAR ROAD 28TH APRIL 1841\par \par 6TH BARONET OF TARBAT SERVED HEIR MALE TO HIS GREAT-GREAT-GRANDUNCLE GEORGE 1ST EARL OF CROMARTY 17TH AUGUST 1826 ASSUMED THE DORMANT BARONETCIES OF TARBAT OF GRANDVILLE AND CROMARTY AND OF ROYSTON 20 OCTOBER 1826 ELDER SON OF ROBERT MACKENZIE OF MILNMOUNT Q.V. AND KATHARINE HIS 2ND WIFE EDUCATED EDINBURGH HIGH SCHOOL\par \par SERVICES: POSTED ENSIGN TO 48TH NATIVE INFANTRY DEPUTY PAYMASTER AT BENARES 12 FEBRUARY 1829 TILL 7TH JULY 1830 FURLOW P.A. 21 OCTOBER 1830 TILL 14 SEPTEMBER 1832 FIRST AFGHAN WAR 1839-40 CAPTURE OF GHAZNI 1839 LIEUTENANT 48TH NATIVE INFANTRY APPOINTED TO COMMISSARIOT DEPARTMENT AFGHANISTAN 26TH NOVEMBER 1840 LEAVE S.C. TO CALCUTTA 1 MARCH 1841\par \par REFERENCES BURKES PEERAGE 1923 PAGE 1472 S.N. MACKENZIE BARONET OF SCATWEL COUNTY ROSSHIRE ASIATIC JOURNAL NEW SERIES XXIX GENTLEMANS MAGAZINE 1841 ii 334 M.I. CIRCULAR ROAD CEMETARY CALCUTTA NEW BURIAL GROUND CIRCULAR ROAD PAGE 280 MONUMENTAL INSCRIPTIONS CALCUTTA \cf1 IN MEMORY OF SIR ALEXANDER MACKENZIE OF TARBAT AND ROYSTON KNIGHT BARONET CAPTAIN IN THE 48TH REGIMENT NATIVE INFANTRY BORN MAY 16TH 1802 DIED APRIL 28TH 1841\par \par \cf2 ENTRY NUMBER 553 INDIA GOVERNMENT PAPERS\par FROM ACTING THE ADJUTANT GENERAL OF THE ARMY TO THE SECRETARY TO THE GOVERNMENT OF INDIA IN THE MILITARY DEPARTMENT CALCUTTA 29TH APRIL 1841 SIR I HAVE THE HONOUR TO REPORT FOR THE INFORMATION OF THE GOVERNMENT THE DEATH AT CALCUTTA ON THE 28TH INSTANT OF CAPTAIN SIR ALEXANDER MACKENZIE BARONET OF THE 48TH REGIMENT OF NATIVE INFANTRY AND TO SUBMIT THE ANNEXED MEMORANDUM OF THE CONSEQUENT PROMOTION I HAVE THE HONOR TO BE SIR YOUR OBEDIENT SERVANT SIGNED ACTING ADJUTANT GENERAL OF THE ARMY\par MEMORANDUM (GENERAL ORDERS ENTRY NO 111 OF 5 MAY 1841)\par THE RIGHT HONOURABLE THE GOVERNOR GENERAL OF INDIA IN COUNCIL IS PLEASED TO MAKE THE FOLLOWING PROMOTIONS\par 48TH NATIVE INFANTRY LIEUTENANT HENRY DAVID VANHOMIGH TO BE CAPTAIN OF A COMPANY ENSIGN THEOPHILIS GREEN TO BE LIEUTENANT FROM THE 28TH APRIL 1841 IN SUCCESSION TO CAPTAIN SIR ALEXANDER

MACKENZIE BARONET DECEASED SIGNED ACTING ADJUTANT GENERAL OF THE ARMY REPORTS THE DEATH OF CAPTAIN SIR ALEXANDER MACKENZIE BART 48TH NATIVE INFANTRY AND ANNEXES A MEMORANDUM OF THE CONSEQUENT PROMOTIONS. REPORT 30TH APRIL 1841\par \par SERVICE RECORD GOVERNMENT OF INDIA PAGE 540.\par \par \fs32 GENERAL ORDERS\par \fs24 BY HIS EXCELLENCY THE COMMANDER IN CHIEF\par \fs20 HEAD QUARTERS CALCUTTA 26TH NOVEMBER 1840 \par BY THE RIGHT HONORABLE THE GOVERNMENT GENERAL OF INDIA IN COUNCIL\par FORT WILLIAM 24TH NOVEMBER 1840\par \par NO. 249 OF 1840---- CAPTAIN WILLIAM MCDOWEL HOPER OF THE 57TH REGIMENT NATIVE INFANTRY IS PERMITTED TO PROCEED TO THE CAPE OF GOOD HOPE ON MEDICAL CERTIFICATE AND TO BE ABSENT FRO BENGAL ON THAT ACCOUNT FOR TWO YEARS\par SIGNED J.STUART LIEUTENANT. COLONEL\par SECRETARY TO THE GOVERNMENT OF INDIA MILITARY DEPARTMENT\par \par \fs32 BY THE COMMANDER IN CHIEF\fs20\par \par THE FOLLOWING ORDERS ARE WITH THE SANCTION OF THE RIGHT HONORABLE THE GOVERNOR GENERAL OF INDIA IN COUNCIL CONFIRMED\par \par THE ORDERS BY MAJOR GENERAL SIR W. COTTON G.C.B. AND K.C.H. COMMANDING THE BRITISH TROOPS IN AFGHANISTAN DATED THE 18TH ULTIMO DIRECTING LIEUTENANT J.N.RINO OF THE 37TH REGIMENT OF NATIVE INFANTRY TEMPORARY ARRANGEMENT TO CONDUCT THE COMMISSARIOT DUTIES WITH FORCE UNDER THE ORDRS OF MAJOR GENERAL SIR R.H. SALE K.C.B. ON THE DEMISE OF CAPTAIN R.RABAN OF THE 48TH NATIVE INFANTRY\par \par THE ORDERS BY MAJOR GENERAL SIR W. COTTON G.C.B. AND K.G.H. COMMANDING THE BRITHISH TROOPS IN AFGHANISTAN DATED THE 18TH ULTIMO APPOINTING CAPTAIN SIR ALEXANDER MACKENZIE BART OF THE 48TH REGIMENT OF NATIVE INFANTRY TO THE COMMISSARIAT DEPARTMENT IN AFGHANISTAN VICE CAPTAIN RABAN DECEASED\par \par THE ORDER BY CAPTAIN S.F. HANNAY COMMANDING THE ASSAM LIGHT INFANTRY BATTALION DATED THE 10TH ULTIMO APPOINTING AS A TEMPORARY MEASURE LIEUTENANT W.O.HARRIS TO ACT AS 2ND IN COMMAND TO THE CORPS\par \par THE DETACHMENT ORDER BY LIEUTENANT COLONEL R.E.CHAMBERS DATED THE 22ND ULTIMO DIRECTING THE COMMISSARIAT TO SUPPLY 2 FOUR BULLOCK HACKERIES FOR THE CARRIAGE TO FEROZEPURE OF THE CLOTHING AND COMPANY OF MEN OF THE 5TH REGIMENT OF LIGHT CAVALRY ON FURLOUGH\par \par THE FOLLOWING ORDERS ARE CONFIRMED\par THE AGRA GARRISON ORDER OF THE FIRST INSTANCE DIRECTING HOSPITAL APPRENTICE J.GOODALL TO ACT AS ASSISTANT APOTHECARY TO THE DEPOT OF THE 1ST EUROPEAN REGIMENT DURING ITS MARCH TO CAWNPORE AND REQUIRING APPRENTICE M.TWOOMY TO DO DUTY THE DEPOT\par \par THE STATION ORDER BY CAPTAIN H.J.HUXON COMMANDING AT ALLYGURH DATED THE 4TH INSTANT DIRECTING LIEUTENANT AND ACTING ADJUTANT W.B.LEGARD OF THE LEFT WING 31ST REGIMENT OF NATIVE INFANTRY TO ACT AS STATION STAFF\par \par THE ORDER BY BRIGADIER J.SHELTON COMMANDING AT FEROZEPURE DATED THE 7TH INSTANT APPOINTING AS A TEMPORARY ARRANGEMENT CAPTAIN W.MACKINTOSH OF THE 5TH REGIMENT OF NATIVE INFANTRY TO ACT AS BRIGADE MAJOR AT THE STATION VICE CAPTAIN GRANT\par \par 2ND LIEUTENANT R.B.SMITH OF THE CORPS OF ENGINEERS WHO WAS DIRECTED TO JOIN THE 6TH COMPANY OF SAPPERS AND MINERS AT DACCA IN THE GENERAL ORDERS OF THE 28TH OF SEPTEMBER LAST WILL PROCEED WITH IT FROM THAT STATION TO BENARES BY WATER WHERE THE COMPANY WILL BE DISEMBARKED AND AFTERWARDS MARCHED TO THE HEAD QUARTERS OF THE CORPS\par \par \fs28 FORT WILLIAM\par \fs20 18TH MARCH 1839\par 48TH REGIMENT NATIVE INFANTRY\par CHARGE\par \par WITH CONDUCT HIGHLY UNLIKE AN OFFICER AND AS A GENTLEMAN AND GROSSLY DISREPECTFUL INSULTING TO MAJOR R.A.THOMAS OF THE SAME REGIMENT HIS THEN IMMEDIATE COMMANDING OFFICER ON THE MORNING OF THE 13TH OF JANUARY 1839 THE MAJOR BEING IN COMMAND OF A WING OF THE SAID REGIMENT AND IN CHARGE OF MEASURE THEN IN CAMP WITH THE 1ST BRIGADE 1ST DIVISION BENGAL COLOMN ARMY OF THE INDIES IN THE FOLLOWING INSTANCES\par 1ST INSTANCE IN HAVING WHEN ASKED BY THE MAJOR WHERE LIEUTENANT BIRD WAS REPLIED WHERE THE HELL OR DEVIL SHOULD HE BE BUT IN HIS \par OR WORD TO SUCH EFFECT\par \par 2ND INSTANCE IN HAVING ON THE SAME MORNING WHEN ASKED BY MAJOR TO MAKE THE ----- ASSISTANT IN LOADING THE SAID ----- UPON CAMELS REPLIED THAT HE THE SAID MAJOR WAS A DAMNED BEAST A ----- AND IF HE WAS NOT SUCH AN OLD MAN HE THE LIEUTENANT SHOULD HAVE LIKED TO

