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\FROMAN\FPRQ2\FCHARSET0 GEORGIA;}}

{*\GENERATOR MSFTEDIT

5.41.15.1503;} \VIEWKIND4 \UC1 \PARD \B \FO \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

\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\TAB\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 LEGACIES\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 EXCELLENCY 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