HAVE GIVEN HIM THE MAJOR A GOOD KICKING OR WORDS TO SUCH EFFECT \par \par THE WHOLE OR ANY PART OF THE ABOVE CONDUCT BEING IN BREACH OF THE ARTICLES OF WAR UPON WHICH CHARGE THE COURT CAME TO THE FOLLOWING DECISION\par \par FINDING THAT THE COURT ARE OF THE OPINION THAT LIEUTENANT SIR ALEXANDER MACKENZIE BARONET OF THE 48TH REGIMENT NATIVE INFANTRY IS NOT GUILTY OF THE CHARGE EXHIBITING AGAINST HIM AND DO ACQUIT HIM OF THE SAME\par \par \fs32 FORT WILLIAM\par \fs20 18TH MARCH 1839\par MILITARY DEPARTMENT NO 226\par OF THE COARSE OF THE KALLEE RIVER FROM OOLEAH GHAUT TO BUHM DEO THEREWITH RECEIVED A COPY HAVING BEEN TAKEN FOR RECORD IN THIS DEPARTMENT \par SIGNED W.CABBITT MAJOR \par SECRETARY TO THE GOVERNMENT OF INDIA IN THE MILITARY DEPARTMENT\par \par DEPUTY JUDGE ADVOCATE GENERAL PRESIDENCY NO 30 ENTRY.\par \par FROM DEPUTY JUDGE ADVOCATE GENERAL IN CHARGE OF THE JUDGE ADVOCATE GENERALS OFFICE\par \par TO MAJOR W.CUBITT OFFICIATING SECRETARY TO THE GOVERNMENT OF INDIA IN THE MILKITARY DEPARTMENT NO 227 AND 227A ENTRIES DATED 16TH MARCH 1839\par \par SIR\par I HAVE THE HONOR TRANSMIT TO YOU THE ACCOMPANYING COPY OF THE PROCEEDINGS OF AN EUROPEAN GENERAL COURT MARSHAL HELD IN CAMP NEAR ROSEE ON THE LEFT BANK OF THE INDIES ON THE TRIAL OF LIEUTENANT SIR ALEXANDER MACKENZIE BARONET 48TH NATIVE INFANTRY\par \par I HAVE THE HONOR TO BE---- SIGNED H.BIRCH DEPUTY JUDGE ADVOCATE GENERAL IN CHARGE JUDGE ADVOCATE GENERALS OFFICE PRESIDING OF FORT WILLIAM 16TH MARCH 1839\par \par ENLOSURE NO 227A ENTRY\par EXTRACT FROM THE PROCEEDINGS OF A GENERAL COURT MARCHAL HELD ON THE 26TH JANUARY 1839 FOR THE TRIAL OF LIEUTENANT SIR ALEXANDER MACKENZIE BARONET OF THE 48TH NATIVE INFANTRY\par \par \fs32 FORT WILLIAM\par \fs20 18TH MARCH 1839\par REVISED FINDING\par THE COURT HAVING ATTENTIVELY CONSIDERED THE ABOVE LETTER FROM THE DEPUTY ADJUTANT GENERAL OF THE ARMY TO THE PRESIDENT BEG TO STATE THAT BY NO MEANS INTEND TO IMPUNE THE CREDIBILITY OF MAJOR THOMSONS EVIDENCE BUT BEING OF OPINION THAT THE MAJOR MIGHT HAVE MISAPPREHENDED THE WORDSACCUSED BY LIEUTENANT SIR ALEXANDER MACKENZIE OWING TO THE HURRY AND CONFUSION OF THE MOMENT THE COURT WITH THE ABOVE QUALIFICATION ADHERE TO THERE FINDING OF ACQUITTAL WHICH FINDING HAS BEEN CONFIRMED BY MAJOR GENERAL SIR WILLENGHBY COTTON H.C.B. D.AND C.H. COMMANDING THE BENGAL COLUMN OF THE ARMY OF THE INDIAS\par \par BY ORDER OF THE COMMANDER OF THE FORCE\par SIGNED J.R.LUMLEY M.G. ADJUTANT GENERAL OF THE ARMY\par \par ENTRY NO 376 FROM THE REVEREND J.MACQUEEN SEC. MILITARY ORPHAN SOCIETY\par TO MAJOR W.CUBITT OFFICIATING SECRETARY TO THE GOVERNMENT OF INDIA IN THE MILITARY DEPARTMENT FORT WILLIAM DATED 12TH MARCH 1839\par \par SIR\par IN REPLY TO YOUR LETTER NO 97 OF THE 4TH INSTANT REQUESTING TO BE FURNISHED WITH A PRINTED COPY OF THE RULES AND REGULATIONS OF THE MILITARY ORPHAN SOCIETY FOR THE TRANSMISSION TO THE CEYLON GOVERNMENT I HAVE THE HONOR TO FORWARD HEREWITH A PRINTED COPY OF THE LAST EDITION OF THE ABOVE RULEWS AND REGULATIONS\par KUDDESPORE 12 MARCH 1839\par SIGNED J.MACQUEEN\cf0\par }

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[edit](#) **SIR ALEXANDER MACKENZIE
BARONET/PAULM594**

{\rtf1\ansi\ansicpg1252\deff0\deflang1033{\fonttbl{\f0\fswiss\fcharset0 Arial;}} {*\generator Msftedit 5.41.15.1507;} \viewkind4\uc1\pard\f0\fs20 AT SCOTTISH RECORD OFFICE EDINBURGH A SERVICE OF HEIR TO JAMES SUTHERLAND MACKENZIE YOUNGER BROTHER OF THE DEFUNCT CAPTAIN ALEXANDER MACKENZIE REFERENCE C22/159 CROSS REFERENCE TO ORIGINAL RETOUR C24/135.\par \par THIS ENQUIRY WAS HELD IN THE COURT OF THE BAILIES OF THE TOWN OF EDINBURGH ON THE SEVENTEENTH DAY OF THE MONTH OF SEPTEMBER IN THE YEAR OF THE LORD ONE THOUSAND EIGHT HUNDRED AND FORTY ONE BEFORE THE HONOURABLE MAN WILLIAM JOHNSTON ONE OF THE BAILIES OF THE SAID TOWN BY THESE HONEST AND TRUE MEN OF THE FATHERLAND LISTED BELOW VIZ ROBERT LOCKHART DYMOCH ARMIGER SOLICITOR IN EDINBURGH JOSEPH GORDON ARMIGER CLERK SIGNETO REGIS THOMAS POTTS ROBERT MORHAM WILLIAM ELIOT BUIST WILLIAM HORN THOMAS MCMILLAN JAMES TURNBULL WILLIAM SHANKS ROBERT BEATSON AND GORDON CLUNES CLERK IN EDINBURGH ALEXANDER DEUCHAR ENGRAVER OF SEALS IBID JOHN CHAMBERS ARCHITECT IBID DAVID LAWSON LICTOREM DECANI GILDAE IBID AND ROBERT LATTA LIE TACKSMAN IBID THESE HAVING TAKEN THE SOLEMN OATH STATED THAT A CERTAIN LORD ALEXANDER MACKENZIE OF TARBAT BARONET CAPTAIN IN THE 48TH REGIMENT CALLED THE BENGAL NATIVE INFANTRY ONLY BROTHER OF LORD JAMES SUTHERLAND MACKENZIE OF TARBAT BARONET BEARER OF THE PRESENT PETITION DIED IN THE FAITH AND PEACE OF OUR SOVEREIGN QUEEN THAT THE SAID DEFUNCT CAPTAIN

LORD ALEXANDER MACKENZIE OF TARBAT BARONET WAS THE ELDEST LEGITIMATE SON AND MALE HEIR TALLIAE ET PROVISIONIS DESERVITUS ET RETORNATUS OF LIEUTENANT-COLONEL ROBERT MACKENZIE ERSWHILE IN THE SERVICE OF THE HONOURABLE EAST INDIA COMPANY WHO WAS LEGITIMATE ELDEST SON OF THE DEFUNCT ALEXANDER MACKENZIE LATE OF ARDLOCH WHO WAS THE LEGITIMATE ELDEST SON OF ALEXANDER MACKENZIE OF ARDLOCH WHO WAS LEGITIMATE SON OF LORD JOHN MACKENZIE OF TARBAT BARONET AND YOUNGER BROTHER GERMAIN OF LORD GEORGE MACKENZIE OF TARBAT BARONET AND LATER VICE-COUNT TARBAT LORD MACLEOD AND CASTLEHAVEN AND EARL OF CROMARTY BOTH OF WHOM ARE DEAD AND THAT HE THE SAID LIEUTENANT-COLONEL ROBERT MACKENZIE WAS MALE HEIR TALLIAE ET PROVISIONIS DESERVITUS ET RETORNATUS AD KENNETH MACKENZIE OF CROMARTY WHO WAS HEIR DESERVITUS ET RETORNATUS OF LORD KENNETH MACKENZIE OF GRANDVILLE WHO WAS HEIR DESERVITUS ET RETORNATUS OF GEORGE MACKENZIE OF GRANDVILLE HIS ELDER BROTHER WHO WAS LEGITIMATE ELDEST SON OF LORD KENNETH MACKENZIE OF CROMARTY LEGITIMATE SECOND SON OF THE SAID LORD GEORGE MACKENZIE OF TARBAT AND LATER VICE-COUNT TARBAT LORD MCLEOD AN CASTLEHAVEN AND EARL OF CROMARTY AT THE DEATH OF WHOM OF THE SAID KENNETH MACKENZIE OF CROMARTY WITHOUT LEGITIMATE MALE ISSUE HE PROCREATED A MALE HEIR FROM THE BODY OF LORD GEORGE MACKENZIE OF TARBAT LATER VICE-COUNT TARBAT LORD MCLEOD AND CASTLEHAVEN AND EARL OF CROMARTY FAILING THE SAID LIEUTENANT-COLONEL ROBERT MACKENZIE GREAT-GRANDSON PRONEPOS OF THE SAID ALEXANDER MACKENZIE OF ARDLOCH ONLY BROTHER OF THE SAID LORD GEORGE MACKENZIE OF TARBAT LORD MCLEOD AND CASTLEHAVEN AND EARL OF CROMARTY FROM WHOSE BODY MALE HEIRS ARE NOW IN EXISTENSE HAD RIGHT OF RECEIVING THE SUCCESSION WHICH SUCCESSION HAD OPENED BY THE DEATH OF THE SAID KENNETH MACKENZIE OF CROMARTY UNDER THE DISPOSITION AND WRITTEN DOCUMENT SYNGRATHA OF TALLIA CONTAINING THE PROVISION CONDITIONS AND IRRITANT CLAUSES AND RESOLUTIONS THEREIN SPECIFIED MADE AND DRAWN UP BY THE SAID LORD GEORGE MACKENZIE OF TARBAT BARONET THEN VICE-COUNT TARBAT LORD MCLEOD AND CASTLEHAVEN LATER EARL OF CROMARTY GIVEN ON THE TWENTY EIGHTH DAY OF THE MONTH OF NOVEMBER IN THE YEAR OF THE LORD ONE THOUSANT SIX HUNDRED AND EIGHTY EIGHT BY WHICH DISPOSITION AND WRITTEN DOCUMENT OF TALLIA HE THE SAID LORD GEORGE MACKENZIE GAVE AND DISPOSED THE TOTAL INTEGRAL LANDS AND BARONY OF ROYSTON INCLUDING PARTICULAR LANDS THEREIN MENTIONED LYING WITHIN THE VICE-COUNTY OF EDINBURGH TO MASTER JAMES MACKENZIE HIS LEGITIMATE THIRD BORN SON AFTERWARDS LORD JAMES MACKENZIE OF ROYSTON AND ONE OF THE LORDS OF SESSIONS AND TO THE LEGITIMATE MALE HEIRS PROCREATED FROM HIS BODY WHOM FAILING TO THE ABOVE NAMED LORD KENNETH MACKENZIE OF CROMARTY THERIN DESIGNATED AS MASTER KENNETH MACKENZIE HIS SECOND SON WHO LATER BECAME LORD KENNETH MACKENZIE OF TARBAT BARONET AND TO HIS MALE HEIR LEGITIMATELY BEGOTTEN FROM HIS BODY WHOM FAILING TO JOHN MASTER OF TARBAT HIS ELDEST SON LATER EARL OF CROMARTY AND TO THE MALE HEIRS FROM HIS BODY WHOM FAILING TO THE MALE HEIRS BEGOTTEN OR TO BE BEGOTTEN FROM THE BODY OF THE SAID EARL WHOM FAILING TO ANY OTHER PERSON OR PERSONS NAMED BY HIM IN THE MANNER MENTIONED IN THE SAID WRIT OF TALLIE SYNGRAPHA TALLIAE WHOM FAILING TO OTHER MALE HEIRS OF THE AID EARL WHO ALL FAILING TO HIS NEAREST HEIRS AND ASSIGNS WHOMSOEVER IN HERITAGE AND FOREVER IRREDIMABILITER WHEREFORE THE SAID DEFUNCT CAPTAIN LORD ALEXANDER MACKENZIE OF TARBAT BARONET WAS THE NEAREST AND LEGITIMATE MALE HEIR OF THE SAID LORD GEORGE MACKENZIE OF TARBAT BARONET AND LATER VICE-COUNT TARBAT LORD MCLEOD AND CASTLEHAVEN AND EARL OF CROMARTY BROTHER OF THE SAID ALEXANDER MACKENZIE OF ARDLOCH HIS GREAT-GRAND-UNCLE ABAVUS AND WHO ALSO THE SAID DEFUNCT CAPTAIN LORD ALEXANDER MACKENZIE OF TARBAT BARONET WAS THE NEAREST AND LEGITIMATE MALE HEIR OF THE PROVISIONS IN GENERAL OF LORD KENNETH MACKENZIE THIRD LEGITIMATE SON OF THE SAID KENNETH MACKENZIE LATER LORD KENNETH MACKENZIE SECOND LEGITIMATE SON OF THE SAID GEORGE MACKENZIE OF TARBAT BARONET LORD MCLEOD AND CASTLEHAVEN AND EARL OF CROMARTY ELDEST LEGITIMATE SON OF LORD JOHN

MACKENZIE OF TARBAT GREAT-GRANDSON PRONEPOS OF ALEXANDER MACKENZIE OF ARDLOCH GREAT-GRAND-FATHER ABAVUS OF THE SAID CAPTAIN LORD ALEXANDER MACKENZIE BARONET AND THAT THE SAID LORD JAMES SUTHERLAND MACKENZIE PRESENTER OF THIS PETITION IS THE NEAREST AND LEGITIMATE MALE HEIR OF TALLIAE ET PROVISIONIS UNDER THE SAID DISPOSITION AND WRIT OF TALLIA AND ALSO HE IS THE NEAREST AND LEGITIMATE MALE HEIR TO THE GENERAL PROVISIONS OF THE SAID LORD ALEXANDER MACKENZIE HIS ONLY BROTHER AND THAT HE IS OF LEGITIMATE LEGAL AGE IN WITNESS TO THESE THINGS THE SIGNATURE OR SEAL OF SEVERAL OF THOSE WHO WERE CONCERNED IN THE SAID ENQUIRY WITH THE BREVI REGIS DEBITE EXCUTO INCLUSO AND THE SEAL OF THE SAID BAILLIE ARE HEREUNTO APPENDED TO THE PRESENT DOCUMENT IN THE PLACE AND ON THE DAY MONTH AND YEAR AFOREMENTIONED EXTRACT MADE FROM THE BOOKS OF THE ACTS OF COURT OF THE SAID BURGH BY ME CARLYLE BELL CONJ. CLERK EIGHTH OCTOBER 1841.\par }

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[edit](#) **SIR ALEXANDER MACKENZIE
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{\rtf1\ansi\ansicpg1252\deff0\deflang1033{\fonttbl{\f0\fswiss\fcharset0 Arial;}} {*\generator Msftedit 5.41.15.1507;} \viewkind4\uc1\pard\fs20 SC 34/4/50 NUMBER 25 CLAIM FOR ALEXANDER MACKENZIE ESQ 7TH AUGUST 1826\par AND NUMBER 18 AT THE SHERIFF COURT OF TAIN ROSSHIRE.\par \par HONORABLE PERSONS AND GOOD MEN OF INQUEST I ALEXANDER MACKENZIE ESQUIRE PRESENTLY IN THE MILITARY SERVICE OF THE HONORABLE SOCIETY OF MERCHANTS TRADING TO THE EAST INDIES SAY UNTO YOUR WISDOMS THAT SIR GEORGE MACKENZIE OF TARBAT BARONET AFTERWARDS VISCOUNT TARBAT LORD MCLEOD AND CASTLEHAVEN AND EARL OF CROMARTY ELDEST SON OF JOHN MACKENZIE OF TARBAT BARONET WHO WAS ELDEST SON OF SIR RODERICK MACKENZIE OF COIGACH KNIGHT BROTHER GERMAN OF ALEXANDER MACKENZIE MY GREAT-GREAT-GRANDFATHER DIED AT THE FAITH AND PEACE OF OUR SOVEREIGN LORD THE KING AND THAT I AM NEAREST AND LAWFUL HEIR MALE OF THE SAID UMGUBILE SIR GEORGE MACKENZIE OF TARBAT BARONET AFTERWARDS VISCOUNT TARBAT LORD MACLEOD AND CASTLEHAVEN AND EARL OF CROMARTY THE BROTHER OF MY SAID GREAT-GREAT-GRANDFATHER AND THAT I AM OF LAWFUL AGE THEREFORE I BESEECH YOUR WISDOMS AND COGNOSE ME NEAREST LAWFUL HEIR MALE OF THE SAID UMGUBILE SIR GEORGE MACKENZIE OF TARBAT AFTERWARDS VISCOUNT LORD MACLEOD AND CASTLEHAVEN AND EARL OF CROMARTY THE BROTHER OF MY SAID GREAT-GREAT-GRANDFATHER ALEXANDER

MACKENZIE AND CAUSE YOUR CLERK TO RETOUR MY SAID SERVICE TO HIS MAJESTIES
CHANCERY UNDER YOUR SEALS ACCORDING TO JUSTICE AND YOUR WISDOMS
ANSWER\par SIGNED JOHN MACKENZIE\par JOHN ANDERSON\par }

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[edit](#) **SIR ALEXANDER MACKENZIE
BARONET/PAULM594**

{\rtf1\ansi\ansicpg1252\deff0\deflang2057{\fonttbl{\f0\froman\fpqr2\fcharset0 Georgia;}} {*\generator Msftedit 5.41.15.1503;} \viewkind4\uc1\pard\f0\fs16\tab sasine william fraser of culbokie inverness\par \tab RS2788/3. \par \tab\par \tab\par \tab AT EDINBURGH 23/5/1856 BETWEEN THE HOURS OF TWO AND THREE IN\par \tab THE AFTERNOON THE INSTRUMENT OF SASINE UNDER WRITEN WAS BY\par \tab JAMES MASON SOLICITOR SUPREME COURTS EDINBURGH PRESENTED\par \tab FOR REGISTRATION AND IS INGROSSED IN THE TWO THOUSAND\par \tab SEVEN HUNDRED AND EIGHTY EIGHT BOOK OF THE NEW GENERAL\par \tab REGISTER OF SASINES REVERSIONS AS FOLLOWS VIZ. AT EDINBURGH\par \tab THERE WAS BY OR ON BEHALF OF WILLIAM FRASER ESQUIRE OF\par \tab CULBOKIE LATE CAPTAIN IN THE SEVENTY SIXTH REGIMENT OF\par \tab INVERNESSHIRE MILITIA PRESENTED TO ME NOTARY PUBLIC \par \tab SUBSCRIBING A CHARTER OF SALE UNDER THE SEAL NOW USED\par \tab FOR THE GREAT SEAL OF SCOTLAND AND BEARING DATE AS IN\par \tab THE PRECEPT OF SASINE AND SEALING HEREINAFTER INSERTED\par \tab BY WHICH CHARTER VICTORIA BY THE GRACE OF GOD OF THE \par \tab UNITED KINGDOM OF GREAT BRITAIN AND IRELAND QUEEN DEFENDER\par \tab OF THE FAITH GAVE AND GRANTED AND DISPONED AND FOR EVER\par \tab CONFIRMED TO THE SAID WILLIAM FRASER AND HIS HEIRS AND\par \tab ASSIGNEES WHOMSOEVER HERITABLY AND IRREDEEMABLY ALL\par \tab AND WHOLE THE FOLLOWING PARTS AND PORTIONS OF THE LANDS\par \tab AND BARONY OF MACDONALD VIZ. ALL AND WHOLE THOSE PARTS\par \tab AND PORTIONS LYING TO THE NORTH OF THE

MARCHS OF THE FARMS\par \tab OR LANDS OF KINGSBURGH AND SCORRIEBRECK OF THE FOLLOWING\par \tab PARTS AND PORTIONS OF THE SAID LANDS OF THE BARONY OF\par \tab MACDONALD VIZ. THE TEN PENNY LAND KILLIEVAXTER IN\par \tab TROTTERNISH WITH PARTS PENDICLES AND PERTINENTS ALL\par \tab AND WHOLE THE 80 MERKS LANDS OF TROTTERNISH WITH CASTLE \par \tab TOWERS FORTALICES MANOR PLACES MILLS MULTURES WOODS\par \tab FISHING AS WELL OF SALMON AND AS WELL IN SALT WATER AS IN FRESH\par \tab WATER MOUNTAINS HILLS MUIRS MARSHES COMMONTIES PRIVILEGES\par \tab PASTURAGES PARTS PENDICLES ANNEXIS CONNEXIS OUTSETS\par \tab COMPREHENDING OR CONSISTING THE SAID LANDS AND OTHERS\par \tab OF THE ENTIRE OR ALMOST THE ENTIRE PARISH OF KILMUIR AND PART OF\par \tab THE PARISH OF SNIGZORT IN THE ISLE OF SKYE OF SKYE ALL AS\par \tab DESCRIBED IN THE ARTICLES AND CONDITIONS OF ROUP THEREOF\par \tab DATED 30/5/1855 YEARS AND WHICH NOT WITHSTANDING THE\par \tab DESCRIPTION THEREIN AND ABOVE GIVEN FROM THE TITLE DEEDS\par \tab OF THE ESTATE IT IS BY SAID CHARTERS AS IT WAS BY THE\par \tab SAID ARTICLES AND CONDITIONS OF ROUP DECLARED SHOULD\par \tab BE HELD TO COMPREHEND AND TO CONSIST OF THOSE PARTS\par \tab AND PORTIONS OF THE SAID LANDS AND BARONY OF MCDONALD\par \tab IN THE THE PARISHES OF KILMUIR AND SNZORT AND ISLAND\par \tab OF SKYE SITUATED AND LYING TO THE NORTH OF THE PRESENT\par \tab MARCHES OF THE FARMS OF KINGSBURGH AND SCORRIEBRECK\par \tab AS IN THE SAID FARMS ARE NOW POSSESSED BY MR DONALD\par \tab MCLEOD THE PRESENT TENANT THEREOF AS THE SAID LINES\par \tab OF MARCH WERE SOMETIME MARKED AND PITTED OFF BY ALEXANDER\par \tab KENNETH MACKINNON ESQ. THE FACTOR FOR THE RIGHT HONOURABLE\par \tab GODFREY WILLIAM WENTWORTH LORD MACDONALD AND NO OTHER\par \tab LANDS AND THAT FREE FROM THE FETTERS OF THE CONTRACT OR DEED\par \tab OF ENTAIL OF THE LANDS AND BARONY OF MCDONALD DATED THE \par \tab AND 08/11/1726 AND REGISTERED IN THE REGISTER OF TALZIES\par \tab ON THE 23/6/1836 MADE AND GRANTED BY AND BETWEEN MR KENNETH\par \tab MACKENZIE ADVOCATE OF THE ONE PART AND ALEXANDER MACDONALD\par \tab ONLY SON THEN IN LIFE OF THE DECEASED JAMES MACDONALD BROTHER\par \tab TO THE LATE SIR DONALD MACDONALD OF THAT ILK OF THE OTHER\par \tab PART AND FREE OF ALL DEBTS DILEGENCES AND INCUMBRANCES\par \tab AFFECTING THE SAID LANDS AND OTHERS ABOVE DESCRIBED UNDER\par \tab ALL THE CONDITIONS PROVISIONS AND DECLARATIONS SPECIFIED\par \tab AND CONTAINED IN THE ARTICLES AND CONDITIONS OF ROUP BEFORE\par \tab MENTIONED WHICH ARE IN SAID CHARTER SPECIALLY REFERED TO\par \tab BREVITATIS CAUSA AND WHICH TEN PENNY LAND OF KILLEVAXTER\par \tab AND EIGHTY MERK LANDS OF TROTTERNISH AND OTHERS ABOVE\par \tab DESCRIBED ARE PART OF THE LANDS AND BARONY OF MACDONALD \par \tab CONTAINED IN A PRECEPT FROM CHANCERY DATED SEVENTH MAY\par \tab EIGHTEEN HUNDRED AND THIRTY THREE FOR INFECTING THE SAID\par \tab RIGHT HONORABLE GODFREY WILLIAM WENTWORTH LORD MCDONALD\par \tab THEREIN DESIGNED THE RIGHT HONOURABLE LORD GODFREY WILLIAM\par \tab WENTWORTH MACDONALD OF THE ISLES BARONET OF MACDONALD\par \tab LORD OF SLATE BARON MACDONALD IN THE SAID LANDS AND BARONY\par \tab OF MACDONALD AS ELDEST SON AND NEAREST AND LAWFUL HEIR OF \par \tab TALZIE AND PROVISION IN SPECIAL OF LIEUTENANT GENERAL LORD\par \tab GODFREY BOSVILLE MACDONALD OF THE ISLES BARONET OF MACDONALD\par \tab LORD OF SLATE BARON MACDONALD HIS FATHER AND INSTRUMENT OF\par \tab SASINE FOLLOWING THEREON IN FAVOUR OF THE SAID RIGHT HONOURABLE\par \tab GODFREY WILLIAM WENTWORTH LORD MACDONALD IN THE SAID LANDS\par \tab AND BARONY OF MACDONALD DATED 15/05/1833 AND RECORDED IN THE\par \tab GENERAL REGISTER OF SASINES AT EDINBURGH THE 11/07/1833 AND\par \tab WHICH LANDS AND OTHERS ABOVE DESCRIBED ARE BY THE SAID CHARTER\par \tab DISUNITED FROM ALL AND SUNDRY EARLDOMS LORDSHIPS BARONIES AND\par \tab OTHERS WHATSOEVER WHEREUNTO THEY WERE FORMERLY UNITED AND\par \tab ANNEXED OR WHEREOF THEY WERE PARTS AND PERTINENTS TO BE HOLDEN\par \tab THE SAID LANDS AND OTHERS OF THE CROWN IN FREE BLENCH FARM\par \tab FEE AND HERITAGE FOR EVER FOR PAYMENT THEREFOR OF A PENNY SCOTS\par \tab AT WHITSUNDAY YEARLY OF BLENCH DUTY IF ASKED ONLY WHICH CHARTER\par \tab ONLY WHICH CONTAINS A PRECEPT OF SASINE IN THE FOLLOWING TERMS\par \tab MOREOVER

WE DESIRE ANY NOTARY PUBLIC TO WHOM THIS CHARTER\par \tab MAY BE PRESENT TO
GIVE TO THE SAID WILLIAM FRASER OR HIS FORESAIDS\par \tab SASINE OF THE LANDS AND
OTHERS ABOVE DESCRIBED AND THAT FREED \par \tab FROM THE FETTERS OF THE
CONTRACT OR DEED OF ENTAIL ABOVE\par \tab REFERRED TO AND OF ALL DEBTS
DILEGENCE AND INCUMBRANCES\par \tab AFFECTING THE SAME IN WITNESS WHEREOF WE
HAVE ORDERED THE SEAL\par \tab NOW USED FOR THE GREAT SEAL OF SCOTLAND TO BE
APPENDED HERETO\par \tab OF THIS DATE AND THE SAME IS ACCORDINGLY APPENDED AT
EDINBURGH\par \tab THE 16/05/1856 YEARS. ARCHIBALD MCNEILL DIRECTOR OF
CHANCERY\par \tab F.W.L.GORDON SUBSTITUTE KEEPER OF THE SEAL 24 POUNDS
SCOTTS\par \tab MONEY IN VIRTUE OF WHICH PRECEPT I HERBY GIVE SASINE TO THE
SAID\par \tab WILLIAM FRASER OF THE LANDS AND OTHERS ABOVE DESCRIBED AND
THAT\par \tab FREED FROM THE FETTERS OF THE SAID CONTRACT OR DEED OF ENTAIL \par
\tab BEFORE REFERED TO AND OF ALL DEBTS DILEGENCES AND INCUMBRANCES\par \tab
AFFECTING THE SAME IN WITNESS WHEREOF I HAVE SUBSCRIBED THESE\par \tab
PRESENTS WRITEN APON THIS AND THE TWO PRECEEDING PAGES\par \tab BY ALEXANDER
ARCHIBALD APPRENTICE TO JAMES MASON SOLICITOR\par \tab SUPREME COURTS
EDINBURGH BEFORE THESE WITNESSES THE SAID\par \tab JAMES MASON AND ALEXANDER
ARCHIBALD BOTH ABOVE DESIGNED\par \tab PEIEGI WILLIAM MASON NOTARY PUBLIC
JAMES MASON WITNESS\par \tab ALEXANDER WITNESS COLLATED BY JAMES LINDSAY
WRITTEN BY\par \tab GEORGE Y. RUTHERFORD.\par \par \par \tab\par }

1. ADAM, FATHER OF
2. SHEETH, FATHER OF
3. YAANISH, FATHER OF
4. QAYNAN, FATHER OF
5. MAHLIL, FATHER OF
6. YARD, FATHER OF
7. AKHNOOKH, FATHER OF
8. MATTOOSHALAKH, FATHER OF
9. LAMK, FATHER OF
10. NOOH, FATHER OF
11. SAAM, FATHER OF
12. ARFAKHSHADH, FATHER OF
13. SHAALIKH, FATHER OF
14. AYBAR, FATHER OF
15. FAALIKH, FATHER OF
16. RAA'OO, FATHER OF
17. SAAROOGH, FATHER OF
18. NAAHOOR, FATHER OF
19. TARIH, FATHER OF
20. IBRAHEEM, FATHER OF
21. ISMAA'EEL, FATHER OF ISAAC/ISHAG
22. NAABIT, FATHER OF JACOB/ISRAEL/YAQUB

23. YASHJUB, FATHER OF LAVI

24. YA'RUB, FATHER OF QAMAT

25. TAYRAH, FATHER OF IMRAM

26. NAAHOOR, FATHER OF MOSES/MUSA

27. MUQAWWAM, FATHER OF

28. UDD (UDAD?), FATHER OF

29. 'ADNAAN, FATHER OF

30. MA'ADD, FATHER OF

31. NIZAAR, FATHER OF IMRAN

32. MUDAR, FATHER OF VIRGIN MARY/MARYAM

33. ILYAAS, FATHER OF JESUS

34. MUDRIKA, FATHER OF

35. KHUZAYMA, FATHER OF

36. KINAANA, FATHER OF

37. AL-NADR, FATHER OF

38. MALIK, FATHER OF

39. FIHR, FATHER OF

40. GHAALIB, FATHER OF

41. LU'AYY, FATHER OF

42. KA'B, FATHER OF

43. MURRA, FATHER OF

44. KILAAB, FATHER OF

45. QUSAYY, FATHER OF

46. 'ABDU-MANAAF, FATHER OF

47. HAASHIM, FATHER OF

48. 'ABDUL-MUTTALIB, FATHER OF

49. 'ABDULLAAH, FATHER OF

50. MUHAMMAD

51. FATIMA

52. HASAN

53. HUSAIN

54. ZOHRA

55. NAIM AL-LAKHMI

56. ITAF

57. AMR

58. ASLAN

59. AMR

60. ABBAD

61. QARAIS

62. ISMAIL

63. MUHAMMAD 1

64. MUHAMMAD 2

65. MUHAMMAD 3

66. EMIR OF SEVILLE, SPAIN.

67.

68.

69.

70.

SONNA

FERNANDO

SUARO FERNANDEZ

SUARO SUAREZ

DIEGO SUAREZ

SUARO DIAZ

FORTUN ZURIA

LOPE FORTUNEZ

NUNO LOPEZ

LOPE NUNEZ

INIGO LOPEZ

[HTTP://FMG.AC/PROJECTS/MEDLANDS/NAVARRER%20NOBILITY.HTM#INIGOLOPEZDIED1077](http://FMG.AC/PROJECTS/MEDLANDS/NAVARRER%20NOBILITY.HTM#INIGOLOPEZDIED1077)

LOPE INIGUEZ

DIEGO LOPEZ (**EL BLANCO**)

LOPE INIGUEZ

Zuria Lopez, Jaun Zuria ("The White Lord") is the mythical first Lord of Biscay. According to the legend, he was born from a Scottish princess that had been visited by god Sugaar in the village of Mundaka. The 15th century warlord Lope García de Salázar adapted a history from the Libro dos Linhagem by Pedro Alfonso, making Jaun Zuria a noble elected by the Biscayne people to lead them against a Leonese army in the mythical battle of Arrigorriaga.

Another version makes Juan Zuria an Irish prince named Lemor MacMorna. While hunting with his brother Armin in the forest he killed his father with a stray arrow. Lemor was set adrift in a small boat with two other warriors and washed up on shore in Mundaka. King Lekobide of Euskadi offered him sanctuary in the valley of Padura and Lemor fell in love with his daughter Luz. Lemor slew the invading Lonese King Ordonu, was given the respectful name Zuria (The White Lord) and became the first lord of Biscay.

The historical Lordship of Biscay was created by the Castilians after they conquered the territory of Navarre in 1200 and the story serves to legitimise their dynasty.

Manso Lopez

INIGO LOPEZ, Conde de Biscay, c 1076, m in 1050 TODA ORTIZ dau of FORTÚN SANCHEZ de Nájera

LOPE **Íñigo López** (floruit 1040–1076) was the **first** Lord of Biscay.[1] Although the date is not known precisely, Íñigo's government of Biscay began between 1040 and 1043 at the latest.[2] It was certainly by appointment of the king, García Sánchez III of Navarre, and not a hereditary right.[3] At some point he received the rank of count (comes in Latin) and the style "by the grace of God" (gratia Dei).[4]

Íñigo's origins are obscure, but he may have been a son of Lope Velázquez de Ayala, a lord in Álava, Cantabria and nearby parts of Biscay. He married Toda Ortiz (Fortúnez), probably a daughter of Fortún Sánchez, the godfather of García Sánchez.[5] His father-in-law and García Sánchez both died in the Battle of Atapuerca in 1054 and Íñigo may have succeeded the former as tenente (lord "holding" the government on behalf of the king) in Nájera.[3] Documents place his rule in Nájera between 1063 and 1075, often through a vicar.[2] Besides Biscay and Nájera, Íñigo also ruled Durango.[6]

In 1051, when García Sánchez granted fueros to Biscay, he officially associated Íñigo with him in the decree, as the head of the local aristocracy (omnes milites), recognising the rights and privileges of the monasteries.[7] Íñigo is further associated with monastic renovation by his making or confirming the donations of the churches (monasteria) of San Juan de Gaztelugatxe, Santa María de Mundaca, and Bermeo to San Juan de la Peña, and of Axpe de Busturia and San Martín de Yurreta to San Millán de la Cogolla.[2] In 1076, after the assassination of Sancho Garcés IV and the division of Navarre by the armies of his cousins, Sancho I of Aragon and Alfonso VI of León and Castile, Íñigo

accepted the overlordship of the Leonese-Castilian monarch. In the surviving text of the fuero given to Nájera that year Íñigo's eldest son, Lope, appears swearing fealty to Alfonso, but he is not recorded in documents as count in Biscay until 1079. These dates being the termini ad et post quem of his death.[8] He is last recorded in a donation he made to San Millán on behalf of his late wife. In the donation he names as their children, beside Lope: García, Galindo, Mencía, and Sancho, who died young.

Lopez Diaz, Diego López I de Haro (died 1124×6) was the **third** Lord of Biscay, and also the ruler of Álava, Buradón, Grañón, Nájera, Haro, and perhaps Guipúzcoa: the most powerful Castilian magnate in the Basque Country and the Rioja during the first quarter of the twelfth century.[1] He was a loyal supporter of Queen Urraca and he fought the invading armies of her estranged husband Alfonso the Battler on two, or perhaps three, occasions.

Diego succeeded his father, Lope Íñiguez, in Biscay (and perhaps Guipúzcoa) on the latter's death in 1093, but Álava went to his brother-in-law Lope González.[2] On the death of García Ordóñez at the Battle of Uclés (1108), the tenencias of Grañón, Nájera and Haro passed to Diego by an act of Alfonso VI. In June 1110 Diego received a grant of privileges from Queen Urraca, acting without the consent of Alfonso the Battler, whereby she gave all his patrimonial lands (that is, lands he owned, not fiscal lands he governed on behalf of the crown) complete immunity from confiscation.[1] In August Urraca, then advancing with her army on Zaragoza, confirmed some rights and privileges of the monastery of San Millán de la Cogolla, an act confirmed by the three most important magnates of the region: Sancho, Count of Pamplona, Diego, described as senior in Nagera,[3] and Íñigo Jiménez de los Cameros, dominante in Calahorra.[4] At that time Íñigo Jiménez was also ruling Buradón. After Lope González's death in 1110 and before 1113 Diego succeeded to Álava and re-united all his father's tenencias.[5] It was Diego who first began using the toponymic "de Haro", which became the family name.

It is possible that Diego, alongside the Navarrese count Ladrón Íñiguez, first went to war against Alfonso in 1112, and that there was fighting in the vicinity of Castrojeriz that July. Alfonso made reference to Diego and the fighting in a charter to Santo Domingo de la Calzada, but this charter is dated differently in each of its surviving copies. One copy dates it to July 1124, which fits with Diego's last known rebellion.[6] In August 1116 Diego raised the standard of revolt against Alfonso, whose Navarrese lands his lordships bordered.[1] He was consequently deprived of Nájera, which was bestowed on Fortunio Garcés Caixal, although he may never have actually given it up.[4][5] He was allowed to retain Haro and Buradón, which he had received some time after 1110. In February 1117 Alfonso made a donation to Santa María la Real de Nájera calling himself Emperor and still claiming the kingdoms of Urraca. The donation was confirmed by Diego López, along with Pedro González de Lara and Suero Vermúdez, several bishops and many Aragonese. The charter is in the style of the Leonese chancery and its authenticity has been called into question, but it may reflect a moment of heightened negotiations between Alfonso and Urraca. It cannot be taken to reflect a desertion on the part of her major supporters (Diego, Pedro and Suero).[7] Diego remained on good terms with Alfonso in 1118, when he participated in the Reconquista of the great city of Zaragoza, and into 1119, taking part in the continuing conquest of the taifa.[5] In July 1124, perhaps encouraged by Urraca or her son, Alfonso VII, Diego again aided by Ladrón of Navarre rose against Alfonso's forces and was besieged in Haro by Alfonso himself.[8] Alfonso confiscated all his tenencias and granted them to Íñigo Vélez.[2] There is some discrepancy over when and how Diego died. According to some source, he died in 1124, probably in the fighting,[4] while others place his death in 1126, after having lost all his lands and titles.[5]

Diego married a certain María Sánchez of obscure origins. In 1121 he and his wife joined his sister, Toda López, and her daughter, his niece, María López, in making a donation to Santa María la Real.[9] María Sánchez has been called a sister of García Ordóñez, an impossibility in light of her patronymic; a daughter of Sancho Núñez, son of count Munio Sánchez, ruler of the Duranguesado; and a sister of Lope García Sánchez of the Llodio branch of the Ayala clan. More likely than any of these hypotheses is that she was a daughter of Sancho Sánchez de Erro, ruler of Tafalla in Navarre, and his wife, Elvira García, daughter of García Ordóñez. Diego's claim to García's lordships in 1108 may have stemmed partially from his wife's ancestry.[4] She gave four sons: Lope Díaz I, who later ruled Biscay and Álava, and three obscure names, Sancho, Fortunio and Gil. Some historians have reckoned Sancha Díaz de Frias, the founder of Santa María de Bujedo, his daughter, but she was more probably a daughter of Diego Sánchez de Ayala and a sister of Toda Díaz.[10] In May 1140, widowed, María "the mother of Count Lope" (mater comitis Lupi) and Mayor Garcés gave the monastery of San Ginés to that of San Juan de Burgos.[1]

Gerald Dias Lopez
born in BISCAY, Spain, dwelt in Florence

Osoria
born in Florence

Walter Fitz Other

**JOSEPH OF ARMATHEA UNCLE TO JESUS
ANNA
PENARDIN
BRAN THE BLESSED**

CARACTACUS
CYLINUS
COEL
LUCIUS OR LLEIVER MAWR
CADVAN
STRADA THE FAIR
HELEN
CONSTANTIUS 1 CLORUS 242 AD
CONSTANTINE 1 227 AD
MAXIMIANUS DAI 1 317 AD
MAXIMUS 1 1 MAGNUS CLEMENS
ST ELEN LIWYDDOG 340 AD
ANNWN DYFED AP MACSEN 355 AD
EDNYFED DYFED AP ANNWN 370 AD
KING TUDWALL 1 AP EDNYFED 411 AD
DING AP TUDWAL 427 AD
SENYLIT HAEL AP DINGAD 462 AD
NEITHON AP SENYLLT 487 AD
RHUN AP NEITHON 512 AD
TUDWAL 1 1 RHUN 537 AD
AHLLECH AP TUDWALL 562 AD
CYNFUN AP ANLLECH 587 AD
MERFUN MAWR 610 AD
ANARAWD GWALCH-CRWN 632 AD
TUDWALL 1 1 1 AP ANARAWD
SANDDE AP ALCWN 660 AD
ELIDIR AP SANDDE 708 AD
GWRIAD OF MAN 825 AD
MARVYN VRYCH
RHODRI RI MAWR
CADELL AP RHODRI MAWR
HYWEL DHA AP CADELL
OWAIN AP HYWEL DHA
EINION AP OWAIN
CADELL AP EINION
TEWDWR MAWR AP CADELL
RHYS AP TEWDWR MAWR
NESTA RHYS MARRIED **GERALD DE WINDSOR**

1 Mr. Cosimo GHERARDINI 1st Great Duke of Florence b: Abt. 87

2 Mr. Mathias GHERARDINI b: Abt. 900

3 Lord Otterus (Othoer) GHERARDINI 1: Baron of Gherardini 2: Lord in Tuscany b: 934 Gherardini, Italia d: 996 in Italia?

4 Lord Gherardo GHERARDINI Baron (Lord) of Windsor b: 980 Italia? d: Aft. 1006 in Italia? Residence: Florence, Italia

5 Dominus Otho b 1: 1006 Florence, Italia b 2: 1010 Florence, Italia Immigration: 1042 Italia to Normandie, France/Wales to England d: Aft. 1042 in Surrey, England

Mr. Walter FITZ OTHO of Windsor 1: 1078 Castellan of Windsor Castle 2: Bet. 1066 - 1087 Warden of Forests in Berkshire (c.1066-87) 3: 1100 Keeper of the Forest b 1: 1037 b 2: 1050 Living: Bet. 1066 - 1087 d:

1100 in England Reference #: (Ä178:2)

Otho (Othoer) of TUSCANY

or: Gherardine (Gherardo) of FLORENCE

Otho (Other DOMINUS) GERALDINUM (? - by 1100)

Founder of family of windsor 4th in descent from

RAINERO

in the" Battle Abbey Book"

Walter FitzOTHO (FitzOTHER) (1045? - 1099+)

Gerald FitzWALTER de WINDSOR

William fitzOther (ancestor of the fitzGeraldts or Ireland and elsewhere) held Compton (now in Sussex), Hurtmore, Godalming, Pepper Harrow and a "homager" in the soke of Kingston. He and his brother Walter fitzOther were the sons of Other, Uther or Odo, third in descent from Zuria Lopez the Fair, 1st Lord of Biscay who had 3 sons. One of them, Gerald Dias Lopez, was expelled to Florence by his bastard brother Iñigo. Uther or Other lived in Normandy and came to England during the Conquest with his sons, Walter and William. Walter's son Gerald, castellan of Windsor and Pembroke (under Arnulf Montgomery de Bellême) married Nesta, daughter of Rhys ap Tewdwr. Their daughter Angharad married William de Barry (parents of Gerald de Barry known as Giraldus Cambrensis, the historian).

Beatrice (poss. de OFFALY)

walter fitz-otho de windsor

gerald fitzwalter de windsor

maurice fitzgerald de windsor

gerald fitz-maurice

maurice fitzgerald

thomas fitzgerald

john fitzgerald

maurice fitzthomas fitzgerald

john fitzthomas chief of geraldines

slane by sir richard bochell (capell) d1261

colin (COLIMIM HYHERNUM)(CAILEAN)(CALLAN)(COLINUM HYBRIUM)

(CALINUS HIBERNUS)(COLINE GERALD)(COLINO HYBERNO) OR

COLIN FITZGERALD

of Kintail

b 1200 d 1278 Donan castle Scotland

kenneth (Coinneah macolin)

of Kintail 11

b 1250-1304 Iona monastery Iona Argyll

murdoch mackenneth

of Kintail

kenneth mackenzie

of Kintail

b -1338

kenneth mackenzie

of Kintail 111 na NA SROINE

b -1346 Perth

murdoch mackenzie

of Kintail V NA HUAGH

b 1340-1375

murdoch mackenzie

of Kintail 1111x NA DROCHAID

b 1370-1416

alexander mackenzie

of Kintail 111x IONRAIC

b 1413 Lochbroom d 1488 Kinellan

kenneth mackenzie

of Kintail 11x A BHLAIR

b 1454 -1492 Kinellan

john mackenzie

of Kintail 1x

b 1481-1561 Inverchonan House

kenneth mackenzie

of Kintail x NA CUIRC

b 1543 -1568 Beaully Inverness

colin mackenzie

of Kintail x1 CAM

b 1556 Kintail d 1594 Redcastle Rosshire

roderick mackenzie

of Tarbat

b 1577 -1626 Kintail Rosshire

john mackenzie

of Tarbat

b 1608 Inverteil Fife d 1654

alexander mackenzie

of Ardoch 1

b 1642 Kinghorn Fife

john mackenzie

of Ardloch 11

b 1664 -1726

alexander mckenzie

of Ardloch 111 b m 1732 d 1772

robert mckenzie

of Ardloch V

b 1743 -1809

alexander mckenzie

of Tarbat

d 1839 Calcutta India

donald mckenzie b 1815 killiemuir Skye

Inverness

mary mckenzie b 1849 Kinglassie

Fife

andrew foster b 1868 Kirkcaldy

Fife

thomas henderson foster b 1903 Kirkcaldy

Fife

jane shiela foster b 1934 Kirkcaldy

Fife

PAUL KAY

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